

*A Distinction without a Difference*¹
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My target in this discussion is the distinction between moral theories as either consequentialist or deontological. I wish to defend the claim that given the content and structure of any moral theory we are likely to find palatable, there is no way of uniquely breaking down that theory into either consequentialist or deontological elements. Indeed, once we examine the actual structure of any such theory more closely, we see that it can be classified in either way arbitrarily. Hence if we ignore the metaethical pronouncements often made by adherents of the consequentialist-deontological distinction, we are quickly led to the conclusion that this distinction contributes nothing of consequence to an understanding of moral theory. I will try to show that there are basically two reasons for this. First, what we mean by the terms endemic to the consequentialist-deontological distinction have no unique references to particular states of affairs in actual cases of moral decision making. Hence we may justify any such concrete moral decision by reference to typically consequentialist or deontological reasoning indifferently. Second, scrutiny of actual and viable moral theories reveals a much finer-grained structure than the consequentialist-deontological taxonomy can capture. And it is this structure, rather than simple attention to consequences or principles, that determines practical moral decision making. We would thus do better to develop the richer vocabulary of causes and constituents, goals and effects, states and events (mental, social, or physical).² So in the end, the consequentialist-deontological distinction is irrelevant at the normative level of actual moral reasoning, whereas at the metaethical level it crudely schematizes two opposing types of *dummy theory*, neither of which is convincing, upon reflection, to any practicing moral philosopher.

I begin by distinguishing two uses to which the consequentialist-deontological distinction can be put. First, it can be applied to the construction of a theory of what is morally valuable, i.e., good or right. Call this the *value-*

¹ I have profited from discussing earlier drafts of this paper with Richard Brandt, Arthur Burks, Allan Gibbard, Louis Loeb, Peter Railton, Nicholas White, and Stephen White, though most of them disagree strongly with the views expressed here. Unfortunately, they cannot be held responsible for my mistakes.

² Here I do not mean to suggest that even these distinctions, nor those elaborated in part I, following, exhaust the requirements of a full-fledged, complete moral theory. In addition to these purely analytical tools for dissecting the structure and content of such a theory, one would expect to find (a) a moral psychology; (b) a conception of the person; (c) a conception of the good society; (d) a model of moral deliberation; and (e) a theory of action.

theoretic part of a moral theory.³ Second, it can be applied to the construction of practical principles of deliberation which are to guide action. Call this the *practical* part of the moral theory. I argue that these two aspects of a moral theory are mutually independent, and that moral theories need not be uniformly consequentialist or deontological with respect to both of these parts. I use the moral theories of Kant and Aristotle as examples of views that are "mixed" in different ways with respect to these two parts.

I then argue that once we make this distinction between the value-theoretic and the practical parts of a moral theory, no such theory can be characterized as either uniquely consequentialist or uniquely deontological. I begin by considering the practical parts of purportedly consequentialist and then purportedly deontological moral theories, and try to show that we may submit the action any such theory prescribes to either characterization arbitrarily.

Consideration of the value-theoretic part of a moral theory requires making a further distinction between the content and the structure of this part of the theory. I try to show that the value theoretic content of moral theories are interchangeable between consequentialist and deontological theories, and further that there are no inherent structural differences between them. Thus the distinction is seen to be as superficial to this part of a moral theory as it is to the practical part.

Finally, I argue that the consequentialist-deontological distinction between moral theories is to be located in intensional metaethical attitudes proponents of these theories take toward them, but that these attitudes suggest a different distinction, which cuts across the consequentialist-deontological one, as more appropriate, namely the distinction between moral theories that are *person-regarding* and those that are *structure-regarding*.

³ Thus I use the term "moral value" (or "worth") to refer broadly to that which is morally evaluated. This includes both what Frankena calls "moral value" (i.e., moral goodness and badness) and what he describes as "moral obligatoriness or rightness" (*Ethics*, 2nd ed., Englewood Cliffs, N.J., 1973, p. 62). The reason for this broader use is that it is not clear how to characterize our moral attitudes to that which we deem right, if we cannot say that we value it, just as we value that which is good. My distinction between the value-theoretic and the practical parts of a moral theory bears some resemblance to that which Holly Smith Goldman makes between moral theories as such and their uses as practical action-guides in "Making Moral Decisions" (unpublished manuscript).

I

The first of the two ways in which the consequentialist-deontological distinction can be used is what we may call the *value-theoretic* use. Here the distinction is formulated in such a way as to distinguish between two approaches to the construction of a moral theory (thus I will speak of "value-theoretic uses," "value-theoretic senses," as well as "value theories" simpliciter, accordingly as the context dictates). On this view, a consequentialist theory⁴ is one that begins by defining the good, i.e., the state(s) of affairs that is (are) claimed to have intrinsic value, e.g., happiness, pleasure, or perfection. The right, or morally obligatory, is then characterized as that which is conducive to the good.⁵ The right may include, for example, actions the results of which are characterized as good, or institutions the effects of which are so characterized. In either case the good is then described as having priority over the right in the sense that the actions, institutions, or states of affairs that conduce to it derive their moral value from this fact alone, and all such acts and institutions are to be evaluated according to this criterion.

⁴ I.e., that which Rawls and Frankena call a "teleological" and which Brandt calls a "result" theory (cf. Rawls, *A Theory of Justice*, Cambridge, Mass., 1973, p. 24; Frankena, *Ethics*, 2nd ed., Englewood Cliffs, N.J., 1973, pp. 14-17; Brandt, *Ethical Theory*, Englewood Cliffs, N.J., 1959, p. 354).

⁵ Frankena distinguishes between the morally and the nonmorally good on the basis of the subjects this predicate applies to. On his view only persons, groups of persons, and elements of personality (such as motives, intentions, emotions, and dispositions) may be morally good, whereas practically anything, including physical objects, experiences, and forms of government may be nonmorally good. The two bases for this distinction are (1) ordinary usage; (2) the reasons for which we make the judgment of goodness, which are not further elucidated. My own linguistic intuitions disincline me to accept this distinction; but more important, I find no distinction in the range of reasons for which I might make such judgments that would lead me to accept it. Why should not happiness be viewed as a moral good, just like virtue? Why cannot democracy be judged to be just as much a moral good as rational beings as ends in themselves? Now Frankena does argue, "it does not make sense to call [things like experiences or forms of government] morally good or bad, unless we mean that it is morally right or wrong to pursue them" (*Ethics*, p. 62). But neither would we think virtue or rationality were moral goods unless we thought it was morally right to pursue *them*. Nor could we think certain individuals were morally good if we simultaneously denied that they were worthy of emulation. But if this is the criterion, then experiences, objects, and forms of government can be moral goods after all: happiness is a moral good for the utilitarian, just as the Bible is for the Christian, and just as socialism is for the Marxist. I therefore pass over this distinction.

A deontological theory is one that defines the right independently of the good. It is argued that the moral value of an action or institution deemed right by the theory depends on other features of it besides its consequences.⁶ Such "other features" might include, in the case of an action, how it was decided upon, or whether it conforms to certain more general moral prescriptions intuitively known to be valid. In the case of an institution, the relevant valuable or right-making feature might include having evolved in a certain way, or expressing certain central interests or values of the community it is intended to serve, e.g., as the institutions in Rawls's well-ordered society express the value of respect for persons.

In both cases, a common characteristic of the value-theoretic use of this distinction is that moral theories as so classified do not issue immediate directives to action. A consequentialist theory like utilitarianism which defines the good as, e.g., the greatest sum of happiness on the whole for all sentient beings, and the right as that which is maximally conducive to this, does not prescribe any particular action or kind of action that it would therefore be right to perform in order to realize this end under particular circumstances. This purely value-theoretic part of utilitarianism leaves open the possibility that no individual action might be conducive to happiness; or that only institutions, and not individual actions, might promote this end. Similarly, a deontological theory which defines the right as that which conforms to certain general moral injunctions intuitively known to be true, such as keeping promises, does not enjoin us to perform any *particular* actions under a given set of circumstances. In both cases, the respective kinds of moral theory provide different substantive theories of what is valuable or worthwhile relative to which particular actions or institutions can be assessed.

In addition, value theories by themselves abjure specification of how, or in what sense, their particular moral values are to be promoted. They describe a purely conceptual or methodological priority relation between what the theory stipulates to be good and what it stipulates to be right, without, however, specifying how the conceptually prior value is to be realized: causally or constitutively. To claim, for example, that justice is the highest good and that the good has priority over the right implies that those actions, institutions, or states of affairs are right which promote justice, and only insofar as they do so. But justice can be promoted causally, e.g., by effecting dispositions to just behavior in oneself and others, or constitutively, by acting justly or participating in just institutions oneself. Terms like "promotes,"

⁶ I use the term "right" to cover duties, obligations, and recommendations indifferently for the time being. The importance of further distinguishing between uses of this word is taken up in part III.

"furthers," or "realizes" are neutral between these two possibilities, and the value-theoretic part of a moral theory does not explicitly commit itself to either. Often the choice is made at the practical level, where the action-guiding directives prescribe how the value is to be promoted under particular circumstances. But this matter of value-theoretic policy is not made explicit as a *policy* at the practical level. Typically, we just assume, when a moral value theory announces itself as consequentialist, that its conceptually prior value is to be promoted causally and instrumentally, whereas the value espoused by a deontological theory is to be promoted constitutively. But these assumptions are mistaken, for they suppose that a choice between these two possibilities is precisely what distinguishes moral value theories as consequentialist or deontological. In part IV of this discussion I will show that the failure of such value theories to commit themselves explicitly one way or the other is better explained by the fact that any acceptable moral value theory must include both causal and constitutive relations, and hence that no such distinction can be made.

Examples of *purely* value-theoretical moral theories which contain no practical parts are Rawls's and Plato's theories of justice. In both cases we are presented with a worked-out conception of the just society and a rationale for adopting it as a social ideal. But in neither case are we given any guidelines for bridging the gap between this ideal and our actual social condition. By contrast, Marx's social ideal of the truly human society is buttressed by an immediate call to revolutionary activity on the part of the proletariat in the service of this ideal. To be sure, the directive to overthrow the bourgeois system of exploitation through revolution does not specify the prescribed actions in the degree of detail one might like. But the degree of abstractness with which a prescribed action is described does not prevent it from being a practical prescription. Rawls's and Plato's moral theories contain no such prescriptions at all.

A second application of the consequentialist-deontological distinction is therefore to the formulation of these prescriptions or directives to action; call this the *practical* use of this distinction. Here the distinction differentiates between two different methods for deciding what to do. The consequentialist method directs us to decide what to do by evaluating the expected outcomes of alternative available actions with reference to some wanted or valued state of affairs, and to perform that action most conducive to it. The deontological method bids us to invoke other criteria for making this decision: it may, for example, direct us to perform that action the maxim of which can be consistently willed as a universal law of nature; or to perform that action we intuitively know to be right. In either case, the *method* for deciding what to do does not supply substantive *value criteria* for deciding what to do. Rather, it supplies a particular model of moral deliberation.

