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# Morality, Accountability and the Wrong Kind of Reasons

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In *The Second Person Standpoint*, Stephen Darwall makes a new argument against consequentialism, appealing to: (a) the conceptual tie between obligation and accountability, and (b) the ‘right kind of reasons’ for holding others accountable. I argue that Darwall’s argument, as it stands, fails against indirect consequentialism, because it relies on a confusion between *our being right* to establish practices, and our *having a right* to do so. I also explore two ways of augmenting Darwall’s argument. However, while the second of these ways is more promising than the first, neither provides a convincing argument against indirect consequentialism.

## INTRODUCTION

In *The Second Person Standpoint* (SPS) and later essays, Stephen Darwall returns repeatedly to the unpleasant scene of one person standing on another’s foot.<sup>1</sup> The scene illustrates a key distinction for Darwall, between two kinds of reason for action. On the one hand, I have reason to get off your foot because this causes you pain and your pain is bad for you or a bad thing period. In Darwall’s terminology, this is an ‘outcome-based reason’. My reason to act is based on the desirability of the outcome – your being pain free – that would result from my moving my foot. On the other hand, if you *demand* that I get off your foot, then I also have a reason of a different sort, grounded in your *authority* to demand that I get off your foot. Darwall terms this a ‘second-personal reason’, which is a reason the validity of which presupposes authority and accountability relations between persons.<sup>2</sup>

The idea of a second-personal reason belongs to a circle of second-personal concepts, which also includes: second-personal authority, valid demands and responsibility to others (or, equivalently, accountability).<sup>3</sup> According to Darwall, each of these concepts implies all the rest, and second-personal claims can only be justified in terms of other

<sup>1</sup> S. Darwall, *The Second Person Standpoint* (Cambridge, MA, 2006), pp. 5–10, 58–9, 68. This scene also figures in some of Darwall’s more recent essays. See S. Darwall, ‘Authority and Second-Personal Reasons for Acting’, *Morality, Authority, and Law: Essays in Second-Personal Ethics I* (Oxford, 2013), pp. 135–50; S. Darwall ‘Authority and Reasons: Exclusionary and Second Personal’, *Morality, Authority, and Law: Essays in Second-Personal Ethics I* (Oxford, 2013), pp. 151–67.

<sup>2</sup> Darwall, *Second Person*, pp. 8–10.

<sup>3</sup> The sense of responsibility that interests Darwall is *accountability*. I here follow Darwall and use the two terms interchangeably.

second-personal concepts. This circle of concepts defines the ‘second-person standpoint’, which is the standpoint we occupy when we take ourselves to stand in accountability relations with others. Darwall argues that moral obligation – together with the related concepts of rights, dignity, accountability and respect – must be understood as irreducibly second-personal.

Alongside Darwall’s positive account of moral obligation, *SPS* also includes an argument against consequentialism. This argument appeals to the distinction between outcome-regarding and authority-regarding, or second-personal, reasons. According to Darwall, there is a conceptual tie between moral obligation and accountability. Obligatory actions are not only actions we *should* do, but those that others have the authority to *demand* from us and to hold us *accountable* for – as when you have the authority to demand that I get off your foot. However, Darwall argues, a demand that someone do *X* cannot be justified simply by the desirability of her doing *X*. Such an outcome-based consideration is a ‘reason of the wrong kind’ to support a demand, since a demand must be supported by the authority of the person who issues the demand. Since consequentialism holds that the fundamental grounds of obligation are outcome-regarding, it cannot account for moral obligation’s conceptual tie to accountability.

This is an intriguing line of thought, and it is distinct from more familiar criticisms of consequentialism involving demandingness, integrity, deontic constraints, or the very idea of good states of affairs. However, while *SPS* has been one of the most widely discussed books in ethics in the past decade, there has been no significant discussion of this argument and, to my knowledge, no replies on behalf of consequentialism.<sup>4</sup> In this article, I first reconstruct Darwall’s argument. I then argue that Darwall’s argument, as it stands, fails

