

Two Departures from Consequentialism

Jonathan Bennett

“Two Departures from Consequentialism”, *Ethics* 100 (1989), pp. 54–66.

Introduction

Samuel Scheffler’s book *The Rejection of Consequentialism* has two principal topics.¹ One is the thesis that consequentialism as ordinarily understood is inferior to a morality that permits each agent sometimes to behave partly in the light of what he or she naturally wants to do, even if this does not maximize utility. I will call this a morality of personal concerns—not ‘morality of self-interest’—because it covers everything that the agent naturally wants, even if he wants the well-being of some other person at the expense of the general good and of his own ‘interests’ in the narrow sense. Scheffler’s other chief topic is the thesis that consequentialism is inferior to deontological moralities that condemn some behavior which would maximize utility. A third theme—distributive justice—will be filtered out of my discussion, as it lies a little off Scheffler’s main path and right off mine.

I have no quarrel with Scheffler’s acceptance of a morality of personal concerns or with his reasons for this insofar as

I grasp them.² I am also on his side in rejecting deontology primarily on the ground that there seems to be no rationale for accepting it. On each of the two topics Scheffler has illuminating and instructive things to say. Where I have trouble with Scheffler’s book is in the implied claim that the two have anything much to do with one another. That claim is implied in many different ways, some of which I shall examine below, and also in the very fact that these materials are presented as a single book. My own reaction to the work when I first read it was that a couple of not unfamiliar themes were being handled with gratifying subtlety and—this was the big, pleasing surprise—were being shown to be organically related to one another. The second virtue, I now think, was illusory, and if that is right we ought to get the illusion out of our way.

Scheffler’s treatment of the morality of personal concerns has been complained of, not altogether unjustly, as evasive. Darwall, for example, has written: ‘What, exactly, is it for a moral theory to reflect “the importance of the natural fact of personal independence”? Or for an aspect of a moral theory

¹ Samuel Scheffler, *The Rejection of Consequentialism: A Philosophical Investigation of the Considerations Underlying Rival Moral Conceptions* (Oxford: Clarendon, 1982). Page references throughout the text of this article are to this work.

² I espoused it in ‘Our Neglect of the Starving: Is It as Bad as Murder?’ in *The Tanner Lectures on Human Values*, ed. S. McMurrin (Salt Lake City: University of Utah Press, 1982), vol. 2, pp. 72–95, at pp. 78 ff.

to “represent a demonstrably rational response to a certain feature of persons” (p. 68)? Because Scheffler expresses what is distinctive about his approach in these terms it is crucial that we understand him precisely here, but he gives little elaboration on these suggestive but somewhat inchoate remarks.¹ Still, we can see roughly what is going on in this part of Scheffler’s work. “The natural fact of personal independence’ is the fact that ‘people typically acquire and care about their commitments quite independently of, and out of proportion to, the value that their having and caring about them is assigned in an impersonal ranking of overall states of affairs’ (p. 9). That is, what we want—what we naturally want, as distinct from what we want if we attune our wills to morality (see pp. 9, 56)—is not always to produce what would impersonally and objectively count as the best states of affairs. A morality that ‘reflects’ this fact (see p. 62) is one that to some extent gives us our heads, permits us sometimes to do what we naturally want to do even though that does not lead to the best resultant state of affairs (unless the evaluation is done from the personal point of view of the agent rather than being done impersonally).

It is ‘rational’ for a morality thus to ‘reflect’ this fact about us, Scheffler says. Although he is not open about this, I think that he must be working with a subjectivist, attitudinist metaphysic of morals, according to which morality is not a repository of truths but rather an expression of attitudes, feelings, and practical determinations. That would let him hold that we can have some choice about what morality to accept, and would let him advocate that we choose a morality that allows every agent to bend his conduct somewhat toward the satisfaction of his natural wants, interests, projects, etc. This is a familiar enough idea; it parallels what Strawson

did with a certain aspect of human nature in his ‘Freedom and Resentment’—not the place in our makeup of wants, concerns, and projects but, rather, our proneness to reactive attitudes.

