

The Impotence of the Demandingness Objection

David Sobel

*Department of Philosophy
University of Nebraska, Lincoln*

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CONSEQUENTIALISM, many philosophers have claimed, asks too much of us to be a plausible ethical theory. Indeed, Consequentialism's severe demandingness is often claimed to be its chief flaw. The Demandingness Objection might be leveled against other moral theories as well, but the Objection is thought to apply paradigmatically against Consequentialism, and I will only consider it in this context. Despite the widespread influence of the Objection, it is obscure what the structure of the complaint is and why it is supposed to have force. My thesis is that as we come to better understand the Objection, we see that, even if it signals or tracks the existence of a real problem for Consequentialism, it cannot itself be a fundamental problem with the view. The Objection cannot itself provide good reason to break with Consequentialism since it must presuppose the truth of prior and independent breaks with Consequentialism. The way the Objection measures the demandingness of an ethical theory reflects rather than justifies being in the grip of key anti-Consequentialist conclusions. We should reject Consequentialism independently of the Objection or not at all.

Such is the perceived force of the Objection that it moves a variety of philosophers who are attracted to the general Consequentialist framework. Indeed there is a cottage industry trying to amend Consequentialism so that it is less vulnerable to the Objection. Some champion Rule Consequentialism on the grounds that it will be less demanding. Others offer us agent-centered prerogatives. Some recommend a satisficing version, since it would demand less of us. Some adopt a "scalar" understanding of Consequentialism with the upshot that the view makes no "demands" at all but merely tells us what is morally better and worse. Still others recommend a hybrid of such alternatives to familiar maximizing Act Consequentialism.¹ Against such views, my arguments also make trouble for those who are

1. See, among others, Brad Hooker, *Ideal Code, Real World*, Clarendon Press, 2000; Michael Slote, *Common-Sense Morality and Consequentialism*, Routledge, 1985; Samuel Scheffler, *The Rejection of Consequentialism*, 2nd Edition, Oxford University Press, 1994; Alastair Norcross, "Reasons without Demands: Rethinking Rightness", in James Dreier (ed.), *Contemporary Debates in Moral*

motivated by the Demandingness Objection to alter straightforward Consequentialism to a variant that is less demanding. What I say here aims to undermine that rationale for making such a change.

There are a variety of ways one might attempt to undermine the authority of the intuitions upon which the Objection relies. One might claim, as Shelly Kagan has, that intuitions without good rationales lack the power to support a philosophical position.² Or one might hold that the power of the theoretical considerations in favor of Consequentialism are more than a match for the demandingness intuitions. Alternatively, one might aim to psychologize the intuition, explaining it away as a product of masked self-interest among the well to do.³ I will not follow any of these strategies. To make my case I do not need to undermine the intuitions that get pumped when we are in the grip of the Demandingness Objection. It will be enough for my purposes if we merely understand better the structure of such intuitions.

Further one might try to show that Consequentialism requires less sacrifice than typically thought. One might hold that the cases where Consequentialism seems to recommend options that our intuitions find excessively demanding are not genuinely recommendations of the best version of Consequentialism. Here one might rely on non-standard accounts of well-being, on the distinction between truth-makers and decision procedures, on our ignorance of other's good and the causal means to bring it about, or similar considerations.⁴ I think

Theory, Blackwell, 2006; Tim Mulgan, *The Demands of Consequentialism*, Oxford University Press, 2001.

2. Kagan, "Thinking about Cases," in Paul, Miller, and Paul (eds.), *Moral Knowledge*, Cambridge University Press, 2001, pp. 44–63.
3. For a version of this thought that I find particularly intriguing see John Harris, "The Survival Lottery," *Philosophy* 50 (1975), 81–7.
4. Tim Mulgan, in *The Demands of Consequentialism*, pp. 31–37 offers a nice survey, and grounds for dismissal, of many such arguments. Thus Mulgan is skeptical of such arguments that start with a traditional version of Consequentialism and argue that so construed it is not so demanding, a strategy he labels "denial". Mulgan's book is an attempt to restructure the fundamental commitments of Consequentialism such that it is no longer so vulnerable to the Demandingness Objection.

Consequentialism does ask a lot of people like us, much more than we are used to providing. I think these dodges are misguided if they hope to show otherwise. In any case, I will not rely on such moves. Such moves will tend to leave in place the thought that Consequentialism is still uniquely, if to a lesser extent than had been presupposed, subject to the Demandingness Objection.

The measure of the cost to the agent could be in terms of well-being. And of course there are importantly different accounts of well-being. But one need not count the cost only in terms of well-being. Some might think that what matters is my ability to pursue my life projects — that this is the most relevant coin of demandingness, and that one can rationally care about projects out of proportion to how central that project is to one's well-being. Alternatively, one might think a moral theory counts as demanding merely because it narrows one's options significantly, and that this is a demand even if the options it leaves one are fine with respect to one's well-being or central projects.⁵ And some might have in mind other dimensions of cost as well. I will not fuss too much about this but aspire to have my story work regardless of which reasonable coin of demandingness we are working with. But clearly the most common coin is well-being, and I will speak as if this were the agreed coin for ease of exposition.

It does need to be conceded that I must fuss a bit about the measure of the cost however. For example, suppose someone complained that Consequentialism is costly to them in terms of their holdings of deontological rights or libertarian property-rights — that is, that Consequentialism asks that they sacrifice their entire holdings of such rights and is therefore too demanding in that coin. Against such an understanding of the measure of demandingness, I will need to fuss. For

5. Scheffler considers a similar kind of cost of a moral theory also held to be independent of well-being, which he calls "confinement", and treats it as significant above and beyond the cost in terms of well-being. See his *Human Morality*, Oxford University Press, 1992, p. 98. Liam Murphy, *Moral Demands in Nonideal Theory*, Oxford University Press, 2000, concludes that likely confinement does not deserve a significant treatment independent from its impact on well-being. See Murphy, pp. 28–33. All further references to Murphy are to this work.

this complaint is best understood not as worrying about the size of the cost to the agent but as complaining about the moral importance of the sort of things that Consequentialism cannot provide. The measures of demandingness that I mean to countenance here will have the feel of a complaint about the significance to the agent of a value lost due to the moral theory, and not every complaint about the inappropriateness or moral unacceptability of Consequentialism's demands will have this feel. So although I countenance a wider range of coins of demandingness than most discussions allow, I do need to reject some as resting on objections independent from the Demandingness Objection.

The Presupposition of the Demandingness Intuitions

The central thought behind the Demandingness Objection is that some moral views ask unacceptably much of an agent. Morality, properly understood, should not take over our lives, at least in circumstances such as we face these days, but should be compatible with a range of attractive and self-directed lives, including lives that involve a serious commitment to family, friends, or non-moral projects. Or so the Demandingness Objection suggests, and who could say that they did not feel at least the initial force of the thought? Tim Mulgan usefully describes a case in which a person, called Affluent, who has already contributed significantly to charity, can either buy pricey theater tickets or contribute the money to help relieve significant need elsewhere. Affluent chooses to buy the tickets. Mulgan writes, "[T]he Demandingness Objection says that Consequentialism must condemn Affluent's behavior, and that this is unreasonable."⁶

To start to make my case against the self-standing nature of the Objection, consider a different sort of situation in which people tend to feel the pull of the Demandingness Objection. Consider the case of Joe and Sally. Joe has two healthy kidneys and can live a decent but reduced life with only one. Sally needs one of Joe's kidneys to live. Even though the transfer would result in a situation that is better overall, the

Demandingness Objection's thought is that it is asking so much of Joe to give up a kidney that he is morally permitted to not give. The size of the cost to Joe makes the purported moral demand that Joe give the kidney unreasonable, or at least not genuinely morally obligatory on Joe. Consequentialism, our intuitions tell us, is too demanding on Joe when it requires that he sacrifice a kidney to Sally.