<sup>4</sup> None of the following assessments of *SPS* consider Darwall’s anti-consequentialism argument: C. Korsgaard, ‘Authority and the Second Person Within’, *Ethics* 118 (2007), pp. 8–23; R. Jay Wallace, ‘Reasons, Relations, and Commands’, *Ethics* 118 (2007), pp. 24–36; G. Watson, ‘Morality as Equal Accountability’, *Ethics* 118 (2007), pp. 37–51; S. Fleischacker, ‘Review of Stephen Darwall, *The Second Person Standpoint: Morality, Respect, and Accountability*’, *Utilitas* 21 (2009), pp. 117–23; T. Shapiro, ‘Desires as Demands: How the Second-Person Standpoint Might Be Internal to Reflective Agency’, *Philosophy and Phenomenological Research* 81 (2010), pp. 229–36; G. Yaffe, ‘Comment on Stephen Darwall’s *Second Person Standpoint: Morality, Respect and Accountability*’, *Philosophy and Phenomenological Research* 81 (2010), pp. 246–52. A partial exception to this lack of attention is M. Smith and J. Twedt Strabbing, ‘Moral Obligation, Accountability, and Second-Personal Reasons’, *Philosophy and Phenomenological Research* 81 (2010), pp. 237–45. However, while Smith and Strabbing touch on some issues relevant to the anti-consequentialism argument, they do not consider the argument directly. Perhaps surprisingly, there is also no mention of Darwall’s anti-consequentialism argument in D. Parfit, *On What Matters* (Oxford, 2011), although Parfit’s earlier work is an explicit target of Darwall’s argument.

against indirect consequentialism, because it assumes a picture of justification that consequentialists reject. However, I then develop two ways of modifying and extending Darwall's argument. But while the second way is more promising than the first, neither of them provides a convincing argument against indirect consequentialism. I conclude that indirect consequentialism has the resources to answer Darwall's criticism, although direct consequentialism might not.

### DARWALL'S ARGUMENT AGAINST CONSEQUENTIALISM

Darwall's argument begins with the claim that it belongs to the very idea of moral obligation that we can be held *accountable* for complying with our obligations: 'It is conceptually impossible for one to be morally obligated to do something but not responsible for doing it, neither to the moral community, nor to God, not to anyone.'<sup>5</sup>

It follows from this, according to Darwall, that moral obligations must be, or entail, second-personal reasons. If others can hold us accountable for complying with moral obligations, then they must have the *authority* to demand that we comply: 'There can be no such thing as moral obligation and wrongdoing without the normative standing to demand and hold agents accountable for compliance.'<sup>6</sup> And authoritative demands provide us with reasons that are essentially second-personal – their validity depends on the presupposed authority and accountability relations.

To these points about accountability, authority and second-personal reasons, Darwall adds the claim that any outcome-regarding reason would be a reason of the wrong kind to support an authoritative demand. As he says:

However desirable it might be from some external perspective that someone do something, this is a reason of the wrong kind to support a demand that he do it, and hence to support the claim that he would be wrong if he didn't. Unlike considerations of desirability (even moral desirability), demands are second-personal reasons; their validity depends not on the value of any outcome or state, but on normative relations between persons, on one person's having the authority to address the demand to another.<sup>7</sup>

According to Darwall, a reason of the right kind is 'a fact about or feature of some object, appropriate consideration of which could provide *someone's reason* for a warranted attitude of that kind toward it.'<sup>8</sup> The basic idea is that different sorts of reasons justify different attitudes

<sup>5</sup> Darwall, 'Authority and Second-Personal Reasons', p. 138.

<sup>6</sup> Darwall, *Second Person*, p. 99.

<sup>7</sup> Darwall, *Second Person*, p. 103.

<sup>8</sup> Darwall, *Second Person*, p. 16.

and actions: the fact that going to Mars would be thrilling might be a reason to *desire* going to Mars, but it is not a reason to *believe* that I will go to Mars. For Darwall, being the right kind of reason is explained by the appropriate role of reasons in our deliberations. A reason of the right kind ‘must be something on the basis of which someone could (and appropriately would) come to hold the attitude as a conclusion of a process of considering (and deliberating about) whether to do so’.<sup>9</sup>

