UTILITARIANISM AND THE VIRTUES*

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It is remarkable how utilitarianism tends to haunt even those of us who will not believe in it. It is as if we for ever feel that it must be right, although we insist that it is wrong. T.M. Scanlon hits the nail on the head when he observes, in his article 'Contractualism and Utilitarianism', that the theory occupies a central place in the moral philosophy of our time in spite of the fact that, as he puts it, 'the implications of act utilitarianism are wildly at variance with firmly held moral convictions, while rule utilitarianism strikes most people as an unstable compromise.'[1] He suggests that what we need to break this spell is to find a better alternative to utilitarian theories and I am sure that that is right. But what I want to do is to approach the business of exorcism more directly. Obviously something drives us towards utilitarianism, and must it not be an assumption or thought which is in some way mistaken? For otherwise why is the theory unacceptable? We must be going wrong somewhere and should find out where it is.

I want to argue that what is most radically wrong with utilitarianism is its consequentialism, but I also want to suggest that its consequentialist element is one of the main reasons why utilitarianism seems so compelling. I need therefore to say something about the relation between the two theory descriptions 'utilitarian' and 'consequentialist'. Consequentialism in its most general form simply says that it is by 'total outcome', that is by the whole formed by an action and its consequences, that what is done is judged right or wrong. A consequentialist theory of ethics is one which first identifies certain states of affairs as *good* states of affairs and then says that the rightness or goodness of actions (or of other subjects of moral judgment) consists in their positive productive relationship to these states of affairs. Utilitarianism, as it is usually defined, consists of consequentialism together with the identification of the best state of affairs with the state of affairs in which there is most happiness, most pleasure, or the maximum satisfaction of desire. Strictly speaking utilitarianism -- taken here as welfare utilitarianism -- is left behind when the distribution of welfare is taken in itself to affect the goodness of states of affairs; or when anything other than welfare is allowed as part of the good. But it is of course possible also to count a theory as utilitarian if right

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*Presidential Address delivered before the Fifty-seventh Annual Pacific Division Meeting of the American Philosophical Association in Oakland, California, March 25, 1983.

action is taken to be that which produces 'good states of affairs' whatever these are supposed to be; and then 'utilitarianism' becomes synonymous with 'consequentialism.' By 'utilitarianism' I shall mean 'welfare utilitarianism', though it is with consequentialism in one form or another that I shall be most concerned.

Although I believe that what is radically wrong with utilitarianism is its consequentialism, what has often seemed to be most wrong with it has been either welfarism or the sum ranking of welfare. So it has been suggested that 'the good' is not automatically increased by an increase in pleasure, but by non-malicious pleasure, or first order pleasure, or something of the kind; in order to get over difficulties about the pleasures of watching a public execution or the pleasures and pains of the bigot or the prude. Furthermore, distribution principles have been introduced, so that actions benefitting the rich more than they harm the poor do not have to be judged morally worthy. Thus the criteria for the goodness of states of affairs have continually been modified to meet one objection after another; but it seems that the modifications have never been able to catch up with the objections. For the distribution principles and the discounting of certain pleasures and pains did nothing to help with problems about e.g. the wrongness of inducing cancer in a few experimental subjects to find a cure for cancer. If the theory was to give results at all in line with common moral opinion *rights* had to be looked after in a way that was so far impossible within even the modified versions.

It was therefore suggested, by Amartya Sen, that 'goal rights' systems should be considered; the idea being that the respecting or violating of rights should be counted as itself a good or an evil in the evaluation of states of affairs.[2] This would help to solve some problems because if the respecting of the rights of the subject were weighted heavily enough the cancer experiment would turn out not to be 'optimific' after all. Yet this seems rather a strange suggestion, because as Samuel Scheffler has remarked, it is not made clear in the theory why, in the measurement of the goodness of states of affairs or total outcomes, killings for instance should count so much more heavily than deaths.[3] But what is more important is that this 'goal rights' system fails to deal with certain other examples of actions that most of us would want to call wrong. Suppose, for instance, that some evil person threatens to kill or torture a number of people unless we kill or torture one, and suppose that we have every reason to believe that he will do as he says. Then in terms of their total outcomes (again consisting of the states of affairs made up of an action and its consequences) we have the choice between more killings or torturings and less, and a consequentialist will have to say that we are justified in killing or torturing the one person, and indeed that we are morally obliged to do it, always supposing that no indirect consequences have tipped the balance of good and evil. There will in fact be nothing that it will not be right to do to a perfectly innocent individual if that is the only way of preventing another agent from doing more things of the same kind.