But consider things from Sally's point of view. Suppose she were to complain about the size of the cost that a non-Consequentialist moral theory permits to befall her. Suppose she were to say that such a moral theory, in permitting others to allow her to die when they could aid her, is excessively demanding on her. Clearly Sally has not yet fully understood how philosophers typically intend the Demandingness Objection. What has she failed to get about the Objection? Why is Consequentialism too demanding on the person who would suffer significant costs if he was to aid others as Consequentialism requires, but non-Consequentialist morality is not similarly too demanding on Sally, the person who would suffer more significant costs if she were not aided as the alternative to Consequentialism permits? What must the Objection's understanding of the demands of a moral theory be such that that would make sense? There is an obvious answer that has appealed even to prominent critics of the Objection — that the costs of what a moral theory requires are more demanding than the costs of what a moral theory permits to befall the unaided, size of cost held constant. The moral significance of the distinction between costs a moral theory requires and costs it permits must already be in place before the Objection gets a grip. But this is for the decisive break with Consequentialism to have already happened before we feel the pull of the Demandingness intuitions.

Most of the remainder of this paper will try to amplify the structure of the simple argument in the paragraph above, show that it can stand up to scrutiny, and argue that it does not overlook tempting interpretations of the Objection. But before getting to that I must ward off a possible misunderstanding of the conclusion of the argument. The conclusion is not merely that the Objection has as an upshot that costs

6. Tim Mulgan, *The Demands of Consequentialism*, p. 4.

required by a moral theory are more demanding than costs permitted, or that costs caused are morally more salient than costs allowed. Arguably any argument against Consequentialism would need to have such an upshot. Rather, the thought here is that the Objection needs to presuppose the moral significance of such distinctions as a premise in reaching the conclusion that Consequentialism is problematically demanding. The Objection does not help justify such a premise. This is why we should reject Consequentialism independently of the Objection or not at all.

Scheffler and Kagan

Recall how Samuel Scheffler tried to amend Consequentialism to accommodate something like the Demandingness Objection. If the problem is that one's own point of view is not permitted to be given enough weight in one's moral deliberation, he in effect reasoned, then we should simply permit one's interests to be given more weight. Thus, on his view, one could multiply the significance of one's own interests by a certain number and be morally permitted to maximize the new weighted aggregate.⁷ This is the most obvious response to the thought that Consequentialism requires too much of us and does not make enough room for our projects and interests.

Shelly Kagan objected to Scheffler's strategy for making Consequentialism less demanding. Kagan argued that Scheffler's theory would permit one to cause harm for the sake of one's magnified interests as much as it permits one to allow harm for the sake of one's magnified interests.⁸ This sort of permission, Kagan rightly thought, is not sanctioned by commonsense intuitions about morality. The Demandingness Objection only comes into its own when we think of morality as permitting us to allow (or merely foresee) a certain harm.

Kagan's worry generalizes. Recall that Bernard Williams argued

7. Scheffler, *The Rejection of Consequentialism*.

8. Kagan, "Does Consequentialism Demand Too Much?," *Philosophy and Public Affairs* 13 (1984), 239–54. See also Kagan, *The Limits of Morality*, Oxford University Press, 1989, pp. 19–24.

that Consequentialism threatens our integrity because it requires that we step aside from our most central personal projects merely because the sum of interests of others outweigh one's own interests.⁹ Again, such a complaint only finds resonance when we presuppose that our projects require only that we not aid others. When we think of projects that require that we cause or intend harm to other people for no better reason than that our outweighed personal project be promoted, then the integrity complaint against Consequentialism is unpersuasive.

Kagan reminded us that it is simply false that morality, as commonsense understands it, may not demand quite a bit from us in some contexts. Decent people do not much bristle at constraints such as the one to not bump off a rich disliked uncle merely for personal gain, but in terms of the sacrifice of one's interests, such constraints can be quite significant. Sally may not kidnap Joe and take his kidney against his will even if she will die unless she does so. Those who champion the Demandingness Objection overwhelmingly believe that morality could ask so much.

Kagan and Liam Murphy put the key point in the form that I will eventually be urging here. They asked us to consider the difference between cases in which we are morally required to aid in a way that is costly to ourselves and cases where we are forbidden from harming in a way that is equally costly to ourselves. Murphy argued that whatever it is that makes the former but not the latter seem excessively demanding, this difference cannot be attributable to demandingness as such but must be "parasitic on some different and unrelated ground" from demandingness.¹⁰ Kagan writes that "[s]ince the appeal to cost

9. Williams, "A Critique of Utilitarianism," in J. J. C. Smart and Bernard Williams, *Utilitarianism: For and Against*, Cambridge University Press, 1973.

10. Liam Murphy, *Moral Demands in Nonideal Theory*, p. 39. Murphy endorses a version of Consequentialism that is less demanding than traditional versions. However, Murphy, like me, rejects the (stand-alone) force of the Demandingness Objection. He thinks the problem with traditional versions of Consequentialism is that they are unfair — they morally require you to pick up burdens left over simply because I have chosen not to do what I am required to do. Central to Murphy's position, and mine, is that not just any reason to think that the best version of morality will require less of us is

supports *both* sorts of options, if the moderate is going to maintain his defense of options to *allow* harm without being forced into accepting options to *do* harm, then he must argue that there are overriding *independent* reasons why an agent must not do harm.¹¹ The direction that the complaint about high costs of a moral theory takes us is normatively unattractive and not in tune with commonsense morality. The Objection only appears to lead in a normatively attractive direction when it leans on breaks with Consequentialism that are independent of the size of the cost.¹² Thus the Objection is an unpersuasive account of the fundamental reason to break with Consequentialism. Or so I think I hear Kagan and Murphy suggesting.¹³

The main aspiration of this paper will be to press home a point with the same structure as Kagan's and Murphy's thought above. Champions of the Objection, I will argue, must be finding a fundamental moral difference between high costs that a moral theory requires an agent to bear and the same size costs that the moral theory allows an agent to bear by failing to require others to prevent it. Again, whatever it is that makes the former but not the latter seem excessively demanding, this difference cannot be attributable to demandingness as such but must be "parasitic on some different and unrelated ground" from demandingness. My claim has the same form as Kagan's and Murphy's point but different content. I claim my argument is more fundamentally problematic for the Objection.

automatically a vindication of the stand-alone power of the Demandingness Objection.

11. Kagan, *The Limits of Morality*, p. 23 (italics in original).
12. Scheffler replied to this complaint and made interesting points in the process but I think could not rebut Kagan's general criticism. See Scheffler, "Prerogatives Without Restrictions," in *The Rejection of Consequentialism*, second edition, 1994. Broadly, Scheffler stressed ways that Consequentialism could champion, albeit not intrinsically, a moral stress on harms that an agent causes over harms that an agent allows.
13. Murphy raises this worry but largely sets it aside to move on to other objections that he finds even more problematic for the Objection. He finds the above sort of worry significant but "not in itself sufficient ground to describe the problem of over-demandingness as illusory" (p. 41).

