I want to look at one aspect of the human good: how it serves as the basis for judgments about the moral right. One important view is that the right is always derived from the good. I want to suggest that the more one understands the nature of the human good, the more reservations one has about that view.

I. ONE ROUTE TO CONSEQUENTIALISM

Many of us think that different things make a life good, with no one deep value underlying them all. My own list includes: enjoyment, accomplishing something with one’s life, deep personal relations, certain sorts of understanding, and the elements of a characteristically human existence (autonomy, liberty).¹

Most of us also think that moral right and wrong are based, in some way or other, in how well individual lives go, and that the moral point of view is, in some sense or other, impartial between lives. Utilitarianism is a prominent, but not the only, way of spelling out this intuition. There is no reason why an account of the human good needs to be confined, in the classical utilitarian way, to happiness or to fulfillment of desire (on the usual understanding of that notion). Nor is there any reason why impartiality has to be confined to maximizing the good, counting everybody for one and nobody for more than one. We may generalize.

Let us broaden the notion of the good. We might say, for instance, that though happiness is a good, so are the other items on my list. But though broadened, this notion of the good stays within the confines of individual goods; it still has to do with human well-being, with what promotes the quality of one person’s life.

But it may be that further features of consequences—say, that individual goods are distributed equally or that no human rights are violated—also help to determine right and wrong. Let us broaden the notion of the good further: we add to individual goods such moral goods as equality and respect for human rights. When we look at consequences, we now

look not just at the quantity of individual goods but also, say, at their pattern of distribution.

Now, an intuitive feature of the word ‘consequences’ is that the consequences of an act flow from, and thus follow, the act. But that restriction excludes goods that make essential reference to what precedes the act—for instance, the fact that a certain act would keep a (past) promise, or that it would bring a just distribution seen over life as a whole (past, present, or future), or that it is what persons deserve given what they have done (in the past). Therefore, let us now broaden the word ‘consequences’ to include any state of affairs that makes up a history (past, present, or future), and thereby broaden the word ‘good’ to include desert, promise-keeping, historical conceptions of justice, and so on.2

We have said nothing so far about another feature of classical utilitarianism: that it uses the maximization of good as the standard of right and wrong. But the ‘maximum’ is the greatest quantity, and once the notion of the good grows to include, say, promise-keeping, there is no obvious quantity to be maximized. But there is a more general notion than the maximum, namely the ‘optimum’. The optimum could be, but need not be, the greatest in size. We could say, then, that consequentialism is the view that it is wrong to produce less than the optimum. But why confine the consequentialist standard to the optimum? One might regard as morally right the first available action whose consequences score above a certain level of aspiration.3 Therefore, let us broaden the standard of the right by linking it not to the optimum but to the ‘satisfactory’ or ‘good enough’, interpreted in such a way that one option is that only the optimum is good enough.4

Where does this leave us? It leaves us at what we now call ‘consequentialism’.5 Consequentialists, on this wide and commonly accepted...
nition, are those who derive the right from the good in this sense: moral prohibitions on, or permissions to, an individual agent—the do's, don’t’s, and may do’s that are addressed to a particular person—are derived from judgments about the amount of good (in this broadened sense of ‘good’) in the consequences (in this broadened sense of ‘consequences’) of his possible actions. In contrast, nonconsequentialists are those who hold that some do’s, don’t’s, and may do’s are not derived from the good, even in this broadened sense. In short, consequentialists hold that all goods are to be promoted, while nonconsequentialists hold that some goods are to be honored.6 An innocent person’s right not to be killed is one of the goods (in the broadened sense). Consequentialists respond to this good by bringing about its respect by agents generally—that is, by promoting it. Nonconsequentialists respond simply by respecting it themselves in their own actions as individuals—that is, by honoring it.7

II. BACKING UP: A THREAT OF EMPTINESS

I think that there is something deeply puzzling about consequentialism, on this wide definition of it. The puzzle, for me, centers on how one is supposed to move from the expanded notion of the good to the right. It is not especially puzzling how a utilitarian makes the move. A utilitarian starts with a more or less comprehensible account of the good, which is supposed to be independent of the right, and then adds rules for deriving the right from the good. But once we expand the good in the way that we have just seen, many of the goods that are added do not lend themselves easily to this derivation. It is hard even to understand what it is to ‘promote’ them.