(That Scheffler’s metaphysic of morals is of the attitudinist variety is suggested by his remark that ‘some who regard moral theory as analogous to. . . scientific theory’ will think that his sort of morality of personal concerns is ‘inappropriately tolerant of the idea that the content of an acceptable moral theory may be determined by. . . conceptions of or attitudes towards the person’ [p. 68]. It is also somewhat confirmed by his saying: ‘Since the need for a conception of the right to regulate human conduct arises. . . from the fact that people are not indifferent about what happens, the principles of right action should embody a rational way of regulating what happens, in so far as that is subject to human control’ [p. 123]. Anyway, on an attitudinist basis Scheffler’s strategy can be understood, whereas it seems obscure otherwise.)

Scheffler’s inclination to reject deontological moralities is plainer sailing. He rejects them because he can find no decent rationale for them and because he finds ‘paradoxical’ the thesis that it may be wrong to do A even if that is the only way to stop several others from doing A.

Morality of personal concerns has something in common with deontological morality, namely, that each is a departure from consequentialism as ordinarily understood. But Scheffler thinks there is more reason than that to run the two in a single harness. He repeatedly offers to ‘undertake a comparative examination of [these] two different kinds of non-consequentialist moral conceptions’ (p. 4; see also pp. 63, 70), and his book is built upon the idea that these

¹ Stephen Darwall, review of *The Rejection of Consequentialism*, by Samuel Scheffler, *Journal of Philosophy* 81 (1984): 220–26, at p. 223.

two moral positions—one accepted and one rejected—are significantly alike or analogous in some way.

This idea is embodied in some terminology that occurs on most pages of the book: according to Scheffler, a consequentialism that is modified by a morality of personal concerns is one that includes an agent-centered prerogative, while a deontological morality includes agent-centered restrictions. Scheffler clearly takes ‘agent-centered’ to represent something that is common to the two departures from consequentialism while ‘prerogative’/‘restriction’ marks a crucial difference between them.

I shall argue that he is right about the difference, wrong about the likeness. If I am correct about the latter, the putative overall structure of this work does not exist. That is not to deny that there is value in some of the pieces.

Prerogatives and restrictions

Let us look first at the use of the contrast between prerogatives and restrictions to mark the difference between the two kinds of morality. In particular, let us look at it in the light of these four propositions:

(1) It is sometimes permissible to behave in ways that do not maximize utility, where maximizing behavior would be less favorable to satisfying one’s natural wants.

(2) It is sometimes mandatory to behave in ways that do not maximize utility, where maximizing behavior would be less favorable to satisfying one’s natural wants.

(3) It is sometimes permissible to behave in ways that do not maximize utility, where maximizing behavior would involve violating certain deontological rules.

(4) It is sometimes mandatory to behave in ways that do not maximize utility, where maximizing behavior would involve violating certain deontological rules.

We can see **(1)** and **(2)** as natural companions—as weak and strong kinds of morality of personal concerns, each trying to do justice to the idea of an agent’s properly giving more weight to his natural wants than they get just from their status as part of the general good. Similarly, **(3)** and **(4)** can also be bracketed, as weak and strong endorsements of the idea that considerations of the kind ordinarily called deontological—would this be a breach of a promise? would it be truthful? was the contract valid? is he innocent?—are properly accorded moral weight independently of any that comes from resultant utility.

Objection: ‘It’s not as neat as you make it out to be. If someone strongly desires to conform to deontological principles, **(1)** might give him the very same permission that **(3)** gives him.’¹ But that is a coincidence, not a connection. The person is morally allowed to conform to P, at some cost in utility, neither because P is a deontological principle nor because of what deontological principle P is, but just because the person wants to conform to P. So that kind of case tells us nothing about deontology as such and therefore does not smudge the line that separates **(1)** and **(2)** from **(3)** and **(4)**.

In the light of the above schema, let us consider what to make of the fact that Scheffler’s book is organized around a face-off between **(1)** and **(4)**, taking the morality of personal concerns only in its permissive form and deontology only in its mandating form.

I can think of no examples of **(3)**: every deontologist that I know of presents his or her views in a mandating form, and the moral intuitions that underlie deontological moralities seem to be mandating rather than permissive ones. So Scheffler has some reason for focusing on **(4)** at the expense of **(3)**.

¹ This possibility is mentioned by Scheffler, p. 85, n. 2.