Now it might seem that, *contra* Darwall, outcome-regarding reasons are exactly the right kind of reason to support a demand that another do something. If I demand that you get off my foot, and you ask why, it seems perfectly reasonable to support my demand by saying, ‘Because it hurts!’ And that reply points to a state of the world to support my demand, and not simply to my authority. However, Darwall’s argument can accommodate this point. The crucial claim is that outcome-regarding reasons alone cannot support such a demand. Even if your pain is a bad thing, and even if I have (decisive) reason to get off your foot because of the badness of your pain, that alone is insufficient to show that you have the authority to make any demand of me, or that I am accountable to you. After all, there are many ways that I might act irrationally – e.g. making errors in logical reasoning, or acting imprudently. And while I *should* act differently in those situations, and while you might recognize my failing, that alone does not give you the authority to *demand* that I act differently. Thus, as Darwall says, there is ‘an important difference between the idea of an authoritative or binding norm in the familiar sense of a valid ought that entails genuine normative reasons, on the one hand, and that of an authoritative (second-personal) claim or demand on the other’.<sup>10</sup> And no matter how *desirable* it might be that I do certain things, in terms of outcome-regarding reasons, that cannot establish that you (or anyone) have the authority to hold me accountable to do those things. For just as the category of the desirable is distinct from the category of the *credible*, so too the desirable is different from the *responsible*.<sup>11</sup> And just as the desirability of going to Mars does not make it *credible* to believe that I will go to Mars, so too the fact that it would be desirable for me to do *X* – or even desirable for you to hold me accountable to do *X* – is a reason of the wrong kind for actually holding me accountable to do *X*.<sup>12</sup> Darwall refers to this as ‘Strawson’s Point’: ‘*Desirability is a reason*

<sup>9</sup> Darwall, *Second Person*, p. 16.

<sup>10</sup> Darwall, *Second Person*, p. 13.

<sup>11</sup> Whereas the desirable ‘concerns norms and reasons that are specific to desire’, the responsible and culpable ‘concern norms for the distinctive attitudes and actions that are involved in holding people responsible and blaming them’ (Darwall, *Second Person*, pp. 16–17).

<sup>12</sup> Darwall, *Second Person*, pp. 15–17.

*of the wrong kind to warrant the attitudes and actions in which holding someone responsible consists in their own terms.*<sup>13</sup> The right sort of reason for holding me accountable includes your authority to do so.

Darwall combines Strawson's Point with the conceptual connections between obligation, accountability and second-personal reasons, and he concludes that the ultimate grounds of our moral obligations cannot be (merely) outcome-regarding reasons. The grounds must include the *authority* of those who can hold us accountable. Since consequentialist accounts of obligation include only outcome-regarding reasons in the ultimate grounds of obligation, consequentialist accounts are inadequate.

It is easiest to see how Darwall's argument is intended to apply to act-consequentialism. Act-consequentialism explains an action's being permissible or obligatory in terms of the overall value that the action brings about. But the fact that an action will bring about the most overall value is an outcome-regarding reason, and hence on its own cannot show that I am *accountable* to perform that action. It is a reason of the wrong kind to do that. While outcome-regarding reasons might show that it would be desirable, or rational, for me to perform some action, they cannot establish that anyone has the authority to demand that I perform it. Thus the types of grounds available to act-consequentialism prevent it from capturing the conceptual tie between moral obligation and accountability.

More surprisingly, Darwall claims his argument also tells against indirect consequentialism (e.g. rule- or motive-consequentialism). Darwall recognizes that indirect consequentialism can register the distinction between reasons for desirability and reasons for accountability. Moral obligations might be understood as actions in accordance with second-personal practices that establish relations of accountability – i.e. practices that specify normative standing, enable the making of claims, holding accountable, blaming, etc. However, Darwall insists that the problem faced by act-consequentialism simply recurs at the level of the justification of the practices in indirect consequentialism. For the indirect consequentialist claims that the practices that define moral obligation are themselves justified entirely in terms of the good outcomes that they bring about. Such outcome-regarding considerations, however, are the wrong kind of reasons for holding people accountable, and hence the wrong grounds for moral obligation. As Darwall says:

[H]ow can the authority of someone to demand something derive simply from the desirability of his being able to do so? This seems, again, to be a reason of the wrong kind for second-personal accountability not just in individual cases,

<sup>13</sup> Darwall, *Second Person*, p. 15; italics in original.

but also for establishing the relevant practices themselves. The most that it can ground is a desire to be able to demand something, not any demand, or practice of accountability, itself. The problem with rule consequentialism, then, is that it attempts to derive principles of right from reasons of the wrong kind.<sup>14</sup>

Darwall's anti-consequentialism argument is part of his case for claiming that second-personal authority goes 'all the way down'. That is, second-person authority cannot be grounded in more basic, outcome-regarding considerations. The second-person standpoint is normative bedrock. Having said that, however, Darwall allows that one might have a consequentialist theory of right that is grounded in second-personal claims to welfare or happiness.<sup>15</sup> On such a view, the principle(s) of right action might aim at maximizing average expected utility, but the *justification* of the principle(s) would rest on the second-personal authority of members of the moral community. In this way, second-personal authority still has the last word, rather than outcome-regarding considerations.

