Higher Philosophy:
moral philosophy additional support

This edition: October 2023 (version 1.0)

Contents

Moral philosophy — introductory note

The following notes are intended as a resource for the use of teachers and lecturers, to support their delivery of the course. Teachers and lecturers will know their own learners and can decide what is an appropriate level for them. They may wish to use some of the notes and activities as they are and adapt others to suit the needs of the learners in front of them.

In these notes there is a summary of the mandatory content for the moral philosophy section of the Higher Philosophy course, with some questions and activities to go alongside them. It is a guide to the core content, but to gain a full grasp of Kantian ethics or utilitarianism it may be appropriate to research beyond these materials. Rather than focusing in great depth on identifying specific criticisms of the moral theories, the intention here is to raise questions that encourage learners to think for themselves about the problems with these theories. There is also a summary of some common points of criticism of each theory.

These notes are not exhaustive of the appropriate or relevant content or discussion points that can be made in relation to these moral theories and that would be given credit in the context of the examination. Teachers, lecturers, and assessors may choose to present different ones to their learners and draw from wider sources. There are many textbooks, articles and websites highlighted in the Higher Philosophy Course Specification on SQA's website that might be useful.

Questions and activities

Throughout these notes we suggest different types of questions and activities. There are questions that ask for demonstration of knowledge and understanding, which are labelled **QU,** and there are questions that are intended to make learners think, which are labelled **QT**. These questions are intended to push learners to think about the theories and some of the reasons to challenge their ideas. A useful approach might be to encourage learners to build up a bank of critical comments for each aspect of the moral theories as they investigate their ideas.

What is normative ethics?

Normative ethics, also known as normative theory, or moral theory, attempts to find out which actions are morally right or wrong. However, normative theories do more than simply provide a list of right and wrong actions. They describe an underlying view of why particular actions should be deemed right or wrong. They attempt to provide guidelines, or a framework, that we can use to determine whether an action is morally acceptable.

Several systems of normative ethics have been developed over the years. The Higher Philosophy course looks at two normative ethical theories known as **utilitarianism** and **Kantian ethics.** In the Higher Philosophy course, as well as studying the key features of these moral theories, learners need to use the moral theories studied and apply them to different scenarios to judge what they might suggest would be the right thing to do. They will also be asked to evaluate how successful these theories are in helping them decide what to do and at working out what the good, or moral, action would be.

During your delivery of the course, you could ask learners to consider the following texts and activities.

Making moral decisions

We must make moral decisions in our lives all the time. You might have a younger sibling who wants your help with their homework: should you give up your time to help them instead of going out with your friends? Maybe your friend copied your homework, and the teacher asks you what has happened: do you lie and protect your friend, or tell the truth? Suppose your jeans have worn out and you need a new pair. Where should you get them? Would it be okay to go to the cheapest shop in town, where you know the prices are low because garment workers and the environment are exploited? Should you look for stores you know make their clothes in more ethical ways but are many times more expensive? Or would it be morally better to organise a clothes-swap event at school, which wouldn't require the production of any new clothes at all? These decisions all involve thinking about what is right and wrong and most people consider many different factors when making these kinds of moral decisions.

Activity 1: How do we make moral decisions in everyday life?

There may have been a range of factors you considered in Activity 1, but it is likely that they fell into four main categories:

- The consequences — what effect did this action have? Were the consequences good or bad?
- The action itself — what was done? Was it a good or bad thing to do?
- The motivation for your action — why was this action carried out? Was the reason for acting good or bad?
- The quality or virtue that will be demonstrated by doing this action — is this a quality you expect in a good person or a bad person?

Most normative moral theories consider one or more of these factors to be the basis for moral decision making. We will first look at utilitarianism and its **consequentialist** approach to moral decision-making.

Later we will see that for Kantian ethics, a **deontological** theory, the **actions** we take are right or wrong in themselves regardless of their consequences. In addition, our **motivation** for acting is important for determining its moral worth.

Utilitarianism

Where does utilitarianism come from?

The theory of utilitarianism has its roots dating back to the early Greek philosophers, such as the Epicureans who believed that good and bad could be limited to discussions about pleasure and pain. Later, Scottish philosophers of the 18th century David Hume and Francis Hutcheson had elements of the theory in their work. However, it is most famously associated with the English philosophers **Jeremy Bentham (1748–1832)** and **John Stuart Mill (1806–1873)**. The utilitarianism of these philosophers is often referred to as classical utilitarianism.

The motivation for utilitarianism

Utilitarians believe that the purpose of morality is to make life better by increasing utility in the world, in other words, increasing the amount of good in the world and decreasing the amount of bad. The early utilitarians equated the good with happiness and pleasure and the bad with unhappiness and pain.

We can see the motivation for utilitarianism in an observation Bentham makes about the nature of human beings. He observes:

> 'Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do …'
>
> **Jeremy Bentham, An Introduction to the Principles of Morals and Legislation, Chapter 1 'Of the Principle of Utility'**[1]

QU: What does the above quote mean? Explain it in your own words.
QT: Do you think it is true?

What Bentham was observing is that it is part of human nature to be motivated by (governed by) the pleasure or pain we experience from our actions. For example, if you eat something and it tastes good, you feel pleasure and then you want to eat that thing again. If you do something and you get hurt, it causes you pain and it makes you less likely to do it again. In a similar way, we are generally motivated to do things that make other people happy and not to do things that hurt them or cause them pain.

The interesting idea in Bentham's quote is at the start of the second sentence: 'It is for them alone to point out what we ought to do'. Bentham initially notes that it is natural for us to be motivated by pleasure and pain, but then he goes further and suggests that this is how we **ought** to be governed to act. In essence, Bentham suggests that because we are naturally motivated to act in this way, that this is what **should** motivate our actions.

Activity 2: How motivating are pleasure and pain?

