

Index

- act-consequentialism, 17, 43, 54, 100, 176, 186, 187–8, 193, 215, 216, *see also* consequentialism
- act-utilitarianism, 17, 24, 86, 106, 119, 128, 136, 137, 138, 142, 146, 176, *see also* utilitarianism
- Brandt, Richard and, 149–51
- counterintuitive conclusions of, 5, 7, 8, 17, 27
- Hare, Richard Mervyn and, 144, 146, 147
- Mill, John Stuart and, 108–9
- rule-utilitarianism, critique of, 138–43
- twentieth-century critique of, 132–4
- Albee, Ernest, 18, 34, 92
- Anscombe, Elizabeth, 7
- Austin, John, 8, 137
- Paley, William and, 99–100
- Stout, Alan Ker on, 138–9
- Beauchamp, Philip, *see* Bentham, Jeremy
- Bentham, Jeremy, 8, 17, 18, 22, 23, 24, 25, 26, 27, 47, 76, 77, 81, 82, 83–5, 92–100, 101, 102, 105, 106, 118, 127, 137, 140, 141, 152, 153, 154, 162, 190, 217, 218, 220, 222, 223
- human legislation and, 92–4, 97
- indirect legislative perspective and, 97–9
- rejection of natural theology and, 94–7
- secular approach of, 83, 92
- Berger, Peter, 110
- Berkeley, George, 58, 152
- legislative perspective, use of, 59–63
- Locke and, 59, 62
- Birks, Thomas Rawson, 94
- Brandt, Richard, 175, 193
- extended rule-utilitarianism and, 137–8
- ideal code and, 149–50, 195
- legislative approach to morality of, 150–1
- Brink, David O., 108
- Broad, Charlie Dunbar, 129
- Bull, Hedley, 36
- Butler, Joseph, 83, 120, 130, 153, 190
- benevolence, critique of, 73–4
- Hutcheson, Francis and, 76
- legislative perspective and, 73
- Shaftesbury and, 73
- spectator metaphor and, 76
- Cohen, Gerald Allan, 205
- conscience-consequentialism, *see* motive-consequentialism
- conscience-utilitarianism, *see* sanction-utilitarianism
- consequentialism, 7, 10, 127, 173, *see also* act-consequentialism, motive-consequentialism, and rule-consequentialism
- definition of, 3, 5, 22
- disjunctive, 169
- indirect, 164, 194
- institutional, 159
- legislative perspective and, 20
- natural law and, 33–57
- secular, 99, 152
- theological foundations of, 8
- weak, 7, 48, 50, 152, 198
- context
- legislative, 12, 57, 84, 92, 103, 109, 124, 125, 127, 159–61, 164, 167, 168, 169, 209, 211–13
- political, 16, 29, 163, 164, 190, 209, 211–13
- Cooper, Anthony Ashley, *see* Shaftesbury, Third Earl of
- Crimmins, James, 18, 95, 140
- Crisp, Roger, 108, 121
- Cumberland, Richard, 25, 34, 42–7, 57, 101
- Dancy, Jonathan, 11
- Darwall, Stephen, 64, 73
- Davis, Kevin R., 203
- discretion, 3, 6, 13, 15, 163, 168, 210
- Donner, Wendy, 103, 107
- Ewing, Alfred Cyril, 134–5