Now I find this a totally unacceptable conclusion and note that it is a conclusion not of utilitarianism in particular but rather of consequentialism in any form. So it is the spellbinding force of consequentialism that we have to think about. Welfarism has its own peculiar attraction, which has to do with the fact that pleasure, happiness and the satisfaction of desire are things seen as *good*. But this attraction becomes less powerful as distribution principles are added, and pleasures discounted

on an *ad hoc* basis to take care of the public executions and all that. If having left welfarist utilitarianism behind we still find ourselves unable, in spite of its difficulties, to get away from consequentialism there must be a reason for this.

What is it, let us now ask, that is so compelling about consequentialism? It is, I think, the rather simple though that it can never be right to prefer a worse state of affairs to a better. How could it ever be right, we think, to produce less good rather than more good? It is this thought that haunts us, and incidentally this thought that makes rule utilitarianism an unsatisfactory answer to the problem of reconciling utilitarianism with common moral opinion. For surely it will be irrational, we feel, to obey even the most useful rule if in a particular instance we clearly see that such obedience will not have the best results. Again following Scheffler we may ask if it is not paradoxical that it should ever be morally objectionable to act in such a way as to minimize morally objectionable acts of just the same type.[4] If it is a bad state of affairs in which one of these actions are done it will presumably be a worse state of affairs in which several are. And must it not be irrational to prefer the worse to the better state of affairs?

This thought does indeed seem compelling. And yet it leads to an apparently unacceptable conclusion about what it is right to do. So we ought, as I said, to wonder whether we have not gone wrong somewhere. And I think that indeed we have. I believe (and this is the main thesis of the paper) that we go wrong in accepting the idea that there *are* better and worse states of affairs in the sense that consequentialism requires. As Wittgenstein says in a different context 'The decisive movement in the conjuring trick has been made, and it was the very one that we thought quite innocent'.[5]

Let us therefore look into the idea of a good state of affairs, as this appears in the thought that we can judge certain states of affairs to be better than others and then go on to give moral descriptions to actions related productively to these states of affairs.

We should begin by asking why we are so sure that we even understand expressions such as 'a good state of affairs' or 'a good outcome'; for as Peter Geach pointed out years ago there are phrases with the word 'good' in them, as e.g. 'a good event', that do *not* at least as they stand have a sense.[6] Following this line one might suggest that philosophers are a bit hasty in using expressions such as 'a better world'. One may *perhaps* understand this when it is taken to mean a 'deontically better world' defined as one in which fewer duties are left unfulfilled; but obviously this will not help to give a sense to 'better state of affairs' as the consequentialist needs to use this expression, since he is wanting to fix our obligations not to refer to their fulfillment.

Nevertheless it seems that combinations of words such as 'a good state of affairs' are beyond reproach or question, for such expressions are extremely familiar. Do we not use them every day? We say that it is a good thing that something or other happened; what difficulty can there be in constructing from such elements anything we want in the way of aggregates like total outcomes which (in principle) take into account all the elements of a possible world and so constitute good states of affairs? Surely no one can seriously suggest that 'good state of affairs' is an expression that we do not understand?