[1] The complete text is available in the public domain. See https://socialsciences.mcmaster.ca/econ/ugcm/3ll3/bentham/morals.pdf

The greatest happiness principle (GHP)

The greatest happiness principle (GHP) states that the only appropriate goal of actions is to achieve the greatest total happiness across all individuals whose interest is affected by that action. In classical utilitarianism, the right action is the one that creates the most overall happiness and least suffering. Mill claims in his book 'Utilitarianism':

> 'Utility, or the greatest happiness principle, holds that actions are right in proportion as they tend to promote happiness and wrong as they tend to produce the reverse of happiness.'
>
> **John Stuart Mill, Utilitarianism, 1863, Chapter 2. What Utilitarianism Is[2]**

QU: Explain the greatest happiness principle (GHP) in your own words.
QT: Can you think of any situation where an action creates the greatest total happiness, but it is still wrong to do?

Mill's justification for the GHP

Mill's justification for supporting the GHP is quite interesting. He says:

> 'The only proof capable of being given that an object is visible, is that people actually see it. The only proof that a sound is audible, is that people hear it: and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it…
>
> No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness. This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good: that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons.'
>
> **John Stuart Mill, Utilitarianism, 1863, Chapter 4. Of what Sort of Proof the Principle of Utility is Susceptible[3]**

Activity 3: Mill's Justification for the GHP

[2] The complete text is available in the public domain. See: http://fair-use.org/john-stuart-mill/utilitarianism
[3] The complete text is available in the public domain. See: http://fair-use.org/john-stuart-mill/utilitarianism

Here is one way to represent Mill's thinking:

P1: If people desire something then it is desirable.
P2: Happiness is something people desire.
IC: Happiness is desirable.

P1: If happiness is desirable then it is a good.
P2: Happiness is desirable.
IC: Happiness is a good.

P1: Each person's happiness is a good to that person.
IC: The general happiness is a good to the sum of all people.

QTs:
1 How convincing do you find Mill's reasoning? Does it follow that if your own happiness is a good to you then the general happiness must be a good to everyone?
2 What assumptions does Mill make? Do you agree with them?

The component parts of the GHP

The GHP can be said to be comprised of three component principles. It says that the only thing that matters in terms of morality is the consequences of an action; the only consequences that matter are pleasures and displeasures; and that the pleasure and/or happiness of any person doesn't count for more than that of anyone else. These three principles are referred to as the **consequentialist** principle, the **hedonic** principle, and the **equity** principle.

The consequentialist principle

The GHP contains the idea that, to determine whether an action is good or bad, the only relevant consideration is the action's consequences. As Mill puts it:

> 'All action is for the sake of some end and rules of action, it seems natural to suppose, must take their whole character from the ends to which they are subservient.'[4]

In other words, if the outcome is good, then the action is judged as good; if the outcome is bad, then the action is judged as bad.

Activity 4: What would a consequentialist do?

One of the main strengths of utilitarianism is that it can help us resolve moral dilemmas where we must make a choice between competing courses of action. According to utilitarianism, to resolve a moral dilemma, we must simply choose the action with the best consequences.

Activity 5: Is consequentialism correct?

[4] John Stuart Mill, Utilitarianism, 1863, Chapter 1: General Remarks. See https://www.utilitarianism.net/books/utilitarianism-john-stuart-mill/1

The hedonic principle

The term 'hedonism' comes from the Greek word for pleasure (hēdonē) and refers to several related theories. What all hedonistic theories have in common is that they claim that pleasure, pain and displeasure are the only things of ultimate importance. They regard pleasure as intrinsically valuable (valuable purely in and of itself and not for something else that it achieves or supports). Hedonism states that **all** pleasure is intrinsically valuable and that **only** pleasure is intrinsically valuable. It also states that **all** pain and displeasure are intrinsically not valuable and that **only** pain and displeasure are intrinsically not valuable.

Activity 6: Is hedonism correct?

Although it might seem psychologically accurate to claim that humans strive for happiness and the avoidance of pain, there are several questions to be considered before accepting hedonism that are highlighted in the questions below:

- Are all pleasures intrinsically valuable?
- Are only pleasures intrinsically valuable?
- Are all pains intrinsically not valuable?
- Are only pains intrinsically not valuable?

If you believe the answer to all the above questions is 'Yes' then you agree with the idea of hedonism. If you think the answer to any of the above is 'No' then you disagree with some aspect of hedonism.

QU: Explain why some people might not agree with the principle of hedonism. Try to give at least two different reasons.

Nozick's experience machine[5] — challenge to hedonism:

A philosopher called Robert Nozick (1938–2002) came up with a famous thought experiment that was meant to challenge hedonism:

> 'Suppose there was an experience machine that would give you any experience you desired. Superduper neuropsychologists could stimulate your brain so that you would think and feel you were writing a great novel, or making a friend, or reading an interesting book. All the time you would be floating in a tank, with electrodes attached to your brain. Should you plug into this machine for life, pre-programming your life experiences? […] Of course, while in the tank you won't know that you're there; you'll think that it's all actually happening […] would you plug in?'[6]

Nozick thought that many people would not choose to be plugged into the experience machine. He argued that if people did not want to plug into this machine, even though it could create all possible pleasurable experiences for us, then it must be because we valued other things in our life as much, or more than just pure pleasure.

[5] The Experience Machine | Internet Encyclopedia of Philosophy (utm.edu)
[6] Nozick, Robert, 'The Experience Machine', in *Ethical Theory*, ed. by Russ Shafer-Landau (Oxford: Blackwell Publishing, 2007), p.292.

QTs:

- Would you plug into the experience machine? What are your reasons for your choice?
- If you would not plug in, is it because you value other things that you would not have in the experience machine? If so, what are they?
- Do you think that Nozick's thought experiment poses a big problem for Hedonism?

The equity principle

This aspect of the GHP emphasises that everyone's happiness should count equally in our moral deliberations. Both Bentham and Mill were recognised as being great social reformers. They advocated for the equality of the sexes and promoted the rights of women. They also supported the abolition of slavery and capital punishment. They did this because they believed that all individuals deserve equal consideration, and this is reflected in the GHP. Each person's happiness is considered and no one's happiness should count above anyone else's: not the happiness of prime ministers, kings or queens or any other person.