6 I borrow Philip Pettit’s handy way of summarizing the distinction. See his “Consequentialism.”

7 I prefer summarizing the distinction between consequentialism and nonconsequentialism in terms of ‘promoting’ and ‘honoring’ values, rather than in the more widespread terms of ‘agent-neutral’ and ‘agent-relative’ obligations. Derek Parfit suggests that consequentialism gives to all agents common moral aims and is, thus, agent-neutral, while nonconsequentialism gives different agents different aims and is, thus, agent-relative (see his Reasons and Persons, p. 27). But some nonconsequentialist do’s and don’t’s, such as “Do no murder,” are also given to all agents. What Parfit means, of course, is that for me that prohibition is stateable as “Griffin, do no murder,” and for him it is stateable as “Parfit, do no murder.” This merely brings out a feature of do’s and don’t’s. The feature in question, however, does not go morally very deep. Consequentialists, too, may hold that agents must be given do’s and don’t’s; they may even hold that our decision procedures will be largely constituted by do’s and don’t’s. The important difference is that for a consequentialist these do’s and don’t’s derive from the promotion of the good, while for a nonconsequentialist some of them do not. A nonconsequentialist says that some do’s and don’t’s are not the creations of the promotion of the good and, thus, are not challengeable merely by its more efficient promotion, even though they may be overrideable by it when a sufficient amount of it turns out to be at stake.
Take what I suppose is a limiting case. On the wide interpretation of consequentialism, morality itself could be regarded as a good and, therefore, could be given either the consequentialist or nonconsequentialist treatment. Consequentialists would act so as to bring about the most, or a satisfactory degree of, moral behavior in the world at large. Nonconsequentialists would, so far as possible, act morally themselves.

Look more closely at consequentialists. They have a good before them—acting morally—which they put into their formula for the derivation of the right: the morally right act is the one that most (or, at least, satisfactorily) promotes morally right acts. But this formula is empty. The good that consequentialists start with is supposed to give content to the right, but since the good that they start with in this case is the right, no content enters. This problem does not face utilitarians, who are supposed to form one species of consequentialist. It is true that utilitarians start with a good, namely the quality of life, and that they, too, can put content into the notion of the right only if they put content into the (far from crystalline or substantial) notion of the quality of life. One might ask: Then why are consequentialists any different? They too, one might say, need to put content into their notion of acting morally, but, once they do, the problem disappears. After all, utilitarians go outside the immediate bounds of the derivation of the right from the good to find content for their notion of the quality of life. But the two cases are not analogous in the way needed. Consequentialists are supposed to derive a contentful standard of the right from a substantive good, but some of these added goods that appear in the course of the expansion we have just traced, cannot play this role, while the notion of the quality of life can.

I do not offer this as a fatal objection to consequentialism; it is not. It is only the first of a series of puzzling features. In any case, one cannot rest too much weight on such a marginal example of a good as acting morally. The extended good that consequentialists themselves usually cite includes such things as keeping promises, not lying, acting justly, and respecting rights. The threat of emptiness is not necessarily avoided, though, just by shifting to more specific goods such as acting justly and respecting rights. The notions of justice and rights both have great elasticity: they are sometimes used to cover the whole of morality and sometimes only a part of it. The more broadly they are interpreted, the more emptiness threatens.

True, there are other goods that fall under the expanded notion of the good, such as keeping promises and not lying, that have content of their own. Let us turn to them now.

III. BACKING UP FURTHER: AN ODD PICTURE OF AGENCY

In turning to these other goods, the puzzles do not disappear, but merely change.
There is an unclarity in act descriptions. Do I keep my promise only if I act to some extent voluntarily, or do I also keep it if, kicking and screaming, I am forced to do what I said I would do? Consequentialists aim at producing optimum (or, at least, satisfactory) promise-keeping overall. But do they have in mind a voluntary act or mere conformity of action? Either answer is puzzling. If they mean a voluntary act, then they are adopting an odd conception of agency. If they mean mere conformity, then it is hard to see why they regard such actions as moral goods in the first place. Let me take up the alternatives in turn.