It would, of course, be ridiculous to query the sense of the ordinary things that we say about it's being 'a good thing' that something or other happened, or

about a certain state of affairs being good or bad. The doubt is not about whether there is some way of using the words, but rather about how they function in the exposition of utilitarian and other consequentialist moral theories. It is important readily to accept the fact that we talk in a natural and familiar way about good states of affairs, and that there is nothing problematic about such usage. But it is also important to see how such expressions work in the contexts in which they are at home, and in particular to ask about the status of a good state of affairs. Is it something objective, to be recognized (we hope) by all reasonable men? It seems, surprisingly, that this is not the case, at least in many contexts of utterance of the relevant expressions. Suppose, for instance, that the supporters of different teams have gathered in the stadium and that the members of each group are discussing the game; or that two racegoers have backed different horses in a race. Remarking on the course of events one or the other may say that things are going well or badly, and when a certain situation has developed may say that it is a good or a bad state of affairs. More commonly they will welcome some developments and deplore others, saying 'oh good!' or 'that's bad!', calling some news good news and some news bad, sometimes describing what has happened as 'a good thing' and sometimes not. We could develop plenty of other examples of this kind, thinking for instance of the conversations that might take place on the one hand in the police headquarters and on the other in the robbers den about the invention of some new device for crime detection or the safeguarding of property.

At least two types of utterance are here discernible. For 'good' and its cognates may be used to signal the speaker's attitude to a result judged as an end result, and then he says 'good!' or 'I'm glad' or 'That's good' where what he is glad about is something welcomed in itself and not for any good it will bring. But a state of affairs may rather be judged by its connection with other things called good. And even what is counted as in itself good may be said to be bad when it brings enough evil in its train.

Now what shall we say about the truth or falsity of these utterances? It certainly seems that they can be straightforwardly true or false. For perhaps what appears to be going to turn out well is really going to turn out badly: what seemed to be a good thing was really a bad thing, and an apparently good state of affairs was the prelude to disaster. 'You are quite wrong' one person may say to another who has spoken of a good state of affairs or a good thing to have happened; and events may show that he *was* wrong. Nevertheless we can see that this quasi objectivity, which is not to be questioned when people with similar aims, interests, or desires are speaking together, flies out of the window if we try to set the utterances of those in one group against the utterances of those in another. One will say 'a good thing' where another says 'a bad thing' and it is the same for states of affairs. It would be bizarre to suggest that at the races it really *is* a good thing that one horse or the other is gaining (perhaps because of the pleasure it will bring to the majority, or the good effect on the future of racing) and so that the utterance of one particular punter, intent only on making a packet, will be the one that is true.

This is not to say, however, that what a given person says to be a good thing or a good state of affairs must relate to his own advantage. For anyone may be *interested in* the future of racing, and people commonly are *interested in* e.g. the success of their friends, saying 'that's a good thing' if one of them looks like winning a prize or getting a job; incidentally without worrying much about whether he or

she is the best candidate for it unless the unsuitability is glaring.

Now it may be thought that these must be rather special uses of expressions such as 'good state of affairs', because we surely must speak quite differently when we are talking about public matters, as when for instance we react to news of some far away disaster. We say that the news is bad, because a lot of people have lost their lives in an earthquake. Later we may say that things are not as bad as we feared and someone else may say 'that's a good thing'. 'A bad state of affairs' we might remark on hearing the original news about people dead or homeless, and this will usually have nothing to do with harm to us or to our friends.

In this way the case is different from that of the racegoers or the cops and robbers, but this is not, of course, to imply that what we say on such occasions has a different status from the utterances we have considered so far. For why should its truth not be 'speaker relative' too, also depending on what the speakers and their group are *interested in* though not now on the good or harm that will come to them themselves? Is it not more plausible to think this than to try to distinguish two kinds of uses of these expressions, one speaker relative and the other not? For are there really two ways in which the police for instance might speak? And presumably two ways in which the robbers could speak as well. Are we really to say that although when they are both speaking in the speaker relative way they do not contradict each other, and may both speak truly, when speaking in the 'objective' way one group will speak truly and the other not? What shows that the second way of speaking exists?

What thoughts, one may ask, can we really be supposed to have which must be expressed in the disputed mode. Considering examples such as that of the far away earthquake we may think that we believe the best state of affairs to be the one in which there is most happiness and least misery, or something of the sort. But considering other examples we may come to wonder whether any such thought can really be attributed to us.

