Review Article

Reasons Consequentialism

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Abstract
Douglas Portmore's recent book, Commonsense Consequentialism: Wherein Rationality Meets Morality, is an ambitious, painstaking effort to render the moral requirements of consequentialism consistent both with our intuitions and with the requirements of rationality. Portmore argues for a version of consequentialism that requires one to act in accordance with one's reasons for preference or reasons for desire. I raise doubts here as to whether such reasons can explain moral requirements and whether, if they do, it would be of any practical use to know that they do.

Keywords
Consequentialism; reasons; rationality; goodness


I. A New Version of Consequentialism

Douglas Portmore begins his new book, Commonsense Consequentialism: Wherein Morality Meets Rationality, with a confession: he used to be a hard-core utilitarian. He explains that he came to reject utilitarianism for two reasons. First, it would require an agent to kill on account of the fact that that act of killing would result in a net gain of a single utile. Second, it would require an agent to sacrifice her own life, and the life of her loved ones, if doing so would result in a gain of a one utile. Portmore finds absurd the idea that such actions aren't rationally ruled out—that is, that we don't
have decisive reasons to avoid them. And he is not willing to allow that morality could require irrational actions.

These commitments set the agenda for the book. Portmore seeks to construct a moral theory whose permissions and requirements don’t exceed the boundaries of what rationality permits and requires. If Portmore is successful, the theory will accord with commonsense not only by conforming to the dictates of rationality in the way just stated, but also by being compatible with the deontic verdicts (propositions about the moral permissibility and obligatoriness of actions) that we intuitively accept. And this means allowing for various purported features of morality that have historically been accommodated by nonconsequentialism but not consequentialism, such as moral dilemmas, supererogation, agent-centered options and agent-centered constraints.

Besides being commonsensical, Portmore also wants his theory to capture the act-consequentialist theory of rightness that is inherent in utilitarianism, because he takes that theory to be what is compelling about utilitarianism. Portmore’s argument for act-consequentialism takes as its jumping-off point his commitment to the compatibility of morality and rationality. Portmore holds not only that morality cannot require us to do something irrational, but that anything morality requires us to do is what in that situation we have most reason to do. He makes this claim the first premise in a two-premise argument for the act-consequentialist theory of rightness (pp. 6–7, 33–4):

1. An act’s deontic status is determined by the agent’s reasons for and against performing it, such that, if a subject, S, is morally required to perform an act, x, then S has most reason to perform x. (Moral Rationalism).
2. An agent’s reason’s for and against performing a given act are determined by her reasons for and against preferring its outcome to those of the available alternatives, such that, if S has most reasons to perform x, then, of all the outcomes that S could bring about, S has most reason to desire that x’s outcome obtains. (The Teleological Conception of Practical Reasons).
3. Therefore, an act’s deontic status is determined by the agent’s reasons for and against preferring its outcome to those of the available alternatives, such that, if S is morally required to perform x, then, of all the outcomes that S could bring about, S has most reason to desire that x’s outcome obtains. (Act-Consequentialism).

As Portmore anticipates, many will wonder why the claim that he labels Act-Consequentialism deserves the consequentialist label. Portmore responds to this question (pp. 34–38) by pointing out that act-consequentialism has typically been understood as a theory that ranks outcomes evaluatively—that is, according to their goodness—and then instructs the agent to take
the action of those available to her that will bring about the highest-ranked outcome. If it is true that for something to be good is for there to be reasons for one to desire or prefer it, then in fact act-consequentialism instructs us act in accordance with our reasons for preference or desire. And this is just what Portmore’s Act-Consequentialism says.

By employing this reductionist theory of goodness Portmore renders consequentialism compatible with a wider range of our intuitions about cases. Here is an example: Take a case in which an agent must choose between performing \( x \), an act of promise-keeping that fails to prevent five acts of promise-breaking by other agents, and \( y \), an act of promise-breaking that prevents five acts of promise-breaking by other agents, where all else is equal between \( x \) and \( y \). On a non-reductive understanding of goodness, it’d be implausible to claim that \( x \)'s outcome is better than \( y \)'s, and so it would appear that consequentialism implies that \( y \) is obligatory. However, suppose that Portmore’s reductionist account of goodness is true. Suppose, further, that that agent has greater moral reason and greater reason, all-things-considered, to prefer an outcome in which she keeps her promise and five others break their promises to an outcome in which she breaks her promise and five others keep their promises. This being case, that agent is constrained from breaking her promise. Thus, Portmore’s consequentialism can accommodate agent-centered constraints (pp. 97-103).