It is within the realm of possibility for one person to break a promise in a way that gets many others autonomously to keep theirs. George, let us say, a prominent politician, is fed up with his colleagues’ regularly welching on their word and finds himself in a position to welch on them so spectacularly that they would decide that the rules of the game had to be changed. He might be able to work a kind of conversion. But how often are such conversions within one’s power? It would probably be a unique chance for George, so it would be unreasonable of him to elevate his response to this one case to a policy for his whole moral life. I doubt that I have ever been in such a position; nor, I suspect, have most people. Normal agents are not. If I, situated as I am, were to break a promise in order to bring about more cases of autonomous promise-keeping, then, unlike George, I should merely be dropping my act into a causal stream in which so many other eddies and currents and undertows are at work that I could have, at best, only the faintest hope of producing the desired effect. Thus, though such conversions are not psychologically impossible, they are so rare, so unlikely ever to present themselves in the course of a life, so much a fluke of fate, as, for all practical purposes, not to figure in the formation of goals in life. In a certain loose sense, ‘ought’ implies ‘can’. All moral theories work implicitly with a picture of what lies within human capacity. The limits of human capacity help to define the limits of moral obligation. But acts like maximizing the universal observance of promise-keeping or of fairness are simply not in our repertoire. Our moral life is not so much a matter of what we do as of what we choose to do. What I choose to do has to be, roughly speaking, within my power. I do not have to be 100 percent sure of bringing it off; I can, for instance, choose to go to London first thing tomorrow morning, although British Rail might let me down. But if the chances are only one in several million of my carrying something off, then I cannot be said to choose to do it. I can choose to have a flutter on the Irish Sweepstake, but not to win. Winning may enter my hopes and plans but not my intentions. The chances of my promise-breaking making others (plural) autonomously keep their promises approach Irish Sweepstake proportions. There is, therefore, something quite unreal in consequentialists’ choosing as one of their goals in life, “Promote promise-keeping impartially.” It is not the
sort of action-guiding goal that one would ever give to, or adopt as, an agent.

Still, breaking one’s own promise is not the only means at one’s disposal for promoting promise-keeping. One can persuade or indoctrinate. But this addition to our causal resources does not much change our prospects of success. Few of us are in a position effectively to persuade or indoctrinate. I was when my children were young, but a person’s moral character is pretty much fixed in childhood and little, certainly not sermons or lectures, is likely to change it afterward. George’s making a speech in favor of probity in public life would have little chance of success. My making a similar speech would have even less. The strangeness of the goal remains.

What is strange is, precisely, consequentialists’ choosing as goals in life the promotion of acts of promise-keeping, acts of justice, and the like. It is not strange that opportunities for conversions are rare. After all, opportunities for saving babies who fall face down into puddles are rare, too: normal agents will probably never have such an opportunity in their lives. One can choose as a goal helping others in distress when the cost to oneself is small. Saving a baby in a puddle fits under this heading. Although that particular case is rare, cases of that kind certainly are not, and acts of compliance with the principle are within our powers. What makes a moral principle strange, however, is not the rarity of one particular instantiation of the kind of situation it regulates (there is nothing strange in that) but the unlikelihood of being able to comply with it at all. Why choose a standard for moral action so remotely connected to what one can do? Of course, ‘strange’ does not imply ‘wrong’. But ‘ought’ implies ‘can’. Action-guiding principles must fit human capacities, or they become strange in a damaging way: pointless.

Perhaps the promotion of promise-keeping is not meant as an action-guiding principle. There is a familiar distinction between a decision procedure (what we appeal to in deciding how to act) and a criterion (what makes an act right or wrong). Perhaps a doctor is best advised to follow certain procedures in diagnosing and treating patients—best advised because those procedures have the best results overall, though not necessarily in each case. But the criterion for successful medical practice is clear and independent of any diagnostic procedures: namely, health. Perhaps, similarly, the promotion of promise-keeping should be regarded, not as the immediate goal that we use in our thought and action, but as the criterion of moral practice.

