

## A Defense of Scalar Utilitarianism

**Abstract** Scalar Utilitarianism eschews foundational notions of rightness and wrongness in favor of evaluative comparisons of outcomes. I defend Scalar Utilitarianism from two compelling critiques, the first against an argument for the thesis that Utilitarianism's commitments are fundamentally evaluative (or Scalar) and the second that Scalar Utilitarianism does not issue demands or sufficiently guide action. These defenses suggest a variety of more plausible Scalar Utilitarian interpretations, and I argue for a version that best represents a moral theory founded on evaluative notions and offers better answers to demandingness concerns than the ordinary Scalar Utilitarian response. If Utilitarians seek reasonable development and explanation of their basic commitments, they may wish to reconsider Scalar Utilitarianism.

**Keywords** Utilitarianism; Scalar Utilitarianism; Demandingness; Moral Reasons

### 1 Introduction

Scalar Utilitarianism holds that Utilitarianism's core commitments are evaluative rather than deontic. What is fundamental to Scalar Utilitarianism is not an act's being *right* or *wrong*, but rather an act's being *better* or *worse* than others. Notions of rightness are eschewed in favor of evaluative comparisons of outcomes.<sup>i</sup> Though Norcross (2006a; 2006b) gives the most recent defense of Scalar Utilitarianism, it is also discussed by Tim Mulgan (2001), who credits it to Michael Slote (1985; 1989).<sup>ii</sup>

For some, Scalar Utilitarianism is a plausible and historically representative interpretation of Utilitarianism (e.g. Norcross 2006a), but recently the theory has received compelling critique. Here I defend a version of Scalar Utilitarianism, responding to two recent and important challenges, first one from Lang (2013) and then one from Lawlor (2009a; 2009b). I first introduce Norcross's 'Persuasion Argument' for Scalar Utilitarianism, the argument that evaluating Utilitarianism by its own lights reveals its commitments to be fundamentally evaluative, and defend this argument from Lang's critique.

I then turn to the issue of moral demandingness. Often, Utilitarianism is claimed to be overdemanding, issuing overly taxing moral requirements. The commonly offered view is that *Scalar*

Utilitarianism makes no demands on agents and thus is not overdemanding (e.g. Norcross 2006b). Though this response solves certain overdemandingness concerns quickly for Scalar Utilitarianism, it does not solve them well, as Lawlor (2009a) notes. I offer and defend a different interpretation of Scalar Utilitarianism, namely one that issues moral demands. These demands better represent the evaluative nature of Scalar Utilitarianism, and they provide improved answers to demandingness concerns.

The analysis throughout is restricted to Utilitarian theory. The first half of the paper is a revival of an argument that Utilitarianism evaluated by its own lights is Scalar, and the conclusion from the second half is that a revised Scalar Utilitarian conception provides improved answers to demandingness concerns. In both parts I argue for the priority and importance of a Scalar Utilitarian understanding of Utilitarian theory, but in the final section I indicate some ways in which embracing Scalar Utilitarianism coincides with adherence to standard (non-Scalar) Utilitarianism.

Before turning to the arguments, it is worth briefly discussing the methodology of the paper. There are a number of considerations used to assess moral theories. These include starting from attractive general beliefs about morality, having an internally coherent and consistent view, and having the view align with our (considered or thoughtful) moral beliefs or convictions.<sup>iii</sup> Beliefs about the intuitiveness or plausibility of a theory or its implications serve an important role in assessing theories, but individual intuitions often point in different directions, with a moral theory gaining support from some intuitions and losing intuitive support from others.

In particular, it is hard to find any form of Utilitarianism whose results are *all* entirely intuitive. Thus, I discuss intuitions throughout – some of which support Scalar Utilitarianism, others that suggest its implausibility – and use these as one type of evidence for or against particular moral theories. As with other investigations in moral theory and especially within Utilitarian theory, there are important further debates to be had and work to be done to bring greater coherence among our

moral intuitions and considered moral judgments. My aim in the paper is to respond to two specific *arguments* about Scalar Utilitarianism. These are forceful objections to Scalar Utilitarianism, and presenting a Scalar Utilitarian theory that can meet these constitutes significant progress.