Mill writes:

> 'It [impartiality] is involved in the very meaning of Utility, or the Greatest Happiness Principle. That principle is a mere form of words without rational signification, unless one person's happiness, supposed equal in degree … is counted for exactly as much as another's.'[7]

The calculation of total happiness does not, however, prioritise one's own happiness above anyone else's. Therefore, I am obliged to perform whichever action creates the greatest total happiness whether it makes me happy or indeed causes me some pain and suffering.

QTs:

- How would you feel if, every time you worked out what you should do according to utilitarianism, the greatest happiness was created by making more pain and suffering for you? Would this be acceptable? Could it be justified?
- What if the greatest happiness was created by always improving the lives of most people while a minority suffered? Would this be acceptable? Could it be justified?

QUs:

- What is another name for the GHP, used by both Bentham and Mill?
- What are the three component principles of the GHP?
- Describe each of the three component principles in under 10 words (aim to be accurate and precise in your description).
- Make a list of problems for each of the component principles.

[7] John Stuart Mill, Utilitarianism, 1863, Chapter 5: On The Connexion Between Justice And Utility. https://www.utilitarianism.net/books/utilitarianism-john-stuart-mill/1

Bentham's hedonic calculus

To calculate the greatest happiness, Bentham devised a quasi-scientific algorithm by which different pleasures and pains, and hence actions, could be compared with one another and the right course of action could be identified. It is known as the hedonic calculus or the felicific calculus.

Activity 7: The hedonic calculus

The beauty of Bentham's system is that any potential action can be weighed against another in terms of the pleasures and pains that would result and the action that creates the greatest overall happiness should be followed.

Application of the hedonic calculus

It can be tricky to work out exactly how Bentham intended the calculus to be applied. Here is a summary of its application based on the text.

Bentham's calculus involves considering actions and their resulting pleasures and pains according to the following criteria:

Of the pleasure or pain itself

Intensity: How intense will the pleasure be?
Duration: How long will the pleasure last?
Certainty: How likely is the pleasure to happen?
Propinquity: How immediate or remote is the pleasure?

Of the action

Fecundity: How likely is it to be followed by similar pleasures?
Purity: How likely is it to be followed by pain?
Extent: How many people will experience the pleasure?

An action that has a high fecundity creates pleasures that are likely to be followed by more similar pleasures. One example of this might be becoming a volunteer helper at a community garden. Initially, you are likely to experience immediate pleasure from knowing that you are doing something that is helping make the garden a useful and happy space for everyone to enjoy. This is also likely to lead to other similar pleasures as you begin to see how your work is achieving its aim.

QU: Can you think of another action that would have high fecundity?

An action with low purity creates pleasures that are likely to be followed by some pains. An example might be getting good results by cheating in a test. Although you may be pleased with the mark it is likely to be impure because you will probably feel guilty about it and worried about getting caught.

QU: Can you think of an action that will be similarly impure?

To work out the action that will produce the greatest happiness, and thus what is the right thing to do in each situation, you should do the following for each possible action you could take:

1 For the first person affected by the action:
    a) Give a value to each pleasure and each pain initially resulting from the action for that person, considering the following four criteria:
        - Intensity: How intense will the pleasure or pain be?
        - Duration: How long will the pleasure or pain last?
        - Certainty: How likely is the pleasure or pain to happen?
        - Propinquity: How immediate or remote is the pleasure or pain?
    b) Give a value to each pleasure that is likely to follow the initial pleasures and pains for them. (This tells you the fecundity of their pleasures and the purity or impurity of their pains.)
    c) Give a value to each pain that is likely to follow the initial pains and pleasures for them. (This tells you the fecundity of their pains and the purity or impurity of their pleasures.)
    d) Total up: Take the total value of pains away from the total value of the pleasures. This is the total for the first person.
2 Repeat steps a to d for each person affected by the action.
3 Add up the totals for each person to get an overall total for that action.

Once you have completed steps 1 to 3 for every possible action you could take, the one that has the highest overall total of pleasures over pains is the right action to take, according to Bentham.

A common mistake

There are some things to consider when applying the hedonic calculus. Remember that Bentham says that the right thing to do is the thing that creates the greatest total happiness of all available options. It is quite common for people to make quite superficial judgements about what the hedonic calculus would suggest is the right thing to do. Usually, this is because they have not fully considered each of the reasonable alternatives or all the pleasures and pains associated for each action and each person that it affects, as well as fecundity and purity of the action itself.

For example, it is not uncommon for people to say that a utilitarian would recommend that you keep the wallet of a millionaire if you find it in the street. This is ignoring the fact that you are unlikely to know whether the owner is a millionaire or not. It is unlikely that this action will create the most overall happiness when we consider all those involved, all possible options and the possible consequences of this.

QU: Explain with reference to Bentham's calculus why utilitarianism is unlikely to recommend that you should keep someone's wallet when you find it in the street.

Activity 8: Using the hedonic calculus

QTs:

- What do you think about Bentham's process? Would it help you make moral decisions?
- Did you have any difficulties in implementing it?
- Did the people in your class agree about the results of the calculus and what the right action to do would be?
- How likely are you to use the hedonic calculus when you are facing a moral dilemma? Explain why.

QUs:

- What is Bentham's hedonic calculus used for?
- Explain how the hedonic calculus is used in moral dilemmas.
- What problems are there with using Bentham's hedonic calculus?

John Stuart Mill's higher and lower pleasures

In his explanation of using the hedonic calculus, Bentham doesn't discriminate between different pleasures in any way. As Bentham famously said, if the quantity of pleasure is the same, 'pushpin is as good as poetry' (pushpin is a simple pub game).

However, some people argue that a quantitative distinction between pleasures is insufficient as some pleasures are qualitatively different from one another. The amount of pleasure you get is less important than the quality of that pleasure. This was a common criticism of Bentham's utilitarianism, and some argued that utilitarianism was a philosophy that encouraged people to indulge in their most basic desires and made people no better than animals, seeking out pleasure of any kind, with no consideration of the value of that pleasure.