Writers who observe the consequentialist-deontological taxonomy have not been sensitive to the further distinction between its value-theoretic and practical uses. Frankena, for example, in his book *Ethics*, begins by characterizing a teleological moral theory as one that "says that the basic or ultimate criterion or standard of what is morally right, wrong, obligatory, etc., is the nonmoral value that is brought into being," and concludes a few paragraphs later that "in order to know whether something is right, ought to be done, or is morally good, one must first know what is good in the nonmoral sense *and* whether the thing in question promotes or is intended to promote what is good in this sense."⁷ That is, he thinks that it follows from the independent and prior characterization of the good typical of a consequentialist or teleological theory in the value-theoretic sense that the practical decisions of a person who accepts this theory must take a consequentialist cast; that the person must decide what to do by evaluating the outcomes of her or his actions with a view to promoting the good that is value-theoretically characterized.

Similarly, Brandt, in explaining Ross's deontological or formalist theory of *prima facie* obligations, criticizes it as incomplete on the grounds that "it is not possible to infer, from the principles he explicitly states, what is our duty in a particular situation... even... when it is known which act would maximize the welfare of sentient beings... [and] with full factual information at our disposal, because he does not give us the second-order (much less third-order) principles necessary for determining our obligation overall, when *prima facie* obligations conflict."⁸ Again, the suggestion is that a complete deontological moral theory implies a method for deriving practical directives for action which are as deontological in character as the substantive theory of value itself.

But there is no reason why consequentialist value theories need to be linked with practical consequentialist decision-making methods, nor why deontological value theories need to be linked with practical deontological decision-making methods in the way these writers assume. One may, for example, adopt a consequentialist value theory that defines that good as welfare for all sentient beings, and the right as those actions that promote this, but *not* decide what action to perform on the basis of whether its *actual consequences* are in fact likely maximally to effect this goal. Instead, one may use this initial characterization of the good and the right to develop a list of types of action that, under specified circumstances, would ideally *constitute*

⁷ Frankena, *Ethics*, pp. 14-15.

⁸ Brandt, *Ethical Theory*, pp. 393-94.

maximizing the welfare of all sentient beings (such as: when driving in the country drive slowly and observe wild animal crossing signs; when in city parks, feed the pigeons; when making more than \$20,000 per year, distribute at least a third to relief funds; etc.), and perform these actions when the circumstances obtain *irrespective* of their actual expected outcomes. Thus the consequentialist value-theoretic conception of the good would be linked to a practical deontological account of right action. The result would be a theory of moral action that attempts noncausally to realize a conception of the good by acting in the way the *constituents* of this conception itself seem to require, rather than in the way its *causal achievement* seems to require.

Kant's moral theory can be understood to have such a form. Although his conception of the highest good includes happiness, defined as a pleasant feeling, the supreme condition of the highest good and its most important component is virtue, i.e., the worthiness to be happy.⁹ But the concept of virtue is then explained to be that of a will - the Good Will - all of whose maxims conform to the moral law,¹⁰ i.e., all of whose resolutions to action could serve as universal laws.¹¹ Kant then maintains that to require that an agent's maxim, or resolution to action, be capable of serving as a universal law is the same as to require that the maxim be such as could serve as law in a kingdom of ends, i.e., of rational human beings: these are just two different formulations of one and the same categorical imperative, the supreme principle of morality.¹² Thus the highest good includes a will whose maxims, or resolutions to action, could effectively operate as law in a community of beings, each of whose will conforms to the same conditions. Now the concept of a Good Will, all of whose maxims satisfy this requirement can only be an ideal toward which human beings strive.¹³ And indeed Kant claims that we can only seek the highest good in the concept of an intelligible or

⁹ Kant, *Critique of Practical Reason*, trans. L. W. Beck (New York, 1956), p. 114. For purposes of this discussion I confine myself to what Kant says, leaving aside the question of why, and whether he ought to have said it.

¹⁰ *Ibid.*, pp.32-33.

¹¹ Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York, 1964), pp. 69-70.

¹² *Ibid.*, pp. 101, 103-4.

¹³ *Critique of Practical Reason*, p. 33.

supersensible world of fully rational beings,¹⁴ which is identical to the concept of a kingdom of ends.¹⁵

Thus Kant directs us to adopt as a final end an ideal of action. This ideal is part of an ideal end-state, i.e., the lawlike kingdom of ends, which is in turn one characterization of the supreme moral requirement we must *actually* aim to satisfy in all our actions. This requirement on action is claimed in turn to be constitutive of the end-state, i.e., the highest good, which is achieved by satisfying it.

So when Kant enjoins us to regard ourselves [qua rational beings] as making laws in a kingdom of ends which is possible through freedom of the will, and then argues that "morality consists in the relation of all action to the making of laws whereby alone a kingdom of ends is possible,"¹⁶ he can be interpreted as making two claims. First, the kingdom of ends is indeed an intrinsic good. For Kant its value is not contingent on any considerations extrinsic to that conception itself.¹⁷ Nor does the full characterization of the kingdom of ends invoke moral notions of what is in some further sense good or right. Moreover, like other purely value-theoretic consequentialist theories, actions are defined as right just insofar as they promote the realization of this conception: keeping promises, for example, or developing one's talents and capacities. But of course Kant does not *practically* prescribe the performance of those actions whose *consequences* might *causally effect* this conception. Rather, we are to perform those actions which themselves *constitutively promote* this conception, irrespective of their causal consequences. And we know which ones those are by submitting the maxims of our actions to the consistent universalization procedure described by the first formulation of the categorical imperative - a clearly deontological method of practical decision making. In part II of this discussion I will argue that there is a sense in which *any* value-theoretic consequentialist theory must adopt some such brand of practical deontological decision-making method.

Conversely, one may adopt a deontological value theory in conjunction with a practical consequentialist decision-making method. One may develop particular criteria of right action that do not depend on the good they can be expected to cause, but rather, for example, on what is required of a morally virtuous individual. Such a theory might prescribe as right those actions

¹⁴ *Ibid.*, 19, 71, 117, 123-4.

¹⁵ *Groundwork of the Metaphysics of Morals*, pp. 120, 126.

¹⁶ *Ibid.*, p. 101.

¹⁷ Cf. also *ibid.*, pp. 95-6; *Critique of Practical Reason*, p. 90.

which such an individual would perform (courage in the face of danger, for example; or fulfilling one's responsibilities, or honesty), irrespective of the ends thereby effected. But in deciding what to do, one might adopt the practical consequentialist method of choosing to perform those actions the expected outcomes of which best promote the end of becoming such a morally virtuous individual, or of performing those actions such an individual would perform. Here the result would be a value theory of right action the practical prescriptions of which enjoin those actions which maximally effect the performance of the morally required actions, rather than those morally required actions themselves.

In some cases, the prescribed action might then be one the description of which coincides with the favored description of the morally required action. For example, if the value theory makes telling the truth morally right, the practically prescribed action might consist in uttering a particular set of true sentences under certain circumstances. Here the desired consequence of the action - telling the truth - would be identical with the performance of the action itself, and therefore with that morally right action prescribed by the theory.¹⁸ Under other circumstances, however, the goal of telling the truth might necessitate a period of prolonged psychological self-scrutiny and intensive behavioral conditioning designed to negatively reinforce the tendency to lie compulsively. Or it might necessitate the uttering of a set of sentences some of which are true and some of which merely express favorable or unfavorable emotions and therefore have no truth value, together with those unambiguous behavioral attitudes which are often crucial to the distinction between uttering true sentences and telling the truth. In these cases the practically prescribed actions would not be identical with those specified as morally right by the value theory.

There is much in Aristotle's moral theory to suggest such a reading. Aristotle's claim that the good for human beings consists in the performance of that function proper to them, i.e., "an activity of the soul in conformity with excellence or virtue"¹⁹ is fleshed out in Books II, III-IX of the *Nicomachean Ethics* to refer to the development and practice of the moral virtues, guided by practical wisdom and intelligence. Aristotle's conception of the good is therefore not defined independently of a prior conception of morally right

¹⁸ Brandt recognizes this without explicating its implications for the consequentialist-deontological taxonomy (*Ethical Theory*, p. 354, n. 2).

¹⁹ Aristotle, *Nicomachean Ethics*, trans. Martin Ostwald (New York, 1962), 1097b22-1098a17. Also see 1144a6-9.

action.²⁰ This is evident from Aristotle's remark in Book II that the virtue or excellence of human beings (i.e., moral virtue) is what makes a person good and able to perform her or his function well (1106a15-23). To say that moral virtue makes a person good, that the final good is the exercise of moral virtue is to suggest that the final good to be aimed at is one's own moral goodness or excellence as expressed by one's character and one's actions - a moral ideal of right conduct which has already been defined by the deontological criterion of performing our proper human function. Indeed, the role of the cultivation and practice of the moral virtues in Aristotle's theory lends plausibility to the view that the notion of the good as so defined plays the expected teleological role only in the most superficial sense. For although Aristotle assures us on the one hand that virtuous conduct is that which is truly constitutive of happiness,²¹ the final good at which all actions aim,²² he takes great care to emphasize at the same time the fact that a truly virtuous individual performs noble acts for their own sake and not for the rewards they will bring.²³ A virtuous person continues to act virtuously when bad fortune has crushed her or his chances of supreme bliss,²⁴ in the face of death in certain forms,²⁵ and without regard to the pleasurable or painful consequences of action as such²⁶ - as we would indeed expect from a person whose actions were the consequences of traits of character deeply instilled by habituation. Thus moral virtue is not prescribed simply as that means best suited to achieving the highest good of happiness. On the contrary, moral virtue is that brand of conduct which constitutes the ideal of happiness itself. Morally virtuous conduct for Aristotle both defines the final good and causes its achievement. And it generates a list of morally obligatory actions (e.g., courage, generosity, temperance, etc.) which are determined by the noninstrumental consideration

²⁰ Here I ignore for the sake of argument the controversies surrounding the correct interpretation of Book X relative to the *Nicomachean Ethics* as a whole. In fact, I ignore Book X and the problems raised by it altogether.

²¹ *Ibid.*, 1098b30, 1099b15-1100a5, 1100b11-1123, 1101a12-21, *passim*.

²² *Ibid.*, 1095a19, 1097a34-1097b20, *passim*.

²³ *Ibid.*, e.g., 1120a22-25, 1140b6. 1116b. 20-30, 1144a18-20, *passim*.