## 2. The Persuasion Argument

Norcross claims that evaluating Utilitarianism by its own lights reveals its fundamental commitments are evaluative, not deontic, and thus leads to the acceptance of Scalar Utilitarianism. I refer to his argument for this claim as the *Persuasion Argument*:

*The Persuasion Argument:* Suppose Jones is obligated to give 10 percent of his income to charity. The difference between giving 8 percent and 9 percent is approximately the same, in some obvious physical sense, as the difference between giving 9 percent and 10 percent, or between giving 11 percent and 12 percent. Such similarities should be reflected in moral similarities. A moral theory which says that there is a really significant moral difference between giving 9 percent and 10 percent, but not between giving 11 percent and 12 percent, looks misguided . . . To see this, suppose that Jones were torn between giving 11 percent and 12 percent and that Smith were torn between giving 9 percent and 10 percent. The utilitarian will tell you to spend the same amount of time persuading each to give the larger sum, assuming that other things are equal. This is because she is concerned with certain sorts of consequences, in this case, with getting money to people who need it. An extra \$5,000 from Jones . . . would satisfy this goal as much as an extra \$5,000 from Smith . . . (Norcross, 2006b, p. 41)

It is worth noting the limited scope of the Persuasion Argument. There are plausible (non-‘misguided’) moral theories that say there is a really significant difference between (e.g.) giving 9 and 10 percent. A Contractualist or Rule Consequentialist theory might put more weight on the 9 to 10 percent change, if a donation of 10 percent constituted the minimum level of compliance with the social code or established rule, which may even have extra effects of enhancing social stability or promoting the inculcation of rules and values.<sup>iv</sup>

These considerations are irrelevant to the Persuasion Argument since Norcross’s analysis is restricted to *Utilitarianism*. There are presumably further assumptions made, captured by Norcross’s stipulation ‘other things equal’; we assume Smith and Jones have equal income levels, and time spent persuading one is just as effective as time spent persuading the other. We also need assumptions about utility.<sup>v</sup> The only utility produced in any of the possible outcomes is from monetary donation.

There are no other utility-affecting considerations (e.g. utility produced by the knowledge of performing a ‘right’ act); a shift from 9 to 10 percent does not *in itself* provide any more utility than any other comparable 1 percent upward shift in donation.

With these assumptions in place, Norcross claims that the Utilitarian would advise spending the same amount of time persuading Smith and Jones to donate more; it is unimportant to the Utilitarian that convincing the former would result in a right action over a wrong action, while convincing the latter would not. The implication is that Utilitarians should, by their own reasoning, recognize that notions of rightness and wrongness are not fundamental to their theory. Thus, argues Norcross, Utilitarians should recognize that they are Scalar Utilitarians.

Lang attacks the Persuasion Argument as applied to Utilitarianism by introducing a new case and reconstruction of the argument, which I will call *The Analogue Persuasion Argument*. The Analogue Persuasion Argument employs some new terminology, which I adopt here from Lang:

*The Analogue Persuasion Argument:* First, assume that Smith and Jones command identical income levels – call that amount  $N$  – so that percentile differences in what they donate to charity have the same monetary value, and therefore the same utility. Also imagine there to be a *utility spectrum*. Since Norcross stipulates that the right action is that which coincides with giving 10 per cent of  $N$ , we will take that point in the utility spectrum to define the *R-point*. Acts that consist of giving less than 10 per cent are wrong – thus acts that lie to the left of the R-point on the utility spectrum lie in the ‘wrongness zone’, or the *W-Zone* for short. Acts that lie to the right of the R-point on the utility spectrum fall within the ‘rightness zone’, or the *R-zone* for short. I will also describe acts in both the W-zone and the R-zone in terms of percentile proportions of  $N$ . Thus a supererogatory act that consists in giving 20 per cent of  $N$  will be described as an act which produces  $20N$ , a wrong act that consist in giving 3.5 per cent of  $N$  will be described as an act which produces  $3.5N$ , and so on. Finally, we will call the persuader or adviser in this case Zeus. Zeus has to decide how to expend his persuasive energies: in Norcross’s example, he can either persuade Smith to give  $10N$  rather than  $9N$  of his income, which is a choice between an act in the W-zone and an act which coincides with the R-point, or he can persuade Jones to give  $12N$  rather than  $11N$  of his income, which is a choice between two acts in the R-zone.’