It is not clear whether, or how much, this reply solves the earlier puzzles. Although criterion and decision procedure can diverge, they should not, I think, get too far apart from one another. Our decision procedures must take account of our capacities, but any criterion for a human practice cannot become too remote from our capacities without losing its point.
even as a criterion. Health is a reasonable criterion for medical practice because doctors can, directly or indirectly, act to bring it about. In contrast with that, a very demanding moral criterion (say, Jesus’s “Be ye therefore perfect”) may go too far even to be a moral criterion. Take perfection to be counting one person’s interests as much as any other’s. Some philosophers think that, as long as we can try to be perfect, although we are bound to fail, the principle is not pointless. But I am inclined to think that if such perfection is (as I believe) well outside our reach, it loses interest even as a criterion. In certain respects, the promotion of promise-keeping is more remote from human capacities than is perfection. In seeking perfection, the problem is making one’s own reluctant will conform. In promoting promise-keeping, the problem is making an altogether more independent world conform. If it is strained to say that one “intends” to promote promise-keeping, it is also strained to say that one will “try” to promote it. Unless one can afford to buy a great number of tickets, one cannot “try” to win the Irish Sweepstake either.

Suppose, then, that consequentialists adopt the other reading of “keeping my promise”—not voluntary promise-keeping, but mere conformity. Here, too, there clearly are cases in which one can break one’s promise and consequently force others, in some sense or other, to keep theirs. I have promised my two children, let us say, not to interfere any more in their lives, but then they each promise their mother to stay at home one evening and, just as they are about to sneak out, I lock them in. I have broken my (one) promise, but they, kicking, screaming, and trying to get out, are keeping their (two) promises. Or are they? It is misleading to say that they “keep their promise,” even misleading to say that they are “staying in,” when they are being kept in. And why should we classify mere conformity as a moral good? What is the intuitive justification for considering a world with more cases of mere conformity as being morally better than a world with fewer? We might sometimes be able to explain why the first world is better than the second by appealing to the narrower sort of consequentialism that I shall shortly recommend, a form of consequentialism that uses the term ‘good’ to refer only to individual goods and couples this conception of the good with some conception of equal respect. If one falls back on this narrower form of consequentialism, though, one abandons the aim of promoting acts of promise-keeping (or of fairness, or of respect for rights) that is characteristic of the wider form. The narrower form of consequentialism explains why the world with more cases of mere conformity is better than the world with fewer, by appealing to the pattern and extent of the satisfaction of interests (which has some intuitive force), rather than, as the wider form would, by appealing to the number of merely conforming actions (which, to my mind, does not have intuitive appeal).

This leads to a further puzzle. Does one promote promise-keeping just by acting to maximize the number of promises kept, or to minimize the
number of promises broken, regardless of whether what is at stake is trivial or important? That would be a very odd goal. But if not that, then what? Can we rank cases of broken promises, except perhaps by ranking the interests at stake in the various cases? Can we rank the interests at stake without undermining the status of promise-keeping as one of the goods added to produce the expanded notion of the good? Do I really minimize promise-breaking by bringing it about that there are only $n$ breakings rather than the $n + 10$ that there would otherwise have been, although the $n$ violations seriously damage the lives of the persons affected, whereas the $n + 10$ are not especially damaging? Could I maximize promise-keeping by setting up the following sort of promising teams? Your team makes and keeps several trivial promises to the members of mine, whereupon we turn around and do the same to the members of your team, and so on. As this example shows, it is puzzling to regard promise-keeping as the sort of thing to be promoted. The same is true of justice, honesty, and respect for rights. It is odd to seek to promote acts of fairness; it is more natural to seek to promote one’s own or other persons’ interests fairly (or unfairly).

There is a bad fit between the idea of general promotion of the good and these moral goods that were added in the expansion of the notion of the good that we traced at the start. That bad fit is at the center of the wide definition of ‘consequentialism’ now commonly accepted, and is a good enough reason, I think, to abandon the definition for a different one. It is not that no taxonomy of moral positions should allow any position to be odd or incorrect, but that it is better if all positions are plausible enough to be interesting.