- fallibility, 3, 4, 8, 10, 16, 23, 25, 46, 47, 55, 57, 62, 63, 65, 79, 80, 87, 91, 102, 112, 152, 193, 194, 198, 206, 207, 208, 212, 215
- Forde, Steven, 39, 40
- Frankena, William, 146
- Fuchs, Thomas, 104, 109
- Gert, Bernard, 172
- Gibbard, Alan, 196–7
- Gill, Michael B., 64
- Goodin, Robert, 28, 159, 161, 162–4
- Grotius, Hugo, 23, 25, 33, 36–42
 legal conventions and, 33–4
 natural law, theory of, 42, 57
 Suarez, Francisco and, 35
- Hardin, Garrett, 77
- Hare, Richard Mervyn, 28, 143–7, 148, 175
 utilitarianism and, 143–7
- Harrison, Jonathan, 132–4
- Harrison, Ross, 94
- Harrod, Roy Forbes, 130–2, 133, 148
- Harsanyi, John, 28, 143, 146, 150
 rule-utilitarianism and, 148–9
- Hart, Herbert L.A., 136
- Hill, Thomas Jr., 151, 159, 181–3, 205
- Hobbes, Thomas, 33, 45, 46, 47, 131
- Hooker, Brad, 22, 28, 159, 174–80, 198, 204
- Hume, David, 59, 68, 97, 153
 justice as an artificial virtue and, 76–81
 rule-based thinking and, 78
- Hutcheson, Francis, 58, 65–72, 101, 152
 legislative perspective and, 69–72
 natural law and, 70
 moral sense and, 70
 Shaftesbury and, 69
 spectator metaphor and, 26
- hybrid approaches, 20, 134, 135, 142, 155
 benefits of, 192–9
 defense of, 29, *see also* legislative perspective,
 hybrid approach, and
 definition of, 7
 rule-utilitarians and, 8
- ideal conscience-utilitarianism, *see* sanction-
 utilitarianism
- Irwin, Terrance, 34–6, 38, 47
- Johnson, Conrad, 28, 159, 161, 164–6, 169
- justice
 benevolence and, 51, 67, 75
 Hume, David and, 76–81
 legal character of, 59
 Mill, John Stuart and, 106
 non-consequentialist theories of, 20
 non-ideal theory and, 206
 Rawls, John and, 103, 136, 202
 secularization of, 17–19, 26, 76–81, 153
 Sidgwick, Henry and, 121
 utilitarianism and, 143
- Kantianism, *see* Kant, Immanuel
- Kant, Immanuel, 9, 11, 49, 131, 134, 135, 143, 145, 203, 204
 approaches inspired by, 10, 134, 180–9
 consequentialism, critique of, 10
 legislative perspective and, 9–11
- Kaye, Frederick Benjamin, 66
- Korsgaard, Christine, 200, 202, 211
- Lazari-Radek, Katarzyna de, 28, 123, 159, 171
- legislative contexts, 191
- legislative perspective, 123–4
 contextual distinctions and, 13–16
 counterfactual, 109, 112, 126
 definition of, 2
 disjunctive consequentialism and, 174
 foundations of, 7
 four dimensions, 9–13
 hybrid approach and, 180–9, 191, 207–8,
 see hybrid approaches
 illustrations of, 2–5
 institutional consequentialism and, 169
 moral expression as legislation, 126
 morality as a code and, 87
 natural law theory and, 39–40, 53–6
 noncompliance and misapplication of rules
 and, 182
 political ethics and, 209–15
 Rawlsian rule-consequentialism and,
 174–80
- legislative point of view, *see* legislative perspective
- Leidhold, Wolfgang, 66
- Little, Olivia, 204
- Locke, John, 101, 152, 161
 consequentialism and, 55
 God as a legislator and, 26
 Kantian parallels in, 49
 legislative perspective of, 48
 natural law theory of, 48, 53–6
 rule-consequentialism and, 49–51, 57
 toleration and, 56, 57, 62
 virtue and vice and, 52
- Lyons, David, 6, 27, 106, 129, 141–2, 149, 208
- Mabbott, John David, 134
- Mackie, John L., 20, 142
- Mandeville, Bernard, 66
- McCloskey, Henry John, 141
- McKown, Delos B., 94

- Mill, John Stuart, 100, 101, 137, 154, 192, 213
 act-utilitarianism and, 108
 defense of freedom of expression of, 112–13
 example of counterfactual legislative perspective in, 110
 historical background of, 101–2
 legislative perspective and, 107–12, 114–18
 moral expression and, 115–16
 secondary moral rules and, 102
 Paley, William and, 84
 public opinion and, 113–14
 rule-utilitarianism and, 103–8, 109, 126
- Miller, Dale, 180
- Miller, David, 107, 206
- Montague, Philip, 180
- Moore, George Edward, 128–9, 141, 147
 moral rules, 128
- moral expression as legislation, 42, 112–18, 126, 166, 192
- morality as legislation, 24, 26, 46, 143, 151
 historical argument, review of, 151–5
 justifying the hybrid approach and, 20–2
 morality expressed as universal laws and, 180
 necessary moral commitments of, 199–207
- Morison, William Loutit, 100
- motive-consequentialism, 187
- Nowell-Smith, Patrick, 135
- O’Flaherty, Michael, 83
- orthodoxy, utilitarian, *see* utilitarianism, orthodoxy and
- Paley, William, 8, 18, 22, 23, 26, 47, 81, 92, 94, 98, 101, 153, 161, 190
 Austin, John and, 99–100
 consequentialism of, 84, 87, 99
 divorce laws, views on, 88
 God, role of, 84–7
 greatest good, promotion of, 89
 property, views on, 88
 religious toleration and establishment, views on, 90–2
 rule-based approach of, 83
 rules, principles for evaluating, 90
 self-defense, views on, 89
 suicide, views on, 90
- Parfit, Derek, 159, 181, 197
 consequentialism, self-defeating, 19
 Kantian contractualism, 183–8
- paternalism, 111, 112, 114
- Pettit, Philip, 179, 212
- political context, *see* context, political
- Portmore, Douglas, 202
- Proast, Jonas, 53–6
- Pufendorf, Samuel von, 33, 48
- Rawls, John, 5, 6, 20, 103, 136, 141, 150, 172, 176, 178, 202–3, 205
- religion, 74, 76, 161, 195, 213
 Austin, John and, 100
 benevolence and, 8
 Bentham, Jeremy and, 99
 divine legislation and, 8
 Hutcheson, Francis and, 67
 legislative perspective and, 29, 200
 Mill, John Stuart and, 116
 morality as legislation and, 25
 Paley, William and, 84, 90–2
 rule-utilitarianism and, 7
 sanctions, *see* sanctions, divine
 Sidgwick, Henry and, 118, 119
 toleration and, 34, 47, 53–6, 57, 62, 71, 152, 205, 207
 utilitarianism and, 18, 26, 127
- Rosen, Frederick, 24, 77
- Ross, William David, 130, 133, 154, 201
- rule-consequentialism, 8, 12, 17, 27, 28, 44, 46, 56, 100, 124, 127, 137, 161, 163, 165, 169, 186, 192, 193, 198
 Brandt, Richard and, 137
 Hooker, Brad and, 174–80, 203
 legislative forms of, 54
 Locke, John and, 34, 47–51, 54–6, 57
 Parfit, Derek and, 183–9
- rule-utilitarianism, 5, 7, 8, 11, 17, 18, 24, 27, 83, 124, 127–8, 137
 Brandt, Richard and, 137–8, 149–51
 consistency of, 6
 critics of, twentieth century, 138–43
 development of, early twentieth century, 128–32
 development of, mid-twentieth century, 132–8
 Hare, Richard Mervyn and, 144–7
 Harsanyi, John and, 148–9
 Mill, John Stuart and, 6, 103–9, 126
 religion and, 7, 74
 rules, exceptions to, 132–5
- sanctions, 13, 64, 65, 93, 120, *see also* sanction-utilitarianism
 conscience and, 27, 106–8
 divine, 17, 18, 27, 45, 65, 67, 81, 85, 93, 95, 101
 legal, 93, 98, 102, 109, 114
 reputational, 27, 93, 97, 98, 102, 113–6, 153, 213, 215
 sanction-utilitarianism, 106–8

Index

229

- Schauer, Frederick, 28, 159, 161, 166, 169, 174
 four ways of thinking about rules of, 166–8
 Schneewind, Jerome B., 121
 Schultz, Bart, 18, 98, 103, 118, 119
 Sen, Amartya, 143, 146
 Shaftesbury, Third Earl of, 58, 66, 190
 architect metaphor and, 26
 Hutcheson, Francis and, 69
 legislative approach to morality and, 63–5
 Sidgwick, Henry, 23, 100, 101, 118–25, 145, 154, 192, 196
 esoteric morality of, 122–3
 intuitionism and, 121
 legislative perspective and, 118–20
 moral motivation and, 17
 moral rules for secular utilitarianism in, 102–3
 secondary moral rules and, 102
 Simmons, A. John, 48–9, 51, 206
 Singer, Peter, 28, 123, 136, 159, 171
 situated perspective, 5, 9, 19, 21, 22, 98, 111, 124
 Smart, John Jamieson Carswell, 1, 6, 8, 27, 140–1, 187
 Smith, Adam, 68
 Sobel, Jordan H., 81
 Stephen, Leslie, 18
 Stout, Alan Ker, 139
 Suarez, Francisco, 33, 35, 38
 toleration, 34, 47, 53–6, 57, 62, 111, 207
 Hutcheson, Francis and, 71
 Locke, John and, 111, 152, 205
 Paley, William and, 90–2
 Tuck, Richard, 36
 Tuckness, Alex, 20, 35, 50, 53
 Urmson, James Opie, 6, 104
 utilitarianism, *see also* act-utilitarianism, motive-utilitarianism, and rule-utilitarianism
 consistency of, 6, 17, 24, 127, 138–43, 147, 174
 definition of, 5, 22–3
 Hume, David and, 80
 impartiality and, 89
 indirect, 120
 orthodoxy and, 138–49
 secular, 8, 92, 152
 Voitle, Robert, 64
 Waldron, Jeremy, 206
 Wallace, R. Jay, 202
 Whewell, William, 84
 White, Morton, 49
 Williams, Bernard, 143, 146, 147, 171, 203
 Wittgenstein, Ludwig, 209
 Zamzow, Jennifer, 201