

# Why Consequentialism's "Compelling Idea" Is Not

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**Abstract:** Many consequentialists take their theory to be anchored by a deeply intuitive idea, the "Compelling Idea" that it is always permissible to promote the best outcome. I demonstrate that this Idea is not, in fact, intuitive at all, either in its agent-neutral or its evaluator-relative form. There are deeply intuitive ideas concerning the relationship of deontic to telic evaluation, but the Compelling Idea is at best a controversial interpretation of such ideas, not itself one of them. Because there is no Compelling Idea at the heart of consequentialism, there is no initial burden of proof to be discharged nor any air of paradox to be cleared away by its opponents.

**Keywords:** consequentialism; Compelling Idea; evaluator-relative; deontic constraints; teleological conception of reasons; propositional vs. performative attitudes

## Introduction

Consequentialist moral theories have withstood the relentless criticism to which they have been subjected, and even thrived despite it, because such challenges have seemed merely to hack off branches of the consequentialist tree, leaving its trunk and roots intact. My focus here is on what I characterize as the trunk of the consequentialist tree,<sup>1</sup> what is put forward as *the* "Compelling Idea." This idea has been presented in myriad forms, some of them tantamount to forms of consequentialism itself. All of these forms, however, articulate a relationship between deontic evaluation of actions—as right, morally permissible, obligatory, and/or what ought to be done—and telic evaluation of outcomes—as good or bad, better, and best. The purportedly intuitive and commonsense Idea is that the relevant deontic evaluation of actions is determined through appeal to the relevant telic evaluation of outcomes. I will focus in particular on one form of the Compelling Idea that has been particularly influential

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<sup>1</sup>By the "roots" of consequentialism, I mean the outcome-centered theories of reason, desire, impartiality, attitudes, and value upon which this outcome/state of affairs-centered moral theory is typically grounded (see section 4). Although my focus will not be upon these consequentialist roots, I hope to have demonstrated by the end of section 4 that consequentialism's trunk, its allegedly Compelling Idea, in fact provides no independent support for the theory—it's all about the roots.

since Samuel Scheffler's *The Rejection of Consequentialism*, the form relating deontic evaluations of actions as permissible to telic evaluations of outcomes as best.<sup>2</sup> Surely there does seem to be something deeply intuitive about the general idea that it is always permissible to do what's best. How could it ever be wrong to do what's best? The consequentialist's "Compelling Idea" is the somewhat more specific idea that it is always permissible to do what *will lead to the best outcome*.

Scheffler's point in introducing this permissibility form is to distinguish this "deeply plausible sounding" Idea entailed by consequentialism from consequentialism itself. Consequentialism is commonly understood as the theory that we ought to promote the best outcome—that we are *required* to do so.<sup>3</sup> Scheffler suggests that the intuitive Idea at the heart of consequentialism, the Compelling Idea, is that we are *permitted* rather than required to do so. This distinction between the Compelling Idea and consequentialism itself allows Scheffler to appeal to the Compelling Idea in an argument for the rejection of consequentialism, and for the adoption of his preferred hybrid theory alternative.<sup>4</sup> Other consequentialists have followed suit, arguing that it is this permissibility Idea that many opponents of consequentialism itself admit to be intuitively compelling,<sup>5</sup> and deploying this per-

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<sup>2</sup>For examples of such permissibility characterizations of the Compelling Idea, see (in addition to Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Oxford University Press, 1982), p. 4): Mark Schroeder, "Teleology, Agent-Relative Value, and 'Good,'" *Ethics* 117 (2007): 265-95, p. 281; Jamie Dreier, "In Defense of Consequentializing," in Mark Timmons (ed.), *Oxford Studies in Normative Ethics, Vol. 1* (New York: Oxford University Press, 2011), pp. 97-119, at p. 100; Douglas W. Portmore, "Combining Teleological Ethics with Evaluator Relativism," *Pacific Philosophical Quarterly* 86 (2005): 95-113, p. 98; and Benjamin Sachs, "Consequentialism's Double-Edged Sword," *Utilitas* 22 (2010): 258-71, p. 264. Scheffler's work is among the first to highlight this permissibility form of the compelling idea, Portmore labels this form "the compelling idea," and Schroeder highlights its pivotal role in arguments for and against consequentialism and particular forms of consequentialism and by capitalizing it (the Compelling Idea), a convention that I adopt in this essay.

<sup>3</sup>I adapt this common formulation from Schroeder ("Teleology, Agent-Relative Value, and 'Good,'" p. 279). Although it is sufficiently broad to accommodate both standard agent-neutral and evaluator-relative forms of maximizing act-consequentialism, there are other versions of consequentialism that this formulation does not accommodate, e.g., certain scalar, satisficing, and multi-ranking forms of act-consequentialism.

<sup>4</sup>Thus: "If the unrestricted responsibility for producing optimal outcomes that consequentialism assigns to individuals is thought to be objectionably demanding, then the natural solution is to allow agents to promote such outcomes when it would be unduly costly ... for them to do so ... But at the same time, it would certainly on such a view always be *permissible* for an agent to bring about the best available state of affairs" (Scheffler, *The Rejection of Consequentialism*, pp. 20-21).

<sup>5</sup>Thus Portmore identifies what it is about "consequentialism that even its critics find compelling" as "the very simple and seductive idea that it can never be wrong to produce the best available state of affairs" ("Combining Teleological Ethics with Evaluator Relativism," p. 98).

missibility form of the Compelling Idea in arguments against traditional forms of consequentialism and in favor of the adoption of new alternatives that can accommodate both the Compelling Idea and deontic constraints.<sup>6</sup> Jamie Dreier appeals to this permissibility form of the Idea as a key premise in his argument that although all moral theories can be presented in both deontological and consequentialist forms, they ought nonetheless all to be "consequentialized" rather than "deontologized," because only in their consequentialized form can they accommodate this Compelling Idea.<sup>7</sup>

Appeal to this weaker permissibility form, moreover, is itself sufficient to present a powerful challenge—to shift the initial burden of proof—to the main rivals of consequentialism. Kantian, contractualist, and virtue ethical alternatives can all seem to fly in the face of this permissibility Idea, maintaining that in some cases it is not permissible to perform the action that leads to the best outcome as determined from an impersonal standpoint that is neutral among agents. Consequentialists often readily acknowledge that such constraints on promoting the best overall outcome also have intuitive appeal. For example, common sense suggests that it is simply not permissible for me to lie to you even though doing so will somehow lead two others to tell the truth who otherwise would have told equally damaging lies. The outcome upon which fewer lies are told may well be impersonally better, but that does not somehow make my lying to you right. Two others will have committed those wrongs, not me, and they should be held accountable for doing so, not me. To think otherwise would be to treat me as though I am just as responsible for their deception as I am for my own, but this flies in the face of moral common sense. Nonetheless, theories incorporating such direct

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<sup>6</sup>Portmore, for example, argues that because among the standard range of alternative moral theories "only a consequentialist theory can endorse the idea that it is always morally permissible to produce the best available state of affairs," and "only an agent-relative theory can avoid the counter-intuitive implications" of agent-neutral consequentialist theories, we should adopt some form of agent-relative consequentialism, which can both accommodate the Compelling Idea, and avoid these "counter-intuitive implications." Douglas W. Portmore, "Can an Act-Consequentialist Theory be Agent Relative?" *American Philosophical Quarterly* 38 (2001): 363-77, p. 17. See also Schroeder's discussion of such arguments for evaluator-relative forms of consequentialism on the grounds that they, unlike their agent-neutral counterparts, allow "for constraints while also entailing the Compelling Idea," understood as the idea that "it is always permissible for every agent to do what will lead to the outcome that is best" ("Teleology, Agent-Relative Value, and 'Good'," pp. 279-80).

<sup>7</sup>See Dreier, "In Defense of Consequentializing," in particular his claim that "I have no objection to deontologizing. But ... by consequentializing a theory we can make it consistent with the Compelling Idea (that it is always permissible to do what will have the best outcome). A theory in a format that makes it conflict with this idea seems to me to incur unnecessary plausibility costs. Keep the substance without paying the cost by consequentializing the theory" (p. 115).

constraints against lying, killing, stealing, and so on can seem to be wrecked on the shoals of the Compelling Idea. After all, if it is a better outcome upon which only one lie is told rather than two, then the agent-neutral interpretation of this Idea suggests that lying in such a case is at least morally permissible. Acceptance of the Idea (and who, it seems, could deny it?) surrounds such commonsense constraints with an air of paradox,<sup>8</sup> creating a burden of proof for critics of consequentialism that is difficult to discharge. Thus, although this permissibility form of the Compelling Idea does not entail consequentialism, consequentialism entails the Idea, while standard alternatives seem to entail its rejection.

My task in what follows is to demonstrate that this purportedly intuitive Compelling Idea is not, in fact, intuitive at all. There *are* intuitive ideas concerning the relationship of deontic to telic evaluation, but I will demonstrate that the consequentialists' Compelling Idea is at best a controversial interpretation of such deeply intuitive ideas, not itself one of them. Because there is no deeply intuitive idea drawing us towards consequentialism, there is no initial burden of proof to be discharged by opponents of consequentialism.

Although I focus upon one specific form of the Compelling Idea, that it is always permissible to do what will lead to the best outcome, even this permissibility form requires further specification. Is the permission in question rational, moral, or both? What is the relevant sense of "best"? Are outcomes properly evaluated from an impersonal, agent-neutral point of view (best overall), from a personal point of view (best for me), or from some other standpoint entirely, for example, from an evaluator-relative point of view (best relative-to-me)? Traditional consequentialists take the relevant permissibility to be moral permissibility, and the relevant sense of "best" to be the impersonal, agent-neutral best overall. But these are specifying interpretations of the Idea, and in sections 3 and 4, I will take up alternative interpretations that have been proposed by a new wave of consequentialists.

In contrast to these specifying interpretations, I want to highlight a specifying assumption that is already built into the Compelling Idea as presented. In particular, the Idea takes the relevant telic evaluation to be the evaluation of *outcomes*. We certainly do evaluate outcomes or states of affairs as better or worse, better or worse for me, and so on. But we also evaluate actions and reasons for action as good and bad, better and worse, and best. I propose that we focus upon which of these is the more plausible specification of the "best" in the relevant deeply intuitive general

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<sup>8</sup>Discussions of this apparent air of paradox can be found in Thomas Nagel, *The View from Nowhere* (Oxford: Oxford University Press, 1986), p. 179, and Scheffler, *The Rejection of Consequentialism*, p. 182.

idea that it is always right to do what's best.

Grant the deeply intuitive appeal of the general idea:

*General Idea:* It is always morally permissible to do what's best.

Is this deeply intuitive General Idea more plausibly specified, as the Compelling Idea specification simply stipulates, as the Outcome Idea?

*Outcome ("Compelling") Idea:* It is always morally permissible to do *what brings about the best outcome*.

Or is it instead more plausibly understood as the Action Idea?

*Action Idea:* It is always morally permissible to do *what it is best to do*.

Such an alternative action-centered specification is elided from view by the standard presentation of the deeply intuitive General Idea as the Outcome ("Compelling") Idea. But it is the Action Idea relating moral permissibility to what it is best to do that is recognized in other contexts as deeply intuitive and commonsensical; moreover, unlike the Outcome ("Compelling") Idea, it straightforwardly accommodates the intuitive appeal of deontic constraints. Those of us working in normative ethics have too often been mesmerized by approaches that relegate telic evaluation to the realm of outcomes. But this has inhibited us from seeing that the relevant deeply intuitive idea in fact concerns the relationship between the deontic evaluation of actions and the telic evaluation of actions—between what is morally permitted and what it is best to do in the circumstances.

In the next section, I will make the case that there is a central role in our commonsense, intuitive accounts of practical reason and deliberation for telic evaluation of actions and reasons for action. In section 2, I will demonstrate that the Action Idea that it is always morally permissible to do what it is best to do is widely recognized by consequentialists and nonconsequentialists alike as deeply intuitive, and will demonstrate that unlike the traditional Outcome ("Compelling") Idea, such an Action Idea readily accommodates commonsense deontic constraints. Moreover, acceptance of this Action Idea not only does not provide support for traditional act-consequentialism, it presents such a theory, and the Outcome ("Compelling") Idea that it entails, with serious challenges that are not confronted by rival theories. In section 3, I will suggest why an alternative specification of the Outcome ("Compelling") Idea, one upon which outcomes are evaluated not agent-neutrally but evaluator-relatively, might be thought to secure what is deeply intuitive in the General Idea. I will demonstrate in section 4, however, that there is no intuitive, commonsense appeal to such an evaluator-relative specification, and that the

case both for this evaluator-relative Outcome Idea and for evaluator-relative consequentialism itself is grounded in outcome-centered theories of reason, desire, action, and value. It is just such outcome-centered theories; however, that have recently been challenged by many critics of consequentialism, who offer more action-centered alternatives in their place. It is these outcome-centered roots of the consequentialist tree that should be our focus going forward, freed from the skewing effects of the illusory intuitive appeal of the consequentialist's Compelling Idea.

### 1. The Action Idea

Ironically, opponents of consequentialism have been complicit in eliding from view the alternative, less consequentialism-friendly Action Idea specification of the General Idea. Consequentialism has often been presented by both its critics and defenders as holding that the Good is prior to the Right. Deontological alternatives are characterized, by contrast, as holding that the Right is prior to the Good.<sup>9</sup> In one fell swoop, such a formulation of the debate effectively relegates the central role of telic evaluation in normative ethics to outcomes, and commits the deontologist to holding that the right action is determined prior to, and independently of, the relevant consideration of goodness. The effect of such a framing is to elide from view evaluation of actions and reasons for action as good, better, and best, ceding any specification of the "best" in the intuitive General Idea to the evaluation of outcomes. This shared framework suggests that only deontic evaluation is appropriate for actions, and only telic evaluation is appropriate for outcomes. An idea relating deontic to telic evaluation must be an idea relating actions to outcomes—not the Action Idea, but the Outcome ("Compelling") Idea.

But this is clearly a mistake.<sup>10</sup> Gary Watson points out that just as theoretical deliberation aims at true belief, the aim of practical deliberation "is to make a commitment to a course of action by making a judgment about what is best (or good enough) to do," and Stephen Darwall identifies the aim of action as acting "as is best supported by normative reasons (and so, in this sense, as is best)."<sup>11</sup> A person has "good enough" reasons in cases

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<sup>9</sup>See, for example, John Rawls, *A Theory of Justice*, revised ed. (Cambridge, Mass.: Harvard University Press, 1999), sec. 5.

<sup>10</sup>For an insightful discussion of this mistake, see pp. 210-12 of Barbara Herman, "Leaving Deontology Behind," in her *The Practice of Moral Judgment* (Cambridge, Mass.: Harvard University Press, 1993), pp. 208-40.

<sup>11</sup>Gary Watson, "The Work of the Will," in his *Agency and Answerability* (Oxford: Clarendon Press, 2004), pp. 123-57, at p. 127, and Stephen Darwall, *The Second-Person Standpoint* (Cambridge, Mass.: Harvard University Press, 2006), p. 279.

in which she has sufficiently good reasons to perform an action in the circumstances. Accounts of practical reasons typically allow that in certain circumstances, the reasons that an agent has to act some way are not only good enough, but better than the reasons she has to act any other way. In such cases, this will be the action that an agent has the best reasons to perform, and the course of action supported by such reasons will be the best available course of action. Within practical reason, "good," "better," and "best" play a central role in the evaluation of actions and reasons for action. Just as good reasons for believing provide evidence for taking beliefs to be true, good reasons for acting provide evidence for taking actions to be good, better than certain others, or the best of those available.

To judge an action to be the best available in this everyday, pre-theoretic sense that is central to practical reason and deliberation is to judge that the agent in question has not simply good enough reasons, but the best reasons to perform it. There is a straightforward connection between this central, commonsense notion of the "best" action and the relevant sense of "ought." Derek Parfit has articulated this connection: "most of us often use 'should' and 'ought' in ... reason-implicating senses," specifically in "decisive-reason-implicating senses." To judge that we have decisively good reasons to pursue some course of action is to judge that "this act is what we *should* or *ought* to do."<sup>12</sup> Thus, I judge that I ought to perform some action when I judge that I have not just good, or good enough, reasons to perform it, but decisively good reasons to do so. Similarly, I judge some action best, in the sense central to practical reason and deliberation, whenever I judge that I have not just good, or good enough, reasons to perform it, but decisively good reasons to do so. To judge that I ought to perform some action in the everyday, decisive-reason-implicating sense, is thus to judge that it is the best course of action in the everyday sense that is central to practical reason and deliberation. Decisively good reasons for acting imply both such deontic and telic evaluations of actions.

Donald Davidson famously invokes such telic evaluation of actions in the very formulation of the problem of weakness of the will. The weak-willed agent does X despite judging that "it would be better to do Y than to do X."<sup>13</sup> More generally, the weak-willed agent knows the better, but does the worse. Virtue ethicists from Aristotle on join Humeans and Kantians in taking the project of morality and ethics to be, in Philippa Foot's words, providing answers to questions "about good or bad action in particular circumstances."<sup>14</sup> Do I have good enough reasons to pursue

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<sup>12</sup>Derek Parfit, *On What Matters, Vol. 1* (Oxford: Oxford University Press, 2011), p. 33.

<sup>13</sup>Donald Davidson, "How Is Weakness of the Will Possible?" in his *Essays on Actions and Events* (Oxford: Clarendon Press, 1980), pp. 21-42, at p. 22.

<sup>14</sup>Philippa Foot, "Utilitarianism and the Virtues," in Samuel Scheffler (ed.), *Conse-*

some course of action? Is it better for me to do this than to do that? Are my reasons for acting some way not merely sufficient, but decisive, such that it is clearly the best course of action available to me? Such telic evaluation of actions and reasons for action is central to our everyday practices of practical reasoning and deliberation, raising obvious questions about its relationship to various deontic evaluations of actions. We have already seen that there is one straightforward relationship, that between what agents ought simpliciter to do and what it is best simpliciter to do: what an agent ought to do is what it is best for an agent to do in the circumstances. The Action Idea provides an answer to another one of these questions, the question concerning the relationship between the deontic evaluation of actions as morally permissible or impermissible and the telic evaluation of actions as best. The general platitude that it is always permissible to do what's best is parsed on this Action Idea as the deeply intuitive idea that it is always permissible to do what it is best to do, the course of action supported by the best reasons.

## 2. The Action Idea Is Intuitive and Accommodates Deontic Constraints

Philosophers working in other contexts on the relationship between the deontic evaluation of actions and the telic evaluation of actions commonly take this Action Idea alternative—that it is always morally permissible to do what it is best to do—to be deeply intuitive. Alfred Archer, for example, appeals to the intuition that “showing that an act was in line with what an agent has most reason to do seems sufficient to show that the act was not morally wrong.”<sup>15</sup> Stephen Darwall expands on this appeal to intuition, questioning whether it is even sensible to say “‘You really shouldn’t have done that’, and then add ‘but you did have, nonetheless, conclusive reasons for doing it’.”<sup>16</sup> Similarly, Allan Gibbard suggests that if I “came to agree that you in fact had perfectly good and sufficient reasons for doing what you did . . . , it would seem to show a lack of understanding of the relevant concepts to nonetheless continue to maintain that you are blameworthy.”<sup>17</sup> Actions are only morally blameworthy if

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*quentialism and Its Critics* (Oxford: Oxford University Press, 1988), pp. 224-42, at p. 235.

<sup>15</sup>Alfred Archer, “Moral Rationalism Without Overridingness,” *Ratio* 27 (2014): 100-114, p. 108.

<sup>16</sup>Darwall, *The Second-Person Standpoint*, p. 98.

<sup>17</sup>Allan Gibbard, *Wise Choices, Apt Feelings: A Theory of Normative Judgment* (Oxford: Oxford University Press, 1990), p. 299. See also: Douglas W. Portmore, *Commonsense Consequentialism: Wherein Morality Meets Rationality* (Oxford: Oxford University Press, 2011), pp. 41-51; Russ Shafer-Landau, *Moral Realism: A Defense* (New York: Oxford University Press, 2003), pp. 181-83; and Michael Smith, *The Moral Prob-*

they are morally impermissible, but if you have good enough reasons for performing some action (much less the best reasons for doing so), the action cannot be morally impermissible, hence you are not properly blamed for performing it. These are only a few of the philosophers who point out that the Action Idea (that it is always morally permissible to do what it is best to do) appears to be a deeply intuitive idea.

Moreover, in contrast with the consequentialist's Outcome ("Compelling") Idea, such a deeply intuitive Action Idea does not create an air of paradox surrounding deontic constraints. To see why, it will be helpful briefly to clarify the commonsense appeal of such constraints, and the challenge that the traditional agent-neutral specification of the Outcome Idea poses to such constraints, their commonsense appeal notwithstanding. Even many consequentialists stipulate that according to commonsense morality, each person has strong and typically decisive reasons to keep his or her promise, refuse to injure, and so on, even in many cases in which a worse overall outcome will result, for example, in which such an action will somehow result in others breaking more promises or telling more lies or violating more rights. Common sense, they allow, suggests that each person has impartial reasons not to do bad things to others, for example, to lie, steal, act disloyally, break promises, or violate their rights. In typical cases fitting the standard schema for deontic constraints, for example, a case in which unless I break my promise two others will break theirs, common sense suggests that my reasons not to do such bad things trump any reason that I have to prevent others from flouting the reasons that they have not to do bad things.<sup>18</sup> That two people will act wrongly, flouting the impartial reasons they each have to keep the promises they have made to others, does not make it right for me to act wrongly, to flout the impartial reasons that I have to keep the promise that I have made. That they will flout the reasons they have is of course a reason to blame them for violating their commitments, but it is hardly a decisive reason for me to flout the reasons I have and violate my commitment. I am responsible for keeping the promise that I make, and they are each responsible for keeping the promises that they make. In such cases, if I perform what common sense suggests is the best action available to me, keeping my promise, more people will act badly, and more bad actions will happen overall. The example schema also stipulates that my acting badly will somehow be causally relevant to their not doing so, and hence to bringing

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*lem* (Oxford: Blackwell, 1994), pp. 63-66.

<sup>18</sup>I am grateful to an anonymous referee for pointing out that not all cases of constraints that fit Scheffler's standard schema are problematic for consequentialists. In what follows, I will focus upon the standard pre-theoretically plausible examples of constraints that do apparently present such problems.

about an outcome upon which fewer bad actions happen overall. But for commonsense morality, these facts are of limited import regarding the strong impartial reasons each agent has to keep her own promise.

Advocates of the Outcome (“Compelling”) Idea do not deny that constraints are thus supported by common sense, or that there is at least a superficial rationale for such constraints grounded in the distinctive responsibility that we each have for our own actions. Their claim is instead that the deeply intuitive appeal of the Outcome (“Compelling”) Idea surrounds any attempt to provide a fully articulated rationale for such deontic constraints with an air of paradox,<sup>19</sup> driving the reflective inquirer towards act-consequentialism. The Outcome (“Compelling”) Idea, augmented with the traditional agent-neutral specification of the good, does generate such an air of paradox.<sup>20</sup> If the relevant deeply intuitive idea is taken to be this Outcome (“Compelling”) Idea that it is always morally permissible to promote the best overall outcome, understood as the agent-neutrally best outcome, then doing what is best overall is never morally prohibited. But the preventing of two promise-breakings is in this sense the best overall outcome (two promise-breakings happening is twice as bad a thing to happen as one), and commonsense deontic constraints suggest that breaking my own promise to secure the best overall outcome *is* morally prohibited in such cases. Thus, such a traditional agent-neutral specification of the Outcome (“Compelling”) Idea is sufficient to render paradoxical the commonsense appeal of deontic constraints.

The Action Idea, by contrast, does not generate such an air of paradox. Thomas Nagel has pointed out that it often appears to be the case that although “things will be better, what happens will be better ... I will have done something worse.”<sup>21</sup> The commonsense appeal of deontic con-

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<sup>19</sup>See, for example, Scheffler, *The Rejection of Consequentialism*, chap. 4, and Shelly Kagan, *The Limits of Morality* (Oxford: Clarendon Press, 1989), pp. 24-39.

<sup>20</sup>This traditional agent-neutral specification incorporates, in addition to a merely formal characterization of agent-neutrality, what Graham Oddie and Peter Milne characterize as pre-theoretical “intuitions about the agent-neutral value of outcomes.” Graham Oddie and Peter Milne, “Act and Value: Expectation and Representability of Moral Theories,” *Theoria* 57 (1991): 42-76, p. 74. Indeed, Oddie and Milne demonstrate that a merely formal characterization of agent-neutral value, shorn of such additional commitments concerning value, can accommodate such constraints (p. 71). Shyam Nair demonstrates, however, that augmentation of such a merely formal characterization of agent-neutrality with one powerful pre-theoretical intuition about agent-neutral value, which he characterizes as *unanimity* (“If every agent ought to prefer some outcome,  $o_i$ , to another outcome  $o_j$ , then  $o_i$  is better than  $o_j$ ”), results in a characterization of agent-neutral value that does not accommodate standard cases of deontic constraints. See Shyam Nair, “A Fault Line in Ethical Theory: Consequentialism, Deontic Constraints, and the Prisoner’s Dilemma,” *Philosophical Perspectives* 28 (2014): 173-200, p. 184. My thanks to an anonymous referee for prompting me to clarify my remarks on agent-neutral value.

<sup>21</sup>Nagel, *The View from Nowhere*, p. 180.

straints suggests that in addition to whatever impartial reasons we might have to promote or prevent certain outcomes, we have impartial reasons to perform and not to perform certain actions, actions that are not themselves promotings or preventings of overall outcomes. Whatever good reasons we have to prevent lies from being told, for example, are in addition to the good reasons that we have not to tell lies, and reasons of the latter sort are themselves fundamental, and in no way derivative from the former.<sup>22</sup> If, as commonsense morality suggests, such good reasons not to tell lies are sometimes decisive with respect to our reasons to minimize overall lying, the best thing to do in such cases will be to tell the truth in our dealings with others even though this will result in a worse overall outcome—for example, in more lies being told by others. Deontic constraints are thus not cases in which it is wrong to do what's best, they are a category of cases in which what it is *best to do*, hence what the agent ought to do, is apparently not what promotes *the best overall outcome*. Unlike the traditional agent-neutral specification of the Outcome ("Compelling") Idea, the Action Idea does not generate moral permissions to violate deontic constraints. Indeed, since telling the truth is apparently the best thing for me to do in the circumstances, the action that I have decisively good reasons to perform, I ought, in the decisive-reason-implicating sense of ought, to tell the truth, and ought not to lie to prevent lies from being told by others. Reasons that are distinctively moral constrain me from promoting the best overall outcome.

Let us pause to take stock. The General Idea that it is always morally

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<sup>22</sup>Consequentialists sometimes suggest that reasons not to lie, steal, kill, and break promises are not in this sense fundamental, in particular that the strong impartial reasons that each of us has not to break our promises are reasons we have because promise-breakings are bad things to happen. But again, commonsense morality would appear to suggest, by contrast, that promise-breakings are bad things to *happen* because they are bad things to *do*. It is because each of us has good impartial reasons not to break a promise that we make to another, and is distinctively accountable for doing so, that such a promise-breaking is a bad thing to happen. This point has been emphasized by Warren Quinn: "[I]t is not that we think it fitting to ascribe rights because we think it a good thing that rights be respected. Rather we think respect for rights a good thing precisely because we think people actually have them." See "Actions, Intentions, and Consequences," in his *Morality and Action* (Cambridge: Cambridge University Press, 1993), pp. 149-74, at p. 173. T.M. Scanlon makes a related point concerning reasons of friendship: see *What We Owe to Each Other* (Cambridge, Mass.: Harvard University Press, 1998), pp. 88-89. See also Bernard Williams's classic argument against consequentialism in J.J.C. Smart and Bernard Williams, *Utilitarianism: For and Against* (Cambridge: Cambridge University Press, 1973), and interpretations of Williams's argument that highlight this aspect: for example, pp. 66-96 of my *Beyond Consequentialism* (Oxford: Oxford University Press, 2009), and Alan Thomas, "Williams on Integrity, Ground Projects, and Reasons to be Moral," in Beatrix Himmelmann and Robert B. Loudon (eds.), *Why Be Moral?* (Berlin: De Gruyter, 2015), pp. 249-72.

permissible to do what's best does seem deeply intuitive, but it stands in need of specification. We have seen that action-centered specifications are typically ruled out in the very presentation of the consequentialist's Compelling Idea, creating the impression that the outcome-centered specification—the Outcome (“Compelling”) Idea—must be adopted by default, and that such a specification inherits the appeal of the general Idea. But with the recognition that an action-centered specification—the Action Idea—is not only available, but deeply intuitive, and that unlike its outcome-centered counterpart, it can straightforwardly accommodate commonsense deontic constraints, the traditional Outcome (“Compelling”) Idea loses its claim to inherit by default the intuitive appeal of the General Idea. Moreover, the Action Idea appeals to a straightforward notion of the good simpliciter. The Outcome (“Compelling”) Idea, by contrast, requires further specification of the good in question (Good overall? Good for me? Good relative-to-me?) before any such judgment of intuitiveness can be made, and it is no longer clear, once one or another such specification is adopted, that the resulting Idea is at all intuitive. Common sense suggests that what it is best to do, for example, to tell the truth, is often not what contributes to the best outcome overall, for example, the outcome upon which fewer lies are told. But this is to call into question whether the traditional agent-neutral specification of the Outcome (“Compelling”) Idea is intuitive at all, or instead has only appeared to be because the deeply intuitive Action Idea has been elided from view in the very framing of the debate between consequentialists and their critics.

Indeed, because the Action Idea, that it is always permissible to do what it is best to do, is intuitive, and common sense suggests that the best action is often not the action that promotes the best overall outcome, this Action Idea provides distinctive challenges for consequentialism, not distinctive considerations in its favor. Humeans, Kantians, and Aristotelians can all accept as intuitive some form of the Action Idea, can all accommodate in some form, without recourse to indirection, the commonsense appeal of deontic constraints,<sup>23</sup> and all reject the traditional Outcome (“Compelling”) Idea as implausible. Why, then, recognize as intuitive the Outcome (“Compelling”) Idea, which, at least on the agent-neutral specification, cannot accommodate deontic constraints, and, with the intuitive Action Idea now in view, stands as a problematic alternative specification of the General Idea that flies in the face of common sense? This challenge to the traditional interpretation of the consequentialist's

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<sup>23</sup>David Wiggins makes this case on behalf of Humeans in his *Ethics: Twelve Lectures* (Cambridge: Cambridge University Press, 2006), pp. 231-42, and Mark LeBar makes such a case on behalf of virtue ethicists in his “Virtue Ethics and Deontic Constraints,” *Ethics* 119 (2009): 642-71.

Outcome ("Compelling") Idea is in turn a challenge to traditional consequentialism itself. An air of paradox is generated by opposing the intuitive appeal of deontic constraints with the purported intuitive appeal of the Compelling Idea. But the Action Idea does not oppose deontic constraints, is intuitive, and appeals to a commonsense specification of the good simpliciter. No paradox is generated.

Even without this Action Idea in view, many consequentialists have come to doubt that the agent-neutral specification of the Outcome ("Compelling") Idea is intuitive. With the Action Idea in view as an alternative, deeply intuitive specification of the General Idea, their grounds for such skepticism are magnified. In the next section, however, I will take up recent efforts to shore up the Outcome ("Compelling") Idea by giving it an evaluator-relative rather than an agent-neutral specification.

### 3. The Evaluator-Relative Specification of the Outcome ("Compelling") Idea

I have shown that the Action Idea readily accommodates the intuitive appeal of deontic constraints and appears to be deeply intuitive in its own right. Such an action-centered specification of the General Idea that it is always permissible to do what's best seems preferable to an agent-neutral specification of the Outcome ("Compelling") Idea that cannot accommodate the commonsense appeal of deontic constraints. Moreover, this Action Idea not only does not provide support for traditional consequentialist moral theories, it raises certain presumptive challenges to such theories compared with their rivals.