QT: Are some types of pleasure of a higher quality than others? If so, what are they and why are they of a higher quality?

Mill believed that some pleasures were better than others. He introduced the idea of higher and lower pleasures.

Activity 9: Mill's higher and lower pleasures

Let's explore these ideas. Mill claims the intellectual pleasures of the mind are of a greater quality than the sensual pleasures of the body. The lower pleasures, as Mill defines them, are those pleasures we share with animals, such as the pleasures of eating, drinking and sex. The higher pleasures are those of the cultivated mind, such as the joys of literature, music, and the arts. Only humans can enjoy these pleasures and they are therefore distinctive of our status as rational beings. Mill's view is encapsulated in this quote:

> 'It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied.'

According to Mill, when faced with a choice between two pleasures, one should assess them not in the purely quantitative way recommended by Bentham, but in a qualitative way.

A common mistake

Sometimes people have mistakenly assumed that Mill's distinction between higher and lower pleasures meant that we must always give up any possible lower pleasure for a higher one. This would lead to the bizarre conclusion that we could never eat or sleep or have sex as there is always an alternative higher pleasure that we could be pursuing instead. Rather, Mill is simply recognising that we should aim to have higher pleasures in our lives. He thought that if we have fully experienced higher pleasures, then we would not choose a life without them, even if we were to have a life full of lower ones. When we can prioritise higher pleasures above lower ones, we should do so. In general, he thought we should aim for the greatest happiness, just like Bentham. According to Mill, it would often be the case that pursuing higher pleasures would lead to the greatest happiness, because they tend to be pleasures that are enduring and lead to many other similar pleasures. However, the greatest happiness will not be achieved if we never eat!

Competent judges

On what grounds does Mill justify this championing of the higher pleasures? Mill argues that if we were to ask those people who had experienced both sorts of pleasure, we would generally find that such a person would prefer the higher ones. He calls such people competent judges. Such people would not want to sacrifice their higher pleasures for a life full of lower ones.

An objection to this is that there are clearly people who have experienced both sorts of pleasure but who prefer lower pleasures, or at least choose them consistently, pursuing easy bodily pleasures and taking the lazy option at every opportunity.

QU: Using your summaries from the excerpt from 'Utilitarianism' Chapter 2, what would Mill say to defend himself against such a criticism as that above?

In response to this, Mill has a few answers. Firstly, it is possible that someone has experienced a particular activity but not really engaged with it. For example, you might have read a book by one of the most brilliant writers and hated it, but if you didn't understand most of the language and did not actually try to interpret it, then you might think you did not really experience it in a way that would enable you to judge its quality.

Another answer that Mill gives is to recognise that a pleasure is considered a higher pleasure when most competent judges would place it above a lower pleasure. This is not to say that there may not be some exceptions and some people who still prefer a lower one. In this case, the majority opinion is correct as far as Mill is concerned. Mill allows for the fact that different people will prefer different pleasures. He is not suggesting that everyone must enjoy exactly the same things.

Finally, Mill also argues that people can be weak in nature and that the 'capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance'. He later adds, 'Men … addict themselves to inferior pleasures, not because they deliberately prefer them, but because they are either the

only ones to which they have access or the only ones which they are any longer capable of enjoying.'[8]

So, higher pleasures take effort and require engagement, but once we have sampled them, we will overall prefer them, even if we don't always make the right choices to pursue them.

QUs:

- Explain Mill's higher and lower pleasures distinction. Give an example of each type of pleasure.
- Other utilitarians have also argued that intellectual pleasures are better than sensual pleasures. What was their justification and how does this differ from what Mill said?
- Who is a competent judge, according to Mill?
- Explain this quote from Mill: 'It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, is of a different opinion, it is because they only know their own side of the question.'
- If people who have experienced both types of pleasures know which are the higher quality ones, why do they not always choose higher pleasures, according to Mill?

QTs:

- Do you agree that some pleasures are of a higher quality than others? Explain your answer.
- Do you think that Mill was right that most people who have experienced both types of pleasures would prefer intellectual pleasures to purely sensual pleasures? Explain your answer.
- As Mill never specifies exactly when we should prioritise higher pleasures over lower pleasures, how useful is his distinction when making moral decisions? Explain your answer.

Activity 10: Summarising Bentham and Mill's utilitarianism

Act and rule utilitarianism

As the theory of utilitarianism was developed and refined over the years, there emerged two distinct branches. These are known as act utilitarianism and rule utilitarianism.

Act utilitarianism takes literally the requirement that we examine the consequences of every possible course of action in any situation when making our moral deliberations.

Rule utilitarianism doesn't believe assessing individual situations is appropriate, or even possible. It recognises that applying Bentham's calculus to each situation may be time consuming and problematic. Therefore, rule utilitarians believe that we should stick to general rules of conduct such as 'don't lie' or 'always keep your promises', because these rules tend to produce good consequences. Both act and rule utilitarianism aim to achieve the greatest happiness, but rule utilitarians think that the way to achieve the most happiness is

[8] John Stuart Mill, Utilitarianism, 1863, Chapter 2: What Utilitarianism is. See https://www.utilitarianism.net/books/utilitarianism-john-stuart-mill/1

by sticking to certain rules that have been known to keep most people happy if everyone follows them.

Hard or soft rule utilitarianism

If we were to adopt a rule utilitarian stance, however, there is a further question to ask. How strictly should we stick to these rules? Should I never break a promise, even if it would save someone's life? What about breaking a rule against torture to find the location of a bomb that will kill hundreds of people? Some philosophers have responded to this issue by taking either a **hard** or a **soft** position. The hard line would be to insist that rules are never broken for fear of undermining the practice that they are designed to preserve. This view is called **hard rule utilitarianism**.

A softer line would involve breaking fixed rules on certain occasions, such as when it was blatantly obvious that more happiness would result, and pain and suffering would be minimised. This would be a **soft rule utilitarianism.**

While taking a hard line might seem severe, it could be argued that if rule utilitarianism tolerates rule breaking of any sort, the way to justify this on utilitarian grounds would be if the consequences led to greater overall happiness and pleasure. This would soon dissolve into simple act utilitarianism, where each individual case must be considered on its own merits to determine if a rule should be broken or not.