On the other hand, **(2)** does have its adherents, people who think that sometimes agents ought to do what they naturally want to do even if that does not maximize utility.¹ But Scheffler points out that this view is not needed to meet the objection that consequentialism is too demanding, because it requires that agents subjugate their natural wants to the general good (p. 22). He is right about that. What thesis **(2)** responds to is the objection that consequentialism does not show enough respect for people's natural wants because it permits agents to subjugate their natural wants to the general good. Insofar as Scheffler's concern is with the former objection to consequentialism rather than the latter, he has a reason to ignore **(2)** also.

So the terms 'prerogative' and 'prescription' imply a contrast that really is there in Scheffler's thought. It is at work in the passage (pp. 94–98) where Scheffler asks whether agent-centered restrictions can be justified as 'a rational response to the independence of the personal point of view', as the agent-centered prerogative can. He answers that the independence of the personal point of view demands liberation, release, permission, if it demands anything; and so it could not demand that our morality restrict us further.² This is all clear and straightforward; but notice that those pages of the book are silent about anything pertaining to deontology. They are purely about the difference between 'consequentialism is too demanding' versus 'consequentialism is too permissive', with nothing depending on the idea that the latter charge comes from a deontological source.

The contrast between permissive and mandating supplies all the truth that there is in Scheffler's view that consequentialism modified by a morality of personal concerns

is 'intermediate' between outright consequentialism and deontological morality' (p. 6; see also p. 13 and elsewhere). Consequentialism says 'Always do A', the morality of personal concerns says 'You do not always have to do A', and deontology says 'Sometimes you have not to do A'. There is a clear sense in which a withholding of permission to do A is stronger than a permission not to do A, so that the morality embodying the former goes further from consequentialism, but in the same direction, as does the latter.

(Intermediacy could be linked also with the fact that Scheffler always focuses on a form of deontology that conjoins the morality of personal concerns with deontological constraints: the assertion of one conjunct is 'intermediate' between the assertion of neither and the assertion of both. But that cannot be what powers Scheffler's view that his position is intermediate between the other two; for, as he clearly implies in the note on p. 95, there could easily be a deontology that did not include any morality of personal concerns, i.e. that asserted only the other conjunct; and no doubt he would want his main arguments and conclusions to apply equally well to that.)

So we have a tame sort of intermediacy, and sometimes Scheffler seems to claim no more (see p. 5). But his terminology implicitly goes further. He often describes deontological moralities as 'fully agent-centered' and his preferred kind of morality as 'hybrid', apparently implying that the latter is only partly agent-centered. So he seems to suppose there is a kind of intermediacy having to do with degree of agent-centeredness. I shall argue that this is not so and, more strongly, that no notion of agent-centeredness contributes anything to the book's over-all structure.

¹ See esp. Rolf Sartorius, 'Utilitarianism, Rights, and Duties to Self', *American Philosophical Quarterly* 22 (1985): 241–49.

² Scheffler needs to stipulate that he means the phrase 'the independence of the personal point of view' in some way that makes this true; the phrase's ordinary meaning will not do that unaided.

Agent-centeredness on one side of the line

Scheffler's terminology of 'agent-centered prerogative' and 'agent-centered restrictions' implies that a substantive notion of agent-centeredness is at work on each side of the line. Let us see what truth there is in that.

Morality of the kind that we are interested in speaks only to agents: if a moral system offers prerogatives, it could only be to agents; and whom could a morality restrict except an agent? So we have to look for some less thin notion of agent-centeredness than this.

On the 'prerogative' side of Scheffler's line we find it in the idea of evaluations that are agent-centered in contrast with impersonal ones in which, ideally, the sum comes out the same whoever does the evaluating. The position that Scheffler calls an acceptance of an agent-centered prerogative amounts to a moral permission to let one's actions be guided by evaluations done in the former manner. Or, if you do not like that way of putting it,¹ we can say that on the 'prerogative' side of Scheffler's line we have the idea of conduct guided by facts not merely about amounts of value but also about how that value relates to the agent, an 'agent-centered prerogative' being a moral permission to relate one's actions to facts about value of the former kind. Either way, we can say this:

What Scheffler calls 'agent-centered prerogatives' are permissions to be guided sometimes by what is best for oneself rather than by what is best.