The Objection Lives On?

Perhaps we have not yet considered the most telling version of the Demandingness Objection. One upshot of Kagan's argument above is that it is hard to see how any sensible moral theory can avoid being quite demanding in a range of situations, at least with respect to what it permits one to cause or intend. And this might be thought to put the Objection as it is applied to Consequentialism on the defensive. For, we might wonder, why isn't Consequentialism's rival just as subject to the Objection when it asks so much? But while it is true that any plausible ethical theory will, in some possible circumstances, ask quite a bit of us, the thought remains that Consequentialism seems singularly likely to do so and more likely to do so frequently than the other theories. So perhaps it is the high *cumulative* or *expected* costs of compliance with Consequentialism over a lifetime that figure in the telling version of the Demandingness Objection.¹⁴ Kagan focused on cases where Consequentialism and its rivals would both agree that the agent may not cause large harms even for significant but lesser gains for herself. This was meant to show that even Consequentialism's rivals must allow that morality can demand significant costs. But now the Objection is that while Consequentialism asks what the rivals ask in these cases, it asks much more besides in a wide range of cases. And, so the thought goes, this is why Consequentialism is uniquely subject to a telling Demandingness Objection.

Suppose we have in mind the version of the Objection that focuses on cumulative or expected demands over a lifetime. Now, of course, trivially, the average cumulative or expected benefits to an agent over a lifetime of full compliance with standard maximizing Act Consequentialism must be at least as high as any rival moral theory.¹⁵

14. Garrett Cullity has stressed the difference between iterative and one-time costs of compliance with a moral theory. See his *The Moral Demands of Affluence*, Oxford University Press, 2004, chapter 5. Murphy offered reasons to prefer the version of the complaint based on expected rather than actual costs, but this seems to have been in response to other sorts of concerns (see p. 43–45).
15. When I speak of Consequentialism I have in mind such versions. Further, the versions of Consequentialism I have in mind avoid folding considerations of rightness into the account of goodness. If the Objection tells against any

If we lacked grounds to distinguish a particular agent's expected lifetime benefits under a Consequentialist regime from the average, then this formulation of the complaint would be in trouble. One way to solve this problem is to argue that the antecedent of the previous sentence is false. Another way to get this version of the Demandingness Objection up and running would be to distinguish between cumulative or expected costs imposed on an agent by compliance with a moral theory and avoidable costs imposed in other ways. Perhaps we should count just the costs to one of compliance with the requirements of a moral theory. Let's call this the Compliance Cost.

It must be conceded that, as the world actually is, the cumulative or expected Compliance Costs of Consequentialism are significantly higher than the Compliance Costs of its main rivals. Indeed, a natural way to try to motivate the moral significance of the causing/allowing distinction would be to point towards the typically significantly lower Compliance Cost of avoiding causing some harm as compared to the Compliance Cost of avoiding allowing some harm.¹⁶ Think of the costs to us of not being permitted to kill as opposed to the costs to us of not being permitted to allow killing to occur. Thus we might think that the Objection could vindicate a style of moral theory that stressed what we are not morally permitted to cause while being more permissive with respect to what we may allow.¹⁷

So perhaps this version of the Demandingness Objection can be coherently conceived as an explanation or ground of the moral

version of Consequentialism it seems likely to be such versions. I also set aside cases involving variable populations, as they raise different issues.

16. Indeed, this is trivially true if one supposes that one way of allowing *X* to happen is to cause *X*.
17. Above we saw that Williams's Integrity Objection to Consequentialism ran into real problems when interpreted as ranging over acts. Perhaps a more charitable interpretation of his view would involve pointing out that a moral theory that stressed what we may not cause and is more permissive with respect to what we may allow makes room for agents' having projects toward which they could have integrity and that Consequentialism does not make such room in as convincing a way.

distinction between causing and allowing rather than depending on the latter for support.¹⁸

The Cost of What is Allowed

But I do not think that the Demandingness Objection, now in its cumulative or expected Compliance Cost form, can be used to vindicate anything like the causing/allowing distinction. To see this, recall that the spirit of the Demandingness Objection is that Consequentialism asks too much of the potential benefactor. No one suggests, in the name of the Demandingness Objection, that the potential recipient of aid would inappropriately sacrifice more under non-Consequentialist ethical theories because these moral theories do not require others to aid them. This is because, when we are advancing the Objection, we are already in the grip of the thought that a moral theory that requires *X* to sacrifice for *Y* is demanding on *X* but a moral view that permits *Y* to suffer rather than insist that *X* help is not similarly demanding on *Y*. A moral theory that allows Sally to suffer a loss of 10 units of utility rather than require Joe to sacrifice 5 units by aiding Sally (and thereby preventing her loss of 10 units), is, if one is merely counting the size of the cost, more demanding on Sally than a moral theory that requires Joe to make the sacrifice is demanding on Joe. The complaint about the (expected) size of the cost cannot explain the focus on costs that are required and the downplaying of costs that are permitted.¹⁹

Very briefly I now want to offer three caveats about the above claim

18. When we switch to this version, it becomes more problematic to speak authoritatively about what champions of the Objection have had in mind, since they typically introduce the Objection via an example of the sort I mentioned above. But now we are considering a version of the objection that is not focused on the costs of particular instances, and so the examples are an uncertain guide.
19. Thus I am focused on costs that a moral theory permits an agent to suffer as a result of the moral theory failing to require others to prevent such a loss. It is another question, one that I do not address here, how to handle costs to herself that a moral theory permits an agent to choose qua agent (as it might in the case of self-harming self-regarding actions).

that the Objection assumes a requiring/allowing distinction. First, special obligations that one has taken on via one's voluntary behavior can create requirements that are costly to the agent, but these would not be thought to generate a demandingness complaint.²⁰ One cannot go around making lots of promises and then complain about the demandingness of a morality that requires one to keep these promises. However, a moral theory could unreasonably claim that some voluntary behavior generated such special obligations, *e.g.*, that doing philosophy generated the requirement to give away most of one's income. So the requirements that are not demanding are presumably just the requirements that were truly created by one's voluntary actions, not those that the assessed theory claims were generated.

Second, if Brad is required to impose a large cost on me by taking my spare kidney, this is a cost that morality requires of me. But morality does not require it of me *qua* agent but rather *qua* patient. Are such costs fully demanding or should we think that only costs that a moral theory requires of the addressed agent generate the special kind of demandingness? Such issues will concern us more below.

Third, presumably we should downplay the demandingness of costs to one of what a moral theory requires that one not do. The cost of being morally forbidden from taking other people's organs, when one needs those organs to live, is not thought to be problematically demanding. But again, presumably, if a moral theory unreasonably held that one is not permitted to touch better types of humans, then such costs should be held to be fully demanding. Thus again, it seems, we must presuppose the general shape of the true moral theory before we can understand what is demanding and what is not.