QUs:

- Give a definition of act utilitarianism. Give a definition of rule utilitarianism.
- Explain how act and rule utilitarians differ in their approach to answering moral dilemmas.
- What is the difference between hard and soft rule utilitarianism?
- Why might someone who believes that the right thing to do is whatever creates the most happiness choose to be a rule utilitarian?
- Why do some people say that soft rule utilitarianism will eventually collapse into act utilitarianism?

Activity 11: Applying act and rule utilitarianism

Are Bentham and Mill act or rule utilitarians?

It is worth clarifying that the difference between act and rule utilitarianism was first stated in the late 1950s, when Richard Brandt introduced this terminology. Earlier utilitarians like Bentham and Mill did not define which view they supported. This has led to debates about whether the classical utilitarians supported act utilitarianism or rule utilitarianism, or some combination of these views. Though it seems reasonably fair to classify Bentham retrospectively as an act utilitarian, this is much less clear when it comes to Mill. Many do argue that he was a rule utilitarian, but that debate is beyond the realms of this Higher Philosophy course.

A common mistake

Even if you class Mill as a rule utilitarian, this has nothing to do with the aspect of his philosophy that distinguishes between higher and lower pleasures. There are many rule utilitarians who do not support this distinction.

Analysing and evaluating utilitarianism

Activity 12: Analysing and evaluating utilitarianism

Some common criticisms

The following paragraphs summarise some common questions and criticisms raised to challenge utilitarianism.

For each of the criticisms described, there are several questions that can help you to think more deeply about these issues and decide for yourself if they are truly problematic for utilitarianism or not.

Problems with consequences

Predicting consequences may not always be possible

Can we predict consequences at all? In many situations the consequences turn out to be quite different from what we expected.

QTs:

- Can we apply utilitarianism to dilemmas if we don't know what will achieve the greatest happiness?
- On the other hand, do we not make decisions about how to act every day based on what we think are the most likely consequences? If they are so unpredictable, how do we do this?
- Does the criterion of 'certainty' in the hedonic calculus help in terms of the difficulty with predicting consequences? Is it enough?

Predicted versus actual consequences

Which should the action be assessed on? There can be many situations where we have very good reason to think the consequences of an action will be one thing and they end up being different.

QTs:

- Is the action good because it was likely to lead to the most happiness, or bad because it turned out to cause a lot of suffering?
- If it is about what is intended, does this let people off the hook when they are careless in working out what they should do?
- If it is about what actually happened, is this fair? Should people be blamed for something that they caused when they couldn't know that it would happen that way?
- Could a solution be found by separating the morality of the action from the morality of the person?
- How often will this issue arise in every day moral decision-making?

Short-term versus long-term consequences

Which is more important, and on which should our actions be judged? How we resolve important issues such as limiting global warming rest on how much importance long-term consequences are given, in comparison with short-term consequences and how we should prioritise them.

QTs:

- Can we use Bentham's calculus to help answer these problems?
- Short-term consequences are easier to predict and tend to be more certain, so should we prioritise them?
- Can you think of any other good reasons why we might prioritise short-term consequences over long-term consequences? Would the maximum happiness be more likely to be achieved if people focus more on making the immediate or the long-term consequences of their actions better?
- If we just focused on short-term consequences, what would this mean for issues like dealing with global warming?

Local versus global consequences

Local consequences are those that relate to the area and the people that your action is immediately affecting, such as your family, school, your community (that is, the people local to you). Global consequences are seen when we take a much wider perspective of our actions, for example in communities beyond where the action takes place, and consider the effects further afield or even worldwide.

QTs:

- How much should we prioritise the consequences closest to us when making moral decisions?
- Will the greatest happiness usually be achieved if most people focus on making the greatest happiness occur in their local community? When might this not be the case?
- Can you think of cases or examples where it might seem most obviously right to prioritise the global consequences over the local ones?

Problems with hedonism

Quantifying happiness — the value of pleasures and pains

Pleasures and pains are very difficult to measure or quantify. Is it even possible to give them a value?

QTs:

- Does Bentham's calculus manage to guide us successfully in doing this?
- Is it too time-consuming and complicated to put into practice?
- How does rule utilitarianism arguably get around this issue? Is it totally successful?
- Are all pleasures of the same quality? If not, how do we decide which to prioritise and why?

Quantifying happiness — problems with higher and lower pleasures
Mill does not give any clear guidance as to how we make choices between competing pleasures. We know that we should give some priority to higher pleasures, but how much and when exactly is not clear.

QTs:
- Which kind of pleasures did Mill think would be most likely to create the greatest overall happiness: higher pleasures, or lower pleasures? (See John Stuart Mill's higher and lower pleasures.)
- Why did he think this was often the case? Can you think of examples that would explain this?
- As a utilitarian, would Mill say we should aim for the greatest happiness? Can this help us to work out what Mill would say about how we make decisions, with regards to higher and lower pleasures?

Can pleasures and pains be compared?
It could be argued that comparing the pleasures associated with our actions is not always possible: that some pleasures are so different as to be incommensurate. Incommensurate pleasures refer to pleasures that are fundamentally different in kind and cannot be compared or weighed against each other. For example, the pleasures and pains associated with the following two acts might seem so different as to be incomparable:

a) donating your kidney to save someone's life
b) campaigning for and achieving a change in the law to improve support for those suffering from addiction to drugs and alcohol

QTs:
- Are some pleasures and pains so different that we cannot compare them on the same scale?
- Is this likely to be a common problem for utilitarians? How much does this criticism pose a threat to utilitarianism as a moral theory?
- Is there anything utilitarians could advise people to do when comparing seemingly incommensurate pleasures?

Bad pleasures
Not all pleasures are obvious moral goods. Many of them could be described as vices. And some pleasures seem outright bad to enjoy, for example someone who gets pleasure out of hurting someone. Is their pleasure worthy of inclusion in our hedonic calculus? Should it carry the same weight as the pleasure of someone who enjoys helping others, as the equity principle suggests?

