

Resuscitating Consequentialism: A Reply to Ku, Nye, and Plunkett's "Fitting Attitudes, Reasons for Action, and the Rejection of Consequentialism"

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Ku, Nye, and Plunkett (hereafter, KNP) argue that the fittingness of motives other than desires for good states of affairs undermines consequentialism both as a theory of rationality and as a moral theory. I remain unconvinced by their rejection of consequentialism as a moral theory. After briefly reviewing their argument against consequentialism, I will raise a number of problems for their purported refutation of consequentialist approaches to morality.

KNP's Rejection of Consequentialism

KNP characterize consequentialism as "the view that what an agent has most reason or most moral reason to do is determined solely by the goodness of some resulting states of affairs" (p. 1) and note that it can take one of two forms: *act consequentialism* and *indirect consequentialism*. KNP set the stage for their rejection of consequentialism by posing the following dilemma:

Horn 1: Act consequentialism faces death by a thousand counterexamples.

Horn 2: Indirect consequentialism lacks motivation.

Thus, either the consequentialist embraces a "dead" theory or she embraces an unmotivated one.

Why has a dead theory like act consequentialism remained such a widely held view? KNP suggest that the reason it remains popular, despite its counterintuitiveness, is because of its basic theoretical motivation, namely, "It is clear how good states of affairs give us (moral) reasons for action, but entirely mysterious how any other considerations can give us (moral) reasons for action." KNP conjecture that philosophers have found this basic theoretical motivation so clear that they are antecedently convinced that "any intuitions that run contrary to consequentialism must be somehow mistaken and debunkable." KNP allege that were it not for this basic theoretical motivation, we would find the counterintuitive results of consequentialism to be decisive evidence against the view.

In an effort to undermine consequentialism once and for all, KNP spend much of their paper arguing its basic theoretical motivation is mistaken. Their argument runs roughly as follows:

1. A state of affairs S is good iff we have fittingness reason to agent-neutrally desire that S obtains.

2. If we have a fittingness reason to agent-neutrally desire that a state of affairs obtains, then we have a moral reason to bring it about.

Therefore,

3. If a state of affairs *S* is good, we have a moral reason to bring it about.
4. But agent-neutral desires aren't the only type of motivationally-laden attitudes for which we can have fittingness reasons.
5. The same conceptual connection that exists between fitting agent-neutral desires for good states of affairs and reasons to bring them about exists between *any* fitting motivationally-laden attitudes and reasons to act on them.

Therefore,

6. Other considerations besides good states of affairs can give us (moral) reasons for action.

Taking themselves to have established a clear non-mysterious way for there to be reasons to act out of motives other than desires for good states of affairs, KNP conclude that consequentialism as a theory of rationality must be rejected. Of course, act consequentialism might still provide an adequate moral theory. In an effort to show that act consequentialism also fails as a moral theory, KNP argue that the content and normative force of claims about moral wrongness is best captured by:

The Quasi-Gibbard Analysis of Moral Wrongness:

Agent *A*'s act of ϕ -ing is morally wrong iff it is fitting for *A* to feel obligated to not ϕ (or equivalently, fitting for *A* to feel prospective guilt-tinged aversion towards ϕ -ing).

Since there are many acts (besides failing to bring about the best state of affairs) that we can fittingly feel obligated not to do, the quasi-Gibbard analysis entails that we can have non-consequentialist moral reasons for action. Thus, KNP conclude that act consequentialism also fails as a moral theory.

Reasons to Reject KNP's Rejection of Consequentialism in Ethics

Recall that KNP characterize consequentialism as "the view that what an agent has *most reason* or *most moral reason* to do is determined solely by the goodness of some resulting states of affairs," where *good states of affairs* are those we have fittingness reason to agent-neutrally desire obtain. I find this

characterization problematic in a number of respects. For starters, it conflates consequentialist theories of *rationality* with consequentialist theories of *morality*. Given their characterization, I think that KNP's argument against consequentialism as a theory of rationality succeeds, but only because, so-construed, a consequentialist account of rationality is a nonstarter. KNP themselves note that consequentialists can admit that there are nonmysterious reasons for action other than desiring good states of affairs (as KNP define them). For example, some utilitarian consequentialists, like Sidgwick, will grant that there are self-interested reasons for acting, e.g., avoiding our own pain, but insist that these reasons aren't even remotely moral reasons. An adequate theory of *rationality* will require us to consider all of our reasons and make difficult "all-things-considered" judgments about how to act. A consequentialist with respect to morality need not hold that what we have *most reason* to do *all-things-considered* is always to bring about some "good states of affairs" (in KNP's sense). For this reason, in what follows, I will ignore consequentialism as a theory of rationality, treating it instead only as a general approach to morality.