This employs a good, solid notion of agent-centeredness.

Though even here there is a complication which was brought to my attention by Frances Howard. The so-called agent-centered prerogative is not really a permission to the

agent to tilt the balance in favor of what he judges to be good for him; rather, it lets him attach weight to what he naturally wants to do, even if he thinks it is bad for him or has no views about good and bad but simply wants it. So the agent-centered prerogative tells him: (A) 'When faced with a choice between maximizing utility and doing something that you want to do more, you are not always obliged to do the former.' Now, compare that with the following permission: (B) 'You are not always obliged to maximize utility.' Of these, A seems to involve nontrivial agent-centeredness whereas B clearly does not. Yet the two do not differ in their practical import: any sane person who does not maximize utility will do something else that he wants to do more—in Scheffler's terms, 'promote the non-optimal outcome of his choosing' (p. 20)—so availing oneself of permission B is equivalent to availing oneself of permission A. It follows that even on the 'prerogative' side of Scheffler's line the notion of agent-centeredness does no real work. It is present because the moralities in question can be represented as issuing permission A, which includes 'something that you want to do more'; but it is not a load-bearing part of the edifice, because these moralities could throw out A in favor of B.

If Scheffler is to escape from that argument, he needs to say something like this:

A and B are too abstract for any serious purpose, and A should be replaced by the slightly more specific A': 'When faced with a choice between maximizing utility and doing something that you want to do much more, you are not always obliged to do the former.' If A' states the agent's prerogative, then his clue to when he is allowed not to maximize utility is given by the intensity of his own wants; and the emphasized

¹ There are reasons for not liking it. See Donald H. Regan, 'Against Evaluator Relativity: A Response to Sen', *Philosophy and Public Affairs* 12 (1983): 93–112; and Amartya Sen, 'Evaluator Relativity and Consequential Evaluation', *Philosophy and Public Affairs* 12 (1983): 113–32.

phrase involves agent-centeredness and is not dispensable, because A' is not practically equivalent to B. That reply would keep the notion of agent-centeredness actively at work in this part of the territory, and it may be what Scheffler had in mind. If it is, he hid it rather well under phrases about 'the natural fact of personal independence', but it can be glimpsed in some of his turns of phrase. For example, when Scheffler speaks of allowing agents not to promote optimal outcomes 'when it would be unduly costly or burdensome for them to do so' (p. 20), and of a retreat from outright consequentialism to 'a set of demands that it is reasonable to make of human agents' (p. 125), he seems to point toward a 'strong desire' reading of his morality of personal concerns. My slightly preferring not to maximize utility does not make it 'unduly costly or burdensome' for me to do so, nor does it make the demand that I do so 'unreasonable'.

Anyway, I shall assume from now on that a notion of agent-centeredness is properly at work in Scheffler's considerations about the morality of personal concerns.

Agent-centredness on the other side of the line

Now let us look at the 'restrictions' side of Scheffler's line. He writes:

Deontological views... incorporate what I shall call 'agent-centred restrictions'... which have the effect of denying that there is any non-agent-relative principle for ranking overall states of affairs from best to worst such that it is always permissible to produce the best available state of affairs so characterized' (pp. 2–3; see also p. 80).

This has to be understood in the light of the footnote on Scheffler's first two pages, where he explains that states of affairs 'produced' by an action A include not only the causal

consequences of A but also A itself. If that were not so, it would be merely bewildering to say that deontological moralities tie the rightness of actions to any ranking of produced states of affairs.

Even with 'produced state of affairs' understood in Scheffler's way, it is not perfectly clear to me what place that phrase should get in characterizing deontological moralities (see esp. Scheffler's puzzling p. 42). But my present purposes do not require me to go into the whole of that question. All I want to ask is whether deontology as such involves agent-centered rankings of produced states of affairs, in some significant sense of 'agent-centered'. If it does not, the formulation 'There is [no] non-agent-relative principle for ranking overall states of affairs from best to worst such that...' is a misleading understatement, like saying 'He failed everyone who didn't bribe him' when in fact he failed the whole class. If that is how things stand, the phrase 'agent-centered restrictions' is idle in Scheffler's account, and all that remains of the overall structure is the fact that he is discussing two departures from consequentialism, one permissive and one mandating.

