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## **Direct Consequentialism, Unlimited**

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Consequentialism, as I take it here, offers a theory that ranks any items in a set of mutually exhaustive, jointly exclusive possibilities from a neutral perspective. It may be used to rank political institutions, agential organizations, or epistemological strategies for how well they perform overall but we shall concentrate here on consequentialism as a theory—a moral theory—for ranking the options that an individual agent may face.<sup>1</sup> The options in such an agential choice are possibilities—say, telling the truth, lying, or saying nothing—such that it is up to the agent which to realize.

The plan in the paper is first to introduce the neutralist conception of consequentialism assumed here; then to look at how direct consequentialism should be formulated as a theory for the moral guidance of human beings; next to argue that direct consequentialism should take the relevant consequences of options to include disposition-dependent as well as situation-dependent consequences; and finally, to offer a relatively favorable assessment of how well direct consequentialism, so interpreted, does as a moral theory .

The paper is meant to serve both as an introduction to direct consequentialism and as a defense of a version of the doctrine that does not limit relevant consequences, as they are usually limited, to the situation-dependent category. It is a decidedly opinionated piece and should be treated as such by readers.

### ***1. Consequentialism and neutralism***

*Out of utilitarianism*

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<sup>1</sup> (Pettit 2012) argues that it is hard to avoid being consequentialist about non-agential alternatives like the institutions addressed in political philosophy as distinct from ethics.

Consequentialism appeared in the mid-twentieth century as a generalization of the utilitarianism associated with Jeremy Bentham and John Stuart Mill (Sinnott-Armstrong 2015).<sup>2</sup> Where utilitarians think that an alternative is morally right in virtue of promoting happiness—right from a general point of view—consequentialists allow that there may be goods or values other than happiness and think that an alternative will be right in virtue of promoting value or the good overall (Berker 2018); more later on the idea of promotion.

In generalizing utilitarianism, consequentialists naturally assume that the goods that right choice should promote are, like happiness, agent-neutral and universal. The good of a particular individual or group—or even species—cannot be the only good that determines what it is right to choose. And neither can any good that is identified relative to the agent targeted in prescription or to the time or place of the prescription, such as the good, as it will be indexically cast, of ‘my welfare’ or ‘overall welfare now’ or ‘overall welfare here’.

Consequentialism in this sense gives all agents at all times and places the same aim: that of advancing the universal, agent-neutral good—for short, advancing neutral good or value (Parfit 1984). That it gives agents such an aim, and that it provides such neutral guidance for them, does not mean that it requires agents to think in decision-making about what advances neutral good in every choice and to let this guide them in deliberating about what to do. All it means is that the choice of a given option under a given decision-procedure, will be justified if and only if it reliably promotes the neutrally good; again, more on such justification later.

### *Neutralism and promotionalism*

Consequentialism, by this account, takes the right to be a promotional function of the neutral good: a choice is right or justifiable in virtue of promoting the neutrally good more effectively than alternatives. There are two elements in

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<sup>2</sup> The word was first introduced by Elizabeth Anscombe (1958) but she used it to describe just about any position that assumes that any actions, no matter how unappealing, may turn out to be required; nothing is absolutely forbidden.

consequentialism, so conceived: one, a neutralism about the good or value and, two, a promotionalism about the way in which the good determines the right.

Neutralism is the more basic of these two elements, because it entails and, in that sense, includes promotionalism, but not the other way around. Promotionalism is consistent with neutralism or non-neutralism, since there is nothing to rule out the possibility of taking the right to be a function of any sort of good, neutral or non-neutral. But neutralism entails promotionalism insofar as any plausible, non-promotional account of how the right relates to the neutrally good would violate neutralism.

Suppose that the right is said to be that which instantiates or in some sense honors a neutral good rather than promoting it: for example, that the right thing to do is to instantiate a neutral good like respect in dealing with others rather than promoting respect overall. An alternative to promotion of any such kind would effectively recommend the promotion of an agent-relative good: in our example, the promotion, not of respect overall, but of the agent's own delivery of respect.<sup>3</sup>

Defining consequentialism by the fact that it makes the right a function of neutral good or value fits, as noted, with its being a generalization of utilitarianism. But in recent years, some thinkers have opted for using the term for any doctrine in which the right is made a function of the good, whether that good be neutral or non-neutral (Dreier 1993; Smith 2009b; Portmore 2014). Where consequentialism is equivalent to neutralism, on our conception, it is equivalent to promotionalism on that rival way of casting it.<sup>4</sup>

The neutralist conception makes better sense of the utilitarian connection than this alternative rendering. But it also scores better in another way. It makes for a sharper contrast with non-consequentialism and allows us to see a range of doctrines on that other side. If consequentialism holds that rightness is a function of

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<sup>3</sup> Showing respect is a constraint traditionally prescribed by deontologists. But there is nothing counter-intuitive about a consequentialist supporting the fulfilment of that constraint overall—a neutral good—pace (Dougherty 2013). See (Pettit 1997).

<sup>4</sup> John Broome (1991) describes such an approach simply as a teleological theory.

the neutral good, then non-consequentialists may hold that the right is not a function of the good at all; or that it is a function, at least in part, of the non-neutral good; or, equivalently, that it is a function of the neutral good under one or another agent-relative constraint: say, that the agent retains their personal integrity or respects the rights of those they directly affect.

## ***2. Direct consequentialism as a moral theory***

Direct consequentialism is distinguished from other forms of the doctrine insofar as it offers a criterion of rightness that is meant to apply to every choice: that choice is best that scores better than alternatives in promoting neutral good or value. We turn in the next section to a crucial issue in the interpretation of direct consequentialism, arguing that it should take account of disposition-dependent as well as situation-dependent consequences. But before we turn to that version of the approach, it will be useful to look at how the demands of direct consequentialism, however it is understood, should be interpreted.<sup>5</sup>

We consider its requirements in particular as a moral theory: that is, as a theory for guiding people that takes the viewpoints and interests of all agents into account; it engages multilateral concerns (Pettit 2018a, Ch 5). While we present just one possible view of what direct consequentialism requires, we do so in a way that indicates how other views might depart from it.