(Lang 2013, p. 83)

Lang then presents a new case: ‘Zeus can either persuade Jones to give  $20N$ , where Smith gives nothing (call this combination of acts  $S1$ ), or he can persuade Jones to give  $10N$ , where Smith gives  $10N$  (call this combination of acts  $S2$ ).’ See representations of these scenarios in Figure 1, in which the R-zone begins at  $10N$  (inclusive) and continues past  $20N$ .

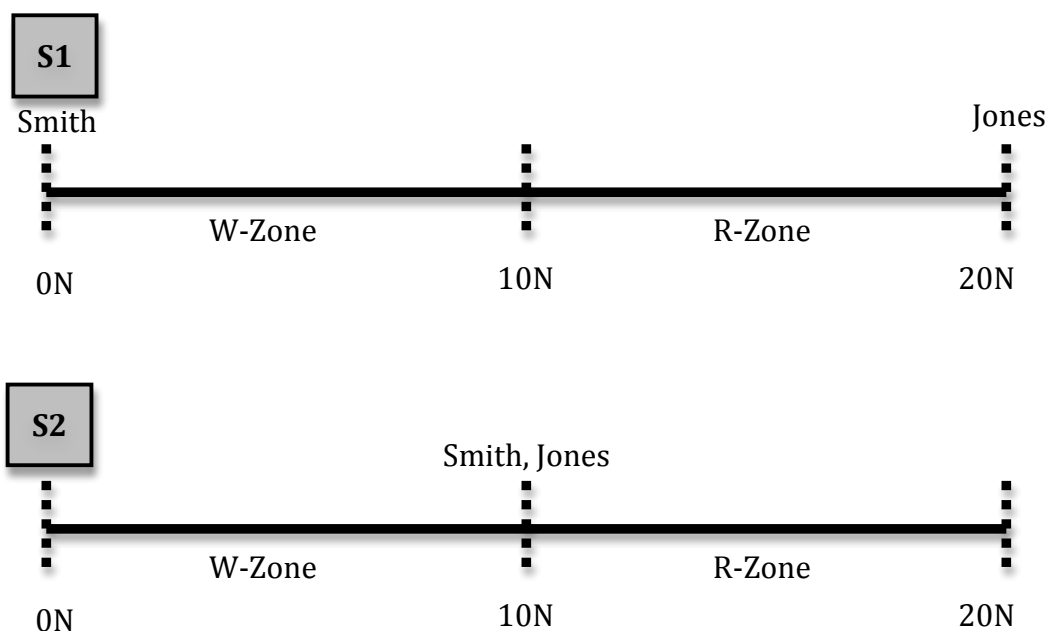


Figure 1. Scenarios 1 and 2 (S1 and S2).

Lang stipulates Zeus's indifference between S1 and S2, as both produce 20N overall. Here all the relevant utility is produced from donation percentages, as opposed to some being produced from, for example, 'rightness' of actions. Lang notes the following facts will not matter to Zeus<sup>vi</sup>:

- (A) Smith's act of giving 10N in S2 falls in the R-zone, whereas Smith's act of giving nothing in S1 falls in the W-zone.
- (B) Jones's act of giving 10N and Smith's act of giving 10N in S2 both fall in the R-zone, but only Jones's act of giving 20N in S1 falls in the R-zone.

These facts form the foundation for The Analogue Persuasion Argument; that these facts 'do not matter to Zeus – the fact that they do nothing to alter his indifference between S1 and S2 – is supposed to indicate, in turn, that the rightness or wrongness of individual acts should not matter to Utilitarians' (Lang 2013, p. 85).