These caveats make clear that measuring the demands of a moral theory is a more subtle matter than my crude distinction between costs required and costs permitted suggests. However, my goal is not to capture all the nuances of what counts as demanding, but rather to show that the significance of some anti-Consequentialist distinctions such

20. Jenny Louise pointed this out to me.

as the requiring/permitting distinction is needed to underwrite the Objection. But in pointing out these subtler matters of what counts as demanding, we have again seen that it is one's presuppositions about the true shape of morality that do the work, while concerns about this or that moral theory's demandingness trail in its wake.

Kagan's critique of Scheffler was focused on the costs to the aider, and argued for consistency in implementing the objection that the cost to the aider is too high across the distinction between causing and allowing. But surprisingly, he did not challenge the Objection's focus on the costs to the aider to the exclusion of the costs to the unaided. Murphy also, as we will see, did not count the cost of what a moral theory allows as part of its demands. Again, this is a surprising omission. For it seems to me that the most fundamental critique of the Objection is revealed when we wonder why we were focused only on the size of the cost to the potential aider and not equally on the size of the cost to the potential beneficiary of aid. If so, it is surprising that two of the most thoughtful and influential critics of the Objection concede this crucial premise to the Objection.²¹

The assumption that costs a moral theory requires are more significant than costs a theory allows to befall the unaided is surprising given that the latter will typically befall the worst off and the former will typically befall the best off.²² But my point is not that this assumption is suspect. My point is that whatever is generating this asymmetry in felt demandingness between identically sized costs to the aider and

21. Thomas Nagel noted that "[i]f sacrifice is measured by comparison with possible alternatives rather than by comparison with the status quo, the situation of possible winners and possible losers are symmetrical" (*Equality and Partiality*, Oxford University Press, 1995, p. 84). Murphy discusses this thought on p. 54–5. Perhaps for reasons that emerge in the section titled "Murphy," below, Murphy makes less of this thought than I urge here.

22. In this spirit, Tim Mulgan reminds us that the moral freedom to especially care for one's friends and family will especially benefit the well-off, who tend to have well-off friends and family. Thus one upshot of this moral freedom would be that those especially well positioned to aid will especially aid each other. See his *Future People*, Oxford University Press, 2006. Mulgan attributes this thought to Thomas Nagel, *Equality and Partiality*.

to the unaided, it is not the cumulative or expected demandingness of Consequentialism but some prior and independent rationale for rejecting Consequentialism. Consequentialism only looks uniquely vulnerable to the Demandingness Objection because we presuppose that people have greater claim against aiding others than they have for claiming aid from others, size of harm remaining constant. In other words, Consequentialism looks uniquely demanding only after we accept as a premise the moral significance of something like the causing/allowing distinction.²³ The Demandingness Objection cannot ground this distinction, as it needs to presuppose the significance of the distinction in its very formulation. The Objection misleadingly suggests that the problem is simply the size of the cost. But this is not the case. The Objection is only coherently seen as an objection to Consequentialism when we presuppose that some costs are morally more significant than others.²⁴

23. This way of making the point supposes that when Consequentialism asks for a sacrifice from Joe of X amount, some particular other person will be benefited by at least X amount. This is not always the case. It could be that Joe's sacrifice is recommended by Consequentialism because it benefits many people, but each less than X . However, for the Demandingness Objection to take advantage of this loophole would (1) require significant and ad hoc revisions in the traditional understanding of the Demandingness Objection and (2) require treating aiding 10 people 1 unit each as fundamentally morally different from aiding 1 person 10 units. Again such a distinction would seem to require an independent-from-Demandingness rationale for breaking with Consequentialism. We will see in more detail below how the Objection would need to be modified to take advantage of the initial point in this footnote.
24. Stephen Darwall, *The Second Person Standpoint*, Harvard University Press, 2006, argues that the Demandingness Objection debate is one of several places where it is tacitly assumed that moral obligation is conceptually related to second-personal accountability. He argues that to understand the Objection we must see that it assumes "that wrong and moral obligation are conceptually related to holding morally responsible, hence to second-personal demanding as it functions, for example, in the reactive attitude of guilt" (p. 97). Thus, according to Darwall, the Objection marks the thought that reactive attitudes such as guilt are not always warranted by the person who fails to maximize value. "What underlies the 'demandingness' objection, therefore, is the worry that act-consequentialism's standard of right goes beyond what we can reasonably demand of one another (second-personally)" (p. 97). This understanding of the Objection fits comfortably with, and perhaps even suggests, my thesis, for it seems compatible with (or perhaps even to recommend) the

Another way to see the point is to wonder why it is so widely assumed that satisficing versions of Consequentialism are less demanding than maximizing versions. For when we compare straightforward Consequentialism with a satisficing version we see that the latter permits bigger costs to befall the potential beneficiary, while requiring smaller costs from the aider. We only see this as adding up to a less demanding morality if we count as more burdensome identically sized costs that a moral theory requires us to pay as compared to costs that the moral theory permits to befall us. Satisficing versions of Consequentialism only seem less demanding if we are focusing on costs to the aider and discounting the costs to the potential beneficiary. Similar things might be said about Scheffler's agent-centered prerogative.

One natural rationale for emphasizing the extra demandingness of a moral theory that requires large costs as opposed to a moral theory that permits large costs rests on linguistic aspects of the word "demand" rather than an attempt to vindicate the normative significance of the former over the latter. Call the "Linguistic Argument" the thought that anything that is properly called a "demand" of a moral theory must be something that the theory requires rather than merely permits. We might think the notion of what a moral theory demands and what it requires are nearly the same notion, and so the "Demandingness Objection" should focus only on what a moral theory requires agents to do in order to comply. This is a poor defense of the thought that we should pay special attention to what a moral theory requires rather than what it allows. For this defense either (1) saps the strength of the Objection or (2) still needs to vindicate the special moral importance of the costs that a moral theory requires rather than allows. To see this, imagine thinking that, using the narrow understanding of demands, moral theory A is more demanding than B. But suppose then that it is

thought that the Objection is not itself best understood as the key argument against Consequentialism, but rather is better seen as the conclusion of another (offstage) argument which purports to show that Consequentialism is wrong about our moral obligations.

conceded that there is no special moral importance to costs a moral theory requires an agent to pay as opposed to costs a moral theory allows an agent to pay. If this is conceded, then the size of the narrowly understood demands would be normatively unimportant. Moral theory A might be more (narrowly) demanding but less costly overall and so normatively superior. We can choose to narrow the notion of demands to what a theory requires if we like, but in doing so we lessen the stakes by setting aside, without argument, much that may be of normative importance. Without a separate vindication of the special moral importance of the size of the costs that a moral theory requires of an agent, as opposed to costs that a moral theory permits an agent to suffer, the (narrowly understood) Demandingness Objection is not yet vindicated as a significant criticism of a moral theory. So let us set aside the “linguistic argument.”²⁵

Pervasive Version

One could understand the Demandingness Objection in another way. One might think that it points not primarily to the problem of high actual costs or expected costs or any summing of costs, but rather to the fact that Consequentialism asks much of us pervasively or unremittingly. Here the complaint is that Consequentialism offers no area free from its strenuous demands. If only, the thought might crudely be expressed, Consequentialism would allow us a Morality Reduced Weekend from time to time, then even if the sum of costs or expected costs were just as high, the objectionable demandingness would be alleviated.