²⁴ *Ibid.*, 1100b17-1101a14. Here Aristotle makes clear the distinction between happiness, of which noble action performed for its own sake is constitutive, and supreme bliss or contentment as a state of mind consequent on good fortune.

²⁵ *Ibid.*, 1115a32-35.

²⁶ *Ibid.*, 1140b11-20.

of what our proper human function consists in, rather than the actual consequences they can be expected to effect.

Practically considered, Aristotle's moral theory is a consequentialist one. In deciding what to do, we are to choose those actions the expected outcomes of which promote the development in us of the moral virtues, and hence the highest good. Because truly virtuous action for Aristotle issues from deeply inculcated dispositions of character, the full description of the action we practically ought to perform coincides with that of the morally right action only in the limiting case in which we have already achieved the ideal of moral virtue. Otherwise, Aristotle enjoins us to practice performing through imitation those actions which truly virtuous individuals perform in a virtuous way,²⁷ to aim at the mean, or moderation, in cultivating virtuous dispositions to action and feeling,²⁸ to avoid that extreme which is most opposed to the temperate feeling or action in question,²⁹ and to be particularly circumspect when considering actions to which we feel naturally inclined, or which afford us personal satisfaction.³⁰ Thus we are to act in ways that causally develop in us the capacity for performing the morally required actions that characterize the truly virtuous individual - a clearly consequentialist method of practical decision making. In part II of this discussion I will argue that there is a sense in which *any* value-theoretic deontological theory must adopt such a practical consequentialist decision-making method.

These readings may be thought to go against the grain of the received interpretations of Kant and Aristotle. Kant's theory at first glance resembles a purely deontological one because it practically prescribes the performance of certain actions without regard to their causal outcomes. But the value-theoretic end which they nevertheless promote - rational nature as an end in itself - is what determines their moral worth. Similarly, Aristotle's theory at first glance resembles a purely consequentialist one because it practically prescribes those actions that causally effect the highest good. But the highest good is then value-theoretically characterized as virtue of character and action, the worth of which is not in fact contingent upon their effecting some further end. For as we have seen, these actions are to be performed even when the prospects of contentment, pleasure, and indeed continued life itself are dim.

²⁷ *Ibid.*, 1103b5-23, 1105a25-1105b8.

²⁸ *Ibid.*, 1106b5-7, 15.

²⁹ *Ibid.*, 1109a30-35.

³⁰ *Ibid.*, 1109b2-12.

Thus the identification of Kant's and Aristotle's moral theories as respectively deontological and consequentialist is plausible only if we ignore the distinction between the value-theoretic and the practical aspects of these theories. I now want to show, in parts II-IV, that when this second distinction is taken into account, *no* moral theory can be adequately described as either consequentialist or deontological.

II

First let us examine consequentialist and deontological theories respectively, considered in their capacity as practical decision-making methods. Classical utilitarianism is often taken to be the paradigm consequentialist theory, and proponents of the consequentialist-deontological distinction will be quick to argue that it remains so even when the suggested value theoretic/practical distinction is recognized. Value-theoretically, the good is independently defined as the greatest possible sum of happiness, and morally right actions are defined as just those that promote this end. Practically, we cannot know the actual consequences of our actions with one hundred percent certainty, nor even their objective probabilities. Rather than concluding from this with Moore that therefore we can never know which of our actions are right,³¹ utilitarianism commonly prescribes as morally right just those actions that we can *reasonably expect* to promote the very same end, i.e., the greatest sum of happiness - a clearly consequentialist practical decision-making method; or so it is claimed.

But this claim is false. This practical prescription describes a deontological decision-making method that evaluates the moral rightness of actions independently of their consequences. For it is not whether some action actually promotes the greatest amount of happiness that determines its rightness, but rather whether it can be reasonably expected to do so. This means that the action is right even in case, contrary to reasonable expectation, it does not do so.

This is as it should be. For surely a utilitarian would hesitate to withdraw the appellation "morally right" in that one anomalous case out of one hundred in which retrospective information demonstrated that the action had not had best consequences after all. It would hardly be practically helpful to be able to assign moral rightness to actions only retrospectively, on the basis of the consequences they actually happen to have had, for this would furnish no guidance at all as to what we ought to do next. Indeed, given that we can

³¹ Moore, *Principia Ethica* (Cambridge, 1968), 149-50.

never know the totality of the consequences of any action, this would make it impossible to assign moral value to actions with any degree of certainty at all.³²

It may seem that this feature is not enough to transform the apparently consequentialist decision-making method into a deontological one. For the action's moral worth is still conferred by the good end defined by the theory. That is, the action in any case appears to have no moral worth independently of its relation to this end, regardless of whether the relation is one of cause and effect or one of cause to expected effect.

But this appearance is misleading. To perform an action because one wants and expects it to have certain consequences, and to think that the performance of this act will effect those consequences, is to intend to bring about those consequences. To then claim that an act is morally right because of one's intentions in performing it and not because of what actually happens as a result of performing it is clearly to make one's intentions, and not the action's consequences, the criterion of moral rightness.

Thus the practical prescriptions of classical utilitarianism are deontological in structure because they make the moral rightness of an action contingent on considerations other than its consequences, i.e., on its intended consequences. That this holds true - indeed, *must* hold true - for any other purportedly "purely" consequentialist moral theory as well is clear.

Now consider a supposedly pure deontological theory such as Ross's. The central value-theoretic claim is that we have certain general prima facie duties which rest on morally significant circumstances of action, and which

³² It may be claimed that this difficulty could easily be remedied by providing a utilitarian theory of excuses, according to which actions at least could be characterized as praiseworthy or blameworthy in the event that we could never know whether they were objectively right or wrong. (See Richard B. Brandt, "A Utilitarian Theory of Excuses," *Philosophical Review* 77, no. 3 [1969]: 337-61.) We could then prescribe or proscribe actions based on their degree of moral culpability, rather than on their rightness or wrongness. But from the point of view of practical deliberation, this just locates the deontological feature of putatively consequentialist deliberation at a different point. For now we must base our decision of what to do not on a consideration of whether it can be expected to promote the greatest happiness or not, but rather on that of whether it can be expected to elicit praise or blame. And we can be wrong about this as well. Nor does the fact that the expected outcome (praise or blame) can be internalized as a motivation within the agent vitiate my claim. For in fact we are often motivated to act in just that way which we anticipate and hope will allow us to keep peace with our consciences - and find that we were mistaken. Here too it may be only a retrospective examination of the actual consequences of the action which reveals whether we are morally culpable or not, i.e., whether we ought to have been praised or blamed for performing it. Hence the same problem arises.

are known immediately and intuitively to be true. They include, for example, duties of fidelity (such as keeping promises or telling the truth), of reparation (such as punishment), of gratitude (such as repaying a favor), of self-improvement, and so on.³³ But because these *prima facie* duties may conflict under certain circumstances, and because we cannot be certain which should take priority, our practical duty under particular circumstances is not similarly self-evident. Here the best we can do is consider the situation carefully, weigh the alternatives, reflect on our moral intuitions, and finally act in conformity with that considered opinion as to what act is probably our duty to the best of our understanding. And in this case it does appear that the practical method of deciding what act to perform is as deontological in character as the value theory from which it derives. For in both cases actions are prescribed as morally right without reference to their consequences.

But appearances are misleading in this case as well. For a theory that characterizes as morally right the fulfillment of some duty independently of its consequences at the same time makes the *actual fulfillment* of that duty the criterion of rightness, rather than any expectations or intentions one may have had in the particular action one actually performed. And then the rightness of the action actually performed depends on its consequences after all. If the action does not have the effect of fulfilling the prescribed duty, it was wrong, and if it did, it was right. As Ross argues, in discussing the example of keeping a promise by returning a book through the mail,

nonattainment of the result proves the insufficiency of the means - however carelessly I pack or dispatch the book, if it comes to hand I have done my duty, and... if the book does not come to hand I have not done my duty. Success and failure are the only test, and a sufficient test, of the performance of duty.³⁴

Again, this is as it should be. A deontological theory that practically enjoined us only to *attempt* to keep promises and repay our debts to others could be followed successfully even though moral duties were never fulfilled. Indeed, such a theory would not even require us to *adopt as a goal of action* the fulfillment of these duties. We would be obligated only to try. But mere moral tryings cannot be the subject of moral prescription, for they need never enter into the description of any actual actions we perform. My trying to mail the book may consist in little more than a rebellious stirring of will which makes my actual act of throwing the book into the fireplace less than effortless or

³³ W. D. Ross, *The Right and the Good* (Oxford, 1973), p. 21.

³⁴ *Ibid.*, p.45. In general the discussion of pages 30-6 support this point, Ross's intentions notwithstanding.

conflict-free. Here I could honestly say that I tried to mail the book and failed (because my effort of will was not strong enough). Thus such a theory would not prescribe moral *actions* at all, but rather moral motivation. And because good intentions are not the sort of thing we can immediately will ourselves to have, we would then be morally obligated to undertake the actions that would effect this change in character, rather than to fulfill the duties that the theory prescribes.³⁵

So the practical prescriptions of a purportedly "pure" deontological theory are consequentialist in structure, for they bid the performance of only those actions the actual outcome of which is the morally right action as specified by the theory. That this holds equally true for any deontological theory that practically prescribes certain kinds of action as morally right is easily seen.³⁶

³⁵ Ross recognizes this (see *ibid.*, pp. 405).

³⁶ One may object to this argument on the grounds that making the actual fulfillment of a moral duty an end to which particular actions are means does not suffice to transform practical deontological prescriptions into consequentialist ones, for the end in question is not defined in the way a consequentialist theory requires. A consequentialist theory does not evaluate an action merely by the positive character of its consequences, but rather by how much *intrinsic value* it produces. Let us define intrinsic value as follows:

X has intrinsic value = *df* X would be rationally or fittingly desired for its own sake, independently of

- (i) one's moral beliefs
- (ii) its actual or believed consequences,

taking pleasure as the most uncontroversial example of this. The claim is then that a concern with consequences as such fails to turn a deontological view like Ross's into a consequentialist one, because such a view neither does nor can claim that the prescribed actions are worthwhile because of the intrinsic value of their consequences.

We may begin by conceding that no such purportedly deontological view does claim this, passing directly to the question of whether it *should*. I now want to answer the objection by showing that either it should, or else there is no such thing as intrinsic value.

Consider the definition. Clause (ii) is *prima facie* unproblematic. Clause (i) is important, because we have moral beliefs about what we ought to do. If any of these beliefs figure in our conception of an intrinsically valuable end, then that end itself at least partially consists in some characterization of what we ought to do. And in that case the conformity of deontological prescriptions to the consequentialist canons of intrinsic value is straightforward. So stipulating the independence of intrinsic value from our moral beliefs is important for maintaining the distinction between consequentialist and deontological decision-making methods.