Suppose for instance that when walking in a poor district one of us should lose a fairly considerable sum of money which we had intended to spend on something rather nice. Arriving home we discover the loss and telephone the police on the off chance that our wad of notes has been found and turned in. To our delight we find that it was picked up by a passing honest policeman, and that we shall get it back. 'What a good thing' we say 'that an officer happened to be there'. What seemed to be a bad state of affairs has turned out not to be bad after all: things are much better than we thought they were. And all's well that ends well. But how, we may now ask, *can* we say that things have turned out better than we thought? Were we not supposed to believe that the best state of affairs was the one in which there was most happiness and least misery? So surely it would have been *better* if the money had not been returned to us but rather found and kept as treasure trove by some poor inhabitant of the region? We simply had not considered that because most of us do not actually *have* the thought that the best state of affairs is the one in which we lose and they gain. Perhaps we should have had this thought if it had been a small amount of money, but this was rather a lot.

So what is the upshot of the discussion so far? First of all it should be noted that there is no question here of any general attack on the objectivity of statements about what is good and bad. For nothing at all has been said to raise this sort of doubt about what Geach called 'attributive' judgments concerning things good or bad of a kind: good knives and houses and essays, or even good actions, motives

or men.[7] If there is some reason for calling these either subjective or speaker relative it has not been given here. Nor has anything been said about the status of propositions about what is *good for* anyone or anything, or about that in which their good consists. We have, however, found speaker relativity in a place where consequentialism requires something more stable, and so cannot yet interpret the assertion about producing the best state of affairs that seemed to make consequentialism so compelling.

It might be suggested by way of reply that what is in question is not just a good state of affairs but rather, good state of affairs *from an impersonal point of view*. But what does this mean? It is presumably opposed to a good state of affairs from *my* point of view or from *your* point of view, and as a good state of affairs from my point of view is a state of affairs which is advantageous to me, and a good state of affairs from your point of view a state of affairs that is advantageous to you, a good state of affairs from an impersonal point of view is presumably one that is generally advantageous, or advantageous to most people, or something like that. About the idea of maximum welfare we are not (or so I am assuming for the sake of the argument) in any difficulty. But an account of the idea of a good state of affairs which simply defines it in terms of maximum welfare is not help to us here. For our problem is that something is supposed to be being said about maximum welfare, i.e. that it is a good thing objectively speaking, and we cannot figure out what this means.

In a second reply, more to the point, the consequentialist might say that what we should really be dealing with in this discussion is states of affairs which are good or bad *from the moral point of view*. The qualification is, it will be suggested, tacitly understood in moral contexts, where no speaker gives his own private interests or allegiences a special place in any debate, the speaker relativity found in other contexts thus being left behind. This seems to be a pattern familiar from other cases, as e.g. from discussions in meetings of the governors of public institutions. Why should it not be in a similar way that we talk of a good and bad thing to happen 'from a moral point of view'? And will it not be hard to reject the conclusion that right action is action producing the corresponding 'best state of affairs'?

That special contexts can create special uses of the expressions we are discussing is indeed true. But before we draw conclusions about moral judgments we should go on asking why we think that it makes sense to talk about morally good and bad states of affairs, or to say that it is a good thing that something happened 'from the moral point of view'. For after all we cannot concoct a meaningful sentence by adding just any qualification of this verbal form to expressions such as ours. What would it mean, for instance, to say that a state of affairs was good or bad 'from a legal point of view' or 'from the point of view of etiquette'? Or that it was a good thing that a certain thing happened from these same points of view? Certain interpretations that suggest themselves are obviously irrelevant, as, for instance, that it is a good state of affairs from a legal point of view when the laws are clearly stated, or a good state of affairs from the point of view of etiquette when everyone follows the rules.