For my purposes, what matters is not this sort of limited consequentialism, but a consequentialism that goes all the way down. Such ultimate consequentialism is the target of Darwall's anti-consequentialist argument, and it is what interests me here.

#### A CONSEQUENTIALIST REPLY

One might reject Darwall's claim that reasons of desirability are always the wrong kind of reason for holding someone accountable. J. J. C. Smart, for example, considers a situation in which preventing a disaster – e.g. a riot by a dangerous mob – requires punishing an innocent man. And Smart judges that if the threat of harm was great enough, it would be correct to punish the man.<sup>16</sup> Thus perhaps there are times when it is correct to hold someone accountable, and even to punish him, simply on the basis of outcome-regarding reasons.

But this case does not actually undermine Darwall's right kind of reasons point. For blaming the innocent man can be understood in two different ways. One might claim that the outcome-regarding reasons are reasons for *actually regarding* the innocent man as blameworthy. That, however, is an implausible claim. For if I know that the man is innocent, it is hard to see how I could even bring myself to view him as accountable for something that he has not done, short of some massive act of self-deception on my part. Alternatively, one might claim that in

<sup>14</sup> Darwall, *Second Person*, pp. 311–312.

<sup>15</sup> Darwall, *Second Person*, p. 91 n. 1; p. 104 n. 27; pp. 312–13.

<sup>16</sup> J. J. C. Smart and B. Williams, *Utilitarianism: For and Against* (Cambridge, 1973), pp. 69–73.

our attitude towards the man, we do not regard him as truly responsible or as meriting punishment. Rather in punishing him to prevent a riot, we are in effect *pretending* to regard him as responsible because of the desirability of doing so. But interpreted this way, the example does not show that reasons of desirability are reasons of the right kind to blame someone – only reasons to act *as if* someone is blameworthy.

Indirect consequentialism, however, need not reject Darwall's claim about the right kind of reasons for holding others accountable. Indirect consequentialists can explain moral obligation in terms of conformity to accountability-structuring practices, and within such practices our reasons for holding people responsible need not be reasons of desirability. For example, within the practice of promise-keeping, the promisee has standing to demand performance, and the promisor has an authority-regarding reason to perform the action *because* he promised. Moreover, when we hold others accountable in accordance with second-personal practices, we are not merely acting *as if* they are accountable. Of course the standing to hold accountable, and the specific norms governing accountability, are established by the practice. But this does not mean that we are merely pretending to hold accountable, any more than that we are pretending when a runner is thrown out in a game of baseball. The runner could not be 'out', and the umpire would not have the authority to declare him so, without the existence of the practice of baseball. But given the practice and the facts of this case, this runner *really is out*. And the same thing can be said for accountability and second-personal authority, under the practices that establish obligations.

Indeed, the indirect consequentialist need not appeal only to particular practices such as promise-keeping, but can instead think of the second-person standpoint as a kind of *uber-practice*, or even a kind of 'conscience', that we adopt.<sup>17</sup> Embracing the second-person standpoint, however, is itself ultimately justified by the way that conforming to the standpoint promotes the greatest overall good, impartially understood.

Darwall, however, insists that a consequentialist's appeal to practices only pushes the wrong kind of reason problem back further. He seems to have something like the following in mind. When you hold me accountable to do *X*, I might protest: 'What right do you have to demand compliance from me? You're not the boss of me!' Merely pointing out that I *should* do *X* is an insufficient answer, because the rationality or desirability of my *X*-ing does not show that you have authority

<sup>17</sup> On the idea of 'conscience utilitarianism', see Brad Hooker, *Ideal Code, Real World* (Oxford, 2000), pp. 91–2.