But it is difficult to produce an example of intrinsic value that is not dependent on our moral beliefs. Pleasure would not seem to be a good example of this. In order for

pleasure to be an intrinsic good, we must believe that it is at least permissible to seek pleasure. This in turn implies that if we desire pleasure, other things equal, we ought to seek it. But we identify this as a rational "ought" only because we believe that it is rational to satisfy our instinctive desires, other things equal.

But this belief is a moral one, grounded in the norms of Hellenic culture. On this general view, we behave most morally when we give full expression to our natural human capacities: for abstract thought, for self-determination, and for pleasurable experiences of certain kinds. To claim, as Aristotle does (*Nicomachean Ethics*, 1097b23), that the goodness of man consists in performing his proper human function implies that we morally ought to do that which most fully expresses our humanity. And as we know, this must give a prominent - if not dominant - role to the pursuit of pleasure (limitations of space make it impossible to argue here for my belief that this point can be shown to hold for Kant's and Plato's moral philosophies as well).

Consider an opposing, but equally plausible set of beliefs about what it is rational to do. On this view, the highest good is objective knowledge. However, to achieve this requires not the full expression of human capacities, but rather their complete transcendence. Abstract thought is criticized for reducing the richness of objective reality to manageable but solipsistic human categories: true self-determination is seen as incompatible with the satisfaction of our natural human desires. And the pursuit of pleasure draws human beings even further into a world of illusion, ignorance, and self-seeking because it limits our comprehension of reality to that which is consonant with our pursuit of self-gratification. Hence it reinforces the illusion of individuality. On this view, objective and nonillusory knowledge can only be achieved through asceticism, meditation, and withdrawal from the pleasures of the senses, i.e., through the abdication of all those sensory and psychological supports that sustain the illusion of individual consciousness. Hence not only does this view deny that pleasure is an intrinsic good which it is permissible to seek. It maintains that pleasure is a positive evil which one ought strenuously to avoid. In contrast to the Hellenic view, which suggests that pleasure is good because it expresses a human capacity, this view - which we may call the Eastern view - maintains that pleasure is bad for precisely the same reason. On the Eastern view the pursuit of pleasure hinders that abdication and transcendence of human individuality which is a necessary condition of achieving objective knowledge.

Thus the conviction that pleasure is an intrinsic good depends upon moral beliefs about the value of expressing human capacities and satisfying human needs. Ultimately, it depends upon moral beliefs about the value of the individual self which these capacities and needs uniquely define. And like all moral beliefs, these are open to dispute.

So it seems that we must look elsewhere for some good that satisfies the above definition of intrinsic value, such that it can be rationally desired without our believing that we morally ought, under certain circumstances, to pursue it. This enterprise seems unpromising. Or, we can relativize our judgments of intrinsic value to our moral beliefs, in which case the assimilation of deontology is, as I have already suggested,

That we may then apply the reasoning in each of these two cases to the other surely will be noted. If the practical prescription to perform that action which can be expected to maximize happiness is deontological in character, we can just as easily argue that we must then *in fact* perform that action, or

straightforward: the morally prescribed action is intrinsically valuable and, as in consequentialist theories, it confers moral worth on those actions necessary to realize it.

Ross's theory may be instructively pursued as an illustration of this point. Ross believes that the highest intrinsic value is a moral good, i.e., virtue (*The Right and the Good*, 134, 155). After virtue comes happiness or pleasure (136-38) and knowledge (138-40). Virtue is defined as having good motives and performing good actions, i.e., goodness of character (134, 155-6). Good motives are in turn characterized as, among other things, acting from a sense of duty, i.e., being motivated to fulfill our duties (134). But our duties include not only things like fulfilling promises and the like, but also cultivating virtuous motives such as benevolence and sympathy in ourselves, i.e., the "duties of self-improvement" (21, 24, 160-1). To have a good character and hence to be virtuous is to perform actions motivated in this way (155-60). Now Ross has already claimed that actions are right only if they succeed in producing the desired effects. And now we learn that the desired effects include the production of virtue - in addition to other intrinsic goods such as pleasure (or happiness):

when we think of an act as right we think that either something good or some pleasure for another will be brought into being. When we consider ourselves bound, for instance, to fulfill a promise,... [or] when we consider the other main types of duty - the duties of reparation, of gratitude, of justice, of beneficence, of self-improvement - we find that in the thought of any of these there is involved the thought that what the dutiful act is the origination of is either an objective good or a pleasure (or source of pleasure) for someone else. (162; see also 134)

Some of Ross's views undergo metamorphoses in his later *Foundations of Ethics* (Oxford, 1939), but that this is not one of them is clear from the following passage:

An action will be completely good only if it manifests the whole range of motivation by which an ideally good man would be affected in the circumstances, a sensitiveness to every result for good or for evil that the act is foreseen as likely to have, as well as to any special *prima facie* obligations or disobligations that may be involved; and only if it manifests sensitiveness to all these considerations in their right proportions. But if the agent is responsive to all the morally relevant considerations in their right proportions, he will in fact do the right act. Thus no action will have the utmost moral excellence which an action in the circumstances can have, unless it is also the right action. (309)

I am indebted to Richard Brandt for bringing this passage to my attention.

The consequentialism of Ross's purportedly "pure" deontological theory is evident. A deontological theory that failed to have such implications would be one that claimed there was literally *nothing* to be gained by performing morally obligatory actions. This would exemplify what I have called a *dummy deontological theory*, in that its only function is to serve as the bull's eye for consequentialists at target practice.

I owe the general objection to Richard Brandt and Allan Gibbard.

string of actions, which has the prescribed action as a consequence, since we will not always be able to perform that action which can be expected to maximize happiness directly. Hence the apparently consequentialist prescription, shown to be deontological, is in fact consequentialist in structure after all. Similarly, if the practical prescription to fulfill what we believe to be the moral requirements of right action is actually consequentialist in character, we can just as easily show that we must then *in fact* perform that action which can be *expected* to have the fulfillment of what we believe to be the morally required action as a consequence, since we cannot know with certainty the consequences of our actions before we perform them. So the apparently deontological prescription, shown to be consequentialist, is deontological in structure after all. Each of these arguments respectively can then be repeatedly reiterated for the conclusion to deontological or consequentialist structure respectively.

From this possibility the suspicion rapidly and justifiably develops that the practical prescriptions of consequentialist and deontological moral theories are themselves neither essentially consequentialist nor essentially deontological in structure. They can be formulated in either way, depending on what aspect of actually carrying them out we choose to emphasize. Call this the *prescriptive indeterminacy thesis*. It is true *both* that prior actions may need to be performed in order to achieve the performance of the prescribed one, and also that we can only choose actions on the basis of the outcome we can reasonably expect them to have, even when the outcome we want is the performance of the prescribed action itself.³⁷ So the classification of practically prescriptive moral theories into consequentialist and deontological cannot take us very far toward an understanding of the theories in question.

III

Now let us examine the value-theoretic parts of moral theories. Here the consequentialist-deontological issue can be phrased in terms of two questions:

³⁷ "The maxim: 'ignore the consequences of actions' and the other: 'Judge actions by their consequences and make these the criterion of right and good' are both alike maxims of the abstract Understanding. The consequences, as the shape proper to the action and immanent within it, exhibit nothing but its nature and are simply the action itself; therefore the action can neither disavow nor ignore them. On the other hand, however, among the consequences there is also comprised something interposed from without and introduced by chance, and this is quite unrelated to the nature of the action itself." (*Hegel's Philosophy of Right*, trans. T. M. Knox, New York, 1975, par. 118, note).

First, is there any intrinsic difference in the *content* of such theories? And, second, is there any difference in their *structures*? A proponent of the consequentialist-deontological distinction obviously would answer both questions in the affirmative; I propose to answer them both negatively. In this section I turn to the first question directly, leaving the second for part IV.

It may seem evident that there is a radical difference in the kind of content appropriate to consequentialist and deontological theories respectively. Here the basic issue on which the distinction turns is whether a moral theory is constructed so as to ascribe primary value to some *end*, the realization of which serves as the criterion for evaluating the moral worth of actions or institutions that promote it; or whether it ascribes primary value to these actions or institutions themselves, independently of their outcomes. In the first case, the end in question is commonly described as "good," and that which promotes it as "right." In the second case, the actions or institutions are held to be right on other grounds, and not just as means to some further end. But once again we will see that this distinction is not sufficient to distinguish between two moral value theories described as consequentialist and deontological respectively, for anything that can count as good in this sense can also be right, and anything that is right in this sense can also be good. Hence I will argue that the issue of whether the right or the good is to have priority is of no importance for the substance of one's preferred moral theory.

Let us begin by asking what confers moral value on whatever in the theory has worth or value. The consequentialist may claim that the end confers value on the actions and institutions that promote it, but that nothing further confers value on the end itself; it simply has intrinsic worth. We can describe this latter type of value as *primitive*, meaning by this just that the state of affairs in question is claimed to have intrinsic worth or value that is not dependent on its relation to any further end. Let us call final ends that have value in this sense *carriers of primitive value*, or CPVs.

This is not to deny that features of the end can be cited in virtue of which the end has value. The utilitarian, for example, can point to the fact that happiness is something all human beings strive to achieve; the perfectionist can cite the fact that the final state of human perfection represents the full development and exercise of human capacities. But in neither case is this to supply some further condition or end that confers instrumental value on the ends in question. It is merely to explicate the relevant characteristics of these ends themselves that make them CPVs. Call these characteristics the *value-conferring features* of CPVs.

Now the consequentialist's claim that the final end is the carrier of primitive value has varying degrees of persuasiveness, depending on the final end involved. Moral theories that posit happiness, human flourishing, or survival as their final end can adduce the claim of primitive value somewhat

more plausibly, perhaps, than those that posit pleasure or aesthetic appreciation. Those that posit riches, power, or security seem to hold considerably less title to this claim. Let us suppose that the *metaphysical structure* of some state of affairs specifies it as either a state or an event, and more specifically as a physical or mental state, and as an activity or action, or an occurrence. Then we can see that among these theories, the plausibility of the claim of primitive value does not depend on the final end's being a mental state rather than an activity, or a physical state rather than an event. Happiness is as plausible a candidate for a consequentialist's value-theoretic final good as is the exercise of the human capacity of self-government; survival is as good a candidate as the achievement of ultimate self-knowledge. It seems that carriers of primitive value must be distinguished by content and not by their metaphysical structures.