Lang attacks Norcross's (original) Persuasion Argument by demonstrating that in the

*Analogue Persuasion Argument*, the irrelevance of rightness and wrongness comes only with the irrelevance of evaluative comparisons. Because Scalar Utilitarians want to admit evaluative comparisons as fundamental to (Scalar) Utilitarianism, this result would show the argument proves too much. Lang introduces the following facts, C-F, which he claims do not matter to Zeus:

- (C) Jones's act of giving 20N in S1 is better than Jones's act of giving 10N in S2.
- (D) Smith's act of giving 10N in S2 is better than Smith's act of giving nothing in S1.
- (E) Jones's act of giving 20N in S1 is better than Smith's act of giving nothing in S1.
- (F) Jones's act of giving 10N in S2 is just as good as Smith's act of giving 10N in S2.

Lang claims Zeus 'does not *care* about these facts, because he does not *need* to care about them. They need not impinge on his deliberations. This is because Zeus's task, as a persuader, is effectively to manage an interpersonal utility portfolio – it is to maximize the sum of benefits jointly produced by Smith and Jones. Relative to *this* role, Zeus will be indifferent to whether the utility Smith and Jones *individually* produce falls in the R-zone' (Lang 2013, p. 85).

There is one preliminary point here to which the Scalar Utilitarian might object: it is unclear whether the Utilitarian would even *assent* to facts like C. A wide-scope reading does not lead to a clear Utilitarian endorsement. *Jones's act of giving 20N in S1* is part of an outcome producing 20 utiles, as is *Jones's act of giving 10N in S2*. As stipulated by the Analogue Persuasion Argument, Jones's act of giving 20N occurs if and only if 20N total is produced (in S1) and Jones's act of giving 10N occurs if and only if 20N is produced (in S2). Under this interpretation, the Utilitarian would not think the former act better than the latter.

Of course, the Utilitarian should care about certain facts about how much an agent gives. Facts like '*All else equal*, Jones's act of giving 20N is better than his act of giving 10N' and '*All else equal*, Smith's act of giving 10N is better than his act of giving nothing' might matter to Zeus (namely, if donating 20N rather than 10N produces greater utility, all else equal), but they do not

affect his decision in the Analogue Persuasion Argument since all else is *not* equal. Importantly, the reason these facts do not affect his decision is not because he does not care about production of utility, but rather because these facts are not ones relevant to Zeus's *current* decision. Facts like 'it would be better for everyone in Washington to donate 20N as opposed to 10N' do not bear on Zeus's decision-making in the present problem, but Zeus (the Utilitarian decider) may nevertheless care about such facts.

These considerations suggest a broader response to Lang's critique. Norcross's original Persuasion Argument and Lang's Analogue both cannot demonstrate the (ir)relevance of *any* feature to Utilitarianism; they can only demonstrate the fundamentality of certain conflicting features *relevant* to a given decision. To see this, consider again the Washington-fact (it is better for everyone in Washington to donate 20N than 10N, all else equal). While such statements are surely Utilitarian-relevant, they would be deemed irrelevant to Utilitarianism on Lang's interpretation of the Persuasion Argument.

The main point from the discussion above is this: the fact that Zeus (the Utilitarian decider) does not need to think about  $x$  (rightness, permissibility, evaluations, etc.) when making a moral decision does not necessarily show that  $x$  is not fundamental to Utilitarianism. Instead, it might merely show that  $x$  is not relevant to the current decision. Persuasion Arguments might be able to show us whether a particular feature is fundamental to Utilitarianism, but we need to supply an appropriate test case.

The true test, then, is to see whether we can reconstruct Norcross's original Persuasion Argument in such a way that it demonstrates the fundamentality of evaluative notions over deontic ones to Utilitarianism. We can construct the original Persuasion Argument with respect to Norcross's Jones and Smith case as follows:

1. The Utilitarian will make his decision to divide time between persuading Jones and Smith

based on considerations fundamental to Utilitarianism.