to hold me accountable to act in the most rational or desirable way. My protest can only be answered adequately by a reply that includes your authority to hold me accountable. Now, if there is some authority-structuring practice within which you have authority, then you *can* appeal to your authority. If I have promised to feed your dog, then my reason to do so is not simply the desirability of your dog being fed. Rather, as the promisee, you have standing to demand that I comply. However, Darwall seems to think this answer allows a further protest, such as: 'What right do you have to hold me accountable for complying with this authority-structuring practice? You're (still) not the boss of me!' And Darwall believes that unless there is an answer to this further question, the initial act of holding accountable will be unjustified. Moreover, the answer to this further question cannot appeal to merely outcome-regarding reasons, since those would be reasons of the wrong kind to ground the authority to hold others accountable for complying with any practices.

This is the heart of Darwall's argument against indirect consequentialism: Strawson's Point about the wrong kind of reason simply reappears at the level of the justification of our accountability-structuring practices. Now, indirect consequentialists need not deny that there is a further question about the justification of our practices. The key issue is what form the question must take, and what kinds of reasons are appropriate to answer it. Darwall supposes, it seems, that the justificatory question concerns our *authority* to hold others to the practices: *by what right* are we held accountable to comply with the practices, and *by what right* do we hold others accountable? And if we assume that the question takes that shape, then indeed consequentialist reasons about states of affairs appear to be reasons of the wrong sort. Even if a certain practice leads to the best outcomes, what authority do we (or anyone) have to hold others accountable to comply with practices that promote the best outcomes? The desirability of following the practice might justify holding others accountable if we *already* had some general authority to hold others accountable for acting in ways that promote the best outcomes. Without that authority, however, merely outcome-regarding considerations are reasons of the wrong kind to explain anyone's authority to hold another accountable to do anything, including complying with desirable practices. Hence Darwall says that the most rule-consequentialism could establish is the rationality of the *desire* for an accountability-structuring practice, or the *desire* to hold people accountable to such a practice, but not actually holding people to such a practice.<sup>18</sup>

<sup>18</sup> Darwall, *Second Person*, pp. 311–13.

However, the indirect consequentialist should insist that the justificatory question is not *by what right* we can hold others accountable to rules and practice, but rather *if we are right* to do so – i.e. if we are rationally justified in so doing. And the answer to that question can be a consequentialist answer about the desirability of having certain practices. As Darwall recognizes, the desirability of an outcome is often a reason of the right kind for doing something. And there is no reason to think that it is a reason of the wrong kind to establish an accountability-structuring practice. If someone asks *by what right* we establish the practice, the consequentialist can answer that we do not have any *prior* right or authority to do so. But neither do we need any such right. For we need not pose the question of justification in terms of a right to do anything, only in terms of what it is right to do. And once posed that way, the appearance of a wrong kind of reasons problem disappears.

#### FURTHERING THE DEBATE

As Darwall conceives of moral reasoning, the justification of our moral practices – and not only justification within those practices – must be a justification *to* other persons. This means that it is more than recognizing reasons and sharing them with others. If you ask why I decided to vacation at one spot rather than another, then I might explain my reasons for doing so. But I am not thereby giving a justification *to* you, or justifying myself to you.<sup>19</sup> For I don't suppose that you have any authority to demand a justification from me: 'To justify oneself to someone is to give her a kind of *second-personal authority*. It is to regard and treat her as having a standing to claim justification from one.'<sup>20</sup>

Because Darwall conceives of ultimate justification this way, he claims that indirect consequentialism offers the wrong sort of reason for the justification of our practices. On their own, outcome-regarding reasons can't capture the second-person authority that is implicit in justifying our practices *to* others. However, so far as I can tell, Darwall never offers an independent argument to show that justifying our practices must be justification *to* others, or that it must presuppose a *right by which* we establish authority-structuring practices. Thus, in claiming that indirect consequentialism merely postpones the difficulty from Strawson's Point, Darwall seems to be assuming what needs to be proved. His anti-consequentialism argument depends upon, rather

<sup>19</sup> This example is from Darwall. See his 'Contractualism, Root and Branch: A Review Essay', *Philosophy and Public Affairs* 34 (2006), pp. 193-214.

<sup>20</sup> Darwall, 'Contractualism, Root and Branch', p. 204; italics in original.

than establishes, a picture of justification that the consequentialist rejects.