The deontologist may answer the question of what confers worth or value on that in the theory which has value in much the same way as the consequentialist did with respect to the final good. The deontologist may begin by claiming that actions which fulfill moral duties, or fair democratic political institutions are also CPVs: they are inherently right and do not derive their worth from any further end to which they are instrumental. It is nevertheless compatible with this claim for the deontologist then to go on to explain that the moral worth of fulfilling one's duties derives from its morally significant characteristics, as in Ross's theory,³⁸ or from the fact that fulfilling one's duties expresses rational human nature, as in Kant's. Similarly, it might be argued that the morally important feature of fair democratic political institutions is that these are institutions to which any participant would explicitly agree upon careful reflection, or which would be chosen under certain intuitively acceptable ideal conditions. Again these value-conferring features are not further, independent ends which fulfilling moral duties or democratic political institutions are intended to effect. Other, more efficient ways of expressing rational human nature would not displace the moral importance of fulfilling one's duties, nor would other matters on which people would rationally agree displace the moral importance of fair democratic political institutions. To cite these features is not to confer moral worth on right action or just institutions only instrumentally, any more than to cite the fact that all human beings strive for happiness is to make the worth of happiness instrumental to the further end of having all human beings strive for it. To cite these features is rather to explicate what it is about these actions and institutions themselves that make them valuable. Thus

³⁸ Ross, *The Right and the Good*, p. 138.

deontological value theories have carriers of primitive value just like consequentialist value theories.

Once again the plausibility of the deontologist's claim depends largely on what is value-theoretically asserted to be morally right. Fulfilling certain duties is a plausible candidate; as might be experiencing emotions such as guilt, remorse, shame, or resentment under certain appropriate circumstances; as might be social and political institutions that respect the privacy and freedom of its citizens. Less persuasive as CPVs might be, for example, consistently altruistic behavior; or feeling repentance for one's sins, or continuing political and social disequilibrium. Again the important point is that deontological prescriptions to bring about states of affairs perceived as inherently and self-evidently valuable need not be confined to morally obligatory actions. Once again that which is prescribed as right may as well be an activity as an emotion, an event as a state. What ought to be the case is neutral between these possibilities, and again it seems that CPVs must be distinguished by their content and not their metaphysical structures.

But this then implies that any activity, mental or physical state, or event that can be a valued end relative to a consequentialist value theory can be, with respect to its metaphysical structure, the subject of a deontological prescription relative to a deontological value theory and vice versa. To experience happiness under the appropriate circumstances and to experience resentment under the appropriate circumstances are both states we can strive to experience as an end as well as states of which it makes sense to say we ought to experience. Hence both are states that can be constitutive of the consequentialist's final end as well as morally right on independent grounds. To express fully our human talents and to fulfill our obligations are equally activities that it might be good to perform as well as activities of which it makes sense to say we ought to perform them. Hence both are activities that can be constitutive of the final end as well as morally right. The achievement of universal suffrage and political reform are both events it might be a good thing to have occurred as well as events of which it equally makes sense to say they ought to occur. Hence both are events that can be constitutive of the final end as well as morally right. These examples merely illustrate the point that moral theories cannot be value-theoretically differentiated according to what I have called the metaphysical structure of their carriers of primitive value.

This is not to claim that all CPVs are interchangeable between any two consequentialist and deontological theories. A deontological theory such as Ross's which is couched in the stronger terminology of what is not only right but morally obligatory would intuitively rule out certain carriers of primitive value commonly associated with consequentialism. For example, it might be morally *right* to feel happy about certain things or under certain

circumstances, but one would be hard put to find circumstances under which it would be morally *obligatory* to be happy. But of course the language of duty or moral obligation rules out certain deontological CPVs as well: helping others is clearly the right thing to do under certain circumstances, but many would argue that the meaning of the word "obligatory" is such that it is never morally obligatory to do so. Similarly, a consequentialist theory which claimed of its final end that it was not only intrinsically valuable, but also the highest good, as Moore's ideal utilitarianism does, would rule out certain CPVs associated with both deontological and consequentialist theories of certain kinds. Thus we might be entitled to say that to feel remorse at the commission of a crime is intrinsically valuable as an expression of moral character, but it can hardly be described as part of the highest good, for it cannot be part of the highest good to have committed the crime in the first place. Similarly, a social Darwinist might plausibly claim that survival is inherently good, whereas the claim that it is the highest good would be considerably less persuasive.

However, it is nevertheless likely that for any CPV that is value-theoretically attached as a final end to a consequentialist theory, a plausible deontological theory could be constructed to which it would attach as the subject of deontological prescription; and that for any CPV value-theoretically attached to a deontological theory as the subject of deontological prescription, a plausible consequentialist theory could be constructed to which it would attach as a final end. Call this the *interchangeability thesis*. Thus, for example, friendship and aesthetic experience as carriers of primitive value in Moore's ideal utilitarianism could be easily prescribed as activities we morally ought to participate in within the relevant deontological theory. Or Rawls's two principles of justice, expressed in the institutions of a well-ordered society as CPVs in his deontological theory of justice might well find a place as intrinsic goods in a consequentialist theory of social change. So carriers of primitive value may not be interchangeable in the strong sense that any one such carrier might occupy the relevant slot in *any* indifferently consequentialist or deontological moral theory. But they are value-theoretically interchangeable in that it is the specific content of the moral theory, and not its consequentialist or deontological classification, which determines the suitability of any particular carrier of primitive value to that theory.

So just as CPVs must be distinguished by their content and not their metaphysical structures within consequentialist and deontological theories respectively, CPVs in turn serve to distinguish among moral theories by their content and not by the consequentialist or deontological structure to which they are value-theoretically attached. So there is nothing in the value-theoretic

content of carriers of primitive value that serves to distinguish moral theories into consequentialist or deontological.³⁹

³⁹ One may complain that the interchangeability thesis fails to respect the conventions that moral philosophers have stipulated in order to differentiate between types of moral theory. Certainly we *can use* the words "right" and "good" to refer to anything we like. But the fact is that there exists an accepted metaethical practice of describing the most highly valued state of affairs within one's moral theory as "right" or "good" according to whether it is an action (or set of actions comprising an institution) or an end-state respectively. This, it is then argued, is the rationale for the consequentialist-deontological distinction at the value-theoretic level. Pointing out that the conventions could have been otherwise is hardly a major insight.

But this convention is not nearly as settled as all that. For the distinction between actions and end-states is no clearer than those further distinctions it is intended to buttress. It has already been observed that friendship counts as an end-state (rather than a relationship divisible into a set of actions) in Moore's ideal utilitarianism; and the full development of human capacities and talents as an end-state (rather than a set of actions) in perfectionism; whereas Rawls's well-ordered society counts as a set of actions or institutions (rather than an end-state). If moral philosophers make no rigorous distinction between actions and end-states, clearly they do not and cannot use the terms "right" and "good" in ways that would reflect this rigor, as indeed the examples already given confirm. So the existing practice is considerably more diverse than the above complaint would have us believe. Although there are of course particular theories that take this distinction with varying degrees of seriousness, there is no such *convention* at the normative level of substantive moral theory, regardless of the metaethical claims moral theorists often are inclined to make.

Certainly there *might be* such a convention. We could fix a canonical use of the word "good" to denote only mental or physical states which involved no actions, e.g., thoughts and feelings, bodily states, particular distributions of resources, and so on. Similarly, we might stipulate the denotation of the term "right" to refer only to actions and sets of actions as that concept is understood by action theorists. According to this convention, such things as happiness, shame, economic equality, knowledge, and physical fitness might be good on different moral theories. Neither friendship, human flourishing, nor workers' control over the means of production could be good in this rigorous sense. These things would instead have to be designated as right, as would fulfilling (but not having fulfilled) one's duties, research, virtuous activity, and engaging in sex, sports, or other pleasurable activities. We would then have to say that, e.g., virtuous activity was morally obligatory or right regardless of its consequences, as might be research, sports, or workers' control of the means of production; or that these were perhaps right *only* insofar as they resulted in happiness, knowledge, physical fitness, or economic equality respectively. We can see already how barren and counterintuitive this convention would be.

Thus there is good reason for the existing heterogeneity of practice among normative moral philosophers with respect to what can be described as "good" or "right." It is that an interest in constructing a viable normative theory precludes the

IV

I now turn to the purported structural differences between consequentialist and deontological theories. All moral theories contain the following elements:

- (1) *Activit(ies)*, i.e., actions, institutions, or practices;
- (2) *Final Ends*, i.e., goals, objectives, or purposes;
- (3) *Value-conferring feature(s) of (2)*, i.e., those characteristics that we adduce to explain the value of the final end(s) of the theory.

Let us represent the basic and general structural relationships between them in Diagram (A) as follows:

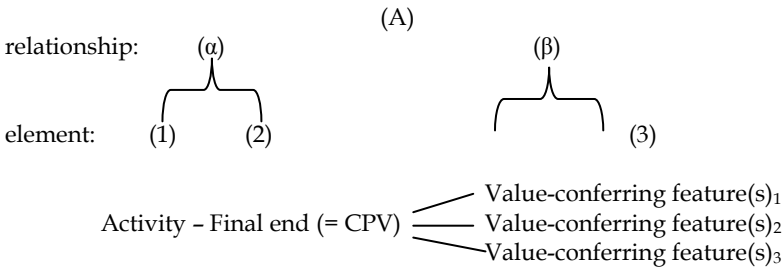


Diagram (A) is a schematic representation of the fact that in any moral value theory, there is an end to be achieved which is taken to have moral worth (2) and actions, sets of actions, or programs of action which are prescribed to achieve it (1). In addition, there are characteristics of that end (3) which, when enumerated, explain why that end is morally worthwhile or valuable.

Different moral value theories tend to construe the relationships (α) and (β) between these elements (1), (2), and (3) differently. Utilitarianism, for example, makes a sharp distinction between the action (1) and the final end it is intended to promote (2), whereas a theory of moral obligation such as

sacrifices of organization, content, and intuitive plausibility that strict adherence to the convention would require.

The point can be generalized. We could, if we wanted to, take the consequentialist-deontological distinction as seriously as its more enthusiastic adherents would like. However, the resulting normative theories would be not only irrelevant and unsatisfying; they would be philosophically embarrassing. But more on this below (ref).

I am indebted to Allan Gibbard for this objection.

Ross's makes the prescribed actions (1) themselves the final end (2).⁴⁰ Similarly, perfectionism throws into sharp relief the value-conferring feature of that end (3), namely that human potential is thereby fully developed and exercised, whereas Moore's ideal utilitarianism makes aesthetic experience an intrinsically valuable end apparently independently of *any* further features it may be presumed to have. Here the final end (2) as such is identical with its value-conferring features (3).