IV. Where Does This Leave Us?

How might we amend consequentialism? It has to retain the derivation of the right from the good; otherwise it would not be consequentialism. Its live option is to reverse the expansion of the notion of the good that we traced at the start. But how far? I think that we have to bring the notion of the good back to such notions as well-being, the quality of life, human interests—back to what I have been calling ‘individual goods’. Whether this is to bring it all the way back to the notion of utility depends upon what we think ‘utility’ means. 8

8 Amartya Sen thinks that there are two “traditional meanings of utility,” namely “happiness” and “desire-fulfillment,” and he gives narrow interpretations to both. See his On Ethics and Economics (Oxford: Blackwell, 1987), p. 3. I do not think that it does violence to the term ‘utilitarian’ to let it cover pluralist and objective value theories. But for our present purposes, my suggestion is that we let the class of the good contract to individual goods, on any account of what they are. We may leave open whether that means that the notion of the good will be reduced to the notion of utility.
Whether or not this move to limit the notion of the good is a retreat to utility, it is clearly not a retreat all the way back to utilitarianism. For there are many derivations of the right from the good besides utilitarian ones. The right could be what maximizes the good, or achieves a satisfactory level of good, or distributes the good equally except when inequalities are to the advantage of the worst off, or brings everyone up to some minimum level of good above which obligations cease, and so on. Though it is not clear exactly where to draw the line between utilitarian and non-utilitarian positions, some of the ones I have just listed are nonutilitarian. There are two characteristic features of all these positions: they assess outcomes in terms of individual goods and they derive the right through a function representing equal respect. Certain elements of justice enter into the derivation with the function representing equal respect: for example, counting everybody for one, nobody for more than one; or being governed by the difference principle; or maintaining a minimum acceptable level of welfare. But these conceptions of justice enter into the process of derivation and not into the list of goods. Agents are directed to distribute according to one of those standards, not to promote the universal observance of the standard.

If, in this way, we shrink the class of goods used in the wide account of consequentialism, we shall get, to my mind, a more interesting distinction between consequentialism and nonconsequentialism.

V. THE FAILURE OF PURE CONSEQUENTIALISM

However, that does not end the troubles. I wonder whether we do not have to give up the distinction between consequentialism and nonconsequentialism altogether.

No one could plausibly claim that the right is derivable solely from the good. One would have to claim, instead, that it is derivable from the good through some function interpreting the requirement of equal respect: maximizing, achieving a satisfactory level, equalizing, and so on. No form of consequentialism yields any judgments of moral right without the aid of some conception of equal respect. But a conception of equal respect is, on the face of it, an abstract moral view, a high-level principle of right.

9 Should ‘consequentialism’ encompass even an interpretation of equal respect that allows partiality—for example, the view that equal respect requires only that agents render to others what is ‘due’ them (my children, say, are due more from me than strangers, and so on)? There is a problem with this interpretation: does ‘due’ mean something other than ‘right,’ in which case it is not, after all, a function for deriving the right from the good. Still, the doubts about consequentialism that I am in the process of raising apply as well to nontrivial versions of this view; this view regards what is ‘due’ as an expression of the moral notion of equal respect, and I shall argue that what is ‘due’ others is often determined by a partly arbitrary picture of human agency. I shall, however, concentrate on interpretations of equal respect that require some sort of impartial promotion of the good: maximizing, equalizing, and so on.
It would seem, therefore, that no form of consequentialism can derive the right except from the good plus at least one key element of the right.

There are pure consequentialists, I think, who would resist this conclusion. They would allow that some of those functions do indeed express moral requirements (for instance, equalizing, or equalizing except when inequalities help the worst off), but others represent irresistible nonmoral requirements of rationality (for instance, maximizing or achieving a satisfactory level — there is dispute as to which of these two does represent the requirement of rationality\(^{{10}}\)). Thus, pure consequentialists can claim to derive the right from the good plus a morally neutral standard of rationality.

But I think that pure consequentialism is untenable. I have argued elsewhere that, at least in morality, maximization is not a requirement of a thin, irresistible form of rationality.\(^{{11}}\) If it is a rational requirement at all, it is a requirement of a fairly thick conception of rationality that already incorporates certain judgments about what are good moral reasons — for instance, whether one has more reason to maximize than to equalize. Maximization can look as if it were only a thin requirement because it can be taken to hold merely that, as enjoyment (say) is good, more is better. On that weak interpretation, though, maximization is a standard for ranking outcomes; it has not yet left the domain of the good for that of the moral right. To enter the domain of the right, one has to make a fateful decision as to when benefiting one person justifies harming another. One can adopt a maximizing standard there, too, but it is hardly any longer thin and irresistible. Consequentialism is a moral view. The only tenable form of consequentialism is an impure one in which lower level judgments about the right are derivable from the good plus at least one high-level principle of the right. The right and the good cannot be kept on opposite sides of a line of inference.

VI. HUMAN GOOD AND HUMAN AGENTS

There is a further way in which the human good and human agency raise trouble for consequentialism. There are many forces at work shaping moral norms. One force is the human good itself. Recall the list: deep personal relations, accomplishment, understanding, and so on. Most of these goods involve commitment to particular persons or causes. Commitment reduces freedom: one cannot take up and put aside this sort of life at will.\(^{{12}}\)

A second force is the limits of the will. Our biological nature ties us to certain individuals. Our conception of a good life strengthens those ties

\(^{10}\) See note 3.

\(^{11}\) See my Well-Being, ch. 9.

\(^{12}\) See ibid., ch. 10, section 2; see also my paper “On the Winding Road from Good to Right,” in Value, Welfare, and Morality, ed. R. G. Frey and C. Morris, forthcoming, section 1a.
and leads us to make many more. How much freedom is left to us? ‘Ought’ implies ‘can’. Where are the limits of the will—and, especially, where are the limits of our capacity for impartiality? These are crucial, complicated, and neglected empirical questions. We know that these limits shift. One can do more for strangers if their plight becomes vivid to one. One can make greater sacrifices if one is stirred enough by the cause. But in the end, I think, there are important limits to the will: one cannot be completely impartial— at least, not if one is living the kind of life that realizes the human good.

A third force shaping moral norms is the demands of social life. Our social life requires us to hit upon, or at least to take part in, stable patterns of cooperation. Sometimes we explicitly strike a bargain, but many key social institutions emerge without conscious calculation and choice. Institutions of property, for instance, are shaped by deep forces. They may be a human correlate of animal territoriality. They are probably influenced by not fully conscious beliefs about the limits of the will—about, for instance, the strength of one’s commitments to one’s family. Moreover, many social institutions generate rights and obligations: if it is your property, I must keep hands off. The rights and obligations generated are important; the institutions that generate them produce most of the major goods of our lives.

A fourth force is the limits of knowledge. Some information is beyond our intellectual capacity, not just for now but forever. What set of norms would, if they were dominant in our society, maximize utility impartially? What set of dispositions would, if they were ours, lead us to behave in a utility-maximizing way over the course of our lives? The answers are beyond me. There are, of course, degrees of ignorance. Sometimes we know enough to be able to estimate probabilities: for instance, such-and-such is as likely to maximize utility as so-and-so. But at other times we know too little even for that. The daunting questions that I just asked are no doubt answerable, at least in probabilistic terms, when we must judge between two sets of norms-cum-dispositions that are far apart in quality. But there will be a wide range in which they are closer in quality and in which our ignorance defeats even judgments of likelihood. We are often as ignorant about an individual social institution as we are about institutions collectively. How far can we assess an institution of property? We can assess egregiously bad forms of it. We can assess this or that part of decent forms of it. But institutions of property in advanced societies are

13 Shelly Kagan denies this in his book The Limits of Morality. See my review of the book in Mind, vol. 99 (1990); the views expressed there are developed further in my “On the Winding Road from Good to Right,” section 1c.

14 See my Well-Being, ch. 10, sections 1 and 2; see also my “On the Winding Road from Good to Right,” section 1d.

15 One finds this question asked, for example, by R. B. Brandt, A Theory of the Good and the Right (Oxford: Clarendon Press, 1979), chs. 9–10.
so complex that there will be a wide range of acceptable forms that no
doubt differ in quality among themselves, but that we have no hope of
ranking. If our institution falls within this range, what is behind the claim
that we ought to do this or that is not (that is, not entirely) the promo-
tion of interests but also the fact that this is the institution that we hap-
pen to have. Another piece of information permanently beyond us is
where the limits of the will are. We can rule out some implausible views
on the subject, but here, too, there is a wide range of views that we can-
not rank even probabilistically. Since there will be no morality at all un-
til we take a view on the subject, we simply adopt one. The view we
adopt is bound to be arbitrary to some degree, and our moral norms will
share in this arbitrariness. For instance, we adopt (fairly arbitrarily) a view
about how much a typical moral agent can deprive his own children to
help distant strangers; having done so, we can work out a policy (which
will inherit the arbitrariness) on giving to charity. When our knowledge
runs out, contingency and arbitrariness enter to fix what we morally
ought to do.16

Consequentialism, I have proposed, is the view that the right is derived
from the good through a function interpreting equal respect. The four
forces I have discussed (and others) push any such consequentialist prin-
ciple well into the background of moral life. In the foreground, in our ev-
eryday moral thinking, are principles such as “Hands off the property of
others,” “Look after your own children,” and so on. Most consequential-
ists nowadays accept that their principle, “Promote the good impartially,”
begins in the background, but that it still plays an enormously impor-
tant role there, justifying and systematizing all the norms in the fore-
ground. Consequentialists often appeal to the distinction we considered
earlier between a decision procedure and a criterion. Although these four
forces, they say, make the moral decision procedure (largely) nonconse-
quentialist, the forces leave the criterion fully consequentialist. The im-
partial promotion of the good, the consequentialists claim, remains the
sole criterion or right-making feature of morality. But these four forces
seem to me more powerful than that.

One familiar reason for resisting the consequentialist claim that promo-
tion of the good is the sole right-making feature of morality, is that there
are further, deontological right-making features. I want to leave that mat-
ter aside. I want to suggest that, quite apart from any possible deontolog-
ical features, the correct conception of the human good and of human
agency lead us to resist this consequentialist claim.

There are interpretations of the claim on which it may well be right. If,
for instance, some feature of our institution of property were known to
promote the good less well than an available alternative, then, without
special reasons, it may not produce a morally authoritative norm. It is

16 See my “On the Winding Road from Good to Right,” section 1e.
plausible that an issue is *moral* only if the promotion of individual good is at stake. It is also plausible to think of the whole apparatus of morality as having an object, namely, to make our lives go better than they otherwise would. Still, although the promotion of the good may be the sole right-making feature in some senses of that phrase, it is not in another: that is, it is not the only consideration that ultimately determines a moral reason for action. In this last sense, there are further right-making features: for instance, the limits of the will and the institutions that happen to have emerged in our society. These further right-making features give us such moral reasons for action as “It’s her property” and “He’s my son.”

The promotion of the good cannot play the strong justifying and systematizing role that consequentialists assign it. It plays the role with some norms but not with all. The fact that certain money is yours, say, has moral weight in my life. It does so partly because our institution of property helps promote the good, but also because that is the institution of property in my society and I respect it. The respect I give it does not rest on a case-by-case calculation of its promotion of good, so I will not normally resort to a case-by-case calculation of interests to decide when to put the institution’s norms aside. The institution generates a norm of a rough-and-ready nature—“Hands off the property of others.” Since the norm is not justified by case-by-case estimates, it can be set aside only in extreme cases. The norms of property lose authority when following them conflicts with the whole object of morality: for instance, a government may seize property for national defense. The norms lose authority when following them is beyond human capacity: for instance, I may seize property to save my child’s life. It is not that a norm of property does not get authority from its promoting the good; it is just that it does not get all of its authority in that way. A norm of property also gets authority from the fact that it is part of our institution, and from the fact that adherence to it (except in extreme cases) is the best that limited agents like us can do.