Nevertheless there is one way in which an analogy with law may be suggested. Suppose, it may be said, that we start by thinking about the purposes for which we make laws; and to make a simple hypothesis let it be the case that laws are

made with just one object, say to reduce and keep to a minimum the number of murders and rapes. This, in the situation supposed, is all we care about, and therefore we act rationally when we make laws which reduce rapes and murders most. We make whatever arrangements we do make because it is in this way that we shall have the best chance of securing the state of affairs (the total outcome) which by hypothesis is our aim. In such a situation it might actually be rational to make an exception to each pronouncement about what is illegal, saying that the act is *not* illegal if its result will be to minimize acts of this same kind. (One is allowed, as it were, to steal the burglar's tools). And if it is more sensible not to have such provisions this is only because the exceptions would be counterproductive given the probability of temptation and miscalculation. It seems that in these circumstances there would be something which might naturally be thought of as the best state of affairs from the point of view of the law. So why should it not *actually* be like this in the case of morality? Morality it will be suggested is a device with a certain object, having to do with the harmonizing of purposes, or the securing of the greatest possible general good; or perhaps one of these things plus the safeguarding of rights. And the content of morality -- what really is right and wrong -- will be thought to be determined by what it is rational to require in the way of conduct, given that these are our aims.

This is a rather powerful suggestion. It has the great advantage of securing a sense for 'good state of affairs from a moral point of view' which allows us to dispense with an 'intuition' about the states of affairs which are good from this special point of view. We seem to start from our own purposes -- of which we surely have knowledge -- and then to evaluate a morality as we would evaluate any other 'device'. What is not noticed, however, is that there is at least one very questionable assumption involved in this idea. It is taken for granted that morality is simply a device which we shape for a certain purpose, as if any set of rules generally taught and properly universalised could *be* a morality, at least if the right purposes were served. And indeed it is taken for granted that there are no constraints on the *truth* of moral propositions except the ones that we find it useful to invent. But not even the former is obviously true, as we can see by thinking about a community that had a set of rules about what *was to be done* (must be done) by everyone, including a class of slaves who as it happened were not benefitted by any of the rules. It is at least arguable that in such a case the slaves could not be told what they were to do by the use of an equivalent of our moral 'ought' with its implication of what is in some sense *owed*. So perhaps this system would not be a morality at all, in spite of containing universalised prescriptions and although it might be a useful system from the point of view of maximum welfare. Contractarians might deny it the name of a morality, and certainly someone like Scanlon could argue that it was not a *valid* morality if some of those to whom it was supposed to apply could not rationally accept it.[8] The point is, of course, that there may be, and probably are, constraints of this kind on what can properly be called a moral system, never mind a moral system whose propositions are to be true. It is easy for anyone who has a purely secular view of morality, and who, perhaps rightly, thinks of a moral system as *in some sense* a human invention, to go wrong at this point, forgetting that morality is a very specific concept with its own constraints.

It seems then that this suggestion, which would indeed allow us to talk about a 'good state of affairs from a moral point of view', has the disadvantage of assuming the truth of just one, and moreover a consequentialist, theory of what morality is and of how right and wrong are to be judged. Similarly, when Harsanyi, in his article 'Morality and the Theory of Rational Behavior'[9] defines ethics as a particular example of means ends reasoning, the reasoning aiming at maximizing average utility levels for all individuals in society as a whole, and argues that this is a species of rationality, he provides a sense for the idea of a good state of affairs from a moral point of view; but the meaning comes from within the theory.

It is the same, again, with Hare's recently published discussion of utilitarianism, except that he gives a fairly elaborate argument for the thesis that one who takes the moral point of view must have as his aim the maximisation of utility and will show it in one way in his first order 'critical' moral judgments and in another in his second order day to day prescriptions.[10] For anyone who accepts Hare's theory there will be a clear sense to speaking of the best state of affairs from a moral point of view, just because he will believe there is something that is the aim of all moral action.

The consequentialist, therefore, knows what he means when he talks about the best state of affairs morally speaking. But what of the non-consequentialist? What do the words mean in his mouth? Does he have any reason to think that there *are* better and worse states of affairs from the moral point of view? Should he perhaps say that such talk belongs only within consequentialism, and refuse to have anything to do with it? It seems that this must be wrong. And yet it was a proposition involving good and bad states of affairs that led the non consequentialist, as if by some enchantment, towards theories that he believes to be mistaken. So he should ask himself why he does think that there must be such states of affairs. What is it that tells him it is so? Tracing the thought in my own mind I find that what it seems preposterous to deny is that there are some things that a moral person must want and aim at in so far as he is a moral person, and that he will therefore count it 'a good thing' when these things happen, and 'a good state of affairs' either when they are happening or when events are disposed in their favor. For surely he must want others to be happy? To deny this would be to deny that benevolence is a virtue -- and who wants to do that?