There are two versions of this understanding of the Demandingness Objection that need to be distinguished. First, someone making this objection might be saying that Consequentialism requires some people to bear heavy burdens all the time or nearly so. Taken this way, the

25. Murphy defines a “demand” of a moral theory as “greater or less depending on the extent of the loss to the complying agent” (p. 17). This definition, which we will see that Murphy eventually adjusts, shows the pull of the linguistic argument even on those who reject the Objection. In the end, however, Murphy himself does not ask the “linguistic argument” to bear any weight.

objection is easily answered. For under common-sense morality, those who are not aided likely will be living significantly diminished lives on the weekends as well as during the week. The unaided are at least as well positioned to complain about the unrelenting nature of the burden on them as a result of people not aiding them. The burdens on the unaided (under a common-sense morality scheme) will typically be neither smaller nor less unrelenting than the burdens on the potential aiders (under a Consequentialist scheme). If the complaint were so understood, Consequentialism would not look more demanding than its rivals.

On the second version of this thought, the protection sought is specifically from the pervasiveness of morality’s demands, not from all the burdens that result from a moral scheme. The protection sought is a reduction in Compliance Costs.

To this version of the objection, I would want to say that it already relies on a key anti-Consequentialist assumption that is different from the Objection. That is, it already presupposes that we are owed protection from Compliance Costs in a way that we are not owed protection from similarly pervasive costs imposed on us by a moral theory in other ways. It presupposes that even if the cost to the unaided is as large and as 24/7 as the cost to the aider, the aider’s burden is more morally significant. This is not really to point to the size of the cost or the permanence of the cost as the problem, but rather to point to a morally relevant distinction in the kinds of such costs that one is obligated to bear. It presupposes that there is an important moral difference between costs a moral theory requires that we pay and costs that it allows us to pay. Again such a version of the worry incorporates and presupposes a different rationale from the Demandingness Objection for rejecting Consequentialism before it can seem compelling.

Difficulty of Compliance Version

One could understand the Objection to be a complaint about the difficulty of complying with Consequentialism, rather than about the unacceptably large broader costs a moral theory might impose on an

agent. This would have us hold that it is especially demanding on one to be required to bear costs in complying with morality, but not especially demanding to have morality require that one bear large costs if those costs befall one as a patient rather than as an agent.²⁶ Thus on this version it would be especially demanding if I am required to myself voluntarily give over my kidney, but less demanding if others, in conforming with morality's requirements on them, force me to surrender a kidney. I have not heard champions of the Objection put their thought this way, but this does feel perhaps tolerably continuous with some of their concerns.

But there are important difficulties that arise for such a view. First, a significant reason it is difficult to comply with a morality that requires large costs of us as agents is that we assume such a moral theory will result in a situation that is much worse for us, our loved ones, or our projects. But this need not be so. For we might be asked to bear large costs as agents yet receive significant benefits as patients. Depending on the size and kind of benefits, it would be odd to call such a moral theory excessively demanding.²⁷ It would be odd to complain that a moral theory is unacceptably demanding if one fared better under it than under rival moral theories that are deemed less demanding. This way of understanding the Objection ignores costs and benefits that befall one as patients of morality. Thus this version of the Objection might complain against a moral theory that it is too demanding on Joe, despite the fact that Joe would fare better under that moral theory than any other rival theory. It is as if one were rejecting a tax code on the

26. Brad Hooker and Keith Horton helpfully pressed me to consider this way of understanding the Objection. As Murphy saw (p. 60) one motivation for such an interpretation of the Objection could stem from the arguments Murphy offers against the coherence of a notion of passive demands in conditions of non-ideal compliance with a moral theory. The suggestion here would avoid that difficult problem by ignoring passive costs, or costs that others are required to impose on me, of a moral theory.

27. It was probably considerations of this sort that led Murphy to count the costs and benefits of what a morality provides to someone as a patient (as when others are required to — and do — provide me with aid) as relieving the demandingness of the theory on me.

grounds that it diminishes one's life too much because it requires one to pay high taxes, while paying no attention to the benefits that flow to one as a result of that tax code.

But it might nonetheless be insisted that costs borne qua agent are more morally significant than costs borne by patients, size of cost held constant. This thought assumes that it is morally more important that morality not take over our lives by requiring us to frequently sacrifice for others than that famine and disease not be permitted to take over our lives, size and pervasiveness of the cost held constant. It is this focus on the moral significance of the one sort of cost over the other that must be morally vindicated for this variant of the Demandingness Objection to be vindicated. But for this thought to be vindicated is for Consequentialism already to have been defeated.

Contractualist Accounts of Demandingness?

Perhaps I have so far ignored a more promising way to understand the Demandingness Objection. Perhaps the thought should be understood to be the Contractualist anti-aggregationist thought that we should minimize the largest cost that morality asks of anyone. This is still an anti-consequentialist thought. Even if a person could prevent millions of headaches by doing something that would cost her life, this view would say that a moral theory must not require so much of her.

As Murphy puts it, perhaps we should embrace the moral theory that "is least demanding on the person on whom it is most demanding."²⁸ It is tempting to say that if the complaint is that a moral theory is unacceptable because it asks as much as *X* of a person, then the thought would seem to need to conclude that no moral theory that asks so much of anyone could be acceptable.

However, if we count the costs of what is allowed, then every plausible ethical theory must ask that some people pay the ultimate price. Any moral theory that confronts cases like the Trolley Problem must

28. Murphy briefly mentioned the possibility of such a novel interpretation of the Demandingness Objection. He did so as a possible gloss on remarks by Thomas Nagel in *Equality and Partiality*.

either require or permit an agent to die. Since it is quite rare to have a complaint against a moral theory that it costs one more than death, it would seem that very few indeed would be in a position to launch a demandingness objections of the sort we are now considering against any moral theory. How might the New Objection be amended to have more content?

A suggestion springs to mind. The thought could be changed not merely to rule out any moral theory that ever costs anyone above a top amount, but also to rule out a theory that requires *in a particular context* that anyone pay more than a certain amount. Now the thought would be that in the case at hand, no one needed to lose more than C, yet some moral theories countenance someone losing more than C in the case at hand, and so they are too demanding. This direction leads to the full embrace of anti-aggregationist Contractualism. The thought is now that, while in some cases of course morality must ask a tremendous amount of some people, a moral theory need not ask very much of any particular person in the case at hand and so a moral theory that does so is too demanding.²⁹

Without speaking to the merits of the Contractualist anti-aggregationist position, I doubt that this thought successfully captures the intuitions that get pumped when people are in the grip of the Demandingness Objection. For this thought, insofar as it avoids presupposing the significance of the requiring/allowing distinction, seems to suggest that Sally has the larger demandingness complaint

29. There is a large literature on this debate. The most prominent current exponent of the anti-aggregationist contractarian view is T. M. Scanlon's *What We Owe to Each Other*, Harvard University Press, 1998. Because this debate has not self-consciously seen itself as pressing the Demandingness Objection, one could think that again the Objection has been swallowed up and rendered superfluous by a different, or at any rate pre-existing, debate. Murphy, in personal discussion, clearly thinks this is so. I am similarly inclined but unsure. It is difficult to know what to say about a claim whose logic goes one way but whose champions go another. Should we say that the logical upshot is the best inheritor of the claim or that a worthy inheritor of the claim must vindicate the thoughts of the champions of the claim? In any case, it must be conceded that champions of the Objection did not see that their thoughts might end them here.