Direct consequentialism, on this construal, holds by the following claim, with the elements particularly in need of explication being numbered in parentheses.

*Faced with a choice (1), every agent (2) ought (3) to control for (4) the selection of such an option (5) in such a decision-making manner (6) that they maximize (7) rationally expected (8) neutral value (9).*

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<sup>5</sup> In this section, I rely heavily on earlier work such as (Pettit 1997). For a useful overview of many of the issues raised, see (Driver 2012) and the papers in (Portmore 2020).

The numbered elements raise questions that we consider briefly in this section. Those uninterested in details about the elements might go directly to the next section.

1. *Choice*. Any choice can be characterized by the set of options it involves, where these are mutually exclusive and jointly exhaustive alternatives that are up to the agent: they will be realized or not, depending on what the agent prefers. It is noteworthy, however, that the choice presented in any case may not be the choice that the agent would do best in consequentialist terms to be considering. It may be, for example, that before deciding on the issue between A and B, I should first decide on whether to seek more information about the likely outcomes of those two options.

2. *Agent*. The agent making the choice at a given time may or may not do so in their own name. And that may affect what they ought to do. If someone acts in the name of a group, it may be right in consequentialist terms for them to enact the agency of the group, making whatever choice is dictated by their role within a corporate body (List and Pettit 2011). And even when someone makes a choice in their own name, it may be right sometimes to make it in the name of the enduring person and sometimes to make it in the name of the current self, treating a future self that is implicated in the action like another agent. Suppose I am given the choice of accepting or rejecting a book for review, where I think it is important that the book should be reviewed. It may be that I ought to accept-and-review the book as an enduring agent but, given my poor record as a reliable reviewer, that I ought to reject the book as an agent now (Jackson and Pargetter 1986). Which option is the right one to take will presumably depend on how much control I can realistically assume at this moment over my future self.

3. *Ought*. To say as a direct consequentialist that an agent ought to take one or another option in a choice may be just to say that it best promotes neutral value: that it is the right option in that weak sense. But the direct consequentialist can also recognize a distinct, strong sense of rightness and a corresponding reading of 'ought' (Chappell 2020). This is the sense in which an option is the right one to

choose only if it is a matter of obligation, not supererogatory: not beyond the call of duty. Direct consequentialists can hold that the best alternative will not count as obligatory—not as right in the strong sense—if it is sufficiently within the agent’s control to count as an option but is subject to such a prospective burden or cost that we would be unwilling, even if we had suitable standing, to blame them for failing to take it. And so, they can say that an option will count as right in the strong sense of obligatory if it best promotes neutral values—and so is right, in the weak sense—and is also, as we might put it, ‘erogatory’: accessible to the agent without a burden or cost that is unacceptable by regular standards.<sup>6</sup>

4. *Control*. When an agent chooses an option, they do so in pursuing one or another goal in accordance with their representations of how best to achieve it in the situation on hand. In other words, they control for the realization of that purpose in the sense that their success in achieving it is relatively robust over a range of possible variations on that situation (Pettit 2018b). If the agent did not exercise this sort of control, their behavior could not be guided by an intention, contrary to ordinary assumptions. We return to a more general consideration of control in the next section.

5. *Option*. The formula may suggest that there will always be a unique option that is optimific in the relevant sense. But this need not be so. There may be two or more equally valuable options in a choice—options such that the properties that determine their goodness weigh equally against each other—in which case the best thing may be to let chance decide on the option to take. And, even worse, two or more options may be on a par, to use a term from Ruth Chang (2002); they may be good in such different ways that there is no single scale on which to weigh and rank them against one another. These options will not count as having the same value, nor will any present as having more value than others. Such parity between options is readily intelligible when there are many different neutral goods to be taken account of in choice. But it will also be intelligible even if such goods are all taken to

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<sup>6</sup> Unacceptable, relative to the society. This approach goes back to John Stuart Mill (2001); see (Copp 1979). I have argued for it in (Pettit 2018a, Ch 6).

constitute dimensions in a single, multidimensional good like agential welfare; the goods that support rival options may make such different contributions to welfare that it is impossible in some choices to rank the options against one another.

6. *Decision-making*. One of the oldest criticisms of direct consequentialism, in effect utilitarianism, is that in requiring agents to make all their decisions by reference to the overall neutral good, it would prescribe ‘an incessant practical casuistry’ and be ‘the death of morality’ (Bradley 1876, 109). This was strongly resisted by utilitarians, as in Henry Sidgwick’s (1907, 413) observation: ‘It is not necessary that the end which gives the criterion of rightness should always be the end at which we consciously aim’. The point is continually re-affirmed by contemporary consequentialists (Bales 1971; Railton 1984; Pettit and Brennan 1986). But perhaps its most forceful statement was made by John Austin (1954, 108) in the mid nineteenth century. ‘It was never contended or conceived by a sound, orthodox utilitarian, that the lover should kiss his mistress with an eye to a common weal’. The plausible assumption in both Austin and Sidgwick, to which we return in the next section, is that if the best way to promote the neutral good—the common weal—is to make decisions on some other basis, then that is the way to make them.

7. *Maximize*. There are two points to make about this element in our formulation of direct consequentialism. The first is that on this interpretation the thing it is right to do, in the weak or strong sense, is to promote as much neutral good as possible, not just a satisfactory level of neutral good: to maximize rather than to satisfice (Slote 1985). Satisficing on any goal will be irrational if it is as easy to maximize as it is to satisfice, so that satisficing will be rational only if it is an indirect way to maximize.<sup>7</sup> The second point to make, however, is that promoting good consequences—and so maximizing expected good—need not mean causing such consequences to materialize. The consequences of choice in the sense appropriate to consequentialism include any effects such that we can say that they

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<sup>7</sup> For this argument see (Slote and Pettit 1984) and (Pettit 1986).

were things that the agent brought about by how they acted (Goldman 1970). Thus, by acting appropriately an agent may non-causally have the effect of breaking a promise, given a promise previously made; abiding by the law, given the requirements of law; or taking a novel initiative, given that no one did anything similar in the past (Pettit 2018b).