Let us see where this line of thought will take us; accepting without any reservation that benevolence is a virtue and that a benevolent person must often aim at the good of others and call it 'a good thing' e.g. when a far away disaster turns out to have been less serious than was feared. Here we do indeed have the words 'a good thing' (and just as obviously a 'good state of affairs') inevitably appearing in moral contexts. And the use is explained not by a piece of utilitarian theory but by a simple observation about benevolence.

This, then, seems to be the way in which seeing states of affairs in which people are happy as good states of affairs really is an essential part of morality. But it is very important that we have found this end *within* morality, and forming part of it, not standing outside it as the 'good state of affairs' by which moral action in general is to be judged. For benevolence is only one of the virtues, and we shall have to look at the others before we can pronounce on any question about good or bad action in particular circumstances. Off-hand we have no reason to think that whatever is done with the aim of improving the lot of other people will be morally required or even morally permissible. For firstly there are virtues such as

friendship which play their part in determining the requirements of benevolence, as for example by making it consistent with benevolence to give a small service to friends rather than a greater service to strangers or acquaintances. And secondly there is the virtue of justice, taken in the old wide sense in which it had to do with everything *owed*. In our common moral code we find numerous examples of limitations which justice places on the pursuit of maximum welfare. In the first place there are principles of distributive justice which forbid, on grounds of fairness, the kind of 'doing good' which increases the happiness of rich people at the cost of misery to those who are poor. Secondly there are rules such as truth telling which cannot be broken wherever and whenever welfare would thereby be increased. Thirdly there are considerations about rights, both positive and negative, which limit the action which can be taken for the sake of welfare. Justice is primarily concerned with the following of certain rules of fairness and honest dealing, and with respecting the prohibitions on interference with others, rather than with attachment to any end. It is true that the just man must also fight injustice, and here justice like benevolence is a matter of ends, but of course the end is not the same end as the special end of benevolence, and need not be coincident with it.

I do not mean to go into these matters in detail here, but simply to point out that we find in our ordinary moral code many requirements and prohibitions inconsistent with the idea that benevolence is the whole of morality.

One would understand someone who spoke of the matter in terms of a tension between justice and benevolence. But it is not strictly accurate to think of it like this, because that would suggest that someone who does an unjust act for the sake of increasing total happiness has a higher degree of benevolence than one who refuses to do it. And this is not right. Someone who refuses to sacrifice an innocent life for the sake of increasing happiness is not to be counted as less benevolent than someone who is ready to do it. We might be tempted to think that the latter would at least be acting 'out of benevolence' if aiming at the happiness of others, but this seems a bad way of talking. Certainly benevolence does not require unjust action and we should not call an act which violated rights an act of benevolence. It would not, for instance, be an act of benevolence to induce cancer in one person (or deliberately to let it run its course) even for the sake of alleviating much suffering.

What this discussion suggests is that even perfection in benevolence does not imply a readiness to do whatever can be reliably calculated to increase the sum of human happiness. And this, incidentally, sheds some light on a certain type of utilitarian theory, which identifies the moral assessment of a situation with that of a sympathetic impartial observer whose benevolence extend equally to all mankind. For what, we may ask, are we to suppose about this person's *other* characteristics? Is he to be guided simply and solely by a desire to relieve suffering and increase happiness; or is he also just? If it is said that for him the telling of truth, keeping of promises, and respecting of individual autonomy, are to be recommended only in so far as these serve to maximize welfare then we see that the 'impartial sympathetic observer' is by definition one with a utilitarian point of view. So once more the utilitarians are merely defining moral assessment in their own terms.

Returning to the main line of our argument we now find ourselves in a better position to see the place that there indeed is *within* morality for the idea of better and worse states of affairs. That there is such a place follows from the fact that the proper end of benevolence is the good of others, and that in many situations

the person who has this virtue will be able to think of good and bad states of affairs in terms of the general good. It does not, however, follow that he will always be able to do so. For sometimes justice will forbid a certain action, as it forbids the harmful experiment designed to further cancer research; and then it will not be possible to ask whether 'the state of affairs' containing the action and its result will be better or worse than the one in which the action is not done. The action is one that *cannot* be done because justice forbids it, and nothing that has this moral character comes within the scope of the kind of comparison of total outcomes that benevolence may sometimes require. Picking up at this point the example discussed earlier about the morality of killing or torturing to prevent more killings or torturings we see the same principle operating here. If it were instead a question of riding out to rescue a small number or a large number then benevolence would urge that the larger number be saved. But if it is a matter of preventing the killing *by* killing (or conniving at a killing) the case will be quite different. One does not have to believe that all rights to non-interference are absolute to believe that *this* is an unjust action, and if it is unjust the moral man says to himself that he can't do it, and does not include it in any assessments he may be making about the good and bad states of affairs that he can bring about.

What has been said in the last few paragraphs is, I suggest, a sketch of what can truly be said about the important place that the idea of maximum welfare has in morality. It is not that it, or any other end, stands *outside* morality as its foundation and arbiter, but rather that it appears *within* morality as the end of one of the virtues. When we see it like this, and give expressions such as 'best outcome' and 'good state of affairs' no special meaning in moral contexts other than the one that the virtues give them, we shall no longer think the paradoxical thought that it is sometimes right to act in such a way that the total outcome, consisting of one's action and its results, is less good than some other accessible at the time. What the non consequentialist should say is that 'good state of affairs' is an expression which has a very limited use in these contexts. It belongs in cases in which benevolence is free to pursue its ends, and chooses among possibilities. (Or when that part of justice which consists in the pursuit of an end does likewise.) But the expression has no meaning when we try to use it to say something about a whole consisting of what we would illicitly do, allow, or wish for, together with its consequences. In the abstract a benevolent person must wish that loss and harm should be minimized. He does not, however, wish that the whole consisting of a killing to minimize killings should be actualised either by his own agency or that of anyone else. So there is no reason on this score to say that he must regard it as the 'better state of affairs'. And therefore there is no reason for the non consequentialist, whose thought of good and bad states of affairs in moral contexts comes only from the virtue themselves, to describe the refusal as a choice of a worse state of affairs. If he does so describe it he will be giving the words the sense they have in his opponents theories, and it is not surprising that he should find himself in their hands.

I hope, therefore, to have done something to show that there is no paradox at the heart of non-consequentialist morality. No doubt some will object that in speaking about the virtues I have merely shifted the place at which an appeal must be made to better and worse total states of affairs. But this is to beg the question in favor of a particular theory of the virtues. It is surely true that morally good dispositions must create or preserve certain human goods such as fairness, coopera-

tion, friendship and mutual respect. It does not follow, however, that there is some state of things which all moral action should try to promote.

NOTES

Among the many people who have helped me to write this piece, Rogers Albritton and Warren Quinn in Los Angeles, and Rosalind Hursthouse, Gavin Lawrence, and David Wiggins in Oxford, all have my very special thanks.

1. T.M. Scanlon, 'Contractualism and Utilitarianism'; Amartya Sen and Bernard Williams (eds.) *Utilitarianism and Beyond* (Cambridge 1982), p. 103.

2. Amartya Sen, 'Rights and Agency', *Philosophy and Public Affairs* 11, no. 1 (1982), pp. 3-38.

3. Samuel Scheffler, *The Rejection of Consequentialism* (Oxford 1982), pp. 108-112.

4. Op. cit. p. 121.

5. Ludwig Wittgenstein, *Philosophical Investigations* (Macmillan 1953, and Blackwell 1958) Para. 308.

6. Peter Geach, 'Good and Evil', *Analysis* Vol. 17 (1956), pp. 33-42.

7. Op. cit.

8. See Scanlon, op. cit.

9. John C. Harsanyi, 'Morality and the Theory of Rational Behavior', *Social Research* Vol. 44, no. 4 (1977). Reprinted in Sen and Williams op. cit., pp. 39-62.

10 R.M. Hare, *Moral Thinking* (Oxford 1981).