than Joe. And it need not vindicate Mulgan's thought that requiring Affluent to give more still is unreasonable, for this will depend on the costs to the unaided.³⁰ Further, anti-aggregation concerns would not motivate Scheffler's agent-centered prerogatives nor Williams's concern for integrity. I think Contractualist anti-aggregation concerns do not satisfactorily collect and explain the intuitions that are appealed to when people are in the grip of the Demandingness Objection. Or rather, Contractualist thoughts do not seem to capture the Demandingness intuitions unless one assumes, as Scanlon seems to, that the reasonable rejectability of a proposal by X is determined not merely by the size of the costs of the proposal to X, but rather by a more moralized conception of the relevant costs.³¹

Doing Without the Requiring/Permitting Distinction

Above I treat as analogous holding that there is an important moral difference between, on the one hand, an agent's causing harm and an agent's allowing harm and, on the other hand, a moral theory's requiring an agent to suffer a cost and a moral theory's permitting an agent to suffer a cost. I maintain that the distinctions between the causing/allowing distinction and the requiring/permitting are analogous in that each introduces a fundamental ethical distinction that is hostile to Consequentialism and is independent of the Demandingness Objection. I do not need to maintain that the two distinctions are more closely related than that for my purposes here. However, it does seem to me that the requiring/allowing distinction is just the causing/allowing distinction altered so as to be used to assess moral theories rather than agents.

So far, I have insisted that if the Demandingness Objection is to be a self-standing objection to Consequentialism, it needs to be conceived in a way that does not presuppose and reflect the moral importance of the distinction between costs a moral theory requires one to

30. See Elizabeth Ashford, "The Demandingness of Scanlon's Contractualism," *Ethics* 113 (2003), pp. 273–302.

31. See Scanlon, *What We Owe to Each Other*, pp. 213–218, especially p. 216.

bear and costs a moral theory permits one to bear by failing to require others to help one.

Suppose the Objection tries to make do without presupposing this key anti-Consequentialist component. Then I do not see how to vindicate the intuitions that the Objection urges. For without the presupposition, it is clear that commonsense morality costs Sally more than Consequentialism costs Joe. Thus, if we count the costs of what a moral theory allows, Sally has the stronger Demandingness Objection against the anti-Consequentialist moral theory than Joe has against Consequentialism. Similarly, as Mulgan stated the Demandingness Objection to Consequentialism using the example of Affluent, mentioned above, the Objection was apparently thought to apply even if the cost to the unaided person exceeds the overall cost placed on Affluent. One could arrive at that conclusion only if one were discounting the costs of what a moral theory allows. Recall also that Scheffler's and Williams's arguments did not treat the costs that their alternatives to straightforward Consequentialist moral theories allowed as equally objectionable as costs more directly imposed on agents by a moral theory. They presupposed that high costs that a moral theory allows are less significant than high compliance costs. I do not think we can vindicate the sort of intuitions that are typically appealed to when people invoke the Demandingness Objection without presupposing the moral significance of the distinction between costs that a moral theory allows and costs it requires.

Murphy

The most impressive discussion in the literature that attempts to undermine the Demandingness Objection is that offered by Liam Murphy in the first few chapters of his *Moral Demands in Nonideal Theory*. Despite the excellence of this discussion, and Murphy's being on side against the Objection, Murphy does not press the direction of attack I considered above.³²

32. Murphy has a variety of arguments against the forcefulness and/or intelligibility of the Demandingness Objection, and many of these arguments are

Murphy's considered view is that, in measuring a moral theory's demandingness, we need to look at the net effects of compliance with what the moral theory requires, of the target agent and others, on the well-being of the target agent. These net effects will include costs and benefits that flow from such compliance. But it is the net effects only of what the theory requires, not of what it allows, that Murphy thinks determines the demandingness of a moral theory. Murphy does not see it as a potential cost to me of a moral theory that it permits others to fail to aid me.

Murphy argues for this position in the following way:

I count as a passive demand only those losses that flow to a person from others acting as they are required to by a moral theory: losses flowing from action that is merely permissible according to some theory are not rightly regarded as demands of that theory. [...] If this seems wrong, consider passive benefits — the benefits a person receives from others' compliance with a moral theory [...]. It would seem very odd to count the benefits a person receives from others merely acting as they are permitted to by a moral theory as benefits of those others' compliance with the theory.³³

This seemingly small point has large implications. Indeed, it is remark-

complicated and involved. I cannot adequately discuss his arguments for rejecting the Objection here. I strongly suspect that my considered view would be that Murphy provides good reasons to reject the Objection that are independent of those urged here. Unfortunately, adequately addressing all this would require at least a careful examination of Murphy's involved arguments and that would require a separate paper. Perhaps the argument he stresses most against the Objection is that there is no coherent way to understand the passive demands of a moral theory in conditions of imperfect compliance. He summarizes that "this discussion of passive effects has illustrated the difficulty of thinking about the impact of morality on our lives. Our individual and social lives are so thoroughly structured by moral and political concerns that we apparently lack any independent perspective from which to examine the impact of those concerns on what they structure" (p. 60).

33. Murphy, p. 145, note 29.

able that, as far as I know, this lone footnote of Murphy's is the single discussion of whether one should count the costs of what a moral theory permits in assessing the theory's demandingness. Murphy maintains that only costs of what the moral theory requires can be counted as costs to an agent of that moral theory. I have three responses to Murphy's position.

First, if Murphy were right that there is a fundamental morally relevant difference between costs a moral theory requires an agent to pay and costs a moral theory permits an agent to pay, this would not hurt my argument. For here I am not arguing against the significance of the requiring/permitting distinction, but rather claiming that it is needed to vindicate the Objection, and that it is an independent break from Consequentialism.

Murphy's argument above seems to be, although it is uncharacteristically somewhat opaque, that the moral theory is not accountable for the benefits or harms that the moral theory permits; rather it is the people who have the moral option of benefiting or harming that should be seen as responsible for the benefit or harm. One might think that the theory is not in favor of harms or benefits that people create when the theory allows people to inflict those harms or benefits or not. The theory should be seen as neutral toward such harms and benefits. It is the agent who aims at them or who causes them, absent the theory's recommendation, who is accountable. The moral theory does not intend these harms and benefits to occur, and the agent does intend them or cause them; thus it is the agent, not the theory, that is accountable for them.

But such an argument could just as easily vindicate the moral significance of the causing/allowing or intending/foreseeing distinction. I do not recommend to you to cause that harm. I am not in favor of the harm. Yet I could do something aimed at preventing it but I do not. You are the one who intends or causes the harm; therefore it is you who is fundamentally responsible for it. Again, seeing the proximity of the requiring/permitting distinction to the causing/allowing distinction need not convince one that the two are the same in order

to vindicate my point. But seeing that the argument Murphy seems to use to vindicate the former can be used to vindicate the latter should persuade the Consequentialist that this pattern of argumentation is fundamentally hostile to Consequentialism.

Second, costs that a moral theory permits but does not require are sometimes relevant to the demandingness of that theory. So, for example, imagine a moral theory that says that commonsense morality is correct but with one exception: one may do whatever one pleases to Joe, and there is nothing one is required to do to Joe. In cases where people, with this moral theory's blessing, radically diminish Joe's well-being, surely Joe has a demandingness-style complaint against such a moral theory. Joe, according to Murphy, is wrong to see this moral theory as more demanding on him than traditional commonsense morality. But this seems mistaken. As Hobbes noticed, a moral theory that permits everything can be extremely demanding. A moral theory that forbids my bearing a certain cost is certainly to be preferred on the demandingness scale to a moral theory that permits but does not require that I bear that cost. I conclude that costs a moral theory permits me to bear can be held against that theory on demandingness grounds.

Third, it must be confessed that Murphy's seems right when he says that it is odd to attribute the benefits of morally optional beneficence to a moral theory that permits such behavior rather than to the agent who chooses to do more than the theory says they are required to do. But we can understand the force of this thought without accepting Murphy's general position that the costs of what a moral theory permits are not to be counted as adding to the demandingness of that theory. Why does it seem right to say that benefits that a moral theory permits but does not require others to provide do not seem attributable to the moral theory? Suppose as a broad generalization that humans tend to be self-interested, once morality and special relationships to others are set aside. Add to this the thought that typically providing morally optional benefits to those one has no special relationship with cannot be done in a way that is costless to the benefactor. If this were right, then we could understand why our intuitions attribute the benefits that a

moral theory permits, but does not require, a benefactor to provide to the benefactor and not to the moral theory, but attribute the harms that befall a person from the agent acting in her own self-interest (with the moral theory's permission) to the moral theory. A moral theory with a modicum of understanding of human nature should understand that agents will typically act thus.

To fail to take such broad facts about human motivation into account would miss the fact that a moral theory that permits others to take my property whenever they like is more demanding on me than a moral theory that permits others to take my property only after they destroy property of their own worth twice as much. The latter moral theory is less demanding because, knowing what we know about human nature, it is predictable that far fewer humans will take advantage of its moral permission to my detriment.

More generally, we can compare moral theories for the demandingness of what they allow by determining, while keeping the nature of the agents constant, if it is predictable that more agents will use the permissions granted by the moral theories in ways that tend to be costly or beneficial to others. When either is the case, we should attribute the extra costs or benefits of one moral theory over another not to the nature of the agents but to the differences in what the moral theories allow.

Morality and Reasons

Consider the possibility that the Objection inappropriately mixes thoughts about what one has reason to do and what is moral. One way to arrive at the Demandingness Objection is to presuppose that morality's demands must override (or near enough) all other kinds of demands on the scale of all-in practical reasons. But then when the call of powerful concerns of self-interest or personal projects seems to provide powerful reasons for action, one's commitment to morality's overridingness might lead one to insist that what morality demands must change to conform to what one has most reason to do. That is, one feels compelled to adjust one's conception of what is morally

required to fit better with one's conception of what the agent has most reason to do so as to maintain the strong connection between morality and reasons.³⁴

However, another option would be to relax the assumption that morality must provide such strong reasons to deserve the name. One might say that large considerations of self-interest can defeat moral demands on the scale of what it makes most sense to do overall, yet continue to say that the overridden demands truly were the demands of morality. This path, which a subjectivist about reasons for action such as myself will insist is forced on us for other reasons, would allow us to accommodate the intuition that morality is (in a sense) asking too much of an agent without denying that that is what morality is really asking. What morality asks, we could say, is too much to be the thing that the agent has most reason to do all things considered, but not too much to count as what morality asks.³⁵ In this way we might accommodate some of the intuitions that the Demandingness Objection trades on without vindicating the thought that Consequentialism is defeated as a moral theory because it asks more than it is rational for us to give.³⁶

34. Alternatively, and less plausibly, one could think that the fact that every moral theory must require or permit an agent to pay the ultimate price is a good reason to think that all moral theories are too demanding. I have been assuming that if the Objection is sometimes in good order there must be moral theories that survive the Objection.

35. Scheffler (in *Human Morality*, p. 5) asks if the response to finding a moral theory too demanding should be to think that the theory distorts the content of morality or "is it that morality itself is excessively demanding, so that while the theory may be an accurate representation of the content of morality, people have reason to treat moral considerations as less weighty or authoritative than we may previously have supposed?"

36. To be clear, I am suggesting that inappropriately mixing thoughts about reasons and morality might explain the *mistaken* appearance of a good, self-standing objection to Consequentialism in the neighborhood of the Demandingness Objection. However, an anonymous referee offered the thought that the Objection should charitably be understood to be suggesting that the problem with Consequentialism is that it requires of us what we do not have reason to do. But understood as charitable, I think this is a quite problematic understanding of what champions of the Objection have

Above I highlight the possibility of combining Consequentialism with an account of reasons according to which we do not necessarily have most reason to do what morality requires. This seems to me a live possibility since any theory that accepts the “distinctive account of the relationship between right action and the best outcome, upon which agents are morally required to bring about the best overall consequences and all other actions are morally prohibited, is consequentialist, regardless of its account of the relationship between practical reason and rightness/wrongness.”³⁷

Paul Hurley has recently suggested that we should understand the demands of a moral theory to be determined by the costs of that moral theory *that we have reason to comply with*. Costs that a moral theory requires but which we have no reason to pay, according to Hurley, are not well thought of as demands of a moral theory. Thus Hurley thinks that “[t]he traditional complaint that consequentialism is extremely demanding, properly understood, simply misses its mark.” Rather, the “most fundamental challenge to consequentialism” stems from its not speaking to the question of how its claims are tied to the agent’s reasons for action.³⁸

I think this is overstated. We can sensibly discuss the demandingness of a normative theory without sharing or presupposing a common theory of reasons for action. Indeed, it seems to me that the discussion concerning the demandingness of Consequentialism is just such a case in point. When we engage in this kind of discussion we

been getting at. The Objection has been aimed overwhelmingly against Consequentialism. But there is no popular conception of reasons according to which Consequentialism requires irrational action while Scheffler’s hybrid, satisficing consequentialism, rule consequentialism, or the other purported responses to the Objection do not require irrational action. In general, it seems to me, such discussions take place in independence from an explicit or tacit account of rationality. Of course if one accepts a subjective account of reasons one might think that Consequentialism was likely to conflict with one’s reasons more often than other moral theories.

37. Paul Hurley, “Does Consequentialism Make Too Many Demands, or None at All?”, *Ethics* 116 (2006), 680–706, p. 684–5.

38. *Ibid.*, pp. 690 and 698.

are counting not the costs that we have reason to pay but the costs of obeying the standard whether or not we have reason to do so. It is not clear if Hurley means to be denying this point or merely saying that counting costs his way seems a more sensible way to talk about the demandingness of a normative theory. Hurley stipulatively ties the notion of the demands of a normative theory to costs that we have reason to pay rather than costs that the standard imposes.³⁹ I would have said that each way is a sensible way to talk about the demandingness of a normative theory.⁴⁰ If Hurley is going to reject the way that the demandingness debate has traditionally measured the demands of a theory, he will need to explain why only his method of measuring demandingness is a sensible method. I do not see that he has yet made such a case.

I expect that Hurley would say that the other notion of demandingness, the one tied to costs of a standard regardless of one’s reasons to obey such a standard, is uninteresting and unimportant. He says that making such a move “wins this strategic battle by losing the war so many consequentialists have taken themselves to be fighting.”⁴¹ That is, Hurley is asserting that many Consequentialists have been trying to persuade us not only about what is morally required of us but also about what we have most reason to do. I am much less confident than he is about that claim.

However, another thing Consequentialists could be thought to be up to, in addition to arguing for the correct moral standard, is working out what those of us with a concern to be moral have reasons to do insofar as we have this concern. Additionally, we have a sense, or at any rate the Demandingness Objection relies on our having a relatively

39. *Ibid.*, pp. 685–6.

40. But consider the question: On pain of what does an agent fail to comply with a requirement of Consequentialism? When we are addressing the thought that it is on pain of irrationality, then it seems we are talking about the demands of rationality, not morality. When we are addressing the thought that it is on pain of immorality that we fail to heed Consequentialism’s requirements, then I would have said we are talking about the demands of morality.

41. *Ibid.*, p. 705.

firm sense, of how “incorporatable” morality should be into a life. If a moral theory would rule out self-directed lives which have personal projects and friends, then that moral theory is too demanding to be the true moral standard, or so says the Objection. And this thought need not rely on a presumed account of reasons for action. Among the things we know about morality, the Objection will insist, is how much of life it should leave free to the agent to fill in as she pleases. This is knowledge about the role of morality in a life, not about the reasons we have to be moral. Similarly, someone who thinks there are no reasons to obey etiquette, but who was competent with the concept, could enter into a debate about how much etiquette could require of someone before it would ask more than etiquette could plausibly be thought to ask. Among the common lore about morality (and etiquette) is what kind of life it should leave one free to lead. The Objection can be thought to be saying that Consequentialism is asking too much to fill the commonsense role that we think morality would play in a life. And this thought is independent of one’s view about reasons for action. Surely, in any case, this is the only plausible account of what the debate about demandingness must have been about. To suggest that this notion of demandingness is uninteresting is to assert that the demandingness debate has been uninteresting. And that strong claim requires more justification than Hurley has so far given.

To someone who believes that the best account of practical reason will vindicate moral reasons as necessarily overriding for all rational agents, the above thoughts will undoubtedly seem disappointing and problematic. However, to someone persuaded that the best account of practical reason will not have this upshot — and there are a number of us — something like the above will seem to be a disappointment we must learn to live with.

Conclusion

My thesis hinges on limiting the basic thought behind the Demandingness Objection. If one thinks that the Objection is as bland as the complaint that Consequentialism asks one to do things that

one ought not do or that one need not do, then the Objection is not a particular argument against Consequentialism but an assertion that Consequentialism is mistaken. I have supposed that the Demandingness Objection is a narrower objection than this, as it has always seemed to me, and is based on the thought that some costs are simply too high for morality to impose on a person. But the problem that the Demandingness Objection points us to is not simply that the costs of Consequentialism are too high but rather that the costs are of a kind we think we are especially morally entitled to not have to pay. But to make good on this thought we must already reject Consequentialism on independent grounds — that is, on grounds that are independent of the mere size of the costs it imposes on an agent.

Perhaps another way of getting at my central claim is that seeing some moral requirement as too demanding is to see it as in excess (in a particular way) of what the true morality requires, where one starts with some tacit view on the latter and builds up what counts as too demanding from there.⁴² This seems to be the direction of justification. To see this in action, consider that to say that there is a significant moral distinction between requiring and permitting is just to say that a moral theory is less accountable for what it permits than for what it requires. But if this is the case then of course a theory such as Consequentialism that holds one fully accountable for what one allows will be too demanding with respect to what one may allow. But this is not the Demandingness Objection winning the day but rather instead merely riding the coattails of another objection. A demandingness complaint against Consequentialism follows trivially from the vindication of the moral importance of such a distinction. The requiring/

42. Although I have less confidence in this formulation of the worry, I have found that putting things this way has helped some understand better my central thought. Murphy reached this conclusion in a quite different way. He thinks that if demandingness were the real problem with a moral theory, “we would be able to make an independent judgment about the appropriateness of the degree of conflict between self-interest and compliance with the principle. This is what we cannot do” (p. 69). Because of this, Murphy thinks, “Our convictions about an acceptable level of demands always reduce to our convictions about what, on reflection, we believe we are required to do” (p. 69).

allowing distinction is doing the work and concerns about the size of the demands of a moral theory are merely along for the ride.

I have also been claiming that moral distinctions such as the requiring/permitting distinction are different from, not part and parcel of, the Demandingness Objection. This is a difficult case to make briefly, and it is perhaps less philosophically interesting. But allow me too briefly to say this: if the causing/allowing or requiring/permitting distinction or some such famously anti-Consequentialist thesis were part and parcel of the Demandingness Objection, then champions of the Objection should have said so and they should have argued directly for these features of their view. It would be, at the least, misleading to fail to mention that one had in mind the significance of such distinctions when arguing against Consequentialism but fail to argue for such distinctions and place all the attention on other issues. Indeed, if this was what champions of the Demandingness Objection had in mind, then it was misleading to create a new name for an old issue. Such are the thoughts that make me think that at any rate the historical champions of the Objection and those persuaded by them did not self-consciously intend such distinctions to be part and parcel of what they understood to be the Demandingness Objection.

I conclude that the decisive break with Consequentialism must already be assumed to be established independently before the Demandingness Objection is compelling. The Demandingness Objection cannot provide the good reason to break with Consequentialism. We should reject it on other grounds or not at all. Consequentialism feels like it inappropriately is taking over people's lives, leaving them with no private time, and way too demanding, because we are focused on the Compliance Costs of morality rather than costs that a moral view permits to occur. We should focus on reasons to think there is a serious moral difference between costs a moral theory requires and costs it permits, or between causing and allowing, rather than focusing on our feeling that sometimes Consequentialist morality asks too much. Concerns about demandingness might be helpful in locating counter-intuitive consequences of Consequentialism, but to vindicate such

thoughts we must vindicate other concerns about Consequentialism, concerns such as that there is an important moral distinction between causing and allowing.⁴³ If I am right, we can reduce by one the list of fundamental complaints against Consequentialism. The Objection may yet prove to be a useful way of dramatizing the force of other objections to Consequentialism, but it is impotent when understood as a fundamental critique.⁴⁴

43. Interestingly, Joshua Knobe and Walter Sinnott-Armstrong are doing experimental research which they claim suggests that people's use of the causing/allowing distinction is downstream from their conclusions about what is right and wrong. See Knobe's post on Pea-Soup from July 14, 2006.

44. I am grateful to Campbell Brown, Tim Chappell, Garrett Cullity, Steve Darwall, Janice Dowell, Brad Hooker, Keith Horton, Don Hubin, Dan Jacobson, Joshua Knobe, Jennie Louise, Jeff Moriarty, Tim Mulgan, David Shoemaker, Mark van Roojen, David Velleman and an anonymous referee for this journal for helpful conversations and/or comments about the issues here. I presented an earlier version of this paper at the International Society for Utilitarian Studies Conference at Dartmouth College, as a post on the online philosophy blog Pea-Soup, at the British Society for Ethical Theory in Southampton, England, at the Demandingness in Ethics and Philosophy Conference in Dundee, Scotland, and at the University of Nebraska. I am grateful for the helpful comments that these audiences provided. I am most grateful to Liam Murphy and, especially, Steven Wall for their very generous help in thinking about the issues that arise in this paper.