The move to a reductionist account of goodness is, however, only half of the story of how Portmore manages to accommodate the purported features of morality that nonconsequentialism has always been able to accommodate. The other major move that Portmore makes is to discard consequentialism’s traditional univalent outcome-ranking in favor of a ranking of outcomes on two separate dimensions. Let me explain.

Act-Consequentialism states that if one is required to do \( x \) then one has most reason to desire \( x \)'s outcome. According to Portmore, there are both moral and non-moral reasons for desire. These various kinds of reason can be combined such that there is also a fact of the matter as to what a given agent has reason, all-things-considered, to desire. So we can ask, for any given outcome that an agent could bring about, both whether that outcome is what the agent has most moral reason to desire and whether that outcome is what the agent has most reason, all things considered, to desire. According to Portmore’s version of consequentialism, the answers to both of these questions together determine what we are morally required to do. Thus, Portmore ends up replacing Act-Consequentialism with:

Dual-Ranking Act-Consequentialism (DRAC): S's performing \( x \) is morally permissible if and only if, and because, there is no available act alternative
that would produce an outcome that S has both more moral reason and more reason, all things considered, to want to obtain than to want x’s outcome to obtain (pp. 93, 118).

DRAC is not the view that Portmore actually endorses—that honor goes to Commonsense Consequentialism (p. 225). Commonsense Consequentialism is a version of DRAC that specifies how we are to understand “available,”1 stipulates that “moral reason” is to be understood as “moral requiring reason,”2 and clarifies that technically it is not acts, but rather maximal sets of actions, that are directly apt for moral evaluation.3

In any event, dual-ranking allows consequentialism to accommodate supererogation and agent-centered options (pp. 91-97). Suppose that agents have much greater non-moral reason to prefer outcomes that benefit them than moral reason to prefer such outcomes. This being the case, there will be situations in which an agent must choose between performing some act, x, which produces more overall benefit, and some act, y, which produces more benefit for the agent, where x meets DRAC’s criterion for permissibility and there is more reason, all-things-considered, for the agent to prefer y’s outcome. In such a case, that agent’s performing x would be supererogatory and the agent would have an agent-centered option to perform y.

Although Portmore’s goal is to put forward a more plausible version of consequentialism, I think it would be a mistake to understand the import of Portmore’s book in terms of its contribution to consequentialist thought. True, a notable handful of consequentialists, from R.M. Hare to Amartya Sen, Samuel Scheffler, Peter Railton, David Brink and John Broome, have been engaged over the past 35 years in the project of showing that consequentialism has greater flexibility to accommodate our verdictive intuitions than traditionally thought, but Commonsense Consequentialism is not continuous with this intellectual tradition. In fact, Commonsense Consequentialism is not even continuous with Portmore’s own earliest contributions to this tradition.4 Traditionally, the idea has been to put forward an unconventional theory about which things are good or about the objectivity of goodness, and thereby demonstrate that consequentialism’s

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1 Portmore's argument for his way of understanding “available” is contained in chap. 6.
2 In chap. 5 Portmore makes use of the distinction between the requiring and justifying force of reasons.
3 An act is then morally permissible just in case it is an element of a morally permissible maximal set of actions. The argument for directly evaluating only maximal sets of actions is in chap. 6.
maximize-the-good dictum has implications that differ from what we might otherwise have thought. Commonsense Consequentialism also seeks to show that the maximize-the-good dictum might have surprising implications. However, its strategy is to put forward an unconventional theory about what goodness is. In fact, Commonsense Consequentialism puts forward no theory at all regarding which things are good.

Of course, lack of continuity implies originality, and Commonsense Consequentialism is indeed marvelously original. We have never seen a moral theory like this one, and that is one of the book’s greatest strengths. Its other main strengths are clarity and comprehensiveness. There are two senses in which the book is comprehensive. First, because it takes a unified, coherent approach to so many moral issues—e.g., the nature of goodness, the relationship between morality and rationality, the possibility of moral dilemmas and supererogation, the existence of agent-centered options and agent-centered constraints—it makes clear how those issues are interrelated and clarifies more generally the relationship between the more substantive and the more meta-questions in ethics. This should help Portmore’s readers gain a better understanding of what the options are for constructing a complete moral theory. Second, in most cases Portmore arrives at his judgments on these controversial questions only after taking account of, and in many cases explicitly responding to, all of the relevant literature on them. Considering how many different controversies Portmore weighs in on, his thoroughness represents a monumental effort.