2. The successful persuasion of either Jones or Smith leads to the same increase in utility.
3. Persuading Smith to donate more will result in a 'right' action, while Jones will perform a 'right' action whether or not he is successfully persuaded.
4. The Utilitarian decides to spend equal time persuading Jones and Smith.
5. That the Utilitarian divides his time equally indicates rightness and wrongness were not part of his considerations.
6. Therefore, rightness and wrongness are not fundamental to Utilitarianism.

Smith is torn between giving 9 (wrong) and 10 (right) percent of his income and Jones between giving 11 (right) and 12 (right). That the Utilitarian splits his time between persuading Smith and Jones indicates that the recognition that his persuasive efforts could move Smith into performing a 'right' action plays no role in his deliberation.

If we apply this style of argument to evaluate rightness in Lang's Zeus case, it runs:

- 1.\* Zeus will make his decision to prefer S1 or S2 based on considerations fundamental to Utilitarianism.
- 2.\* S1 and S2 contain the same amount of utility.
- 3.\* S1 contains one 'right' action and one 'wrong' action, while S2 contains two 'right' actions.
- 4.\* Zeus is indifferent between S1 and S2.
- 5.\* That Zeus is indifferent between S1 and S2 indicates rightness and wrongness did not enter his considerations.
- 6.\* Therefore, rightness and wrongness are not fundamental to Utilitarianism.

Thus, rightness and wrongness are shown to be non-fundamental to Utilitarianism. However, this style of argument, when applied to Lang's case, will not achieve the conclusion that evaluative statements are non-fundamental to Utilitarianism:



- 1.\*\* Zeus will make his decision to prefer S1 or S2 based on considerations fundamental to Utilitarianism.
- 2.\*\* S1 and S2 contain the same amount of utility.
- 3.\*\* Smith's act of donating 20N in S1 is better than Jones's act of donating 10N in S2; Smith's act of donating 20N in S1 is better than Smith's act of donating 10N in S2; Smith's act of donating 20 N in S1 is better than Jones's act of donating 0N in S1 ...
- 4.\*\* Zeus is indifferent between S1 and S2.
- 5.\*\* That Zeus is indifferent between S1 and S2 indicates evaluative statements did not enter his considerations.
- 6.\*\* Therefore, evaluative statements are not fundamental to Utilitarianism.

Here we see premise 5\*\* does not follow. Zeus's indifference between S1 and S2 does not indicate that evaluative statements did not enter into his considerations. There are number of evaluative statements he may or may not care about, contained in 3\*\*, but which would lead to no clear decision procedure for favoring S1 or S2. Thus we have a revived Persuasion Argument form that does not eliminate evaluative statements as fundamental to Utilitarianism in Norcross or Lang's case but does demonstrate that a certain deontic notion (rightness) is not fundamental to Utilitarianism.

### **3. Demandingness**

One of the greatest claimed benefits of Scalar Utilitarianism is that it is not overdemanding, but recently this has spawned a damaging critique: it is not sufficiently action-guiding. The standard Scalar Utilitarian response is that it does not issue demands and therefore could not be overdemanding (e.g. Norcross 2006b). The negative rebuttal is that Scalar Utilitarianism's non-issuing of demands seriously undermines its ability to guide action (e.g. Lawlor 2009b). Here I reply to this critique, arguing that a moral theory founded on evaluative notions could issue demands. I

argue this conception of Scalar Utilitarianism provides better answers to demandingness concerns than Norcross's elimination of demands. For ease of comparison, I will use 'Standard Utilitarianism' to refer to the usual view of Utilitarianism that takes its fundamental commitments to be deontic rather than evaluative and I will use 'demand-eliminativist Scalar Utilitarianism' to refer to the interpretation of Scalar Utilitarianism that claims it issues *no* demands.

Before turning to the argument for Scalar Utilitarianism's demand generation, it is worth noting quickly the costs associated with the competing view that Scalar Utilitarianism issues *no demands*. The standard view is that Scalar Utilitarianism generates moral reasons, but does not issue demands. A first issue is how this might be possible and whether positing moral reasons results in a 'seepage' into the realm of demands (Lang 2013, p. 85). Another issue concerns the violence done to common sense intuition about demands; there must be some cases in which morality requires *something* from its agents.