QTs:
- Why is it that we think causing someone pain is a bad thing to do?
- How might utilitarians defend counting these so called 'bad pleasures' in their hedonic calculus? Is the greatest happiness likely to be achieved when someone is physically harmed by another person?
- Is it wrong to like causing someone else pain? How much of a problem is this for utilitarianism?

Is pleasure the only good? Is pain the only bad?

You might think that there are other moral goods beyond just pleasure. Many people value principles of justice and human rights as being good things in and of themselves, regardless of the pleasure or pain associated with them. Equally, friendships and love are seen by some as intrinsically valuable. So, you might think that we should promote these things, even if the overall happiness from achieving them does not end up being the greatest. In addition, having your human rights taken away could be seen as bad, even if you don't mind too much. This raises a fundamental question about hedonism and its basis for utilitarian moral reasoning.

QTs:

- What do you think? Are there other moral goods other than pleasures?
- Would you always regret a love or friendship if the total of your experiences with that person had been more pains than pleasures? Does that make the relationship not valuable? What does this say about the value of love or friendship? What does this mean for utilitarianism?
- Does justice only matter insofar as seeing it achieved usually makes people happy, or limits suffering?
- Can utilitarianism be defended because, most of the time, love, friendship and justice do make people happy and bring more pleasure than pain?
- Could rule utilitarianism justify having rules that support justice and rights?

Problems with equity

The tyranny of the majority

The tyranny of the majority is a criticism that was initially raised against democracies but can equally be applied to utilitarianism. It refers to a situation where most people want something that goes against the wishes or happiness of a minority[9]. In utilitarianism, if the majority are made happy by an action and small numbers are made unhappy, then the overall happiness may be greatest by allowing that action. If this happens a lot, then a small minority's happiness may often be sacrificed for the good of the many. Some have argued that utilitarianism could justify reducing the rights of a minority group in society or even slavery if the majority were made sufficiently happy.

QTs:

- Why might we think that the greatest happiness would not result from reducing a minority group's rights?
- Why might we think that the greatest happiness would not result from slavery?
- Can you think of some examples where the tyranny of the majority might be justified by utilitarianism?
- Does this apply to act and rule utilitarianism in the same way?
- Could the greatest happiness be achieved by rules that harm a minority of people?

[9] Tyranny of the majority definition and meaning — Merriam-Webster

Does utilitarianism impose unrealistically high moral demands?
Because utilitarianism requires that we always do the action that creates the greatest happiness, it will often demand that we act in a way that is disadvantageous to ourselves: Should I go out with my friends or go to the blood bank to donate blood? There is no contest as this might literally save a life. Should I give my spare kidney to a stranger who will die without it?[10] Absolutely! Should I sell my worldly possessions, keeping only the bare minimum to live on, and dedicate my life to helping others? Probably!

QTs:
- Is it a bad thing that utilitarianism, as a moral theory, is demanding of people?
- If most people followed utilitarianism, would it lead to a more fair and equal society? If this happened, would we need to prioritise other people so much?
- Is it acceptable to often or always have to act against your own interests, if doing so helps those who are worse off than you are?

Special obligations
Imagine your child is stuck in a burning building. You want to go and save them, but they are on the top floor alone. In the time it would take for you to help them, you could have saved five people on the ground floor. Utilitarianism would say saving five people will be a better outcome than saving one. However, we might think that you have a special obligation towards your child compared to other people. The idea that we have special obligations or duties towards certain people does not fit in with the equity principle, that we should treat everyone's happiness equally.

QTs:
- In this scenario, do you think utilitarianism would demand that you saved the five other people? Can you think of an explanation as to why it might not?
- In general, could aggregate happiness be maximised if people did not prioritise the people they care most about?
- Are there some situations where it is important and right that we don't prioritise our family and friends over other people? Can you think of some examples?
- Would a rule prioritising the care of the people closest to us, or those we have special obligations to, lead to maximum happiness? Would this criticism apply to rule utilitarianism?

[10] Zell Kravinsky is an American philanthropist, investor, who donated his kidney altruistically to a stranger on utilitarian grounds: Bold Giver Story: Zell Kravinsky (boldergiving.org)

Kantian ethics

Where does Kantian ethics come from?

Unlike utilitarianism, which was developed over several years by different philosophers, the moral theory Kantian ethics is named after the one philosopher who created its principles, Immanuel Kant (1724–1804). Kant lived almost his whole life in the East Prussian city of Königsberg (which is now the Russian city of Kaliningrad) where he worked as a tutor and then professor. Kant lived through the European Enlightenment — a period in intellectual history where many thinkers were beginning to question the certainties that had been passed down by institutions such as the established church. This was an important time in European intellectual history — a period when many prominent thinkers believed that reason could now reveal the secrets of scientific, political and philosophical knowledge. Kant was among the leading proponents of this view.

Human reason was seen as the standard for making progress and was prized above all else in the search for scientific and philosophical truths. Kant believed that moral rules could be discovered through human reason, a priori*,* and his aim is to first establish a general principle of morality from which all other moral rules can be derived. Kant's moral philosophy is an excellent example of the deontological approach to normative ethics.

What is deontology or deontological ethics?

Kant's moral theory is described as deontological. The word deontology comes from the Greek words 'deon' and 'logos' and means literally the study of duty or obligation. In deontological ethics the morality of an action should be based on whether the action is carried out in accordance with duty, rather than based on its consequences, like utilitarianism. Kant believed that the moral worth of an action has nothing to do with its consequences because they are outwith our control and cannot be predicted. In addition, this would make what was right or wrong dependent on something that could change and our reason for acting would be dependent on circumstances.

Kant believed the moral worth of an act must derive from something **intrinsic** to the act itself rather than **extrinsic** to it. The consequences of an action are extrinsic to the act and so cannot make it morally good or bad.