The lack of continuity does, however, suggest that the book will be of more help to metaethicists than to those working in normative ethics. I take it that the central project of normative ethics is helping to clarify which kinds of acts are permissible, which are obligatory, and which are optional. Portmore, by contrast, takes quite a bit of the structure of right and wrong as given—e.g. his assumption that moral dilemmas and supererogation are possible and that there are agent-centered options and constraints. Of course, there is a good reason for this strategy: Portmore wants to show that consequentialism can accommodate these features. However, I worry that Portmore strays too far in the direction of exploring the possibility of a more commonsense version of consequentialism, leaving us with a picture of moral reasoning on which it is impossible to

5 Although, in fairness, quite a few contemporary philosophers endorse the idea that facts about goodness reduce to facts about reasons for preference or desire. Still, none of these theorists aside from Portmore have deployed that idea in the service of constructing a more plausible version of consequentialism.

6 Portmore intends it to be of interest to both kinds of theorist (p. 11).
question whether morality actually does contain those features. Furthermore, I am not convinced that putting forward a reductionist theory of goodness is relevant to normative ethics (as putting forward a theory about which things are good or about the objectivity of goodness surely is).

In what follows I offer three criticisms of Commonsense Consequentialism, the last two of which are intended to add substance to the line of criticism I have just sketched out. I begin by critiquing each premise in Portmore’s argument for Act-Consequentialism and conclude by raising a worry about Act-Consequentialism itself.

II. The First Premise in Portmore’s Argument for Act-Consequentialism: Moral Rationalism

The first premise in Portmore’s argument for Act-Consequentialism is Moral Rationalism, for which he argues as follows (pp. 43-44):

1. If S is morally required to perform \( x \), then S would be blameworthy for freely and knowledgeably performing \( \neg x \).
2. S would be blameworthy for freely and knowledgeably \( \varphi \)-ing only if S does not have sufficient reason to \( \varphi \).
3. So, if S is morally required to perform \( x \), then S does not have sufficient reason to perform \( \neg x \). (From 1 and 2).
4. If S does not have sufficient reason to perform \( \neg x \), then S has decisive reason to perform \( x \). (By definition.)
5. Therefore, if S is morally required to perform \( x \), then S has decisive reason to perform \( x \)—and this is just moral rationalism. (From 3 and 4).

Portmore begins his defense of premise 2 by asserting that an individual is not eligible for moral blame if she does not have the ability to recognize and respond to reasons (p. 47). He then says,

But if an agent is morally responsible and, thus, potentially blameworthy in virtue of having the capacity to respond appropriately to the relevant reasons, then how can we rightly blame her for doing something that he has sufficient reasons to do when, in flawlessly exercising this very capacity, this is what she is led to do? (p. 48)

One might respond by saying that Portmore has offered too strict of a necessary requirement for blameworthiness. Since blame is a moral attitude, it seems blameworthiness might merely require the ability to recognize and respond to moral reasons as opposed to reasons per se. This becomes an important point if it is the case that the ability to recognize and respond to reasons is not monolithic and the ability to recognize and respond to moral reasons is not necessarily connected to the ability to recognize and respond to all the other kinds of reasons there are. Portmore of course already
accepts that reasons come in different kinds—this is what gets dual-rank- ing off the ground. One ground for thinking that the faculties just men- tioned are distinct is that those creatures that have the ability to recognize and respond to moral reasons seem to develop it after they develop the ability to recognize and respond to other kinds of reason, especially self- interested reasons. Furthermore, sometimes their development is arrested and they never gain the former ability at all.

Portmore anticipates something like this objection. He says,

... the person who wishes to deny moral rationalism might balk at [premise 2 of my argument for it], arguing that when it comes to being morally responsible, what is relevant is not the capacity to respond in a rationally appropriate manner, but rather only the capacity to respond in a morally appropriate manner. Of course, [my opponent] must insist that the two can come apart and that, although doing what one recognizes as having sufficient reason to do is always a rationally appropriate response, it is sometimes a morally inappropriate response. But why think this? Why think that it is morally inappropriate to respond to moral reasons as it is rationally appropriate to respond to them? A moral reason is just a certain type of reason, and, as a reason, it has a certain weight. So why think that it is morally inappropriate to give moral reasons only as much weight as they in fact have? (pp. 50-51, emphasis Portmore's)

When Portmore says that “[my opponent] must insist that the two can come apart,” he appears to mean by “the two” the rational appropriateness of an agent’s response to her reasons and the moral appropriateness of an agent’s response to her reasons. By contrast, the objection I suggested above merely requires that the ability to recognize and respond to non-moral rea- sons can come apart from the ability to recognize and respond to moral reasons. Indeed, this seems to be enough to ground an objection to premise 2 of the argument for Moral Rationalism. Of course, Portmore might be thinking that one would not bother to object to premise 2 if one did not reject Moral Rationalism, and anyone who rejects Moral Rationalism must believe that some rationally appropriate responses to one’s reasons are not morally appropriate responses. However, one can reject Moral Rationalism without being committed to this latter claim. What the rejection of Moral Rationalism seems to imply is the converse of what Portmore said it implies: some morally appropriate responses to one’s reasons are not rationally appropriate responses to one’s reasons. But even this claim isn’t actually implied by the rejection of Moral Rationalism. One could reject both Moral Rationalism and this claim (as I do7) and simply concede that some morally

appropriate responses to one’s reasons are not rationally required responses to one’s reasons.