Lawlor presents a further critique of this standard Scalar Utilitarian response. His fundamental criticism is that, without demands, Scalar Utilitarianism is not *sufficiently* action-guiding. Lawlor claims (Norcross's demand-eliminativist) Scalar Utilitarianism cannot adequately respond to Mulgan's (2001) Magic Game:

*The Magic Game*: 'Achilles is locked in a room, with a single door. In front of him is a computer screen, with a number on it (call it *n*), and a numerical keypad. Achilles knows that *n* is the number of people who are living below the poverty line. He also knows that, as soon as he enters a number into the computer, that number of people will be raised above the poverty line (at no cost to Achilles) and the door will open. There is no other way of opening the door. Because of the mechanics of the machine, any door-opening number takes as much time and effort to enter (negligible) as any other.'  
(Mulgan 2001, p. 131)

Lawlor claims that while the maximizing (non-Scalar) Utilitarian can guide action by saying Achilles has a *conclusive reason* to press *n*, the Scalar Utilitarian can merely say pressing *n* is the *best option*, and this is insufficiently action guiding.

Since Lawlor's critique and the relevant literature discuss only *moral* reasons and not

competing (e.g. prudential) reasons, I will similarly restrict discussion here to moral reasons. First I need to clarify how I take Scalar Utilitarianism, whose foundations lie in evaluative comparisons rather than deontic notions like rightness, to issue conclusive moral reasons and moral demands. The basic argument is as follows. Though Scalar Utilitarianism is fundamentally evaluative, it still provides *moral reasons* for action. These reasons are generated from evaluative comparisons and count in favor of performing certain actions *instead of others*. When agents compare possible acts, they have reasons to perform one over the other and, from these reasons, Scalar Utilitarianism issues demands to perform certain acts over others.

We begin with the relatively uncontroversial claim that Scalar Utilitarianism, though evaluative in nature, still generates moral reasons. Though both proponents and critics of Scalar Utilitarianism acknowledge it generates moral reasons (Norcross 2006b), it is unclear what the *content* of such reasons should look like. Consider a simple example in which a Scalar Utilitarian evaluates three possible actions: x, y, and z, producing 3, 2, and 1 utils respectively. Scalar Utilitarianism implies the following evaluative claims: x is better than y, x is better than z, and y is better than z. If Scalar Utilitarianism merely generates a reason (of equal weight) for each preferred act in an evaluative comparison, we have a reason to perform x, another reason to perform x, and a reason to perform y, each rising from an evaluative comparison. The Scalar Utilitarian might claim to guide action by advocating performing the act we have *most* reasons to perform, but it seems incorrect to say, as this conception of reasons does, that we have a moral reason to ‘perform y’ simpliciter.

Another possibility is to claim the reason to perform x rising from the evaluative comparison *x is better than z* is stronger than the reason to perform x rising from the evaluative comparison *x is better than y*. One suggestion is that Scalar Utilitarianism generates a moral reason for a given act of weight corresponding to the act’s utility production. That is, it generates a moral reason to do x that is three times the weight of the moral reason to do z. However, this fails for a similar reason as the

previous failure. Scalar Utilitarianism should not provide any moral reason, even a weak one, to ‘perform z’ simpliciter when y and x are available options.

A more plausible suggestion is that Scalar Utilitarianism generates a moral reason to perform a given act *instead of* another act of a weight corresponding to the difference in the acts’ expected utilities. For instance, we have a moral reason to ‘perform x instead of z’ that is twice as strong as our moral reason to ‘perform x instead of y’ (and just as strong as our moral reason to ‘perform y instead of z’). The issue with this suggestion is that it is unclear how these various reasons to perform one act *instead of* another can be combined to yield action-guiding demands. The best action, based on the reasons to ‘perform x instead of y’ and ‘perform x instead of z,’ is unresponsive to another legitimate moral reason, the reason to ‘perform y instead of z.’