For Kant, the moral rightness of an act was instead determined by the nature of the act itself — whether it was our duty to do it or not. This contrasts sharply with utilitarianism's view that **any** action could in principle be justified, provided it generated good consequences on that occasion.

QUs:

- What does deontology literally mean?
- According to deontological ethics, what makes an action right or wrong?
- Why did Kant think the morality of an action could not be based on consequences? Try to give three reasons.

QTs:

- Are some actions always wrong to do, no matter what the consequences?
- Are some actions always right to do, no matter what the consequences?
- Do you agree with Kant about why morality should not be based on the consequences of actions?

The sovereignty of reason

Kant thought that moral principles could be uncovered through reason alone (a priori). For Kant, reason has the utmost importance in his moral philosophy: reason is sovereign, which means that it has absolute authority.

Why did Kant think that reason is sovereign?

Morality based on reason is universal — it applies to everyone in all circumstances

Kant believed that every person was rational and so morality based on reason would apply to everyone, regardless of their personal experience, desires, and emotions (which are different for everybody). Our emotions are unreliable and temperamental — pure reason, on the other hand, tells us how we should behave in the moral sense and would always remain the same in all circumstances.

Moral rules, Kant thought, should be possible for everyone to follow, and no one should get to make an exception for themselves. They should be binding on everyone in the same way.

Kant said:

> ‘Everyone must admit that a law, if it is to hold morally, i.e. as the ground of an obligation, must carry with it absolute necessity; that the command; thou shalt not lie, does not just hold for human beings only, as if other rational beings did not have to heed it, and so with all remaining actual moral laws; hence that the ground of the obligation here must not be sought in the nature of the human being, or in the circumstances of the world in which he is placed, but a priori solely in concepts of pure reason, and that any other prescription that is found on principles of mere experience — and even a prescription that is in some certain respect universal, in so far as it relies in the least part on empirical ground — can indeed be called a practical rule, but never a moral law.’
>
> **Kant’s Groundwork of the Metaphysics of Morals, Preface**[11]

Morality based on reason makes us autonomous and free

Kant believed that human beings are imperfectly rational — we are driven by a mixture of reason and instincts. Like animals, we are motivated by instincts and desires but, unlike animals, we can reason. An animal that follows its instincts cannot be said to be free

[11] Kant, I., Gregor, M.J. and Timmermann, J. (2012). Groundwork of the metaphysics of morals. Cambridge: Cambridge University Press.

because it is, in David Hume's phrase, a 'slave to its passions'.[12] According to Kant, human beings have autonomy: we can make decisions and live our lives according to reasons and motives that are taken to be our own and not the result of forces beyond our control. The fact that we can choose to act upon moral rules that we adopt for ourselves, as opposed to doing just what we feel like doing and responding only to our desires is a demonstration of our autonomy and the sovereignty of reason.

Reason tells us that all people have moral worth

Through reason, we understand that human beings are to be valued in themselves and are worthy of our respect. This is why we have duties to other people as well as ourselves. For Kant, duty and justification are inseparable. To claim that you have done your duty is to hold that your actions are justified. Other people, using their reason, should be able to see your actions as the right thing to do.

Morality based on reason is objective; it has authority or sovereignty over all people because it can apply to every person. For Kant, to deny that lying is wrong is the same as denying that 2+2=4. To break a moral rule is like committing some sort of logical error.

QUs:

- What did Kant think would be special or valuable about a moral philosophy based on reason alone?
- According to Kant, how are human beings free and autonomous in a way that animals are not?
- Why did Kant think that morality could not be grounded in human emotions?
- Why is it that we have duties to ourselves and other people, according to Kant?
- Make a list of six bullet-point facts that highlight why Kant thought reason had sovereignty when it comes to morality.

QTs:

- Kant says that basing morality on reason means that it will be universal, and always apply to everyone. Do you think everyone agrees about what the moral rules are? Why not, if we can all know them through reason?
- Are all people to be valued and worthy of our respect? What might make someone not worthy of our respect?

The good will

For Kant, the goodness of an act doesn't come from its consequences but from something intrinsic to the act itself. He thought it must be something that was good in and of itself. But if not consequences, what is good?

Activity 13: What, if anything, is intrinsically good?

[12] Hume, D. (1739–40) 'T 2.3.3.4, SBN 414-5', in A treatise of human nature. Full quote: 'Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them.'

Kant argues that none of the seemingly 'good' things in Activity 13 are good in themselves, apart from the intention to do your duty (what you know is morally right), which he called the **good will**. For him, this was the will to do what you believe is right because you know that you ought to do it. The concept of the will is not one we come across that often, so it is worth an explanation.

The will

Our will is our ability to cause something to happen (or prevent something from happening) intentionally.

This is more than wanting to make something happen, it is a commitment to doing what is needed to make it happen. If I will that someone who is drowning is saved, then I am committed to doing what is needed to save them.

If I have a good will which, according to Kant, is a will to do my duty, then I am committed to acting according to what it is my duty to do. We will get to how we work out what duties we have later.

Activity 14: Kant on the good will

Here is a brief summary of the text from Activity 14:

Paragraph 1

- Gifts of nature (talents), such as courage and intelligence, can be used for bad by a bad person.
- Gifts of fortune (good things we get from good luck or good fortune), like health, money, success and happiness, may lead to arrogance without a good will.
- We don't tend to like it when someone who has bad intentions has lots of good fortune.
- It seems like good fortune is something we think only those with a good will deserve.

Paragraph 2

- There are qualities that support the good will, like calmness and self-control, and these are valued, but only because they usually come with the good will.
- These can also become bad in a bad person, for example a criminal who is calm and self-controlled is far more dangerous and repulsive than one who is not.

Paragraphs 3 to 5

- The good will is not good because of other things it gives us — although it often does bring good.
- The good will is far more valuable than any of its consequences.
- Imagine that, due to nature or bad luck, someone never achieves the things they will to happen. Whatever they try, they fail at. They still have a good will.
- The good will of this person is like a jewel, valuable purely for itself.
- The happiness and good things brought about by the good will are like the 'setting of the jewel' that allow us to see its value. The good will is the jewel.