The larger point Portmore seems to be making in the above excerpt is that responding in a morally appropriate way to moral reasons is nothing more than giving them just as much weight as they have, and this also counts as responding to reasons in a rationally appropriate way. This is confirmed when he goes on to say that:

... when we talk of an agent’s needing control over her actions in order to be held morally responsible for them, the relevant sort of control seems to be rational self-control—that is, the capacity to respond in a rationally appropriate manner to the relevant reasons. If it were anything else, then someone could be strongly reasons-responsive and, for that reason, lack the sort of control that is essential for moral responsibility (p. 51, emphasis Portmore’s).

I am not sure I understand the last inference in this excerpt, but I think Portmore means to say that being reasons-responsive in the way that constitutes rational self-control is inconsistent with being reasons-responsive in any other way. Now it does seem true that any particular individual can be reasons-responsive in only one way. So if moral responsibility required being reasons-responsive in some other way, then having rational self-control would necessitate lacking moral responsibility.

By way of response, I should admit that I am probably on stronger ground in insisting that the ability to recognize moral reasons is distinct than I am in insisting on the distinctness of the ability to respond to moral reasons. Of course, anyone who cannot recognize moral reasons will in fact fail to respond to them, though such a person may have the capacity to do so. Anyway, it seems to me that the possible existence an individual who cannot recognize and respond to moral reasons but can recognize and respond to non-moral reasons casts doubt on premise 2 of the argument for Moral Rationalism.

III. The Second Premise in Portmore’s Argument for Act-Consequentialism: The Teleological Conception of Practical Reasons

The second premise in the argument for Act-Consequentialism is The Teleological Conception of Practical Reasons. Portmore has two main things to say in favor of The Teleological Conception.
First, if The Teleological Conception were false then it would have to be possible for there to be situations in which an agent ought to φ but ought to hope that she doesn’t φ. And it also ought to be possible that an agent who has already done what she ought to have done ought to wish that she hadn’t. Portmore denies that either situation is possible (p. 75). Clearly Portmore is presuming that there is a tight connection between our reason for desiring an outcome, on the one hand, and our reason for (prospectively) hoping that we perform that act that would lead to it and our reason for (retrospectively) wishing that we had performed that act, on the other. The idea is that if we deny The Teleological Conception, and thus sever the necessary relationship between requirements and reasons for desiring outcomes, we thereby also sever the relationship between requirements and reasons for hoping and wishing.

In order for this argument in favor of The Teleological Conception to be helpful to Portmore’s cause, it needs to be the case that despite this tight connection our intuitions about the appropriateness of wishing and hoping are distinct in a particular way from our intuitions about the appropriateness of desiring. Specifically, it needs to be possible that one could have the intuition that some agent should prefer outcome A and also have the intuition that that agent should hope (or wish) that she will perform (or has already performed) an act that does not bring about A. It seems to me, however, that this set of intuitions is not possible. Our intuitions about desiring, wishing, and hoping run in lockstep. What this means is that this argument in favor of The Teleological Conception is a case of preaching to the choir. Anyone who shares Portmore’s intuitions about hoping and wishing will already agree with him that The Teleological Conception is true.