Is there any way to adjudicate this dispute about the justification of our practices, and hence to determine if Darwall's argument has real force against indirect consequentialism? On behalf of Darwall, we might argue that unless we presuppose second-personal authority at the level of the justification of a practice, then we lose authority to hold anyone accountable to keep the substantive obligations that the practice defines – e.g. to keep promises, not to steal or murder, etc.<sup>21</sup> Imagine someone who rejects all second-personal practices. If we lack authority to establish practices, then (the argument goes) we lack the standing to blame such a person. For blame, Darwall argues, is a form of holding others accountable, and hence blaming others implies that we have some authority to hold accountable.<sup>22</sup> In this respect, blame must be distinguished from simply criticizing someone, as when we point out a logical mistake.<sup>23</sup> But surely (the argument continues) we *should* blame such a person who rejects the second-personal authority of others and violates his obligations. Thus we must take ourselves to have authority to establish accountability-structuring practices, and hence authority *prior* to those practices.

The problem with this argument is that it fails to reckon adequately with the distinction that is crucial to indirect consequentialism, between: (a) how we regard ourselves and others *within* a practice, and (b) reflection *upon* a practice and its justification. If someone rejects all second-personal standing, that does not undermine *our* authority to hold him accountable for substantive second-personal norms. For that authority is established by the second-personal practice, and it is not part of that practice to suppose that someone who rejects the practice is thereby exempt from the demands that the practice grounds. In holding accountable to second-personal obligations, we operate within an accountability-structuring practice, and that practice *includes* holding accountable even those who claim to reject second-personal norms. Of course, we might imagine an authority-structuring practice that exempted anyone who claimed to reject second-personal

<sup>21</sup> This claim is suggested by some of Darwall's comments. See, e.g. *Second Person*, pp. 311-12.

<sup>22</sup> Darwall, *Second Person*, pp. 91-5.

<sup>23</sup> As Darwall says, 'Morality involves a distinctive kind of accountability by its very nature. If I fail to act as I am morally required without adequate excuse, then distinctively second-personal responses like blame and guilt are thereby warranted. But it is only in certain contexts that responses like these seem appropriate to logical blunders, and even here what seems to be in question is a moral error of some kind (as when I have a special responsibility for reasoning properly) . . . Anyone who feels guilty about logical errors would seem to have a "moralized" sense of the logical' (*Second Person*, pp. 26-7).

authority. But presumably such a practice would be much less beneficial than a practice that did not exempt such people, and hence it would be rejected on consequentialist grounds.

What, then, if someone protests, 'You have no authority to hold me accountable to these second-personal norms'? If this is interpreted to mean authority to hold accountable to substantive norms – about promising, honesty, murder, etc. – then the protest is simply false. For our holding accountable is a move we make within the relevant practice, and within the practice we do have such authority. On the other hand, we might be reflecting upon the practice as a whole and asking about its ultimate justification. And at this level of reflection, the indirect consequentialist can give the reply outlined earlier: we need not think of ourselves as having any right, or authority, to establish the practice, simply as being right to do so. To insist on second-personal authority at *this* level begs the question against the indirect consequentialist.

A slightly different argument on Darwall's behalf is more promising. This argument also appeals to blame. But whereas the first argument appeals to blame for violations of substantive norms, and to the claim that authority within a practice requires authority to establish the practice, the second argument appeals to blame within the scene of ultimate justification itself. Suppose that we are inquiring about the ultimate justification of our moral principles and practices. And suppose that I insist that I need be concerned only with my own welfare, and not the welfare of anyone else. Moreover, I insist that I don't have to justify myself to anyone. Now, the indirect consequentialist can surely say that I am in error about what I have reason to care about and what I should do. But can the indirect consequentialist blame me for what I do within the scene of ultimate justification? It seems not, if we accept Darwall's (plausible) claim that blame is a second-personal concept that implies second-personal authority to hold accountable. For the indirect consequentialist holds that at the level of ultimate justification, second-personal authority does not obtain, and the most basic considerations are all outcome-regarding. Thus it appears that indirect consequentialists cannot blame anyone for what he does, or does not do, at the level of ultimate reflection. The consequentialist can maintain that my refusal to care about the welfare of others is irrational. But the indirect consequentialist cannot hold that I am failing to satisfy an authoritative second-personal demand, or that I am blameworthy.