Consequentialists think that we can do better, that we can extend the rationality of promoting the good into the selection of norms, policies, and dispositions. For instance, rule utilitarians say that we should act in accordance with the nicely elaborated rules (or in accordance with simpler first-order rules for everyday life, and probably fairly complex second-order rules to resolve conflicts) that would best promote the good impartially and in the long run. Motive utilitarians say that we should follow the finely tuned dispositions that would have the same result. But I doubt that we could perform the large-scale calculations of what is best that they require, or even determine reasonable approximations of what is best. I have acknowledged that we can make these judgments when faced with extreme alternatives—say, when a set of rules or dispositions is quite bad—and that we can make judgments about this or that feature
of a nonextreme set. But there will be a wide range in which we cannot
make judgments, and there will have to be something else at work in
those cases to carry us to a determinate norm. Moral norms must be tai-
lored to fit the human moral torso. They are nothing but what such tai-
loring produces. There are no moral norms outside the boundary set by
our capacities. There are not some second-best norms—norms made for
everyday use by agents limited in intelligence and will—and then, behind
them, true or ideal norms—norms without compromises to human
frailty. Moral norms regulate human action; a norm that ignores the lim-
ited nature of human agents is not an “ideal” norm, but no norm at all.

But have I really taken the distinction between a decision procedure
and a criterion seriously enough? The distinction seems to be at times
useful: for instance, as I said earlier, in medical practice. In medicine,
though, the criterion (health) is not so remote that it cannot actually be
applied: in time, doctors learn whether their treatments work. In parts of
moral life, we can also learn how the major interests at stake have been
affected, but, in many other parts, we never do. What most promotes in-
terests is often permanently beyond our reach. Then a “criterion” like that
can play no role, not even that of criterion.

Consequentialists say that moral norms are justified, perhaps indi-
rectly, by their impartially promoting the good. My suggestion is that
moral norms arise from various sources: for example, from solutions to
cooperation problems and from commitments to family. They also arise
from important values, such as life itself: “Do not deliberately kill the in-
ocent.” These norms are not, and could not be, justified by long-term
effects on the promotion of the good. Even the norm “Do not deliberately
kill the innocent” derives directly from the importance of life, not from
the unmanageable calculation of the effects of our adopting this norm
rather than any other possible one. Consequentialism assumes that mo-
rality is more thoroughly determined by the promotion of the good—and
less determined by convention, arbitrariness, and the needs of very lim-
ited agents—than it is. In this way, consequentialism is too ambitious: it
tries to derive all moral norms from the promotion of the good plus equal
respect. Wide though that base may be, it is not wide enough. Conse-
quentialism tries to rationalize morality more than it can be rationalized.
Norms are not always fully rationalizable.17 That does not create prob-
lems: we are not bereft of norms. Many norms are present in our lives in-
dependently of our deliberation and choice. We treat certain norms as
authoritative even though they are not backed by the rationality of indi-
vidual good. Such reasons can be used to criticize and change those
norms, but they do not create or authorize them.

17 We should have found further support for this conclusion if we found irresolvable con-
flict between moral norms. In another paper, I work out the consequences for moral con-
licts of the four forces I have been talking about here; see “Mixing Values,” Proceedings of
VII. CONSEQUENTIALISM AND NONCONSEQUENTIALISM

Many of us start by thinking that any account of the good can be incorporated into consequentialism, but that seems not to be true. Once we understand the nature of human goods, once we see the good life that they describe, once we recognize the sort of agent who can live that life, we find it hard to accept certain claims of consequentialism. It is not, I think, that we have to abandon much of what is intuitively appealing about consequentialism (for instance, the belief that in some, perhaps indirect way the moral right rests on the individual good, that nothing can be right or wrong independently of effects on interests), but perhaps we have to abandon enough to want also to give up the name. Nevertheless, I do not think that distancing oneself from consequentialism takes one toward deontology. The firm ground, I think, lies in neither position.

*Philosophy, University of Oxford*