There is a better way in which the Scalar Utilitarian could frame the reasons generated from evaluative comparisons. In the x, y, z example, the Scalar Utilitarian has two moral reasons: a reason to ‘*not* perform z when y or x is an option’ and a reason to ‘*not* perform y when x is an option.’<sup>vii</sup> More generally, the Scalar Utilitarian has a reason not to perform an act of fewer units of expected utility when any act of greater expected utility is an option.

The move from these moral reasons to moral demands follows easily,<sup>viii</sup> Scalar Utilitarianism generates a moral demand based on each of these moral reasons. In the above example, there are demands to not perform y when x is an option, and to not perform z when x or y is an option. There is no *single* conclusive reason to ‘perform x’ and no *single* demand to ‘perform x,’ but following the conjunction of all the issued moral demands requires performing the available action of greatest utility, achieving the moral desiderata of action-guidingness.

This also provides a response to Mulgan’s Magic Game. For all  $x < n$ , Scalar Utilitarianism issues a moral reason and moral demand not to press x when n (or n-1 or n-2 or ... or x+1) is an option. An agent following all the demands of morality will press n.

Considering other issues related to demandingness provides further reasons to favor this conception of Scalar Utilitarianism over demand-eliminativist Scalar and Standard Utilitarianism. The demandingness and overdemandingness of morality have been topics of much discussion in contemporary moral philosophy (e.g. Kagan 1989; Murphy 1993; Cullity 2004). Though questions are typically framed in Utilitarian or Consequentialist terms (e.g. Mulgan 2001), often focusing in particular on the demands of beneficence (e.g. Murphy 1993), demandingness is a relevant issue for a broader array of moral theories (see, e.g., Ashford 2003). Often, theories are charged with a general ‘(over)demandingness objection,’ but there are a number of distinct ways in which a moral theory might be considered overdemanding. As the discussion here is restricted to Utilitarianism, some of these demandingness concerns will not apply or will receive the same verdict from multiple kinds of Utilitarianism. The aim here is to focus on some differences between varieties of Utilitarianism with respect to demandingness.

Compliance with (Standard) Utilitarianism’s demands and compliance with *all* of Scalar Utilitarianism’s demands result in the same actions. But there are reasons to prefer Scalar Utilitarianism’s structure of demandingness. Consider again the x, y, z example and assume we have chosen y. Standard Utilitarianism demands performing x and issues only this demand. Scalar Utilitarianism issues the demands to not perform z if y (or x) is an option and to not perform y if x is an option. When we perform y, we have not met the demand of Standard Utilitarianism. We have also failed to meet *all* the demands of Scalar Utilitarianism, though we have met *one* of its demands (not performing z if x or y is an option). This is an intuitive advantage of Scalar Utilitarianism’s understanding of demands, capturing accurately what we want to say about our choice; we have neither fully met nor fully failed to meet all the demands of morality.

Scalar Utilitarianism reaps a further benefit in being able to assign intuitive levels of blame and praise by assigning praise for meeting moral demands and blame for failing to meet them. For

instance, performing y, producing 2 utiles, rather than x, producing 3 utiles, or z, producing 1 utile, is blameworthy since we fail to meet the demand to not perform y if x is an option, but it is praiseworthy since we meet the demand to not perform z if y or x is an option. Scalar Utilitarianism's evaluative foundation and particular conception of demands allows for blame and praise assignments that Standard Utilitarians cannot make. That we can be *simultaneously* blamed (for not performing x) and praised (for not performing z) is another feature of Scalar Utilitarianism that represents common sense morality well. This conception of praise and blame is preferable to that of demand-eliminativist Scalar Utilitarianism, which issues no demands, offering no clear method of assigning praise and blame.