The second argument Portmore makes for The Teleological Conception is that it systematizes our various views about reasons for action (p. 82). Everyone already accepts that some of our reasons for action stem from our reasons for desiring certain outcomes—Portmore offers the example of how the reasons we have to eat a more pleasure-inducing meal rather than a less pleasure-inducing meal stem from our reasons for desiring the outcome in which we eat the former. The Teleological Conception is basically just the claim that all reasons for action work this way. The question, then, is whether there are any counterexamples to this generalization. Portmore considers various possibilities and refutes them. He does not, however, take up what strikes me as the most powerful category of counterexample, which is those cases in which something that we seem to have a reason to do is totally unrelated to (and perhaps contrary to) what we seem to have a reason to desire.
Suppose, for instance, that Johnson has spent her whole life building up a successful dentistry practice from scratch. When it comes time to retire she seeks out potential buyers for her business. She is approached by a lawyer acting as an intermediary for some individual who wants to obtain the business while remaining anonymous during negotiations. The lawyer offers a good price and Johnson accepts. She then finds out that the buyer is her mortal enemy. The decision Johnson faces is whether to break the contract and thus force her enemy to take her to court or to simply hand over the business as she agreed to. It seems clear that she has a reason to abide by her agreement. But it is questionable whether she has a reason to desire the outcome in which she abides by her agreement. Portmore’s best bet would be to concede that Johnson has no non-moral reason to desire this outcome while insisting that she has a moral reason to desire it. But insofar as we are inclined to accept that Johnson has a moral reason to desire the outcome in which she abides by her agreement, my guess is that we’re inclined to accept this because of our prior beliefs that a) Johnson is morally required to abide by her agreement, and b) agents morally ought to desire outcomes in which they do what they morally ought to do. This explanation, however, would assume the existence of a moral requirement, which gets things backward, for Portmore. Reasons for desire are supposed to explain moral requirements, not the other way around. The payoff is that it is questionable whether there is any independent plausibility to the idea that Johnson has a reason to desire the outcome in which she abides by her agreement, and yet it is clear that she has a reason to so abide. This makes trouble for The Teleological Conception, which says that reasons for action stem from reasons for desire.

More generally, I suspect that Portmore makes an error in generalizing from the meal case and then searching for counterexamples instead of taking the meal case to itself perhaps constitute an exception to a usually-sound generalization. The usually-sound generalization I have in mind is: reasons for action neither explain nor are explained by reasons for desire. This generalization might fail in matters of taste, where no option is objectively better than any other. Choosing what kind of meal to have, where pleasure is the only variable, certainly qualifies.

IV. Reasons as Moral Explanations

Even if The Teleological Conception is true, I think Portmore is in trouble. Suppose, as The Teleological Conception implies, that our reasons for desire
explain our reasons for action. And suppose, as Moral Rationalism implies, that our reasons for action determine the deontic statuses of our action-options. If these truths—which together imply Act-Consequentialism—are going to be of help to us as agents going about the business of trying to do the right thing, our inferences would have to go in the same direction as these explanations go. Otherwise we might as well simply do what our intuition tells us we ought to do—so, for instance, if Johnson has the intuition that there is an agent-centered constraint against breaking one’s promise, then she should just go ahead and abide by the contract. And yet the Johnson example suggests that our inferences go in the reverse direction.

My concern, then, is that if Act-Consequentialism were true and some agent knew it to be true, that knowledge would be of no use to that agent in her effort to do the right thing. Knowledge of the truth of Act-Consequentialism would be helpful in this regard only for an agent that had (or was able to acquire) beliefs about her reasons for desire without inferring them from her beliefs about her reasons for action or the deontic verdicts she accepts. Portmore concedes all this (pp. 111-116) and claims that our beliefs about our reasons for desire are indeed independent in the requisite way (p. 114, n. 75). He points out that in cases of retrospective judgment (that is, judgment regarding past decisions) and cases of non-practical judgment (that is, cases in which the relevant outcome isn’t produced by any agent’s action) we are able to make judgments about our reasons for desire even though there are no reasons for action or deontic verdicts to infer them from (since there is nothing to be done). I suspect, however, that in these cases we infer our judgments about our reasons for desire from judgments about hypothetical decisions—specifically, judgments about what we would be obligated to do if we could cause changes to the past or if the relevant outcome were caused by our action. So I still contend that our beliefs about our reasons for desire are not independent in the requisite way.

Portmore is not alone in contending that deontic status is always explained by reasons. Some nonconsequentialists believe this too.9 Of course, these nonconsequentialists do not agree with Portmore’s claim that an action’s deontic status is determined ultimately by the agent’s reasons for desire; they believe that an action’s deontic status is determined ultimately by the agent’s reasons for action. In any event, the agreement

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between Portmore and these nonconsequentialists at the broader level—
their agreement that reasons do moral explanatory work—forces us to con-
sider whether any of our beliefs about reasons are non-inferential. I have
tentatively reached the drastic conclusion that none of them are. This is
partly based on introspection and generalization from my own case. But it
also fits well with another belief I hold, which is that all reasons can them-
selves be explained. That is, it is never a brute fact that some fact grounds
a reason. The general picture I have in mind, then, is that all our reasons
and all of our beliefs about them are derivative.

Suppose, however, that I am wrong that all reasons can be explained.
Still, I might be right—indeed, I am more confident I am right—that all of
our beliefs about reasons are derivative. That being the case, even a correct
moral theory cannot help us to do the right thing if it explains the deontic
status of actions ultimately in terms of our reasons.

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