One might try to link 'agent-centered' with deontological moralities through this thought: in some cases where if a certain agent does not behave badly, other people will behave even worse, deontological moralities hold that the agent ought not to act badly. So:

Deontological moralities tell one sometimes to limit what is done by oneself rather than taking responsibility for what is done.

That sounds like an 'agent-centered restriction' all right; but this way of looking at things is probably not a source of Scheffler's confidence in his terminology. It had better not be, because it depends on too narrow an account of what the 'restrictions' say. If it were not too narrow to cover Scheffler's

topic, then the latter would be confined to ideas such as that I ought not to kill an innocent person even if that is the only way to forestall the killing of several innocent people by someone else, ignoring the idea that I ought not to kill an innocent person even if that is the only way to prevent several innocent people from dying prematurely through an impersonal accident. Even moralists who attach moral weight to the difference between these will agree that what they share is more important than what distinguishes them. It would be excessively odd to devote half a book to ‘May I kill to forestall a killing?’ while entirely ignoring ‘May I kill in order to avoid untimely deaths?’

Scheffler is guilty of no such oddity. He repeatedly says things like this: ‘An agent-centred restriction is a restriction which it is at least sometimes impermissible to violate in circumstances where a violation would prevent either more numerous violations. . . of the very same restriction, or *other events at least as objectionable*’ (my emphasis).¹ That last phrase prevents the narrowing of focus that I have mentioned and shows Scheffler to be addressing himself to the whole question of whether there are deontological constraints that are not automatically at the mercy of facts about possible consequences.

Well, then, how does the notion of agent-centeredness operate on the deontological side of the line? Scheffler does not even try to answer this. Here is his first statement about the link between deontology and agent-centeredness: ‘In contrast to consequentialist conceptions, standard deontological views maintain that it is sometimes wrong to do what will produce the best available outcome overall. In other words [mind the bump!], these views incorporate what I shall call agent-centred restrictions: restrictions on action which have

the effect of denying that there is any non-agent-relative principle for ranking overall states of affairs such that it is always permissible to produce the best available state of affairs so characterized’ (pp. 2-3). How could the notion of agent-centeredness help one to present ‘in other words’ the thought that ‘it is sometimes wrong to do what will produce the best available outcome overall’? Well, perhaps Scheffler was cutting a corner. Perhaps he meant not that agent-centeredness enters into the ‘it is sometimes wrong’ thought itself, but that it enters into the deontological basis for the ‘it is sometimes wrong’ thought. If so, he does not explain how, either in that passage or anywhere else. This is typical: ‘Here an agent has two choices. He can refrain from harming some person, but if he does so then greater harm will befall other people, and he will be unable to help them. He can instead help the others, but to do this he will have to harm the first person. The overall outcome of his not harming would here be worse than the overall outcome of his helping. Yet typical non-consequentialist accounts maintain that, in at least some cases of just this kind, the agent must refrain from harming. For these views, in other words, the duty not to harm constitutes an agent-centred restriction’ (p. 24). Despite the phrase ‘in other words’, that final phrase seems to have no support at all in the rest of the passage.

Here is a positive case for saying that the notion of agent-centeredness has no role in characterizing deontological morality:

Agent-centeredness would be operative if the contrast were between what I might do and everything else that might happen. But it is not. The relevant contrast is between what I might do and what might come about because I do not prevent it, in which case everything

¹ Scheffler, p. 80, see also pp. 108 ff.

on both sides of the line is defined by how it relates to me. Thus, the so-called ‘agent-centered restrictions’ are agent-centered only in the trivial sense of being addressed to me as agent. This is quite unlike the agent-centered prerogative, which gives moral significance to the difference between something involving me and something not involving me.

The only reply to this that I can devise on Scheffler’s behalf goes as follows:

The morality of conduct has nothing to say about states of affairs that will obtain no matter what the agent does. So we need only to look at states of affairs that figure in some but not all of the overall outcomes he could produce; that constitutes the frame, so to speak, of the agent’s practical deliberations. Now, given an upshot, U, that lies within that frame, either: (1) if the agent so acts that U ensues, this will be because he makes it come about (or because he does do X for some fairly specific X), or (2) if he so acts that U ensues, this will be because he could but does not prevent it from coming about (or because he does not do X for some fairly specific X). Just because those two exhaust the material that lies within the frame, the agent does not need to ask ‘Is (1) the case or is (2) the case?’; all he needs to ask is ‘Is (1) the case or not?’ So it is true that the agent who wants to apply a deontological morality has to evaluate overall outcomes in a way that is him-centered: he has to ask, regarding each possible outcome, ‘If this comes about, will I have made it come about?’

That is the best I can do for Scheffler’s position. It gives him the verbal appearance of something substantively agent-centered—a question of the form ‘Would upshot U be made to occur by me?’—which might be compared with the question

‘Would value V accrue to me?’ on the ‘personal concerns’ side of the fence.

But that is misleading. If the deontologist asks ‘Would U be made to occur by me?’ and the answer is negative, that is not the end of his inquiry. His morality will often require him to inquire whether U would be allowed to occur by him or whether, instead, U is something over which he has no power. In terms of the metaphor introduced in the displayed passage above, he needs to know whether U does indeed fall inside the frame. (If he did not, he would be implying that the morality of conduct never needs to pay attention to any facts about what one allows to happen; and nobody—even a deontologist who holds some kinds of actions to be absolutely wrong—would say that.) So the deontologist agent’s situation is misrepresented by the metaphor about a frame, which suggests that all his questions pertain to items that lie inside the frame; in fact, many of his questions are about whether a given item does lie inside it. That restores the form of question that I started with: if U came to obtain, would it have been made to obtain by me, or allowed to obtain by me, or come to obtain independently of me? The typical deontological position forbids certain makings more strenuously than it frowns on the corresponding allowings; so deontological moralities do offer restrictions that are making-focused; they do not offer restrictions that are in any significant sense agent-centered.

Positive and negative

I have used the language of ‘making’ versus ‘allowing’ to express the crucial distinction that is hidden under Scheffler’s term ‘agent-centered restrictions’. There are other terminologies that do roughly the same job. I have argued elsewhere that the best terminology to use in this area is

that of ‘positive’ versus ‘negative’.¹ If there is one noteworthy distinction running through this area, it is that between the consequences of positive facts about one’s conduct and the consequences of negative facts about one’s conduct—for example, between what comes about because I pull this switch (an innocent person dies, killed by me) and what comes about because I do not pull this switch (several innocent people die prematurely, not killed by me but dying in consequence of a negative fact about my behavior).

The deontologist sees moral significance in the positive/negative distinction, that is, between conduct that is positively relevant and conduct that is negatively relevant to bad upshots. I have argued to the contrary, on the basis of a general analysis of the positive/negative distinction.² But the question is still open, and controversial, if only because Donagan has offered a substantial alternative to my account of positive/negative.³ Scheffler discusses this issue briefly (pp. 23–25, see also pp. 102–4), pointing out that the view that the positive/negative distinction has moral significance is quite different from his own view about the morality of personal concerns and has not yet been well supported by arguments. I agree with him on both points. But I suggest that the deontological position that Scheffler wants to reject has such an absolute need to attach moral significance to the positive/negative distinction that the latter deserves a larger place in the discussion than Scheffler grants to it.

Some instances of illusory structure

I now return to the illusory structure implied by Scheffler’s use of the term ‘agent-centered’ and, especially, in the contrast between ‘fully agent-centered’ and ‘hybrid’.

Of Scheffler’s various ways of suggesting that there is a structural similarity between the two departures from consequentialism, a revealing one is a minor episode in his discussion of how a consequentialist might refuse to be budged by the two objections to his position—(1) that it does not do justice to the fact of personal independence, and (2) that it does not square with common intuitions about lying, promise-breaking, etc. The consequentialist has two possible replies to (1): one is to say that consequentialism can do perfect justice to the fact of personal independence; the other is to plead guilty while refusing to admit that this is a solid objection to consequentialism (pp. 41 ff.). This ‘two options’ theme is reverted to several times in the pages that follow. Then, on the charge (2) that consequentialism does not square with common intuitions about certain kinds of cases, Scheffler writes: ‘In now familiar fashion, a consequentialist might respond in either of two ways. . . He could respond either by denying that such cases arise often in real life and claiming that occasionally counter-intuitive positions may nevertheless be acceptable, or by conceding that such cases arise regularly but denying the importance of the counter-intuitive character of the consequentialist position’ (p. 83). The phrase ‘in now familiar fashion’ invites us to compare this pair of answers to the answers to (1). But the similarity is thin indeed. In each case one of the

¹ Jonathan Bennett, ‘Killing and Letting Die’, in S. McMurrin, ed., pp. 47–72, at pp.42–55.