Now earlier (p. 405), it was observed that moral value theories do not uniquely specify their internal structural relationships merely by using terminology like "promotes," "conduces to," "furthers," "realizes," or "makes possible."⁴¹ This is because all these terms are neutral between causal and constitutive relationships, and between the actions to be performed and the values stipulated by the theory that confers moral worth on these actions. We assume that if a theory identifies itself as consequentialist, relationship (α) is essentially causal, and hence that the terms just listed are to be understood causally or instrumentally. If the theory identifies itself as deontological, on the other hand, we assume that they are to be interpreted constitutively, so that relationship (α) is one of identity. Thus consequentialist value theories are thought to be distinguishable from deontological ones in virtue of the ways in which each construes the structural relationships (α) and (β) between elements (1), (2), and (3), although the major conflict concerns how (α) is to be construed. I will begin by explicating in detail what I take to be the structural features that are assumed to distinguish consequentialist value theories from deontological ones. I will then argue that these features do nothing of the kind. Call this the *structural equivalence thesis*.

(i) In a consequentialist value theory, relationship (α) is usually described as (a) provisional, and/or (b) instrumental, and/or (c) causal.

(a) Actions, institutions or practices (1) have only *provisional value* if the moral worth of performing or engaging in them is contingent upon their promoting the final end (2) specified by the theory. If they do not serve this end, they do not have moral value.

(b) These activities promote their final end *instrumentally* if they are the means, medium, or instrument through which this end is achieved.

⁴⁰ See note 36 and part II.

⁴¹ This last is Kant's phrase.

(c) They promote their final ends *causally* if, roughly, they constitute a discrete set of physical conditions that produces a second discrete set of independently identifiable physical conditions, i.e., the end in question.⁴²

(ii) In a *deontological value theory*, on the other hand, relationship (α) is typically characterized as (a) constitutive, (b) noninstrumental, and (c) noncausal.

(a) Actions, institutions, or practices (1) have *constitutive* value if they are themselves the final end (2), or parts of the final end, which the value theory stipulates. This is, presumably, what is meant in saying that deontologically prescribed actions have intrinsic worth, independently of their consequences. Thus in a deontological value theory element (1) is identical with element (2): the actions are "ends in themselves."

(b) That relationship (α) is constitutive of the final end implies that it is *non-instrumental*: the action is not a means or instrument through which the carrier of primitive value is achieved; it is itself such a carrier.

(c) Finally, if an act under a certain description is identified as the CPV, it does not *cause* that carrier to occur. It can be said to promote that carrier only in some weaker sense in which it perhaps expresses, exemplifies, or actualizes it.

(iii) Consequentialists and deontological value theories tend to agree in their characterization of relationship (β) as noncausal, noninstrumental, and nonprovisional; and also (a) value-conferring, (b) explanatory, and (c) ascriptive:

(a) The relationship between elements (2) and (3) is *value-conferring* if it is the having of these feature(s) that gives value to the final end (2) in question.

(b) The relationship is *explanatory* if adducing these features explains why the final end has primitive value.

(c) The relationship is *ascriptive* if these features can be ascribed to the final end as properties of it.

⁴² This extremely sketchy characterization is merely intended to reflect the view that causally related events must be physically separable. (Cf. Jaegwon Kim, "Noncausal Connections," *Nous* 8 [1974]: 41-52; Richard Brandt and Jaegwon Kim, "Wants as Explanations of Actions," *Journal of Philosophy* 60 [1963]: 425-35; Alvin Goldman, *A Theory of Human Action*, Englewood Cliffs, N.J., 1970; A. I. Melden, *Free Action*, London, 1967.)

Thus consequentialist value theories make relationship (α) causal and (β) noncausal, whereas deontological ones make both relationships (α) and (β) noncausal.

I now want to argue for the structural equivalence thesis, i.e., that these supposed structural distinctions between consequentialist and deontological value theories are largely illusory.

First, note that according to the description of CPVs as those practices, states, or events which are claimed to be intrinsically valuable, those features of carriers of primitive value which confer value on their carriers ((3)-type elements) are themselves CPVs, in both consequentialist and deontological theories. Thus, for example, the morally significant circumstances on which intrinsically worthy actions rest in Ross's sense may be plausibly claimed to have intrinsic worth or value of the same kind that doing our duty as a result of expressing them does; reflective equilibrium, or careful and reflective deliberation, or the intuitive apprehension of moral facts have intrinsic worth in just the same sense as their resultant principles do; rational human nature has the same kind of intrinsic value as the imperatives that express it do. These things have intrinsic value in the sense that we would accord them moral worth even if they were not related to other CPVs as their value-conferring features, and independently of any valuable consequences they may or may not have. We think it is important for persons to be reflective and rational and for moral relations to obtain, even when the outcome is not one we would have chosen, just as we think it is important to be happy independently of the outcome doing so may have. This is not to deny that we may need to abdicate any one of these states if the outcomes prove to be disastrous. But we would do so with reluctance, just as we would when forced to give up anything of intrinsic worth. That these features themselves are intrinsically valuable, or could arguably be so relative to some theory, explains why they confer value on their carriers.

Now if these value-conferring features of CPVs are themselves CPVs, there is no difference in metaphysical structure between these features and any other CPVs. These too may have their value-conferring features which may be either further intrinsically valuable characteristics, or other CPVs which can be ascribed to them as properties. Thus, e.g., the fact that all human beings strive for happiness may confer primitive value or worth on happiness; that friendship and aesthetic experience are sources of happiness may confer primitive value on friendship and aesthetic experience. That fulfilling our obligations rests on morally significant circumstances may confer primitive value on fulfilling our obligations; and that morally significant circumstances reflect rational human nature may confer primitive value on morally significant circumstances; and so on.

Of course these features always bear a special "value conferring" relationship to those CPVs of which they are characteristics, as stipulated in some particular moral theory. And it is likely that, in general, no such carrier would be a carrier of primitive value without its particular value-conferring characteristics. Happiness, for example, would not be a CPV if it were not so important to people to attain it. Nevertheless, happiness is no more or less a carrier of primitive value than the fact of people's aspiring to attain it, as in Hegel's moral theory.⁴³ For both could occupy the role of CPVs within some moral theory. Both could confer value or worth on the actions, institutions, or practices that promoted them.

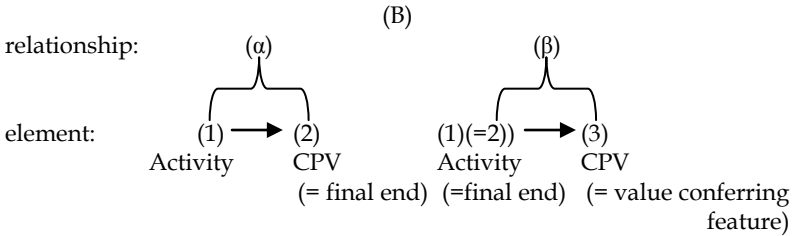
In general, that value-conferring feature of a carrier of primitive value which is itself such a carrier is no more or less of a carrier of primitive value relative to some value theory than that on which it confers value. Since value-conferring features of CPVs are no more or less diverse in metaphysical structure than any other carriers of primitive value, things like morally significant circumstances, the expression of rational human nature, that all human beings should strive for some one thing or state of affairs, and reflective equilibrium or deliberation can all serve as intrinsically valuable ends as well as any others, and they can serve equally as the subject of deontological prescription as well as the content of final ends. For example, the expression of our rational human nature is just as plausible as a desired end we may wish to achieve as it is as that which we may view ourselves as directly obligated to do; reaching reflective equilibrium is as likely a candidate for a state we may strive to achieve as it is for a duty we must fulfill as part of acting morally. We can express this by saying that those CPVs that are value-conferring features of other CPVs are indistinguishable in metaphysical structure, or *metaphysically indistinguishable*, from other such carriers. Any constraints on their use or arrangements within some moral theory is a function of their content alone. Hence final ends (2) in the diagram are metaphysically indistinguishable from value-conferring features (3).

But if it is characteristic of deontological theories that (1)-type elements in the diagram occupy position (2), and if (2)-type CPVs would not be such without their value-conferring features, which are similarly CPVs, then

⁴³ Hegel's theory (as explicated in *The Philosophy of Right*) has often been interpreted as holding as carrier of primitive value not welfare, but the common aspiration to welfare on the part of all members of society (cf. the essays by Ilting and Plamenatz, in *Hegel's Political Philosophy*, ed. Z. A. Pelczynski, New York, 1972). Central to Hegel's conception of the rational Will is the notion that all individuals concur in the adoption of this communality of purpose *as itself* the highest good (see Hegel, pars. 151-5, 257-61).

relationship (β) in deontological theories is equivalent to relationship (α) in consequentialist theories. For deontologically prescribed actions, institutions, and practices ((1) = (2)) are only *provisionally* valuable relative to the further carriers of primitive value (in position (3)), just as consequentially prescribed actions are, relative to the ends they promote.

Thus we can use Diagram (B) to adumbrate the structural equivalence of consequentialist and deontological theories as follows:



Here we might characterize both relationship (α) in consequentialist theories and relationship (β) in deontological ones as "provisional on the promotion of."⁴⁴

Thus, for example, utilitarianism implies that the commitment to keeping promises is to be abdicating if it does not lead to the greatest amount of happiness possible, whereas Rawls's theory implies that the two principles of justice are to be abdicating if they would not in fact be decided upon in a state of reflective equilibrium,⁴⁵ and Ross's theory implies that the list of prima facie duties is to be abdicating if they do not in fact rest on morally significant circumstances.⁴⁶ Just as the moral rightness of some state of affairs depends in a consequentialist theory on its relation to an independent carrier of primitive value, similarly the moral rightness of some state of affairs depends in a deontological theory on its relation to a similarly independent carrier of primitive value, namely that value-conferring feature of the act, institution, or practice itself.

Now an objection may be leveled against the structural equivalence thesis to the effect that even if structural similarity is conceded, structural

⁴⁴ I omit independent treatment of (β) in consequentialist theories and (α) in deontological ones, since the arguments of parts III and IV together will imply their susceptibility to the same line of reasoning.

⁴⁵ Cf. Rawls, *A Theory of Justice*, pp. 19-20.

⁴⁶ Ross, *The Right and the Good*, pp. 20-28.

identity must be nevertheless denied. For a consequentialist theory construction posits a CPV as a *final end*, relative to which the value of morally right states of affairs are not only provisional, but irreducibly *instrumental*, whereas the morally right states of affairs prescribed by a deontological theory can never be merely instrumental in this way. This objection requires closer scrutiny of the terms we used to describe relationship (α) in consequentialist value theories.