QUs:

- What is the only thing intrinsically good, according to Kant?
- What is a will and how does it differ from wanting something?
- What does Kant mean by the good will?
- Why does Kant think that gifts of nature, like courage and intelligence, are not intrinsically good things?
- Why does Kant think that gifts of fortune, like good health and money, are not intrinsically good things?
- What example does Kant give to explain why qualities like calmness and self-control are not always good? Explain it.
- Explain the analogy of the jewel and its setting in relation to Kant's explanation of the good will.

QTs:

- Do you think that trying to do the right thing because you know you should is always a good thing, no matter what?
- Are there any examples of situations, real or hypothetical, when someone was trying to do something good but terrible consequences resulted? Does this affect the goodness of the intention?
- Does the fact that kindness or compassion for others can be used for bad ends mean that they cannot be good things in themselves?
- Is happiness good purely for its own sake, or do you think that Kant is right that some people's happiness (those without a good will) is bad?
- We cannot know what other people's intentions are when they act, so we cannot know if they are acting with a good will. Does it matter that we can never truly know if the person's action is morally praiseworthy or not?

Acting from duty versus acting from inclination

The good will is the intention to act according to your duty — to do what you understand to be the right thing. This, according to Kant, is to act with respect for the moral law. When we understand that a principle that we would be acting upon is our duty to follow, we recognise that it binds us to act upon it as if it were a law.

Acting from duty is the only motive that is morally praiseworthy for Kant. He distinguishes this from acting from inclination, which is acting from your emotions. While there is nothing wrong with doing good actions because you feel like it, you should not be praised for it. This is because people who act from inclination do so because of their nature and their upbringing. They may have been born compassionate people and help people instinctively or have been guided to this habit from their earlier experiences. However, we have no say over either of these things and do not deserve praise for them. In addition, acting on inclination alone means we will only act in this way when we feel like it, and not whenever our duty requires it.

Kant gives the example of a shopkeeper who always gives his customers the correct change. In his example, Kant says that the shopkeeper does this because he may lose customers if he doesn't. So his motive is his own self-interest. He is doing the right thing but

for the wrong reasons. In this case, the shopkeeper is acting in accordance with duty, but not for the sake of duty. As Kant puts it:

> 'Now, an action from duty is to separate off entirely the influence of inclination, and with it every object of the will; thus nothing remains for the will that could determine it except, objectively, the law and, subjectively, pure respect for this practical law, and hence the maxim of complying with such a law, even if it infringes on all my inclinations.'[13]

Kant did not, however, disregard inclinations altogether. Some inclinations, such as sympathy, help us to perform our duties, and we should try to cultivate these as it will make it easier to act according to our duty.

A common mistake

We must be clear that an action does not, according to Kant, lose its moral worth if it is accompanied by pleasure — it loses moral worth if it is done *because* it provides pleasure. If duty and desire coincide, the action can still have moral worth, if we act specifically with the intention of doing our duty.

QUs:

- What is the difference between acting from duty and acting from inclination?
- Why is acting from inclination not something to be praised?
- What would make the shopkeeper's actions something to be morally praised?
- Why, according to Kant, might we want to try to cultivate our inclinations, such as sympathy for others?
- If I decide to do something because I know I should (it is my duty), does the action lose its moral worth if I also enjoy doing it? Explain your answer.

Activity 15: Acting from duty versus acting from inclination

What is our duty?

So far, we know that it is right to act on the motive of duty. We know that we must also act in accordance with duty, but that leads us to ask, 'what is our duty?'. Now we will look at how we find out what our duty is.

Hypothetical imperatives versus categorical imperatives

In his writings, Kant distinguished between different types of rules for our actions: hypothetical imperatives versus categorical imperatives. An imperative is an expression of a command or, to put it another way, something that we must do.

[13] Kant, I., Gregor, M.J. and Timmermann, J. (2012). Groundwork of the metaphysics of morals. Cambridge: Cambridge University Press.

Many moral theories argue that there are things we must do because they will lead us to achieving something that is good:

- For utilitarianism, the goal would be the greatest happiness.
- For Christian morality, the goal might be serving God's purpose.
- For virtue theories, the goal would be cultivating our virtues.

For these moral theories, what is right involves what Kant describes as hypothetical imperatives. This is a command that we only need to follow if we wish to achieve that goal. An example of a hypothetical imperative might be:

> If you want to be a great athlete, then you should train regularly.

If you are committed to being a top athlete, then it is rational for you to follow the rule and train regularly; Kant believed that your reason commits you to going to training. Similarly, if you are a utilitarian, then your goal should be that you want to try to achieve the greatest happiness. Then reason tells you that you should do the things needed to achieve this.

However, Kant argued that hypothetical imperatives cannot be moral rules because they are not universal; they are based on desires that not everybody will have. In addition, they are not carried out from the good will, but to achieve some other goal.

The sorts of imperatives that Kant thinks are central to morality are ones that are unconditional and absolute; Kant calls them categorical imperatives. They are commands that apply equally and universally to everyone in a similar situation.

Activity 16: Categorical versus hypothetical imperatives

The categorical imperative

The categorical imperative is a rule that Kant created to work out what our duties are. He gave several different versions, or formulations, of this rule, each of which he thought would provide us with the same set of duties. In explaining each, Kant shows how we have both duties to ourselves and to other people.

We will look at the two most discussed formulations of Kant's categorical imperative which are known as the **universal law formulation** and the **end in itself formulation** (sometimes referred to as the 'formula of humanity').

The universal law formulation

This is Kant's first formulation of the categorical imperative. It recommends that we:

> 'Act only according to that maxim whereby you can at the same time will that it should become a universal law.'[14]

[14] Kant, Immanuel (1993) [1785]. Groundwork of the Metaphysic of Morals. Translated by Ellington, James W. (3rd ed.). Hackett. p.30. ISBN 0-87220-166-X.

The starting point for working out if an action is moral is to work out what the underlying principle behind the action is. Kant called this our maxim. A maxim is a principle of the will. