

**PHIL 13: Ethics; Fall 2012**  
**David O. Brink; UCSD**  
**Syllabus**

Here is a list of topics and readings. Within a topic, do the readings in the order in which they are listed. Readings are drawn from the three main texts

- *The Classical Utilitarians: Bentham and Mill*, ed. Trover
- Immanuel Kant, *Groundwork for the Metaphysics of Morals*
- John Rawls, *A Theory of Justice*

and from articles and book chapters on electronic reserves [ER].

**Part I: Challenges to Moral Theory**

Here we discuss a variety of issues that appear to pose a challenge to the possibility or relevance of doing systematic thinking about the nature and demands of morality.

**1. Relativism and Tolerance.** Moral judgments express claims about what we *should* do. As such, they presuppose standards of behavior that purport to be correct, that could guide conduct, and that we might fail to accept or live up to. But how are we to make sense of objective moral standards when there is such a diversity of actual moral codes and opinions? When we make moral judgments, what exactly is there to be right or wrong about? Aren't we just reporting or expressing our attitudes toward the conduct in question? But if people expressing contrary judgments are just reporting that they have different attitudes or expressing different attitudes, it is hard to see how people could engage in genuine disagreements. The realist says that there are objective standards of right and wrong independently of what appraisers think. Relativism says that a standard's being correct must be relative to the beliefs and attitudes of the appraiser or the moral code of her community. Isn't relativism the only way to explain the common view that it is wrong to interfere with the mores of others? After all, who are we to interfere? But is it true that the relativist can endorse a blanket norm of tolerance? Is it true that the realist cannot? Should we accept a blanket norm of tolerance? Should we have tolerated the Nazis? Should we tolerate female genital mutilation?

- Williams, "Relativism" [ER]

**2. Does Morality Require a Religious Foundation?** Dostoevsky claims that if God is dead then everything is permitted. This is one way to express the surprisingly common view that moral requirements depend on the will of God. This is an important claim. If it is true and atheism is also true, then nothing is morally required. If it is true and theism is true, then moral deliberation should apparently aim to ascertain the will of God. Either way, the autonomy of ethics is threatened. Socrates addresses a related claim in Plato's dialogue the *Euthyphro*, where he asks whether pious things are pious because the gods love them or whether the gods love them because they are pious. What is Socrates's answer, and which answer is more plausible?

- Plato, *Euthyphro* [ER]
- Brink, "The Autonomy of Ethics" [ER]

**3. Psychological Egoism.** Most moral views demand other-regarding concern and action of some sort. But we may wonder whether even limited altruism is really possible. Psychological egoism claims that all human action is at bottom self-interested. So-called altruistic behavior is uncommon, and even those who engage in altruism do so because they want to. Moreover, altruists take pleasure in helping others. If supposed altruists are really concerned to please themselves, then their altruism does not seem genuine. But if psychological egoism is true, it looks like this makes other-regarding moral demands impossible or irrelevant. Is this true? Bishop Butler thinks that psychological egoism rests on the fallacy of supposing that the altruist is pursuing pleasure because he expects pleasure to attend the satisfaction of his desires. Feinberg thinks that psychological egoism is either true-but-trivial if it stands for the claim that we always act on our own desires or substantive-but-false if it stands for the claim that we always act on desires for our own well-being. What do you think of Butler's and Feinberg's claims?

- Bentham, *An Introduction to the Principles of Morals and Legislation*, chapter I §§1-3 [*The Classical Utilitarians*]
- Feinberg, "Psychological Egoism" [ER]

**4. Subjectivism about Happiness.** Just as one can be a subjectivist about morality, so too one can be a subjectivist about the good. Subjectivism is especially plausible about an individual's good. We often associate an agent's own good with her happiness. But it may seem that about happiness one has to be a subjectivist, believing that happiness consists in pleasure (hedonism) or in the satisfaction of one's desires. Is subjectivism about happiness inescapable? As Nozick imagines, suppose that you could plug into a machine that would give you any experience you wanted for as long as you wanted. Would you want to plug into such a machine for the long haul? Why does Nozick think that we would not want to do this? What, if anything, does this show about subjectivism? Is it possible to be an objectivist about happiness? Could happiness fail to be fun?

- Nozick, "The Experience Machine" [ER]

## Part II: Fundamental Moral Principles

Here we look at secular attempts to understand the foundations of morality and to articulate ultimate principles that underlie our disparate moral obligations. We examine two main traditions – *utilitarianism*, which treats the good as prior to duty, and *deontology*, which treats duty as prior to the good. To do so, we will look at some of the historically most influential defenders of these traditions -- the utilitarianisms of Jeremy Bentham (1748-1832) and John Stuart Mill (1806-1873) and the deontology of Immanuel Kant (1724-1804) and John Rawls (1921-2002).

**5. Utilitarianism: Bentham.** Bentham associates utilitarianism with the “greatest happiness” principle, and he understands happiness in terms of pleasure (hedonism). On this view, pleasure is the only intrinsic good. Other things can be instrumentally good by virtue of the *quantity* of pleasure they produce. Bentham mentions four factors affecting the magnitude of a pleasure’s value: (1) intensity, (2) duration, (3) certainty, and (4) propinquity (II 2). Should all four factors have genuine normative significance? What reasons, if any, does Bentham offer for understanding utility in terms of pleasure and pain? How does he justify utilitarianism itself? Are first principles immune to proof, as he suggests at one point (I 11)? Is common morality really inchoately utilitarian (I 12)? Do the alternatives really lead to moral anarchy (I 14)?

- Bentham, *Principles of Morals and Legislation*, chapters I and IV.

**6. Utilitarianism: Mill.** Though Mill begins ch. II of *Utilitarianism* with a statement of utilitarianism that is reminiscent of Bentham, he quickly goes on to depart from Benthamite utilitarianism by introducing the *higher pleasures* doctrine in which he claims that pleasures involving higher pursuits are intrinsically better than lower pleasures and would be categorically preferred by a competent judge who was acquainted with both. But how should we understand the higher pleasures doctrine, and is it fully consistent with hedonism? In ch. II Mill seems to endorse the claim that it is one’s duty to perform that action, among the available alternatives, that would have the best consequences for human happiness. Does Mill think that agents should always try to calculate the optimal course of action? Does this mean that utilitarians should abandon ordinary moral rules about honesty, fidelity, fair play, and non-aggression? In this connection, it is important to understand Mill’s claims about the importance of *secondary principles*. In ch. V Mill seems to offer a different conception of duty in which one’s duty is a function, not of that action’s consequences, but of the consequences of praising or blaming that action. Which conception of duty is more plausible? So far, we have focused on how Mill understands utilitarianism. It is time to ask why he thinks that we should believe it. He addresses the “proof” of the principle of utility in ch. IV. That argument purports to show that it is ultimately reasonable to aim at happiness and only at happiness. This proof is widely thought to be subject to very serious objections. How is the proof supposed to go, and which objections are the most serious?

- Bentham, “On Push-Pin and Poetry” [*The Classical Utilitarians*]
- Mill, *Utilitarianism*, esp. chs. II, V, and IV [*The Classical Utilitarians*]

**7. Constraints and Options.** Utilitarianism says that we should perform the action with the best consequences -- the optimal act. But this is a potentially controversial claim in at least two ways.

**A. Options.** Utilitarianism’s conception of duty as performing the optimal action may seem overly demanding and may require considerable self-sacrifice from some agents. For instance, as Peter Singer argues, it seems to require the affluent to contribute to famine relief until the point that the marginal cost to the agent exceeds the marginal benefit to the needy. Some think that Singer makes a persuasive case for utilitarian revisions to ordinary

moral beliefs and practices in affluent societies. But others think Singer shows that utilitarianism is too demanding to be plausible. We seem to have options or prerogatives to devote time and resources to ourselves and associates that is out of proportion to their impersonal value. Does utilitarianism flout reasonable options? It is arguable that utilitarian demands on individual agents are high primarily because of *partial compliance*: the amount of aid that would be necessary from each agent would be more modest if all complied. In this context, consider Liam Murphy's Cooperative Principle, which sets the upper bound on mutual aid according to the fair share that would be appropriate under conditions of full compliance. Is Murphy right that aid in conditions of partial compliance is limited by fair shares?

- Peter Singer, "Famine, Affluence, and Morality" [ER]
- Liam Murphy, "The Demands of Beneficence" [ER]

**B. Constraints.** A different worry about utilitarianism is that it is sometimes wrong to do the action with the best consequences. The utilitarian will have to reject categorical moral rules and prohibitions, claiming that these constraints are not exceptionless generalizations. Among apparent constraints on promoting the good are individual rights. Consider the non-consequentialist claims about rights defended by John Rawls and Robert Nozick.

- Rawls, *A Theory of Justice*, §§5-6
- Nozick, "Rights as Side-Constraints" [ER]

Whether any version of utilitarianism is compatible with individual rights may depend on how we think of rights. Rawls thinks that the interpersonal balancing of benefits and harms that utilitarianism allows ignores the separateness of persons. The separateness of persons, he thinks, requires inviolable rights. Nozick suggests that we should think of rights as side-constraints, rather than goals, but he acknowledges that this conception of rights may be paradoxical. How should we think of rights, and what does this imply about utilitarianism?

One interesting test case for assessing the alleged tension between utility and rights is Mill's defense of basic liberties in *On Liberty*. Mill says that he recognizes individual rights that are built on a utilitarian foundation. He recognizes various kinds of restrictions on liberty -- moralism, paternalism, harm prevention, and censorship -- and seems to claim that liberty can only be restricted in order to prevent harm to others. Can this categorical approach to liberty be reconciled with utilitarianism, and does Mill himself consistently defend it? Is Mill able to reconcile his defense of utility and liberty without compromising either his utilitarianism or his defense of a right to liberties?

- Mill, *On Liberty* [*The Classical Utilitarians*]

**8. Kant and the Categorical Imperative.** In contrast with utilitarianism, Kant professes indifference to the actual consequences of an agent's actions (*Groundwork* 394). He says that the one thing good without qualification is a good will (393). The person of good will is

supposed to act in conformity with duty and from a sense of duty, rather than emotion, inclination, or interest. Does he mean that acting from emotion, inclination, or interest is always morally suspect? Consider what he says about the different sort of reasons one might have for being honest or beneficent (397-99). Kant also makes clear that duty itself is supposed to be independent of inclination or interest. Why does he make this claim, and how is it connected with his famous distinction between categorical and hypothetical imperatives (414)? Categorical imperatives prescribe conduct independently of contingent and variable inclination or interest. They depend on features of moral agents as such. This leads Kant to his first main formulation of the Categorical Imperative: Act only on maxims that you can conceive or will to be universal law (421). How exactly should we understand the Universal Law formula? It might help to consider the examples to which Kant applies this formula (422-23). How is the universalizability required by the Universal Law formula related to the more familiar idea of the Golden Rule (cf. 430n)? Kant thinks that rational agents must posit rational nature as an end in itself (428), which leads him to the second main formulation of the Categorical Imperative: Always act so as to treat humanity, whether in your own person or that of another, as an end in itself and never merely as a means. How does he get from the Universal Law formula to the Humanity formula (429)? The Humanity formula has a negative part -- never treat other rational agents merely as means -- and a positive part -- always treat rational agents as ends in themselves. How are the two parts related, and what sort of guidance does either give? The Humanity formula looks like a deontological principle that yields anti-utilitarian conclusions. Is that right?

- Kant, *Grounding for the Metaphysics of Morals*, Preface, First and Second Sections
- Onora O'Neill, "Between Consenting Adults" [ER]
- Thomas Hill, "Humanity as an End in Itself" [ER]

**9. Kant and Rawls.** Some philosophers claim that Kant's Universal Law formula is empty, because requiring only that maxims be universalizable gives no content to morality. To see if this is a fair criticism, we might consider John Rawls's use of Kantian ideas in his famous theory of distributive justice. Rawls defends two principles of justice: (1) individuals should have equal basic political and civic liberties, and (2) provided that there are equal opportunities for social and economic advantage, social and economic inequalities are acceptable if and only if they maximize the position of the worst-off. Rawls contrasts the egalitarianism of his two principles with the distribution-insensitivity of utilitarianism. The Kantian part of Rawls's theory is the way he defends his two principle of justice by a appeal to a hypothetical social contract among free and equal people, whose equality is ensured by placing them behind a veil of ignorance that conceals from them their identities and attributes. You might consider whether this special social contract argument provides a good defense of Rawls's principles, whether it is a legitimate way of modeling Kant's Universal Law formula, and whether it shows that the Categorical Imperative is not empty.

- Rawls, *A Theory of Justice* §§3-6, 11-12, 17, 24, 26, 40