First let us ask what it actually means to call morally right action *instrumentally* valuable over and above what it means to call it *provisionally* valuable in the sense already explained (ref). Does it mean that the actions, practices, or institutions *promote or conduce* to the further, independent carrier of primitive value in a consequentialist theory but not a deontological one? Surely this is not what it means. Just political institutions, for example, which may be claimed to be intrinsically valuable because they express rational human nature, noncausally promote or conduce to that value which they express, just because they express it. Keeping one's promise, if intrinsically valuable because doing so can be consistently willed as a universal law of nature, noncausally promotes the value of consistently willing the maxims of action as universal laws of nature, just because it exemplifies this value. As we have already seen, "to promote something" need not mean only "to cause to come into existence." I can promote good music by playing it, or promote the display of affection by displaying it myself, even if neither action has any further causal consequences that are relevant to its promotion. And if I do not cause my action to come into existence, I do not cause that which it promotes to do so either. This is just to repeat (cf. (ii.c), ref) that things can be promoted by being expressed, realized, or exemplified, as well as by being caused. And this has nothing to do with instrumental value.

Earlier ((i.b), ref) something described as instrumentally valuable was characterized as a *means or instrument through which* its carrier of primitive value was realized. Fulfilling one's obligations is not, strictly speaking, a means or instrument through which morally significant circumstances are expressed. But what would count as an instrumental value strictly speaking? Sidgwick claimed that friendship was an important means to the utilitarian end.⁴⁷ But friendship cannot be *strictly speaking* a means or instrument through which happiness is achieved; only genuine instruments, like machines that stimulate the pleasure centers of the brain, can be means or instruments in the strict sense. Certainly we are free to view friendship this way, metaphorically speaking. But the same metaphoric liberality then

⁴⁷ Henry Sidgwick, *The Methods of Ethics* (New York, 1966), p. 437.

entitles us to view fulfilling our obligations as a means or instrument through which morally significant circumstances are expressed as well. And we need not be consequentialists to do so.

So it appears that so far, there is reason to suppose a structural equivalence between consequentialist and deontological value theories after all. In both cases, the moral value of actions, institutions, and practices is provisional relative to that independent carrier of primitive value which they promote. In this sense, *all* such actions, institutions, and practices have only provisional value relative to their carriers of primitive value, whether the favored moral theory is consequentialist or deontological.

The final objection to the structural equivalence of consequentialist and deontological theory constructs we will consider in this section concerns the question of *causation*. Earlier ((i.c), ref) consequentialist theories were represented as insisting upon a *causal* relation between that which is morally right and the carrier of primitive value it promotes, whereas a deontological theory makes this relation noncausal and constitutive ((ii), ref).

But a consequentialist value theory must accommodate a noncausal constitutive relation between a morally right state of affairs and its independent CPV, and a deontological theory must accommodate a causal relation between a morally right state of affairs and its CPV. If a consequentialist value theory ruled out all such noncausal and constitutive relations, it could not be morally right within a consequentialist theory to promote happiness *through* friendship, or to make someone happy *by*⁴⁸ arousing her competitive tendencies at chess, or to promote human perfection *by* developing and exercising one's talents. In each such case, the morally right action is related to the carrier of primitive value as a constitutive part and not as a causal antecedent. But a consequentialist may rightly exhort its performance nevertheless.

Indeed, a consequentialist value theory that consisted only of causal relations would be impossible because it would require us to cause the desired end, but never to participate in it through our own actions or experiences. E.g., we might cause happiness to occur, but could do nothing that would be constitutive of being happy. This would imply, first, that we would not be permitted to cause *ourselves* to be happy; second, that no other agent who consciously accepted this theory, could permit her or himself to be caused by *anyone else* to be happy, since in either case the effect of the action would be that precisely those agents who are only to cause happiness themselves participate in happiness. Hence no consequentialist value theory can plausibly rule out constitutive relationships between elements (1) and (2),

⁴⁸ In Goldman's sense (see Goldman, *A Theory of Human Action*, pp. 5-6, 20-1).

and this means that (α) must include identity relations, just as do deontological theories.

Similarly, if a deontological value theory ruled out all causal relations between morally right states of affairs and their independent carriers of primitive value, it could not prescribe as morally right an action because it effected rather than expressed the theory's carrier of primitive value. If such a theory contained no causal relations between its primary elements at all, we would be prevented from making any appeal to consequences that were also value-conferring features of the CPV in order to decide what to do. E.g., suppose the obligations to tell the truth and to refrain from harming others were to conflict under certain circumstances. Suppose also that refraining from harming others caused rational human nature - the agent's, the potential victim's, and the potential victim's associate's - to be expressed, whereas telling the truth under these circumstances merely caused human malevolence and spitefulness to be expressed. In deciding what to do, we would be unable to appeal to these consequences even as a tie-breaker. No consideration of the form,

If fulfilling moral obligations is intrinsically valuable because doing so expresses rational human nature, then to choose between two such conflicting obligations that one which, under the circumstances, causally undermines the expression of rational human nature vitiates the point of fulfilling moral obligations. So I should choose the other one,

would be acceptable. And a moral theory that rules out this kind of reasoning is not one that any deontologist - no matter how pure - would be likely to adopt.⁴⁹ Hence no plausible deontological value theory can rule out causal relationships between elements (2) and (3). This makes the relationship (β) comparable to relationship (α) in consequentialist theories.

Thus the consequentialist can no more claim a value-theoretic monopoly on causal relations between morally right actions and their carriers of primitive value than the deontologist can on noncausal, constitutive relations between them. The particular character of the relation (α) on ref is not determined by whether a theory is consequentialist or deontological in form, but once again only by the content of that theory. And any such value theory must contain both brands of relation in order to be morally interesting at all.⁵⁰

⁴⁹ Cf., for example, Ross, *The Right and the Good*, p. 31.

⁵⁰ One may protest that the telling difference between consequentialist and deontological value theories consist in the status they accord to moral injunctions, whether causal or constitutive. A consequentialist moral theory treats them as disposable rules of thumb, whereas a deontological theory regards them as universally

These considerations taken together suggest that if structural equivalence between consequentialist and deontological value theories is in fact lacking, some further nonshared feature must be adduced to demonstrate this. And of course it must also be demonstrated that this feature is not itself particular to the content of some one such theory.

V

All along, the focus has been on the structure and content of normative moral theories, independently of the metaethical attitudes and pronouncements moral philosophers make about those theories. If my treatment of the consequentialist-deontological distinction has been correct so far, the basis for this distinction is not to be found in any feature of normative moral theories themselves, but rather in those metaethical attitudes expressed by its proponents. So I now want to consider those attitudes. My objective will be to show that they are based on mistaken beliefs about the applicability of this distinction to normative moral theory, and on psychological attitudes that would be better expressed in a very different distinction.

binding laws. But this protest holds true only of dummy consequentialist and deontological theories respectively, and even then only of their practical, not their value-theoretic parts. The value-theoretic part of a moral theory supplies no action-guiding directives on *how* we should promote or realize that which has moral worth, much less on *how often* we should do so.

On the other hand, the practical part of any viable consequentialist theory must recognize that certain actions are in fact always morally obligatory - not only because in fact they might always best promote the value-theoretic good, but also because they are most reliable in cases where we cannot know which act would do so - which, as we have already seen, is itself a permanent feature of practical consequentialist injunctions. So practical consequentialist prescriptions are frequently universal in character (Sidgwick and Moore are particularly explicit about this).

Similarly, practically viable deontological prescriptions recognize that value-theoretically prescribed duties cannot always be successfully fulfilled. As we have already seen, they may conflict or they may fail to be completed successfully. In these cases a practicing deontologist is prepared to perform that action which *on the whole* best conforms to the theory's value-theoretic prescriptions, and also to revise her or his conduct in case it turns out not to serve this purpose. Hence practical deontological prescriptions frequently have the character of rules of thumb (cf. Ross, *The Right and the Good*, pp. 30-32).

That both consequentialist and deontological practical prescriptions must include both universal laws and rules of thumb of this kind follows directly from the prescriptive indeterminacy thesis (part II).

I am indebted to Peter Railton for this objection.

Proponents of the consequentialist-deontological distinction seek support in the self-evident fact that there is, after all, a disagreement between someone who thinks it is always wrong to lie, regardless of the causal consequences of doing so, and someone who thinks it is only wrong to lie when lying does not promote general welfare. Similarly, those who care more about conforming their behavior to clear-cut moral prescriptions than about making themselves and other people happy are clearly at odds with those whose moral priorities are the reverse. From these facts it is often concluded that there is a genuine disagreement between consequentialist and deontologists after all.

But this conclusion does not follow. That is, it does not follow from the fact that people have different moral priorities, or accord greater or lesser moral value to different states of affairs, that they must make a commitment to consequentialism or deontologism. For as we have seen, any such *content* may figure in consequentialist or deontological theories indifferently, and their respective structural relationships are equally unhelpful in classifying one's moral convictions in one way rather than the other. So it will not do to argue here that it is just my preferring never to lie over effecting the general welfare that *makes* me a deontologist. For my adoption of the value of never lying is as such neutral between adopted ends and the means to their achievement, and neutral between carriers of primitive value and those states of affairs that promote them.

So our disagreements about the relative importance of performing different actions or achieving different ends shed no light on the consequentialist-deontologist distinction. All it proves is that people do indeed differ about whether it is more important to tell the truth than to be happy, to distribute goods and services justly than to satisfy desires, and so on. But this fact was never a source of great controversy. All these possibilities are metaphysically indistinguishable values to which different individuals may assign different weights without thereby providing evidence for their consequentialist or deontological proclivities.

This is not to argue that people do not *have* such proclivities. Psychologically and professionally, a great deal may turn on whether one fancies oneself to be a consequentialist (tough, hard-nosed, practical but idealistic) or a deontologist (stern, uncompromising, virtuous but not intolerant). It is just to claim that such self-conceptions find support in neither the values nor the structure of the moral theory any such individual is likely to hold.

Of course part of the intensional attitudes of some moral theorists include not only these values, but in addition the conviction that some particular value is an *end* to be achieved, or a *means* to some such end, or descriptive of an *intrinsically valuable action* irrespective of the ends it may promote. Such an

individual may maintain an explicit lack of interest in, say, the consequences that particular prescribed actions may promote, or, alternately, in the particular means undertaken to achieve some desired end, and identify her or himself respectively as a deontologist or consequentialist on these grounds alone. But if the analyses offered in parts II through IV of this discussion are correct, those intensional attitudes toward the components of moral action are simply confused. They therefore provide no convincing foundation on which the consequentialist-deontological distinction can be erected.

However, proponents of the consequentialist-deontological distinction may then cite the very clear differences in moral sensibility that often motivate adherence to one or the other.⁵¹ Self-styled deontologists often regard their own imperfect attempts to do what they believe to be right as challenge enough, without incorporating any vision of what would be good for other people into their moral program. They may believe that their primary task is to attend to their own moral behavior, while relying on the essential humanity and rationality of other people as sufficient evidence that they will do the same. This conviction may be explained by the assumption that these two characteristics, of rationality and humanity, are sufficient conditions for inclusion in a general moral community whose continued existence is dependent on the capacity for moral autonomy, i.e., for generating and regulating one's actions in accordance with universal moral laws. Those who exercise this capacity for immoral purposes are then viewed as fully responsible agents to be condemned or punished, but never remade or reprogrammed in ways that would be thought to violate their essential personhood. Deontologists may thus regard as both arrogant and manipulative the consequentialist's eagerness to assume responsibility, not only for her or his own behavior, but for events and states of affairs that may be only remotely causally contingent on it; and to take on the project of the moral reform of others on a grand scale as part of one's personal moral program.

Self-styled consequentialists, on the other hand, often believe that a healthy sense of sympathy and compassion for other people profoundly demands a commitment to their welfare which may even outstrip one's commitment to one's own. This sentiment may be justified by a broader conception of the moral community which includes all sentient beings, or perhaps all beings with complex central nervous systems. Thus they may be less inclined to differentiate between moral agents based on degree of competence or rationality. They may therefore find unthinkable a morality that requires them to ignore the fact that all moral agents and their behavior

⁵¹ I am indebted to Stephen White for his insights and critical comments on this topic.

are mutually interdependent within a common sociocausal network, just as all beings and events are within the larger common physical network. They may view as selfish and irresponsible the deontologist's preoccupation with her or his own moral probity, and willingness to sacrifice the well-being of other people on the altar of moral law.

These are serious attitudinal differences indeed. But a few moment's reflection will suffice to show that they bear no relation to the substance of one's moral views. We have already seen that disagreements over substantial moral priorities do not force the commitment to consequentialism or deontologism. A moral perfectionist defines the moral community in much the same way as the deontologist supposedly does; deontologists often extend the scope of their moral concern just as broadly as the consequentialist (as, e.g., in Nozick's theory of animal rights). With the possible exception of those moral philosophers who hold and act on just that false belief which I am attacking, i.e., that adopting some substantive moral value or priority implies a consequentialist or deontological commitment, there is no evidence to support any correlation between these two at all.

Now the deontologist ascribes moral arrogance and manipulateness to the consequentialist because of the latter's assumption of moral responsibility for events over which, it seems, only an omnipotent being could have control; and also because of her or his concern with effecting the welfare of other people, independently of their *prima facie* wishes or collaboration.⁵² But the deontologist's own aspiration to perfect adherence to the moral law, and apparent disregard for inherent human imperfection and irrationality, may just as easily provide fuel for the accusation of moral arrogance, as may the conviction that the preferred set of moral principles are innately superior to any that are either incompatible with them, not a product of Western culture, or both.⁵³ Deontological manipulateness may be similarly demonstrated in the insistence on systematic moral education in case one is not inclined to adopt the favored principles. Here the reasoning may be that one merely needs to, e.g., develop one's capacity for moral intuition, achieve a higher level of rational or moral development, or be taught to respect the moral law, in order to estimate these principles at their proper worth.

On the other hand, the consequentialist criticized as selfish and irresponsible the deontologist's concern with personal moral virtue at the expense of general human welfare. But it can be argued just as easily that the

⁵² See my "Utility, Publicity, and Manipulation," *Ethics* 88, no. 3 (1978): 189-206.

⁵³ Some evidence of this conviction can be gleaned from passages in Ross, Kant, Rawls, and Kohlberg.

consequentialist's selfishness is evinced by her or his insensitivity to the very real desire of other people to determine freely and without outside interference the course of their own lives, and to pursue their own conceptions of the good. Similarly, one may claim that the consequentialist's moral irresponsibility is demonstrated in her or his willingness to discount or sacrifice the claim of an innocent life if doing so will further the general welfare.

The general point is clear. Moral arrogance, manipulativeness, selfishness, irresponsibility, and indeed a host of other epithets one might have occasion to ascribe to particular moral philosophers are not the exclusive preserve of any one type of moral theory, any more than is the moral humility, respect for others, altruism, or sense of responsibility by which the accusers would (and could) presumably characterize their own moral views. These qualities describe attitudes and psychological dispositions that individuals may or may not have. And these attitudes and dispositions may or may not infect the expression of one's moral convictions. But these convictions themselves are logically independent of both the personality problems and traits of the individuals who hold them, and of the consequentialist-deontological taxonomy. Hence neither these convictions nor the personality traits that supposedly accompany them reflect the supposed difference in moral sensibility that advocates of the consequentialist-deontological distinction claim.

Now there are certain criticisms of deontological and consequentialist theories often made by members of the opposing camp which have a common ring to them.

Consequentialists often claim that deontological theories are guilty of "rule worship," and are essentially unconcerned with people, for they inflexibly prescribe certain actions without regard to how others are affected; they fail to recognize the importance of human well-being as an intrinsic value.⁵⁴ Deontologists then typically retort that it is the consequentialist who exhibits an essential lack of concern for people, for consistent consequentialist theories require the sacrifice of the innocent for the sake of some "greater

⁵⁴ J. J. C. Smart makes this objection in "An Outline of a System of Utilitarian Ethics," in J. J. C. Smart and Bernard Williams, *Utilitarianism: For and Against* (Cambridge, 1975), pp. 5-6, 72. See also Jonathan Bennett, "Whatever the Consequences," *Analysis* 26 (1966): 83-102.

good,⁵⁵ subordinate human rationality and autonomy to the pursuit of this good,⁵⁶ and fail to respect personal integrity.⁵⁷

Note that, as usual, the criticisms could be reversed. One could just as easily fault consequentialist theories for paying insufficient attention to human welfare on the grounds that they subordinate individual well-being to the general welfare; one might then go on to argue that a theory that places individual welfare in jeopardy threatens and thereby diminishes the welfare of each individual in the community, hence diminishes general welfare. One could similarly criticize deontological theories on the grounds that a thoroughgoing commitment to general principles of moral obligation undermines the opportunity to exercise individual rationality and autonomy in decision making on particular occasions, since individual inclinations are in each case subordinated to the principle of conformity to these general moral prescriptions.⁵⁸

Bernard Williams's argument⁵⁹ is that a commitment to consequentialism undermines personal integrity because it requires one to be prepared to abdicate one's most central plans and projects when promoting the general welfare require this. The claim is then that the necessity of assuming the impersonal moral standpoint from which the general welfare is assessed alienates one's attachment to those ends which should be most important to one and hence most definitive of one's individual character. But the same argument can be leveled at deontological theories, for they too require a detachment from one's deepest plans and projects. They require the agent to decide what to do, not on the basis of what is personally most important and meaningful for that agent, but on the basis of what the moral law, or duty, objectively requires. Indeed, any moral theory that prescribes actions not necessarily coextensive with the particular goals and projects an actual agent happens to have - i.e., any moral *theory* at all - is susceptible to Williams's objection.

That the objects of these criticisms can be interchanged so easily suggests that it is in fact not the consequentialist or deontological structure of these

⁵⁵ H. M. McCloskey, "A Note on Utilitarian Punishment," *Mind* 72 (1963): 599.

⁵⁶ Thomas Nagel, "Subjective and Objective," in *Mortal Questions* (Cambridge, 1979).

⁵⁷ Bernard Williams, "A Critique of Utilitarianism," in Smart and Williams; see also Rawls, *A Theory of Justice*, secs. 5, 30.

⁵⁸ W. D. Falk makes essentially this criticism in "Morality, Self, and Others," in *Morality and the Language of Conduct* (Detroit, 1963), pp. 25-67.

⁵⁹ Williams, "A Critique of Utilitarianism."

theories that is under attack, but something else. These criticisms have in common the reproach that the theory under fire is what we might call insufficiently *person-regarding*, i.e., that it ignores or devalues the importance of certain human needs and requirements that are centrally important from the point of view of moral theory: that we should be happy and not miserable, that we should be permitted and encouraged to determine the course of our lives, that the value of different conceptions of individual welfare should be recognized and respected, and that we should be able to be both rationally self-directing and also fully committed to the plans and projects to which we attach value. The reproach is a serious one, for it touches on the most basic rationale for adhering to or constructing a specifically *moral* theory in the first place. If fulfillment of these needs and requirements is of central significance for human beings, and if the whole point of a moral theory is to regulate relations between human beings in a rational and practically effective way, then a theory that is insufficiently person-regarding in this sense can claim very little title to support at all.

Avowed consequentialists and deontologists alike often acknowledge that this criticism presents genuine difficulties for their respective theories. Consequentialists may respond by incorporating the values of rationality, autonomy, integrity, or respect for persons into the characterization of human welfare as the carrier of primitive value, or as empirically necessary means to the realization of this end. They then worry about how to square the importance of such values with the consequentialist structure of their theories. Deontologists may respond by insisting that as a matter of empirical fact, adherence to moral principles of action conducive to human welfare, while attempting to defuse the suspicion that they have thereby sullied the deontological purity of their theories with a consequentialist justification.

Not all moral theorists have this response. Some consequentialists accept the charges of scapegoatism, paternalism, or alienation with a shrug, claiming these unfortunate flaws to be the necessary price of practicability. Similarly, some deontologists accept the charges of rule-worship or lack of human sympathy as the necessary concomitants of consistency.

Thus this disparity of response to the criticism does not parallel, but rather cuts across, the consequentialist-deontological distinction. On the one side, we find those who attempt to restructure their theory so as to fully accommodate the missing values. The resulting "mixed" views are comparable in emphasizing an essentially person-regarding orientation at the

expense of easy taxonomic classification.⁶⁰ On the other side, we find those who believe that an essentially nonperson-regarding, or not fully person-regarding, orientation is a small price to pay for structural clarity and methodological rigor. We might describe such views as *structure-regarding*, meaning by this simply that their proponents are prepared to accept without further argument the devaluation of certain of the above-listed needs and requirements - the satisfaction of desire, for example; or personal integrity - because of a deeper commitment to what they perceive as the distinctive structure and method of their theory.

Now the question whether the satisfaction of desire is in fact more or less important than personal integrity, or whether autonomy is in fact more or less important than happiness, is not one that I shall try to answer here. I do not know that it can be answered. But if the consequentialist-deontological distinction is as superfluous as I have tried to show, those structure-regarding views that opt for this brand of theoretical purity at the expense of *any* of these centrally person-regarding values are defending a straw person, in more ways than one.

⁶⁰ Samuel Scheffler's "Agents and Outcomes" (Ph.D. dissertation, Princeton University, 1977) and Richard Brandt's *A Theory of the Good and the Right* (Oxford, 1979) exemplify such "mixed" views (Brandt has identified himself [in conversation] as a deontologist).