An *act-consequentialist moral theory* is any moral theory that maintains that the rightness (or wrongness) of an action is *exclusively* a function of its consequences relative to the consequences of the other actions available.¹ So understood, many moral theories are consequentialist theories. Ethical egoism is a consequentialist theory, for it maintains that an action is right for an agent provided it maximizes the agent's self-interest better than any alternative action available to the agent. Classical hedonistic utilitarianism and preference utilitarianism are examples of egalitarian consequentialist theories in that they hold that we must weigh the interests each individual equally with the like interests of others. Maximizing versions of consequentialism maintain that what makes an action right is the fact that that action has better aggregate consequences than any alternative action available to the agent. Satisficing versions of consequentialism maintain that what makes an action right is the fact that it has good enough consequences (i.e., its consequences satisfy some adequate threshold of goodness).

With these distinctions before us, we can see that KNP aren't attacking consequentialism *per se*, but rather are only attacking one particular version of consequentialism, namely, a maximizing version of act utilitarianism. Even if their attack on this version of act utilitarianism were successful, they would not

have refuted consequentialism *per se*, but rather only one species of that genus. Nevertheless, if they were to succeed in refuting a maximizing version of act utilitarianism that would be significant in its own right, since many consequentialists embrace some such a version of act utilitarianism. I turn, then, to evaluate whether their argument succeeds in refuting maximizing versions of act utilitarianism.

KNP's first attack on act consequentialism is that it falls prey to Horn 1 of their dilemma, namely, it "faces death by a thousand counterexamples." I have three worries with this opening parry. First, what moral theory isn't impaled on that horn? Kant's moral theory certainly isn't immune to counterexample. His theory commands us to act only on those maxims that one can will to be universal law. Suppose I desire to become a postal worker, but have conscience enough to ask myself whether it is not improper and opposed to duty to secure such employment. Should I secure such employment, the maxim of my action would be as follows: "When I find myself in need of employment, I will become a postal worker." Being profoundly ethical, I ask myself "How would it be if my maxim became a universal law?" and I immediately see that it could never hold as a universal law of nature, for if everyone were a postal worker, there would be no farmers, no teachers, no doctors, no cooks and we would all starve. Thus, Kant's theory has the counterintuitive result that it is immoral to become a postal worker. His theory also implies that if the only way we could save the lives of one million innocent persons is by taking the life of a single innocent person, we would be morally required to let the million die – a counterintuitive way of respecting the intrinsic value of persons to say the least.² [Note: Utilitarianism yields the intuitively correct result here that it is right to sacrifice the one to save the million.] Contractarian accounts have the counterintuitive implication that we have no direct duties to severely retarded individuals who are incapable of agreeing to and abiding by the contract. As we shall see later, even KNP's own moral theory is eviscerated by this horn.

Second, maybe I've just been corrupted by Alastair, but I don't find the allegedly counterintuitive results of utilitarianism that KNP cite to be so counterintuitive. Take their iterated case of "Transplant" where the only way a doctor can prevent two innocent people from being killed for their organs is by herself killing one innocent person for his organs. *Ceteris paribus*, act utilitarianism implies that she should kill the one innocent person to prevent this awful fate from befalling two innocent persons. Is this result so

counterintuitive? If we assume that such killings are intrinsically bad, we should want there to be as few of them as possible which, in turn, should give us a moral reason to prevent as many of them as possible. Those who accept the principle that “killing is always worse than letting die” might disagree, but this principle has been discredited, and without it, it’s not so obvious that the doctor should let two innocent people be killed.

KNP also find it counterintuitive that act utilitarianism gives no intrinsic weight to keeping promises or punishing only the guilty. Why must keeping promises be intrinsically valuable? Breaking them typically will have worse consequences than keeping them. Breaking a promise generally produces displeasure in the promisee and causes the promisee to lose trust in the promiser. Since it is in the promiser’s interests to be thought to be trustworthy (so as to reap the pleasures resulting from having future promises taken seriously), there are strong consequentialist prima facie reasons to keep one’s promises. Thus, the positive consequences of breaking the promise must be sufficiently great to override all of these consequentialist reasons for keeping the promise. When they are sufficiently strong, that seems like just the kind of situation where someone should break a promise. Such situations constitute counterexamples for those deontological views that insist that we are always required to keep our promises: Consider Joe, a gun collector and a postal worker, who is moving because the bank has foreclosed on his house in this Republican-inspired economic downturn. Not wanting his automatic weapons to fall in the wrong hands during the move, he asks you to hold them until his move is complete. Before handing his guns over to you, he has you to promise to return them whenever he asks for them. One day, after a particularly stressful mail sort, he comes to you in a rage and asks for his guns. On Kant’s view, you’re required to keep your promise. But this is precisely a promise you should break. Act utilitarianism gets it right, whereas deontological views counterintuitively imply that you should keep the promise and return automatic weapons to an enraged man.

Likewise, there are generally good consequentialist reasons not to knowingly imprison the innocent. Typically, when the innocent are imprisoned, the guilty are still at large and free to commit more crimes, a bad consequence that makes us all less safe. But imagine a case where our safety depends on imprisoning the innocent. We turn to utilitarian poster child George Bush. Suppose the only way to imprison a few guilty individuals and extract vital national security information from them is to cut a broad swath and imprison

thousands of innocents as well. Suppose that's only way to protect Americans from future terrorist attacks. If it is so intuitively obvious that it is wrong to do so, why hasn't Bush been impeached for authorizing the Guantanamo Bay internment camps? Could it be that we think imprisoning the innocent is *prima facie* wrong but that when enough is at stake we are justified in doing so on utilitarian grounds?

My third worry with rejecting utilitarianism on intuitive grounds is that our intuitions are notoriously slippery. Bruce Russell has suggested that the order with which cases are presented can skew our intuitions. If we're first presented with a trolley problem, through a series of ever-so-slightly different cases, we can be led to think it OK to push "Fat Man" in front of the runaway trolley; but if we're first presented with "Transplant," we can be led by a series of such cases to judge that we shouldn't divert the trolley onto the spur to save the six who are tied to the main track. If our intuitions can be so easily manipulated by order of presentation, it's unclear how much weight we should give them. For all of these reasons, I conclude that the counterintuitive evidence against act utilitarianism isn't decisive. What would make KNP's case against act utilitarianism compelling is if they had a better theory to offer in its stead. So, let's examine therefore how well their analysis fairs.

According to their analysis, an agent A's act of ϕ -ing is morally wrong iff it is fitting for A to feel obligated to not ϕ . This analysis is essentially incomplete, for we haven't been told what makes it *fitting* for an agent to feel obligated not to ϕ , nor have we been told whether "fittingness" refers to *objective fittingness* or *perceived fittingness*, the latter being a subjective relation tied to the agent in question. Their pointing out the wide diversity of phenomena that people have intelligibly thought to be morally wrong suggests that their preferred reading is the agent-relative *perceived fittingness* reading, but on this reading their analysis is open to counterexamples at least as damning as those leveled at utilitarianism.

Suppose that Chastity has been indoctrinated Catholic and believes that premarital sex (indeed, all sex not aimed at procreation) is a grave sin. Given her upbringing, Chastity thinks it fitting for her to feel obligated not to have premarital sex (the mere prospect causes serious guilt-tinged aversion!). On the *perceived fittingness* reading, their analysis entails it would in fact be morally wrong for Chastity to have premarital sex—a view that is silly if not outright pernicious.

Of course, having been raised Catholic, Chastity doesn't think it fitting for her to feel obligated not to eat factory farm-raised animals (that's why God put them in their cages and crates), so if agent-relative perceived fittingness is what matters for morality, it is not morally wrong for Chastity to eat meat. Perhaps Singer, Regan, Norcross, and Tardiff are mistaken in thinking that eating meat is wrong, but one can't refute their impressive arguments for ethical vegetarianism just by pointing out that a Catholic perceives it to be fitting to eat animals.

These are pretty damning objections to the agent-relative *perceived fittingness* reading of the KNP view. Worse still, on this reading, their view is saddled with an extreme form of relativism, for it entails that premarital sex would be morally wrong for Chastity, but would not be wrong for Aphelia who was raised to think sex is fun, wholesome, and existentially significant (when done right), because Aphelia feels no guilt-tinged aversion at the prospect and doesn't think it at all fitting to feel obligated to avoid premarital sex. *Perceived fittingness* can't be what grounds morality.

That leaves only the objective fittingness reading of their analysis of moral wrongness. But what would make it objectively fitting to feel obligated to refrain from ϕ -ing? Surely, there must be some property or feature of ϕ -ing that makes it objectively fitting for an agent to feel guilt at the prospect of ϕ -ing. KNP haven't told us what that property is. Until we know what that property is, we have no argument against consequentialism. After all, it could be that what makes it objectively fitting for an agent to feel guilt at the prospect of ϕ -ing is the fact that ϕ -ing would have worse consequences than $\sim\phi$ -ing. If the consequences of an action A relative to the consequences of the other available actions determine the objective fittingness of A-ing, then KNP analysis of moral wrongness confirms consequentialism rather than displacing it. In order for their argument to succeed, it must be possible for it to be objectively fitting to desire that a worse state of affairs obtains rather than a better one. It is hard to see what would make such an attitude objectively fitting from the moral point of view. Until KNP provide us with an account of objective fittingness that explains how it can be objectively fitting to desire that a worse state of affairs obtains, their attack on ethical consequentialism is at best incomplete.

¹ Here I have characterized what might best be called “pure” consequentialist moral theories. There could also be “impure” or “mixed” consequentialist theories that maintain that the rightness of an action is always *partly* a function of its consequences relative to the consequences of the other actions available. In my remarks, I will only address pure consequentialist moral theories.

² Kant’s theory also implies that were I to jump on a hand grenade to save the lives of 15 of my fellow soldiers, I would be acting *immorally* because I would be treating myself as a mere means (to saving others) rather than respecting myself as an end.