In contrast, Darwall's own view allows us to say that I am to blame, not only for failing to care about the welfare of others, but also – and more fundamentally – for failing to justify myself to other members of the moral community. If second-personal authority goes all the way down, then as we begin the process of seeking justifications for our

moral principles or practices, and *before* we put forward any particular answers to our questions about how to live, we *already* stand in a normative relation that requires us to give a justification *to* one another. Thus, at the most basic level, others have the authority to hold me accountable, and hence I can be blamed (and not only criticized) for what I do within the scene of ultimate justification. As Darwall says,

If moral self-regulation essentially involves making ourselves answerable to one another, then agreement on fundamental principles is not simply a collective epistemic achievement, or a standard of our each doing what is right individually; it is an essential element of the fundamental moral *relation* (responsibility to one another).<sup>24</sup>

Thus we have the following argument against indirect consequentialism: if indirect consequentialism is true, then we cannot blame one another at the level of ultimate justification. But surely we can blame at this level. So indirect consequentialism is false (and second-personal authority must go all the way down).<sup>25</sup> The first premise in this argument depends on ideas that Darwall develops in *SPS*, including the second-personal nature of blame and Strawson's Point. However, unlike the anti-consequentialism argument in *SPS*, this argument does not beg the question against consequentialism over the nature of justification.

How successful, then, is this argument? Indirect consequentialists can, of course, simply reject the second premise. This might seem like an unappealing option. But two points should be kept in mind. First, like the first argument in this section, this second argument does not show that if we lack second-personal authority to establish a practice, then we also lack authority within the practice. So even if the indirect consequentialist cannot account for blame within the scene of ultimate justification, this does not undermine our substantive practices of blaming and accountability. The conceptual tie between obligation and accountability is preserved within the practice, even if the level of ultimate reflection is not a scene that is itself governed by second-personal norms. Second, the indirect consequentialist can recognize a kind of moral failure within the scene of ultimate justification. We might be tempted to suppose that for Darwall our most basic moral reasoning is 'moralized' activity (= governed by moral norms), whereas for the consequentialist it is a non-moral or 'purely theoretical'

<sup>24</sup> Darwall, 'Contractualism, Root and Branch', p. 205.

<sup>25</sup> We should keep in mind that the target of Darwall's argument is an 'all the way down' consequentialism.

exercise.<sup>26</sup> But that is not quite right. For the consequentialist can say that failure at this level to recognize the importance of others' welfare is a kind of moral failure. Even if second-personal authority does not go all the way down, the equal value of well-being or happiness might. And proper reasoning at the level of ultimate justification will recognize that value.

For both of these reasons, it is unclear how much cost there is in denying a place for blame within the scene of ultimate justification. I conclude, then, that while this extension of Darwall's original argument might force indirect consequentialists to accept a counterintuitive result, it is far from decisive as an argument against consequentialism.

## CONCLUSION

I have attempted to reply, on behalf of indirect consequentialism, both to Darwall's original argument and to two ways of extending that argument. In so doing, I hope to have shed light not only on these arguments, but also on the broader issue of moral justification.

In conclusion, it is worth noting that my reply to Darwall's argument is not available to the act-consequentialist, since act-consequentialism does not explain acting rightly in terms of acting in accordance with accountability-structuring practices. Of course, the act-consequentialist can always reject Darwall's claim that there is a conceptual connection between moral obligation and moral responsibility. Assessing that claim is beyond the scope of this article. But the claim does have considerable plausibility, as signalled by the fact that it has been accepted by thinkers as diverse as J. S. Mill, Alan Gibbard, Bernard Williams and Darwall himself.<sup>27</sup> Thus, while Darwall's argument fails against indirect consequentialism, it suggests an additional advantage of indirect consequentialism over act-consequentialism.<sup>28</sup>

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<sup>26</sup> Cf. Darwall's comment that 'agreement on fundamental principles is not simply a collective epistemic achievement', quoted above. In that passage, Darwall is contrasting his view with 'philosophical utilitarianism'.

<sup>27</sup> Darwall, *Second Person*, pp. 91–9.

<sup>28</sup> For helpful comments on this article, I thank Daniel Groll, Jennifer Lockhart, Daniel McKaughan, Marius Stan, and Jonathan Trejo-Mathys. Thanks also to three anonymous reviewers for *Utilitas*.