Where non-scalar Utilitarianism blames for *wrongness*, Scalar Utilitarianism blames for *worseness*. This provides intuitive benefits in other cases. Consider a case in which two people do something bad, in which non-Scalar Utilitarians would say both actors were wrong and Scalar Utilitarians would say both actors performed an act worse than possible alternatives. Perhaps John provoked a bar-fight while his friend failed to defuse the situation. The non-Scalar Utilitarian claims John and his friend both did something wrong, while the Scalar Utilitarian claims they both did something worse than their (respective) alternative possible actions. We might (intuitively) claim John is more blameworthy than his friend. But while Scalar Utilitarianism easily accommodates assigning these degrees of blame, it is less clear that Utilitarianism grounded in wrongness can do so as easily. On the non-scalar view, both John and his friend acted wrongly. If we find degrees of blame intuitive, more work must be done to explain the generation of *degrees* of blame from the *binary* (right/wrong) deontic assessment.

Here I have defended a view of Scalar Utilitarianism that offers a more reasonable understanding of morality; it gives reasons to prefer certain acts to others, issues demands from these reasons, and can assign appropriate praise and blame for an agent's choice of action. Some

may still find it troubling that compliance with all of Scalar Utilitarianism's demands would be highly taxing, but it is not obvious that full compliance with Utilitarianism (or morality) should be easy. This is a demandingness concern for both Scalar and Standard Utilitarianism, but Scalar Utilitarianism also offers reasons, guidance, and appraisal for those falling short of the Standard Utilitarian ideal.

#### **4. Conclusion**

I have defended an argument that evaluating Utilitarianism by its own lights reveals it is fundamentally evaluative. I then offered and defended an interpretation of Scalar Utilitarianism on which it issues demands, arguing this conception of Scalar Utilitarianism deals more effectively with overdemandingness concerns than demand-eliminativist forms of Scalar Utilitarianism.

Ultimately, the benefits offered by this new Scalar Utilitarian interpretation include its representation of Utilitarian foundations, explanatory power, ability to meet better certain demandingness concerns, and coherence with more common sense notions of morality. If Utilitarians seek reasonable development and explanation of their basic commitments, they may wish to reconsider Scalar Utilitarianism.

*Kevin Patrick Tobia  
Yale University*

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<sup>i</sup> It is too quick to claim Scalar Utilitarianism *discards* of all deontic notions. Scalar Utilitarianism could certainly tell us which of a set of ranked states of affairs is *best*. With some work, Scalar Utilitarianism might be able to conclude from this that this best act is *right* or, if not, it might at least be able to achieve the same moral desiderata (e.g. action-guidingness) as a non-scalar Utilitarianism that explicitly prescribes the *right* action. For now the crucial difference is in the priority of deontic and evaluative commitments; for Scalar Utilitarianism evaluative commitments, not deontic ones, are fundamental. The Scalar Utilitarian might call an act “right” because that act is better than all others; the standard Utilitarian might call an act “better than all others” because it is right.

<sup>ii</sup> See also Howard-Snyder and Norcross (1993) and Howard-Snyder (1994).

<sup>iii</sup> For a clear and helpful statement of this kind of multifaceted methodology, see Hooker (2000).

<sup>iv</sup> Some rule theories, however, are entirely compatible with scalar foundations (see, e.g., Tobia 2013).

<sup>v</sup> The word ‘utility’ is not essential to these discussions. What is essential is that we employ a standardized measure of welfare. If desired, one may substitute ‘welfare’ or ‘well-being’ for ‘utility’ throughout the paper.

<sup>vi</sup> In the published article (Lang ‘Should Utilitarianism Be Scalar?’, p. 85) fact A reads: ‘Jones’s act of giving 10N in S2 falls in the R-zone, whereas Jones’s act of giving nothing in S1 falls in the W-zone.’ I believe this is a printing error, as the remainder of the article makes it clear that *Smith* is the actor who would give 10N in S2 and 0N in S1.

<sup>vii</sup> Here we assume the agent must perform one of x, y, z. If not, we simply have a further moral reason to *not* perform no action when x, y, or z is an option.

<sup>viii</sup> Remember, the discussion is restricted to *moral* reasons. This Scalar suggestion could be accommodated into a theory taking into account other (e.g. prudential) reasons that does not endorse a direct generation of moral demands from moral reasons (e.g. satisficing theories, see Slote and Pettit (1984)).