² Ibid., pp. 55–69, polishing and deepening one part of my ‘Whatever the Consequences’, *Analysis* 26 (1966): 83–102, pp. 94 ff.

³ Alan Donagan, *The Theory of Morality* (Chicago: University of Chicago Press, 1977), pp. 42 ff. The view that something like the positive/negative distinction has basic moral significance is sometimes discussed, pro or con, by letting examples paddle in the shallows of our moral intuitions, with no supporting theory. Such treatments are criticized in my ‘Positive and Negative Relevance’, *American Philosophical Quarterly* 20 (1983): 86–95.

options is to say 'What you say about consequentialism is true, but it is not a serious objection'. But the other two options are not even remotely similar to one another. The first (1) option says 'When consequentialism is properly understood it can be seen that your charge against it is not true'; the first (2) option says 'When the actual world is properly understood, your charge against consequentialism can be seen to make very little practical difference'.

Perhaps Scheffler meant no more than he was entitled to, namely, that in each case there are two options, one of which is to admit the charge and deny that it is damaging. But I am not the only reader who has been left with the impression that a more substantive likeness than this is being claimed, connected with the supposed overarching structure embodied in the language of 'fully agent-centered' and 'agent-centered restrictions'.

A bigger harm that is done by Scheffler's overall structural assumption is in the strange passage where he produces and criticizes the idea that if we allow agent-centered prerogatives into our morality then we must on pain of inconsistency admit agent-centered restrictions also. He says (p. 81) that 'intuitively [this] may seem plausible'. Later on, he accords it 'a certain amount of implausibility' (p. 91), and concludes that 'It is not the case that one must either reject agent-centredness altogether and retreat to consequentialism, or accept a fully agent-centred view which incorporates both an agent-centred prerogative and agent-centred restrictions' (pp. 92–93). Correct! But it did not need ten pages: the idea that one departure from consequentialism entails the other could not 'seem plausible'—it could not seem anything but crazy—to anyone who was thinking about the topics without being distracted by Scheffler's terminology.

That chapter of the book has another supposed parallel between Scheffler's two topics. He criticizes the view that deontological principles are justified by the 'disvalue' of the

behavior they prohibit. One cannot justify them in that way, he rightly says: the sheer disvalue of such violations cannot be the point, because violating a deontological principle might be the only way to avoid more of the same, and worse. He has earlier argued that a morality of personal concerns cannot be justified by an appeal to the importance to people of their 'projects': the sheer value of projects cannot be the point, because such a morality will sometimes permit an agent to pursue his projects at the expense of others' projects. Scheffler notes the parallel: 'An attempt to motivate agent-centred restrictions by appealing to the disvalue of violations of such restrictions is directly analogous to an attempt to motivate agent-centred prerogatives by appealing to the value or goodness of an agent's carrying out his projects and plans' (p. 90). The parallel may have encouraged Scheffler in his view about how his two topics relate to one another. But it should not. The proposed defense of 'agent-centered restrictions' is refuted by a species of the relevant cases, namely, ones where the alternative to violating a restriction is someone else's doing so; and what refutes the proposed defense of 'agent-centered prerogatives' is a fact about a species of the relevant cases, namely, ones where the alternative to pursuing one's own projects is helping others with theirs. These two species are genuinely comparable with one another; I am not finding fault with Scheffler's actual discussion at this point. But I do proclaim that what marks one species off within the deontological genus has nothing noteworthy in common with what marks the other off within the genus of moralities of personal concerns. That the species are alike is little more than an accident and does not arise from a significant similarity between the two genera.

[For help with earlier drafts of this paper I am indebted to Frances Howard, Joel Kidder, John Robertson, Richard Arneson, and Peter Railton.]