8. *Rationally expected.* If direct consequentialism is to enable us to determine whether an agent was justified in a choice, it should plausibly give us a criterion of right action that applies to the agent at the time of choice. This means that how well an agent performs can hardly be determined, as in some formulations of consequentialism, by the actual consequences of the option they choose compared with the consequences that other options would have had; it must be fixed by the rationally expected consequences of the option chosen compared with the rationally expected consequences of other options (Jackson 1991).<sup>8</sup> Why focus on the agent's expectation or belief about the consequences but, to anticipate the next point, not on their subjective belief about the good (Smith 2009a)? Assessing agents by reference to rational expectation challenges them to form their beliefs carefully in response to the fullest information they can access. And assessing them by reference to the objective good rather than what they believe to be good challenges them to form their views carefully in response to the best evidence available on what indeed is neutrally valuable.

9. *Neutral value.* Enough has been said about the meaning of neutrality and about the varieties of neutral value not to require further commentary. But there is an important question that arises with neutral goods like happiness that people may be said to enjoy (Narveson 1973). Should we seek to increase the happiness of people who do or will exist? Or should we seek instead or in addition to increase the number of happy people? It seems more sensible to go the first way, seeking to make people happy—the people who do or will exist, whoever they may be—rather than making happy people. Existence, plausibly, is not a good in itself. And, at least

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<sup>8</sup> We abstract here from differences between rival decision theories.



with goods that people enjoy, the case for promoting such a good is grounded in a concern for people—those who do or will exist—not a concern for the good as an abstract quantum: not a concern that would argue for increasing the number of loci—the number of people—at which that quantum may be realized (Kymlicka 1988).

This line raises a problem when someone acts for the sake of the welfare of future people, and their choice has the effect of changing the identities of the people who exist in the future: for example, when they build up their family resources before having children (Parfit 1984). It may seem that this action will not make their children better off, since the children who eventually appear would not have existed had children been born earlier. But while the parent will not have benefitted those children *de re*—under their genetic individuation—they will have benefitted them *de dicto*: that is, considered as children of that person (Hare 2007). We may say that as a result of the policy adopted their children, considered *de dicto*, are better off than their children might have been: they are better off by standards that apply across the society.

### ***3. Direct consequentialism, limited and unlimited***

*The limited version: all consequences are situation-dependent*

The standard characterization of direct consequentialism casts it as act-consequentialism, where an act is the event that realizes the possibility represented by an option. This would apply the criterion of rightness directly to the acts that would eventuate from the agent's choice of the different options. Established rivals to act-consequentialism include the rule-consequentialism that would apply the consequentialist criterion of rightness primarily to rules, personal or social, that the agent may follow in making choices (Hooker 2000); the motive-consequentialism that would apply it primarily to the agent's motives in action (Adams 1976); and the global consequentialism that would apply the criterion to acts, rules, motives,

beliefs, and so on, supporting the best feasible combination of such elements (Pettit and Smith 2000).<sup>9</sup>

There is nothing in principle against interpreting direct consequentialism as act-consequentialism. But many thinkers understand the doctrine in a way that imposes an unfortunate limitation on the consequences that may be assigned to an act and so on the aspects of the act that determine its neutral value. Both supporters and opponents limit the consequences of an act that are relevant in its moral evaluation to situation-dependent consequences. Such consequences may be causal effects of the act or, as already noted, results that materialize in virtue of surrounding conventions or circumstances. Situation-dependent consequences, causal or non-causal, contrast with disposition-dependent consequences. These are the consequences that materialize in virtue of the sort of attitude manifested by an act. Examples might be the love I give you when I act out of loving care, the friendship I give you when I act out of a friend's concern, the respect I give you when I act out of a respectful attitude.<sup>10</sup>

The assumption that disposition-dependent consequences do not matter in the moral evaluation of an act derives from a conception of acts that seeks to identify them independently of the dispositions that they manifest. In order for an event to count as an act, of course, it must be intentional in the sense, approximately, that there is some end that the agent rationally, consciously and deliberately seeks in the action. But the approach that downgrades attitude-dependent consequences suggests that the consequences of an act that matter in its

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<sup>9</sup> Global consequentialism presupposes, of course, that the best element to have in any category—say, the best beliefs to hold—satisfies constitutive constraints on that element: say, evidence-sensitive constraints on belief. See (Chappell 2012).

<sup>10</sup> Such consequences are essentially dependent on the attitude or disposition manifested. They should be distinguished from consequences that may depend contingently—contingently on the nature of the situation—on having a particular attitudinal source. In Gregory Kavka's (1983) toxin puzzle, for example, an evil demon ensures that the agent will bring about a desired result only if they have and maintain a certain intention. My thanks to Richard Chappell for alerting me to this sort of complication.

moral evaluation do not depend on the precise intention with which it is performed—at least in most cases (Scanlon 2008)—and certainly not on the deeper policies or principles, interests or motives, that shape that intention.

In *The Act Itself*, Jonathan Bennett (1995, 49) epitomizes this conception when he argues that on a view that ‘seems to be held by most moral theorists’, the ‘basic concern of morality’—the basic concern in determining rightness of choice—is with how an act relates to the world, independently of the agent’s ‘beliefs about or attitudes towards’ that relatum. Those who go along with this view generally hold that apart from the morality of acts there is a morality—a second-order morality—of agents in which credit or discredit, praise or blame, is determined. But while the attitudes out of which an agent acts ‘are relevant to judgments in the associated second-order morality’, according to Bennett (1995, 45), they are irrelevant ‘to first-order judgments of wrongness’.<sup>11</sup>

On this view of the morally relevant features of acts, direct consequentialists will argue that choices should always be judged just by reference to their situation-dependent results, and that consequences that manifest the attitude of the agent—consequences that materialize just when the attitude is present—should be set aside. This view of acts, and the limitation that it imposes on direct consequentialism, is arbitrary. Direct consequentialists should pay attention to disposition-dependent as well as situation-dependent consequences, for two reasons: one, that they certainly constitute consequences of the acts people perform; and two, that they matter enough to be morally relevant. We now look in turn at these two claims.<sup>12</sup>

*First claim: acts have disposition-dependent consequences*

Insofar as an agent does something with the intention of Xing, they will control for the realization of the effect of Xing; they will act to realize that effect

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<sup>11</sup> Most explicit defenders of the approach are not actually consequentialists. They include figures like Alan Donagan (1977), Judith Jarvis Thompson (1999), T.M.Scanlon (2008) and Derek Parfit (2011), as argued in (Pettit 2015b, 159-64).

<sup>12</sup> In arguing for this view, I rely heavily on (Pettit 2015b; 2018b).

robustly over variations on the actual situation where they operate. The agent would presumably have done X under variations where Xing required different initiatives, provided that in those scenarios Xing remained a recognized, feasible option that continued to score over the alternatives. Thus, the action will have the intention-dependent consequence that the effect is realized robustly rather than just contingently: it is realized robustly over those possible variations on the actual situation.

The robust as distinct from the contingent realization of the effect is a non-causal consequence akin to the consequence that consists in the act breaking a promise. As Xing have will have the consequence of breaking a promise, given that the agent had promised not to X, so it will have the consequence of realizing the X-effect robustly, given that the agent had the intention to X.

This robustness consequence is like the consequence brought about by an A/C system that controls the ambient temperature so that it remains resiliently or robustly within the limits specified in its set-up. That consequence has a modal quality, since it consists, not in the temperature's actually or contingently lying between those extremes, but in the fact that it would also lie there, even had things differed in other ways: had the room heated up or cooled down under independent forces. But though modal in character, the effect is still a consequence in the straightforward sense that it is brought about by the A/C system.

The intention-dependent consequence of the act is modal in the same way. The agent would have adopted different behavioral steps had the situation needed a different initiative to realize the X-goal, as the set-up of the A/C system would have entered a different state had the temperature needed a different output to keep it within the targeted range. The consequence in each case is the robust realization of the effect brought about. But that consequence is not generated just by the act, in abstraction from the intention, or just by the state of the system, in abstraction from what it is set to do. Rather, it is a consequence that materializes in virtue of the controlling intention of the agent in the one case and of the controlling set-up of the system in the other.

Once we see how an act can have a distinctive modal consequence in virtue of the controlling intention, we can see that the same may be true in virtue of other controlling attitudes. The deeper motive out of which an agent acts, or the policy they follow in acting, or any such attitude, will control in a more distal manner for what the agent does. It will ensure that the agent adopts an intention to act in this or that manner—the intention will be the proximate controller—depending on which is better suited for realizing the goal that corresponds to the motive or policy. It will mean that the agent acts in a way that answers to such a distal disposition, not just in the situation on hand, but robustly over certain variations on that situation.

Thus, if I help you intentionally to get over some difficulty, I will control for providing that help over variations on the actual situation where giving you that help is a recognized, feasible option that continues to score over non-assistance. But the help I provide will be less robust if I provide it in the absence of any relationship than if I provide it out of friendship. The inconvenience that might stop me helping you in the absence of a relationship is less likely to stop me helping you if I am a friend. Thus, when I help you out of friendship, or any such deeper disposition, I will provide the help in a particularly robust manner.

*Second claim: disposition-dependent consequences matter*

Why should people care about the disposition-dependent consequences of what someone does? Why should they care, not just about what others contingently do, but about what they robustly do? The answer is straightforward. They will be concerned about whether the help provided by another is robust across a wide range of variations, because they will be able to rely on that person to provide for such assistance only if the provision is suitably robust. And they will care about whether the harm that another does them is a one-off contingent occurrence, rather than a robustly generated effect, because they will be able to live with that person

without wariness only if it is a one-off event: only if it does not testify to a pattern of hostility they ought to fear.<sup>13</sup>

Suppose you are a new colleague and that I help you to move into your apartment. No matter what my attitudes are, you will enjoy the benefit of that help. But the effect I have on you will depend how robustly I provide that help. Think of the difference between the cases where the presumption is that I am an opportunist seeking to win favor with you as a new colleague; or that I am a good citizen honoring what I see as a collegial duty; or that I am a friend, displaying the special care that any friend might be expected to offer. If the opportunistic presumption applies, then the only good I provide will be the good of my assistance. But if either of the others applies, I will also provide a good of surety and reliance, letting you savor my solidarity in the one case, my friendship in the other.

Looking on the negative side, suppose that you do me some harm as a colleague: say, as I discover, the harm of entering my office and looking at the papers on my desk without asking me. I will think little or nothing of the harm done if the presumption is that having worked in that office previously, you entered absent-mindedly rather than deliberately. But I will make much more of it—I will have reason for serious resentment—if the presumption is that you are a nosey-parker and wanted to learn something about me, or that you are well known for seeking to gain advantage and leverage over your colleagues.

The lesson is that people will suffer benefit or loss, not just to the extent that others contingently help or harm them, but also to the extent that others control for that help or harm, conferring or imposing it robustly over certain variations on the actual circumstances. Depending on how robust it is, the help of another will

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<sup>13</sup> I neglect here the fact that in some circumstances I will properly count as providing help, only if I provide it robustly, whereas I will count as imposing a harm, regardless of how robustly I do so. I use this fact in (Pettit 2015a, 179-83) to explain the asymmetry noted by Joshua Knobe (2003) between our judgments as to whether someone helps or harms a presumptively worthy cause when their impact is a foreseen but undesired effect of their action.

manifest an attitude of goodwill and invite reliance. And depending on how robust it is, the harm done by another will manifest ill will and invite wariness.

The implication of these considerations is that we should distinguish between the actualist goods or bads that people may confer or impose on others and the modal goods or bads associated with the suitably robust delivery of actualist help or harm. For purposes of argument, we may assume that the distinct goods or bads in each category are appealing or repellent as such. But the line of thought developed here would equally go through if they were taken to be dimensions of a unitary, if multi-dimensional good like utility or disutility, and appealing or repellent only insofar as they are parts of such a complex good.

The modal goods that matter most in human life require the robust delivery of corresponding actualist goods. Thus, I will give you love or friendship or solidarity, by providing a counterpart, actualist good like affection or care or support. And I will give you that modal good, not just by providing the counterpart good robustly over situations where different means are required for realizing it—not just by providing it intentionally—but also by providing it robustly over situations where it is inconvenient, for example, where I am in a bad mood, or where you are not as charming as usual.

As this is true of love and friendship and solidarity, so something similar is true in other cases. I will give you my fidelity by keeping my promises in a more robust fashion than intentionality would require. I will give you honesty by telling you the truth in a similarly robust manner. I will give you respect by letting you make your own decisions robustly across a particularly wide range of circumstances. And I will give you justice, in the words of the Roman Digest of law, by acknowledging your due—say, your due under norm or law—with the robustness involved in acting ‘with a steady and enduring will’.<sup>14</sup>

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<sup>14</sup> *Justitia est constans et perpetua voluntas ius suum cuique tribuendi*; ‘Justice is the steady and enduring will to render unto everyone his right’ (Watson 1985, I.1.10).

Some modal goods may ideally require, not just a suitable disposition, but a constraint of law: this, in the way I and others give you the good of ownership by being constrained to robustly let you have the actualist goods of acquiring and using things in certain ways. But we will give you that good, not just by virtue of being independently disposed to allow you those benefits, but by being constrained under law to do so. We may put aside such constraint-dependent goods here, however, since they are not directly engaged by the choices of an individual; they are generated essentially by the institutions people jointly sustain.<sup>15</sup>

We do not have distinct words for modal bads in the way we often have names for modal goods. Indeed, the bads on which we focus often consist in actualist failures to provide various modal goods. Hobbes (1994, 15) recognizes the point when he says that whereas a just person ‘takes all the care he can that his actions may all be just’—that is, robustly provides just treatment—‘an unjust man is he that neglects it’: that is, happens contingently not to provide such treatment.

Despite this difference, we all recognize the modal bad that I may do you in robustly frustrating you, slandering you, or excluding you, for example. And we all recognize that proving to be hostile in any of these ways, whether acting out of enmity, envy, revenge, or hate is much worse than just opportunistically making things go badly for you.

### *Three objections*

There are three objections to adopting the version of direct consequentialism under which consequences may be disposition-dependent as well as situation-dependent. It may be useful to put these aside before looking at the appraisal of direct consequentialism, interpreted in that unlimited way.

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<sup>15</sup> This is particularly emphasized in Kant’s theory of property, and more generally freedom, as outlined in his *Doctrine of Right* (Kant 1996); I have been helped to see this by Colin Bradley. A similar approach to freedom appears in neo-republican theory; see (Pettit 2014).



One objection to this line may be that the help or harm I give you does not depend on my attitudes so much as on your belief about my attitudes in that act. But this is readily neutralized. If you later become aware of the attitudes of friendship or hostility with which I acted over a period when we were in contact, then you will naturally count as learning about a good I gave you, friendship, or a bad I imposed, hostility. You will recognize that despite not having had a correct belief about my attitude, you enjoyed that good or suffered that bad. Thus, what makes friendship good, or hostility bad, does not essentially depend on the presence of such a concurrent belief.

A second objection to giving importance to disposition-dependent consequences is that this will make it difficult to construct a code of right and wrong of the kind that many moral theories seek. Any such a code, in Derek Parfit's (2011, 25) purportedly ecumenical account of ethics, would give us a set of 'principles that are optimific, uniquely universally willable, and not reasonably rejectable'. That sort of code will certainly be hard to follow in decision-making, and hard to apply in adjudication, insofar as rightness and wrongness depend on something as relatively elusive as attitudes, especially distal attitudes; that is why the law often abstracts from motive, even from intention. But this is at best a reason to focus on situation-dependent consequences in constructing a general moral code, not a reason to give them exclusive importance in ethics as a whole. While a general code would certainly have ethical appeal, it hardly exhausts all that ethics is about.

A third objection to the line taken here starts from this premise that when I purportedly choose to X because of a disposition-dependent good—friendship or respect—I would thereby give you, I purportedly choose to X-out-of-friendship or to X-out-of-respect. But allegedly, such a complex action cannot lie within the domain of my intentional control. What holds in such a case, so the objection goes, is first, that that I choose to X, period: that is, to X, under its disposition-independent characterization; and second, that it happens that I do so—a fact beyond my intentional control—out of the disposition of friendship or respect. The idea is that

it is psychologically mistaken to think that whether I act out of this or that motive might be something that lies within my intentional control.<sup>16</sup>

There are two points to make in arguing that this is not a mistake. The first is that I may choose to X out of friendship or to X out of respect insofar I choose to treat the aspects of X-ing that are going to be salient for a friend or for someone respectful as reasons to X; and this, whether or not I explicitly notice that they have that salience feature. The second is that, identifying considerations of friendship or respect as important, I may choose to focus on what they would demand of me and, recognizing those demands, choose to X because of their importance. In both of these cases—and of course in any mixed cases—I choose a disposition-dependent option insofar as I choose to prioritize reasons related to that disposition, attending to corresponding aspects of the option and its alternatives.

Thus, there is no difficulty attached to the idea of acting with a view to realizing a modal, disposition-dependent good as a consequence. I may take account of disposition-dependent consequences in determining *ex ante* or *ex post* whether a choice is justified, as I may take account of situation-dependent consequences in that exercise. The two will operate in a parallel manner.

While this parallel holds, however, there is an important difference between how dispositions and situations enable an act to have a certain consequence. While the dispositions that make me prone to act in response to certain considerations or reasons may not be subject themselves to my control in any specific choice, they are susceptible over the long term to my cultivation. And insofar as the presence of certain dispositions would enable me to do better in relevant terms, I will have a consequentialist reason to cultivate them in myself: to try to be a better friend or a more respectful person, breaking habits of neglect or disregard. This reason may even operate in tandem with the consideration to which a disposition sensitizes me. Being respectful I may respond suitably to your status as an independent person but

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<sup>16</sup> The objection is mooted by Tim Scanlon (2008, 24; see too Kolodny 2011, 122), but was put forcefully to me by David Copp and by Brian Hedden. I consider a version of it in (Pettit 2015b, 165-67)

the reason for such treatment that your status constitutes may be complemented by the consideration that by acting in that way I can reinforce respectfulness within myself.<sup>17</sup>

#### ***4. Assessing direct unlimited consequentialism***

##### *Modal and actualist goods*

How well does direct consequentialism fare as a moral theory: that is, as a theory designed to guide an agent by criteria that reflect a concern for others as well as for the self? How well does it do so if disposition-dependent and situation-dependent consequences are both relevant, as on the unlimited version of the approach: that is, if the guiding criteria reflect neutral goods of a modal as well as an actualist kind? Actualist goods will include pleasure, resources, health and the like, modal goods love and friendship and solidarity, respect and justice, and a raft of similar goods like honesty and candor, trustworthiness and trust.

We shall consider five standard problems for direct consequentialism that the inclusion of modal goods helps in some part to resolve. But first, briefly, a problem where the inclusion of such goods is irrelevant. This arises for anyone acting with others in a collectivity where the following holds: neutral value is well served when all or most make a contribution and jeopardized when none or few do so, but still no individual appears to have reason to act in that way, especially given the personal cost of the action. This sort of predicament arises with the actions needed, for example, to deal with climate change. Each person may feel that because they cannot do anything to mitigate or compensate for climate change, freeriding may be for the best. The chance of the individual making a difference may be vanishingly unlikely, because only one in a million will be at the threshold where they can trigger a change that improves things. Or, worse, it may be impossible for any individual to trigger a change for the good because, as no single pebble can make a sufficient difference to turn a non-heap into a heap—the sorites paradox—

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<sup>17</sup> This might be taken as the lesson of global consequentialism, as we described it earlier. See (Pettit and Smith 2000).

so no single contribution can make a sufficient difference to make an improvement on the climate-change front.

This problem is not insurmountable. Where there is a triggering case, as in the first possibility, then every individual can increase the probability that that case will materialize—that the environmental good will be increased by someone’s initiative at that point—by contributing themselves. And where there is no triggering case, as in a sorites puzzle, the environmental good will be increased if all or most contribute, so that by contributing themselves anyone can make it more likely that the required number of people will do so and that the good will therefore be increased.<sup>18</sup>

The problems for direct consequentialism where the inclusion of modal goods promises to help can be organized under five headings: deliberation; self-effacement; agent-integrity; over-demandingness; and equality claims.

### 1. *Deliberation*

As already indicated, one of the long-running issues raised by opponents for direct consequentialism is that it apparently requires the agent to calculate about what would be for the best overall in every decision. That, in the words cited from F.H. Bradley, will require people to practice incessant casuistry: in a more contemporary idiom, to conduct a cost-benefit analysis determining what to do in any choice.

The traditional response to this problem, implicit in John Austin’s retort, is that there are many goods, including neutral goods, that cannot be advanced when agents deliberate in such a consequence-centered way. The mutual enjoyment of the lovers in Austin’s example is surely going to be tarnished or even undermined if either one of them is thinking in a calculative manner about the moral pros and cons of a kiss or caress. Such deliberation is likely to be manifest to the other, with

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<sup>18</sup> There is an enormous literature on this topic and these brisk comments fail to reflect the range of nuances that it rehearses and the range of issues it raises. For a recent, sophisticated discussion that reviews many of these, see (Hedden 2020).

disastrous consequences. But even if it is not manifest, its presence will mean that the deliberative lover is not providing the good that the other expects: viz., a show of spontaneous affection.

The recognition of modal, robustly demanding goods shows that this response applies quite generally. If I give you a good like love or friendship, fidelity or honesty, respect or justice, then I must deliver the actualist good involved—giving affection or care, keeping a promise, telling the truth, exercising restraint or giving someone their due—in a suitably robust manner. I must deliver it out of the corresponding disposition, acting for the sorts of reasons to which it sensitizes me: that you are a friend, that you rely on my honesty, that you are an independent person deserving of respect, and so on.<sup>19</sup>

Thus, if you ask me to do something for you as a friend, say to help you move an apartment, I will respond in a way that confirms my friendship—I will control for realizing the good of friendship in this act—only if I act for appropriate reasons. I may say that I need to think about the best time to provide this assistance but in most circumstances—those where I can still provide help and helping is not outweighed by other options—it must go without saying, and without further deliberation, that of course I will help you out: you are a friend, and your needs matter to me.

If I need to calculate about whether helping you out will promote the impersonal good, therefore—even promote the impersonal good of friendship—I will not promote friendship in how I act. Whatever you think—you may be deceived, after all, about my motive—I will not give you friendship in that act. Acting out of friendship contrasts as much with acting out of universal benevolence as it does with acting out of self-interest.

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<sup>19</sup> Of course it may not always be appropriate—this, because of the consequences—to take such reasons into account. If I am a public official deciding on who should receive an award in some category, it would be inappropriate for me to take into account the fact that you are a friend.

The upshot is that as direct consequentialists have routinely claimed, the moral project of promoting the neutral good often requires agents to make decisions on a distinct basis from that of calculating about impersonal consequences. Whenever there are modal goods at stake, the promotion of neutral value requires an agent, paradoxically, to make decisions other than by deliberating about how best to promote that value. To give you friendship or respect or whatever I must act for the reasons that matter to me in virtue of being a friend or having respect—that you need my help, that you are an independent person—not for the sake of the overall promotion of friendship or respect or indeed any neutral good.<sup>20</sup>

## *2. Self-effacement*

But if direct consequentialists take this line then they may seem to confront another difficulty: viz., that their theory, at least in part, becomes self-effacing (Parfit 1984, Ch 1.17). If agents can promote modal goods only by acting out of corresponding dispositions, then they are apparently required to silence the question as to whether acting out of this or that disposition is for the neutral best. And that requirement would be problematic, since any particular dispositions, even generally beneficent ones, can sometimes lead an agent to do wrong by consequentialist lights.

There is a time to act out of the disposition of friendship but also a time when doing so ceases to be the most appealing option: when, for example, it means being an accessory to a possible crime. There is a time to act out of the disposition of respect but also a time when this too is wrong: when, for example, it means allowing a parent to physically abuse their child. If direct consequentialism is forced to be self-effacing, as modal goods appear to require, then it is liable to lead agents astray by its own criterion of right.

This problem is readily resolvable, however. Agents will control for the realization of modal goods by giving a guiding role, now here, now there, to the

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<sup>20</sup> For a sophisticated, congenial line of thought on the issues in this section, see (Chappell 2021).

prompting of suitable dispositions: by outsourcing control, if you like, to those sentiments. But they need not, and should not, outsource control irrevocably, effacing general considerations. They can remain on standby, ready to withdraw control and resort to active, consequence-centered deliberation, if a red flag goes up: if it appears at any point that authorizing the disposition is likely to jeopardize the good overall. Thus, a red flag will go up if a friend asks you to help them move a body rather than an apartment. And a red flag will surely go up if someone you respect is on the point of abusing their child.<sup>21</sup>

The lesson is that direct consequentialism should counsel a pattern of action in which the agent gives over control to suitable dispositions as circumstances recommend but remains alert to the possibility of red flags and ready to respond with deliberative reconsideration. An agent can be sure of noticing and acting on red flags, of course, only insofar as they are sensitive to the full range of neutral goods, modal and actualist. This echoes the thought, familiar from Aristotle, that if agents are to possess and display one virtue—say, a disposition to respond to one modal good—then they must also possess others: virtues come in a unified package, not as isolated dispositions.

Bernard Williams argues that agents who follow rules of thumb rather than deliberating in a consequence-centered way must still ‘keep an eye open for signs that a case may be exceptional’ (Smart and Williams 1973, 127) and, in a phrase he uses elsewhere, will have ‘one thought too many’ to count as responding properly in love or friendship or even respect (Williams 1981, 81). But this complaint need not apply on the model of standby control. That agents act as required in the absence of a red flag does not mean that they need to check in each case that red flags are absent. Here as elsewhere, relying on the absence of evidence does not mean relying on the evidence of absence.

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<sup>21</sup> The dual control advocated is similar to Daniel Kahneman’s (2011) picture, under which people are routinely guided by system-1 habits but remain disposed to introduce system-2 consideration when things are going awry. See too (Sperber 2010).

### 3. *Agent-integrity*

Direct consequentialism may well seem to compromise what Bernard Williams has described as the integrity of an agent (Smart and Williams 1973). The main problem alleged is that agents who set out to promote the best consequences make themselves slaves to whatever that project requires in the circumstances of their lives; they make themselves hostages to fortune, accepting that they may have to act in an intuitively objectionable manner to reduce overall evil or harm. Thus, so the idea goes, direct consequentialism may force them to reject the intuitive requirement that they should have a character with which they can identify: a character that would give them wholeness or integrity as an agent.

This problem is standardly illustrated by familiar, fictional cases. Thus, in a variation on the standard trolley problem, direct consequentialism would seem to require an agent to push someone to their death to stop a runaway trolley from killing three or more. And in another standard story, it would apparently require a surgeon to kill one patient to harvest organs that can be used to save the lives of five. As such examples suggest, direct consequentialism seems to require an agent to do whatever in the circumstances is for the best, regardless of how evil and repugnant it is and regardless of the challenge to their own integrity as an agent.

While this is perhaps the toughest challenge that direct consequentialists must face, there are several points that block or soften its impact. First, the sort of problem envisaged can arise for any theory of right choice that is at least partly sensitive, as even non-consequentialist theories are, to neutral consequences. Second, if overall value is a function of distinct goods or even of distinct dimensions in a multi-dimensional good like utility—the possibility is supported by the recognition of modal goods—then in some cases of this kind, morality may fail to deliver a determinate answer; the options may be on a par, in the sense explained earlier. Third, taking the radical, presumptively objectionable option may undermine the dispositions that modal goods presuppose; it may demoralize the agent and not be for the best overall. Fourth, there are also other reasons why the radical option may not be for the best: for example, that it requires the agent to



make an exception of themselves under a generally beneficent norm or law, thereby undermining that standard. Fifth, even if direct consequentialism ranks the radical option as best, the personal cost of taking it may mean that it is not erogatory, as we put it earlier, and not a matter of obligation.

These points reduce the force of the integrity considerations in general. But there is one particular argument for why consequentialism will undermine integrity that we should counter. Assuming consequentialists favor the promotion of some value, *V*, so the argument goes, they will have to hold that if the agent can get an optimal number to act in a *V*-appropriate way by themselves acting in a *V*-inappropriate manner, then that is what they should do, regardless of the impact on the agent's integrity. If, for example, they can get an optimal number to be respectful by being disrespectful themselves then they should be disrespectful. This sort of argument is not going to be persuasive with disposition-dependent goods. How could my disrespect get an optimal number of others to be respectful, given that it would have to affect the dispositions as well as the behaviors of others: it would have to ensure, not just that others acted respectfully, but that they did so out of the disposition of respect?

There are two other, less pressing problems that direct consequentialism faces on the count of agent integrity, broadly understood, and we should also address these. Common-sense intuitions suggest, first, that it is always worse to bring bad consequences about than to let them materialize by omission: that is, by not preventing them; and second, that it is worse to bring them about as the intended result of a decision rather than doing so as a foreseen but unintended effect of an otherwise appealing decision. One plausible explanation of the common-sense intuitions is that the identity and integrity of an agent is implicated more closely in what they do and what they intend to bring about than in what they fail to do or in what they foresee they will bring about. But on a consequentialist reckoning, there may be no morally significant differences marked by the act-omission and intention-foresight distinctions. Thus, in refusing to downgrade

merely foreseen evil, or the evil brought about by omission, consequentialists may be said to neglect the importance of agent integrity.

The response to this concern is that a consequentialism that recognizes modal goods and modal bads can explain the superficial appeal of the act-omission and intention-foresight principles without giving them bedrock importance. The appeal is readily intelligible. Taking the act-omission case first, the active malefactor will look around for the best way of harming another, and so harm them robustly across variant circumstances, whereas the agent who imposes a harm by not preventing it from occurring will impose that harm only where there are no others to prevent it. And, turning to the intention-foresight case, the intention to harm someone will prompt the agent to seek out the best way of achieving that end, and so to achieve it robustly, whereas the agent who foresees that an independently attractive action will harm the person may impose that harm only when there is no other way of securing the independent attraction.

These observations explain why the action-omission and intention-foresight principles have a superficial appeal and may be useful as moral heuristics, even for direct consequentialism. But they do not make them into canons of right and wrong, for they would be misleading by consequentialist lights in many scenarios. Letting a child drown when no one else is around, for example, will be just as robustly bad as actively drowning it (Singer 1981). And intending to bomb a residential complex will be no less robustly bad than foreseeing that the complex will definitely be destroyed by an independently endorsed course of acting: say, bombing a site nearby.

#### *4. Over-demandingness*

Does morality require intuitively too much of agents like you and me if it assumes a direct consequentialist form (Kagan 1989; Singer 1993)? This problem arises with both actualist and modal goods. It may seem that if I am to maximize resources or well-being overall, for example, and I live in affluent circumstances,

then I need to put myself out of the picture and concentrate my efforts entirely on those who live under severe deprivation.

The first thing to say on this issue is that every moral theory ought to prescribe a degree of altruism towards the deprived that may count as heroic by comparison with how most of us behave. Any theory that gave us no sense of that demand would be highly questionable and it is to the credit of direct consequentialism that it naturally underlines the requirement, say in arguing for an effective form of altruism (MacAskill 2015). But while no one should object to the fact that it makes that requirement salient, there would be reason to question the theory, if it prescribed a total or radical form of self-abnegation on the part of an agent: a denial of importance to their own life, their own family, friends and acquaintances, and their own concerns (Mulgan 2001). But there are reasons to think that a direct consequentialism, in particular one that recognizes disposition-dependent goods, will not require such self-abnegation.

Frank Jackson (1991) argues that the problem raised becomes less pressing, when we realize that the effectiveness of our actions in securing the goods that increase the utility of others—we set aside non-human animals in this context—varies between the following two constituencies. On the one side, individuals with whom we are well acquainted and for whom we are naturally concerned; and, on the other, people who live beyond the reach of personal engagement, at a spatial, temporal or cultural distance. The idea is that we are likely to be better at generating utility among those we love or know or live with than among people who live beyond our immediate acquaintance or influence. Of course, the welfare of those who live at a remove may be under such pressure or threat that we are required to do our utmost to provide help and relief. But our utmost should not undermine efforts in the closer domain where we can act with greater effect, so that our natural concerns for the near and dear may have a justified degree of prominence in trying to live up to the direct consequentialist standard.

This argument applies with the utility deriving from any goods. But it has a somewhat deeper impact in the domain of modal, robustly demanding goods. For

the striking thing about such goods is that, at least in central cases, they presuppose relationships of engagement with others and can only be directly promoted within such relationships. We can give goods of love and friendship and solidarity only to those with whom we interact in relatively intimate surroundings. We can prove honest only with those who rely on us for information. We can keep our promises only with those to whom we have made promises. And in the primary sense of the terms, we can grant respect, or do justice, only to those with whom we interact in some measure. Thus, if these are goods worth caring about, they argue for not letting the claims of those at a remove automatically trump the claims of the near and dear.

### *5. Equality claims*

Advancing the neutral good is bound to imply advancing the good of persons. But acting to increase the goods enjoyed by persons, so a final objection goes, may fail to treat people as separate and equal and be intuitively objectionable on that account. Those who hold that maximizing the good of people means maximizing an abstract quantum—a view criticized earlier—claim to give some support to such treatment insofar as they do not favor any individual or group over others on an *ex-ante*, independent basis. If they argue for giving greater resources to some than to others, that is only to the extent that those individuals represent more productive points at which to invest effort. But this conception of what it is to treat people as equals is decidedly shallow since it might allow great disparity in how they are treated.

Can we do better? Yes, if we hold that it is the good of actual individuals, present or future, that matters—not an abstract quantum—and acknowledge the importance of one specific modal good. This is the good that consists in enjoying respect as a person and, personhood being equally shared, enjoying respect in particular as the equal of others (Pettit 2021). Respect as an equal with others is a relational as well as a disposition-dependent good insofar as it requires that people should enjoy a significant sort of equality in their mutual relationships (Anderson 1999; Scheffler 2005). Acting to maximize the enjoyment of relational respect

among existing people—and indirectly, among people in the future—would lead to a failure to treat them as separate and equal, by intuitive criteria, only in the most perverse and fanciful circumstances.

Is relying on respect, as I do here and have done previously, objectionably ad hoc? I do not think so, given that the enjoyment of respect as equals is perhaps the most important of all modal goods. It requires that each person should be able to choose as they will within a range that is designated in norm or law as one of properly personal choice. Specifically, they should be able to make their decisions in that zone without depending on the permission or goodwill of others: effectively, with an assurance of restraint grounded in the attitudes of others and ideally reinforced by the law (Pettit 2015b). In that sense, they ought to be able as a matter of right—not just by the benevolence of others (Feinberg 1970)—to think as they wish, say what they think, form relationships as they choose, move as they like within the local jurisdiction, and hold and use their property on the same terms as others.<sup>22</sup>

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<sup>22</sup> I benefitted greatly from detailed comments on an earlier draft from Richard Chappell and David Copp, and from discussions with Garrett Cullity, Alan Hajek, and Brian Hedden.

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