Such a challenge to the traditional Outcome ("Compelling") Idea, however, may only seem to set the table for a new wave of consequentialist theories. Such theories maintain that the problem with the Outcome ("Compelling") Idea as traditionally presented is not the specification in terms of outcomes rather than actions, but the specification of the evaluation of outcomes as agent-neutral rather than evaluator-relative, as best overall rather than best (or merely highest ranked) relative-to-me.<sup>24</sup> Advocates suggest that the Outcome ("Compelling") Idea, thus appropriately, evaluator-relatively specified, readily accommodates constraints, and is, unlike its agent-neutral predecessor, intuitively compelling. In

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<sup>24</sup>Advocates of the move to evaluator-relative ranking of outcomes include: Amartya Sen, "Evaluator Relativity and Consequential Evaluation," *Philosophy & Public Affairs* 12 (1983): 113-32; Jamie Dreier, "Structures of Normative Theories," *The Monist* 76 (1993): 22-40; Michael Smith, "Neutral and Relative Value after Moore," *Ethics* 113 (2003): 576-98; Jennie Louise, "Relativity of Value and the Consequentialist Umbrella," *Philosophical Quarterly* 54 (2004): 518-36; and Portmore, *Commonsense Consequentialism*.

what follows, I will briefly clarify this evaluator-relative alternative, and suggest why it can appear to avoid problems that beset its agent-neutral counterpart. I will then demonstrate in section 4 that such an alternative specification of the Outcome (“Compelling”) Idea nonetheless also fails to find support in intuition and commonsense practices.

Commonsense deontic constraints sometimes prohibit us from bringing about what is agent-neutrally best (best overall) and what is personally best (best for me). But if the relevant specification of the goodness of outcomes takes into account agent-relative as well as agent-neutral reasons to promote outcomes, the ranking of outcomes that is generated will be relativized to each agent—not best overall or best for me, but best *relative-to-me*. On such an evaluator-relative ranking, although minimizing promise-breakings overall in some particular case may be *agent-neutrally* best, and breaking my promise might also be *best for me*, minimizing *my* promise-breakings might nonetheless be the best outcome *relative-to-me*. The Outcome (“Compelling”) Idea, thus evaluator-relatively specified, might dictate only that I am morally permitted to minimize *my* promise-breakings, hence can readily accommodate, for example, prohibitions in some cases upon minimizing promise-breakings overall. In short, there is no structural conflict between deontic constraints upon promoting the agent-neutrally best outcome and the Outcome (“Compelling”) Idea once the latter is given an evaluator-relative specification.

Such an evaluator-relative specification of the Outcome (“Compelling”) Idea has significant advantages over its agent-neutral counterpart. The first is already apparent: unlike its agent-neutral counterpart, such a specification readily accommodates deontic constraints on the promotion of the best overall outcome. A second apparent advantage is that it can accommodate the deeply intuitive appeal of the Action Idea. We saw earlier that such an Action Idea is widely recognized as having deep intuitive appeal. Morality permits us to pursue what reason correctly informs us is the best course of action, the course of action decisively supported by good reasons. The evaluator-relative specification of the Outcome (“Compelling”) Idea can accommodate this Action Idea by maintaining that although one is always permitted to do what it is best to do (the Action Idea), what it is best to do is always what promotes the evaluator-relatively best outcome. Such an accommodation seems highly implausible on the agent-neutral specification of the Outcome (“Compelling”) Idea. The reason is straightforward. Agent-relative reasons—for example, reasons for *me* to act or refrain from acting in some way or to give disproportionate weight to *my* plans and projects—often appear to be relevant to the determination of what it is best to do. It thus seems implausible that what it is best to do, taking into account such agent-relative rea-

sons, will always be to promote the agent-neutrally best outcome. By contrast, the evaluator-relative specification of the Outcome ("Compelling") Idea can take into account agent-relative considerations along with relevant agent-neutral considerations in the ranking of outcomes relative-to-me. The obstacle to accommodation of the agent-neutral Outcome ("Compelling") Idea is thus absent for its evaluator-relative counterpart. Douglas Portmore, for example, endorses a form of the Action Idea, maintaining that "an agent objectively ought to perform some particular alternative if and only if it is, in fact, the *best* alternative," where the best alternative course of action is "the alternative that she has the most reason to perform."<sup>25</sup> But this best alternative action, he argues, is determined through appeal to an evaluator-relative ranking of outcomes:

[I]t is only natural to suppose that what we have most reason to do is determined by which way we have most reason to want the world to go ... such that what [an agent] has most reason to do is to bring about the possible world, which ... she has most reason to want to be actual.<sup>26</sup>

Agents are always morally permitted to pursue the best course of action, but the best course of action always promotes the evaluator-relatively highest ranked outcome. Thus, agents are always morally permitted to promote the evaluator-relatively highest ranked outcome.

John Broome's account invites a similar reconciliation. He endorses a form of the Action Idea, that "the rightness of acts is determined by their goodness."<sup>27</sup> It is the goodness of *actions* that determines the moral permissibility of such actions. But as does Portmore, he provides an outcome-centered specification of the goodness of actions, identifying "the goodness of the act with the goodness of its consequences."<sup>28</sup> On an evaluator-relative specification of the goodness of outcomes, the result is an account upon which the rightness (moral permissibility) of actions is determined by the goodness of actions, but the best act promotes the evaluator-relatively best outcome. The Action Idea, coupled with a specification of what it is best to do as what promotes the evaluator-relatively best outcome, yields the evaluator-relative version of the Outcome ("Compelling") Idea. With such a specification, the evaluator-relative Outcome ("Compelling") Idea can then purport to inherit what is deeply intuitive about the Action Idea itself. It is always at least permissible to do what it is best to do (Action Idea), but what it is best to do is always to promote the evaluator-relatively best outcome (outcome-centered specification of the Action Idea), hence it

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<sup>25</sup>Portmore, *Commonsense Consequentialism*, p. 12.

<sup>26</sup>Ibid., p. 56.

<sup>27</sup>John Broome, *Weighing Goods* (Oxford: Blackwell, 1991), p. 6.

<sup>28</sup>Ibid., p. 4.

is always at least permissible to promote the evaluator-relatively best outcome (evaluator-relative Outcome (“Compelling”) Idea). Thus, although the traditional agent-neutral Outcome (“Compelling”) Idea cannot be reconciled either to the commonsense appeal of deontic constraints or to the deeply intuitive Action Idea, the evaluator-relative Outcome (“Compelling”) Idea can appear to avoid both of these shortcomings.

#### 4. Why the Evaluator-Relative Outcome Idea Is Nonetheless Not Intuitive

Although the evaluator-relative specification of the Outcome (“Compelling”) Idea avoids these particular problems that plague its agent-neutral counterpart, it brings other difficulties in its wake. I will briefly touch upon some concerns that have already been raised in the literature, before turning to the concern that will provide our central focus going forward. First, it is not at all clear that the evaluator-relative notion of goodness at the core of this evaluator-relative Outcome (“Compelling”) Idea is itself intuitive. Mark Schroeder challenges the very intelligibility of such a notion:

This is where I get lost. *Good* and *good for*, after all, are concepts that I can understand ... But since I don’t understand what “good-relative-to” talk is all about, I don’t understand how it could be appealing to think that you shouldn’t do something that will be worse relative-to-you.<sup>29</sup>

To the extent that it is unclear whether such an evaluator-relative notion of goodness is even intelligible, it is unclear how an evaluator-relatively specified Idea can purport to be deeply intuitive. Even if such a notion is intelligible, if it is not plausible as a specification of the goodness simpliciter invoked in a purportedly intuitive Outcome (“Compelling”) Idea, the suggestion that the Idea thus specified is itself deeply intuitive becomes implausible.

Jamie Dreier attempts to deflect such worries by picking up on themes in Philippa Foot’s argument against consequentialism. Foot’s first suggestion, as Dreier understands it, is that there is no pre-theoretical notion of the goodness of outcomes.<sup>30</sup> This might seem to suggest in turn that the absence of pre-theoretic credibility is no particular liability for evaluator-relative goodness. But this is cold comfort: if no particular specification of the Outcome (“Compelling”) Idea is pre-theoretically intuitive, it is not clear in what sense the Idea itself can be intuitively, pre-theoretically compelling. Dreier takes Foot’s second sug-

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<sup>29</sup>Schroeder, “Teleology, Agent-Relative Value, and ‘Good’,” p. 291. For Jamie Dreier’s response to this argument, see his “In Defense of Consequentializing,” pp. 102-4.

<sup>30</sup>Dreier, “In Defense of Consequentializing,” p. 115.

gestion, the suggestion that he explicitly endorses, to be that our pre-theoretic understanding of the good is at least "moored securely in the role that it plays in proper choice."<sup>31</sup> Yet it is the Action Idea, not some as yet unspecified Outcome ("Compelling") Idea, that seems to capture this pre-theoretic understanding of the role of the good in proper choice. We choose courses of action. The best action, when there is a best action, is the action that it is best to choose, and an agent is always morally permitted to perform such an action. Such an idea does seem deeply intuitive, but it is just the Action Idea.<sup>32</sup>

It is another shortcoming of such evaluator-relative specifications of the Outcome ("Compelling") Idea, however, that is more revealing for an understanding of the interplay between the Action and Outcome ("Compelling") Ideas. We saw above that such an evaluator-relative specification of the Outcome ("Compelling") Idea is sometimes presented as accommodating the Action Idea, and that this can seem to be a great virtue of such a specification in comparison with its agent-neutral rival. After all, the Action Idea appears to be deeply intuitive, and is accommodated by rival moral theories. It is thus an apparent strength of the evaluator-relative Outcome ("Compelling") Idea that advocates can embrace, along with Kantians, Humeans, and virtue ethicists, the Action Idea that it is always permissible to do what it is best to do, diverging from such views in their specification of what it is best to do as what promotes the evaluator-relatively best outcome. It is the Action Idea, coupled with this outcome-centered specification of good action, that yields the evaluator-relative Outcome ("Compelling") Idea. Thus, for Portmore, the best action just is the action that brings about the best outcome, the "possible world, which ... she has most reason to want to be actual," and for

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<sup>31</sup>Ibid.

<sup>32</sup>Another commonly raised criticism is that the evaluator-relative specification of the Outcome ("Compelling") Idea appears to encounter difficulties accommodating the explanatory component of the Idea. Even most evaluator-relative consequentialists typically take a defining feature of the theory to be the distinctive explanatory rationale that it offers for the deontic evaluation of actions through appeal to the telic evaluation of outcomes: actions are morally permissible *because* they promote the best outcome. But the evaluator-relative "consequentializing" of aspects of commonsense morality appears to result in a theory upon which it is the evaluation of actions that determines the evaluation of outcomes, not vice versa, or upon which resisting such a result invites an extremely implausible account of the value of outcomes, e.g., one that must assign vastly differing values to outcomes depending entirely on ad hoc factors. For discussions of this challenge to the explanatory dimension of consequentialism on the evaluator-relative specification, see, for example: Schroeder, "Teleology, Agent-Relative Value, and 'Good'," pp. 287-88; Portmore, *Commonsense Consequentialism*, pp. 111-16; and my "Consequentializing and Deontologizing: Clogging the Consequentialist Vacuum," in Mark Timmons (ed.), *Oxford Studies in Normative Ethics, Vol. 3* (New York: Oxford University Press, 2013), pp. 123-53, at pp. 135-36 and 144 ff.

Broome the goodness of an action is simply identified with “the goodness of its consequences.” The best actions, on such accounts, simply are the actions that promote, produce, or bring about the best outcomes.

Yet many philosophers heed Aristotle’s warning against this tendency to treat action as a species of production,<sup>33</sup> and once again common sense would appear to side with Aristotle, and against such an outcome-centered account of action. It does seem uncontroversial, as Portmore suggests, that it is through our actions that “we affect the way the world goes,” but it is something dramatically different, and far more controversial, to claim that all actions aim at producing outcomes, that is, that the aim of every action is to make “the world go a certain way.” Even granting that every action affects the way the world goes, and that some actions are actions of producing, bringing about, or in some way making a causal contribution to some outcome obtaining, is it plausible to claim that that all actions are such producings or bringings-about of outcomes? I might help to bring it about that my neighbor goes for a walk, but don’t I often just go for a walk, or keep a promise, or treat another person respectfully? As Annette Baier writes, “I had thought that I knew how to do a lot of different things: to write, to walk, to argue, to announce,” but on such an outcome-centered account “it seems that there is only one thing that I can do, and that is to contribute causally to a variety of states of affairs.”<sup>34</sup>

The evaluator-relative consequentialist’s specification of the best action as the action that produces the best outcome does not require that all actions agents perform are actions of producing/bringing about some outcome, but it does require that in performing actions such as those on Baier’s list, an agent is aiming at producing some outcome, and that the agent’s reasons to perform such actions are reasons to bring about outcomes. This is true even in cases in which the outcome to be brought about is the action, for example, even if one runs “merely for the sake of bringing it about that one runs,” or keeps one’s promise merely for the sake of bringing it about that one keeps one’s promise.<sup>35</sup>

Yet such a relentlessly outcome-centered account seems hard to reconcile with our commonsense understanding of actions and reasons for action. We seem constantly, as Baier suggests, to have reasons to play music, or keep a promise, or go for a walk that are distinct from whatever reasons we may have to bring it about that we engage in such activities.

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<sup>33</sup>Recent arguments for resisting this tendency have been offered by Christine Korsgaard, “Acting for a Reason,” in her *The Constitution of Agency* (Oxford: Oxford University Press, 2008), pp. 207-32, at pp. 216 ff., and Talbot Brewer, *The Retrieval of Ethics* (New York: Oxford University Press, 2009), p. 12.

<sup>34</sup>Annette C. Baier, “Act and Intent,” *The Journal of Philosophy* 67 (1970): 648-58, p. 653.

<sup>35</sup>Portmore, *Commonsense Consequentialism*, p. 56.

Darwall points out that an agent often values "musical activity," not just "the fact that she engages in it," and more generally seems to "favorably regard what he is doing," not just "the fact that he is doing it."<sup>36</sup> Of course an agent may in certain cases "just want the narrative of her life to include the performance of the activity,"<sup>37</sup> for example, to bring it about that she plays music, or keeps her promise, or goes for a walk, such that if she could bring it about that she had engaged in the activity without actually doing so, she would seize the opportunity. But such a person's reasons for acting seem to contrast starkly with the typical reasons that we have to play music, keep promises, and go for walks. They are not, as the outcome-centered interpretation suggests, the rule, but seeming exceptions to it. The merely contingent agent might well often find herself bringing it about that she does what she has reason to do, knowing all too well that unless she treats her own action in part as a causal consequence to be brought about, she will fall prey to incontinence, and fail to do it. But her recourse to such a standpoint towards her own actions as outcomes to be brought about seems to reflect a shortcoming in the exercise of rational authority, not a paradigm for the exercise of such authority.<sup>38</sup> Thus, it seems implausible on its face that the best course of action always aims at the promotion of the best outcome, and that all reasons to act are reasons to promote or bring about outcomes. When the plausible claim that our actions affect the way the world goes is disambiguated from such claims, the natural response, in the absence of arguments to the contrary, would seem to be to reject such alternative claims.

Broome himself seems to acknowledge this point, at least by implication. Although he understands the goodness of actions in terms of the goodness of outcomes, he allows that recognition of certain deontic reasons for acting could bring it about that what the agent ought to do is not what it is best to do in this theoretically articulated sense.<sup>39</sup> Yet as we saw earlier, there is no such space between what an agent ought to do and the pre-theoretic sense of what it is best to do. If the agent ought to act some way, this is the best course of action, the course of action decisively supported by good reasons. Like Portmore's, Broome's account of what it is best to do moves beyond the commonsense, pre-theoretic sense to build in an outcome-centered specification upon which doing what it is best to do takes into account only reasons to promote outcomes, ex-

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<sup>36</sup>Stephen Darwall, *Welfare and Rational Care* (Princeton: Princeton University Press, 2002), p. 93. See also Brewer, *The Retrieval of Ethics*, p. 21.

<sup>37</sup>Darwall, *Welfare and Rational Care*, p. 92.

<sup>38</sup>See, on this point, Richard Moran's discussion of practical rational authority (*Authority and Estrangement* (Princeton: Princeton University Press, 2001), pp. 124-37), and Darwall's discussion of the merely contingent agent (*Welfare and Rational Care*, pp. 91-92).

<sup>39</sup>Broome, *Weighing Goods*, pp. 9-10.

cluding, for example, commonsense deontic reasons to act.

Why, then, accept such an account of the telic evaluation of actions, upon which the best action just is the action that promotes the best outcome? Why not recognize the best action as the action decisively supported by good reasons, but follow common sense, and alternative moral theories, in taking “bringing about” to be only one type of action among others, and taking reasons to bring about outcomes to be only some reasons among others? On such an understanding, I do not bring it about that I tell the truth, I tell the truth, and I do not tell the truth to bring it about that I do. I tell the truth because this is the best course of action available to me, the action decisively supported by good reasons.

David Wiggins’s framework for understanding the debate highlights precisely such questions. Wiggins distinguishes the claim that X does the best thing to do from the claim that X produces the best state of affairs. Once they are distinguished, he suggests, it is not at all independently compelling simply to fold the Action Idea into the Outcome (“Compelling”) Idea:

[T]he consequentialist will be stealing the conclusion that he intends to pay for by argument if he answers these questions by simply assuming that the criteria for assessing such goodness as this [the best thing to do] must be formulated exclusively in terms of consequences.<sup>40</sup>

Wiggins allows, however, that “the way still remains open” for an argument that “entails” such an accommodation of the Action Idea by the Outcome (“Compelling”) Idea.<sup>41</sup>

And advocates of such an accommodation offer just such arguments. In particular, advocates of the evaluator-relative specification of the Outcome (“Compelling”) Idea often make the case for such an accommodation in the form of the defense of what has come to be known as the teleological conception of practical reason,<sup>42</sup> upon which all reasons are reasons to promote outcomes. As Baier and Darwall point out, many reasons to act do not seem to be such reasons to promote outcomes. But if theoretical considerations drive us to such a position, then decisively good reasons to act, reasons for adopting any particular course of action as best, will be decisively good reasons to promote outcomes. What it is best to do will be to promote or bring about the outcome best supported by the relevant reasons to promote outcomes—the evaluator-relatively best outcome.

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<sup>40</sup>Wiggins, *Ethics: Twelve Lectures*, p. 216.

<sup>41</sup>Ibid.

<sup>42</sup>Scanlon presents and argues against the teleological conception of reasons in *What We Owe to Each Other*, pp. 79-87; Portmore defends this theory of reasons in *Commonsense Consequentialism*, pp. 56-83.

Defenses of such an outcome-centered conception of reasons frequently appeal to outcome-centered theories of value and of propositional attitudes. Thus, on one prevalent theory of value, the primary bearers of value are states of affairs. It is natural on such a theory to take all fundamental reasons to be reasons to promote valuable states of affairs, and 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."<sup>43</sup> On such an outcome-centered account of value, the proper response by a rational agent to value will always be the promotion of the highest ranked outcome/state of affairs.<sup>44</sup> Support for such an outcome-centered account of reasons is also provided by commitment to a prevalent outcome-centered theory of practical attitudes, upon which the fundamental practical attitudes are desires, and desires are propositional attitudes, attitudes that, like beliefs, have states of affairs (captured by "that clauses") as their contents. To have a desire, on such a view, is to be in a "state of being motivated, or of wanting something to happen and being to some degree disposed to make it happen, if we can."<sup>45</sup> The objects of desires are states of affairs, and to have a desire is to be disposed or motivated to make such a state of affairs happen—to bring about an outcome. If such an outcome/state of affairs-centered theory of desires is accepted, it would appear to provide support for adoption of the outcome-centered account of reasons. Whether desires themselves are taken to provide reasons, or reasons are taken to be provided by facts that count in favor of the states of affairs that are the objects of desires, such an outcome- or state of affairs-centered account of desire invites an outcome-centered account of reasons upon which the best action is the action that promotes the highest ranked outcome.<sup>46</sup>

These outcome-centered theories of reason, value, desire, and so on are what I referred to at the outset as the "roots" of the consequentialist tree. Acceptance of such outcome-centered theories generates a strong presumption in favor of the Outcome ("Compelling") Idea in some form, and a presumption that the correct moral theory will itself be outcome-

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<sup>43</sup>Scanlon, *What We Owe to Each Other*, p. 80.

<sup>44</sup>Such a position is articulated and defended by Philip Pettit, "Non-Consequentialism and Universalizability," *Philosophical Quarterly* 50 (2000): 175-90.

<sup>45</sup>Parfit, *On What Matters*, Vol. 1, p. 43.

<sup>46</sup>Just such arguments can be found in the writings of evaluator-relative consequentialists such as Michael Smith and Douglas Portmore. Smith appeals to outcome-centered accounts of desire and value in making the case for a reduction of the concept of what we ought to do to the concept of goodness, such that agents ought to perform the action "that produces the most good and the least bad" ("Neutral and Relative Value after Moore," p. 576). Portmore as well mounts arguments for such an outcome-centered theory of reasons that draw upon outcome-centered theories of desire and action (*Commonsense Consequentialism*, chap. 3).

centered—some form of consequentialist moral theory. If such theories are themselves defensible, they may well compel the advocate of the deeply intuitive Action Idea to adopt an outcome-centered specification of that Idea, upon which the best action is the action that promotes the highest ranked outcome. But clarity about the kind of argument from theory that is necessary to compel acceptance of the evaluator-relative Outcome (“Compelling”) Idea also makes it clear that there is nothing intuitive about such an Idea, and that in the absence of such an argument, there would be a presumption against accepting it.

Do critics of consequentialism accept the theoretical grounds for such an argument supporting the Outcome (“Compelling”) Idea, the outcome-centered theories of reason, desire, and value (the roots of the consequentialist tree)? The debate has often been framed in ways that presuppose such acceptance. Thus, we have already seen that the debate in normative ethics has traditionally often been framed as taking place between those who hold that the right is prior to and independent of the good and those who hold that the good is prior to the right. But as both consequentialists and their critics have since pointed out,<sup>47</sup> such a framework implicitly recognizes states of affairs as the primary bearers of value, and takes the central question to be whether right action is determined through appeal to good states of affairs, or is somehow determined independently of the good. The theory of value that supports the consequentialist’s Outcome (“Compelling”) Idea is built into this framework for debating the case for and against consequentialism. Similarly, the outcome-centered account of desires as propositional attitudes is often a shared assumption of consequentialists and their critics. Consequentialists have been right to point out that within such a shared framework there is a strong presumption in favor of an outcome-centered account of reasons, hence in favor of an outcome-centered interpretation of the Action Idea upon which we are always permitted to do what it is best to do, but what it is best to do always promotes the best outcome.

The legitimacy of the appeal to such framing assumptions, however, is precisely what more and more critics of the consequentialist evaluative framework have come to challenge. If deontology is understood as stipulating that states of affairs are the primary bearers of value, and as arguing that the right action is determined somehow independently of the ap-

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<sup>47</sup>Thus, Smith maintains that within the context of such a theory of value, the opponent of consequentialism has no choice but to “look at the obligations themselves” independently of the good (“Neutral and Relative Value after Moore,” p. 587), and Herman argues that within the standard framework, “canonical deontology” must maintain that “once we find out that some action is morally required there is no sense to a further question: is it good?” (“Leaving Deontology Behind,” p. 209).

peal to value, then many critics of consequentialism have joined Barbara Herman in "leaving deontology behind," rejecting the outcome-centered theory of value that has framed the debate. Such an account, they argue, is supported neither by appeal to practice nor by appeal to theory. In practice, we appeal to many things besides states of affairs as bearers of value, including wills, objects, people, and friendship, and only some of the reasons to which such valuable things give rise are reasons to promote.<sup>48</sup> Such critics also advocate alternative theories of value that are not outcome-centered. Many Kantians argue that wills rather than states of affairs, for example, are the primary bearers of value.<sup>49</sup> Other philosophers defend pluralist theories of value, maintaining that other things in addition to states of affairs—for example, persons and objects—are bearers of value, and that the reasons to which they give rise are often not reasons to promote. Nico Kolodny, for example, takes his theory of value to establish that it is simply 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."<sup>50</sup> Still others follow Scanlon in adopting a buck-passing theory of value, upon 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."<sup>51</sup> Reasons to promote or bring about are typically recognized on such buck-passing accounts as only a subset of the reasons that are invoked by calling something valuable.<sup>52</sup> These alternatives to the outcome-centered theory of value invite conceptions of reasons upon which recognition of value is reflected in reasons to act that are not all reasons to promote outcomes, hence upon which there is no reason to expect that the best action is always the action that promotes the best outcome.

Similarly, many critics of consequentialism have come to challenge the outcome-centered theory of the relevant practical attitudes as propositional attitudes, arguing that it too is supported neither by appeal to practice nor by the most plausible theory of attitudes. Ordinary desire discourse includes desires that phi (I desire that his situation gets better),

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<sup>48</sup>This apparent multiplicity of bearers of value is emphasized by Samuel Scheffler in his "Valuing," in R. Jay Wallace, Rahul Kumar, and Samuel Freeman (eds.), *Reasons and Recognition* (New York: Oxford University Press, 2011), pp. 23-42, particularly his emphasis on "the wide range of things that we value" (p. 33), and by Nico Kolodny, "Aims as Reasons," in *ibid.*, pp. 66-69.

<sup>49</sup>See, for example, Herman, "Leaving Deontology Behind," pp. 214 ff.

<sup>50</sup>Kolodny, "Aims as Reasons," p. 68.

<sup>51</sup>Scanlon, *What We Owe to Each Other*, p. 96.

<sup>52</sup>See, for example, Scanlon's discussion of reasons of friendship and valuing friendship in *What We Owe to Each Other*, pp. 88-90.

but also desires/wants to phi (I desire to play some music; to improve the taste of the stew; to go to market) and desires for phi (I desire a Harley). Advocates of the position that all desires are fundamentally propositional attitudes, desires that phi, sometimes cite as a virtue of their theory that all desires can be translated into such propositional attitude form, but Talbot Brewer points out that 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.”<sup>53</sup> Everyday desire discourse thus suggests that at least some desires are fundamentally desires to phi that provide, or are sensitive to, reasons to phi. On desire-based theories 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 to promote outcomes. On value-based theories of reasons, the reasons to which such desires 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 an outcome-centered account of reasons or the evaluator-relative Outcome (“Compelling”) Idea.

Defenders of the outcome-centered theory of practical attitudes often appeal for support to comprehensive theories of attitudes, for example, theories that provide accounts of the contrasting directions of fit characteristic of fundamental attitudes in the theoretical vs. the practical sphere. One common account of this contrast, for example, takes the fundamental attitudes characteristic of the two spheres to be distinguished not by their objects, which are in each case states of affairs, but by the contrasting directions of fit taken towards such states of affairs: beliefs aim to fit the world; desires aim to make the world fit them.<sup>54</sup> Such a theory of attitudes supports the outcome-centered theory of the relevant desires as propositional attitudes. But alternative theories of the relevant attitudes, and of the contrasting directions of fit characteristic of the theoretical and practical spheres, challenge rather than support such an outcome-centered theory of practical attitudes. The fundamental contrast, on such theories, is that in

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<sup>53</sup>Brewer, *The Retrieval of Ethics*, p. 21. See also Michael Thompson, *Life and Action: Elementary Structures of Practice and Practical Thought* (Cambridge, Mass.: Harvard University Press, 2008), pp. 121-34.

<sup>54</sup>For presentations of this prevailing form of the contrast, see Mark Platts, *Ways of Meaning* (London: Routledge, 1979), pp. 256-57; Smith, *The Moral Problem*, pp. 111-19; Robert Audi, “Moral Judgement and Reasons for Action,” in Garrett Cullity and Berys Gaut (eds.), *Ethics and Practical Reason* (Oxford: Oxford University Press, 1997), pp. 125-59, at p. 129; and Matthew Boyle and Douglas Lavin, “Goodness and Desire,” in Sergio Tenenbaum (ed.), *Desire, Practical Reason, and the Good* (New York: Oxford University Press, 2010), pp. 161-201, at pp. 171 ff.

the theoretical sphere it is expressions of beliefs that can be mistaken, failing to fit the world, while in the practical sphere it is actions performed that can be mistaken, failing to fit the relevant expressions of intention. Failure on the theoretical side is failure of the belief expressed to fit the world; failure on the practical side is failure to act in a way that fits with the intention expressed.<sup>55</sup> On such theories, beliefs that phi, propositional attitudes, are the relevant theoretical attitudes, but it is performative attitudes, intentions to phi, that are the relevant practical attitudes. Propositional attitudes such as beliefs have states of affairs as their objects; performative attitudes such as intending, planning, and wanting to phi have actions as their objects.<sup>56</sup> Such alternative theories of the relevant practical attitudes as performative attitudes, and of the relevant contrast as involving a failure of fit between the expression of such performative attitudes and resulting action, are action-centered rather than outcome-centered. The reasons to which such judgment-sensitive attitudes are sensitive will be reasons to perform the actions that are their objects. Such theories provide no support either for an account of all reasons as reasons to promote, or for the evaluator-relative Outcome ("Compelling") Idea.

## 5. Conclusion

I have here offered only the barest sketch of certain of the alternative outcome-centered and more action-centered theories of value and practical attitudes currently on offer. But even this bare sketch of alternatives is sufficient to undermine claims that the evaluator-relative Outcome ("Compelling") Idea is intuitively compelling. Philosophers who adopt outcome-centered theories of practical attitudes and/or value have theoretical grounds for adopting the evaluator-relative Outcome ("Compelling") Idea; those who adopt more action-centered alternatives have reasons to reject it. Earlier deontologists often embraced a framework for their debate with consequentialists that at least implicitly committed them

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<sup>55</sup>See the interpretations of G.E.M. Anscombe's arguments in *Intention* (Cambridge, Mass.: Harvard University Press, 2000) that are developed by Richard Moran and Martin Stone, "Anscombe on Expression of Intention: An Exegesis," in *Essays on Anscombe's Intention* (Cambridge, Mass.: Harvard University Press, 2011), pp. 33-75, at pp. 67 ff., and Kim Frost, "On the Very Idea of Direction of Fit," *The Philosophical Review* 123 (2014): 429-84, pp. 464 ff. Frost is dubious that the distinction identified by Anscombe is any longer plausibly characterized as one of contrasting directions of fit.

<sup>56</sup>Such arguments for understanding the relevant practical attitudes as performative attitudes—attitudes with actions rather than propositions as their objects—can be found in: Thompson, *Life and Action*, chap. 8; Moran and Stone, "Anscombe on Expression of Intention"; Boyle and Lavin, "Goodness and Desire"; Brewer, *The Retrieval of Ethics*, chap. 1; and Frost, "On the Very Idea of Direction of Fit," e.g., pp. 462-63.

to outcome-centered theories of value, practical attitudes, and practical reasons. Such theories do generate a presumption in favor of an outcome-centered interpretation of the Action Idea, and hence of the evaluator-relative Outcome (“Compelling”) Idea. But such theories are not supported by ordinary practice, and recent critics of consequentialism reject such theories in favor of alternatives that provide no support for such an interpretation. If arguments for these more action-centered theories carry the day, the case for the Outcome (“Compelling”) Idea in any form is undermined at its very roots. If, by contrast, it is the arguments for outcome-centered theories that are decisive, the case for at least the evaluator-relative Outcome (“Compelling”) Idea, and hence for the outcome-centered interpretation of the Action Idea, will be firmly rooted.

Clearly, it is the arguments for and against such outcome-centered theories and their more action-centered alternatives that should be the focus of this debate going forward. But that this is the case, and why, is precisely what has been obscured by appeals to a supposedly intuitive Compelling Idea that creates both a powerful presumption in favor of consequentialism and a weighty burden of proof that must be discharged by those who oppose it. The Action Idea, that it is always permissible to do what it is best to do, has deep intuitive appeal. But we have seen that the consequentialist’s Outcome (“Compelling”) Idea is not intuitive, and hence that the appeal to such an Idea generates no initial burden of proof for opponents and no air of paradox surrounding deontic constraints. The trunk of the consequentialist tree, the Outcome (“Compelling”) Idea, is entirely dependent upon its roots, outcome-centered theories of reasons, attitudes, and/or value, and it is upon these roots that the debate should focus going forward, freed from the skewing effects of the illusory intuitive appeal of its “Compelling Idea.”<sup>57</sup>

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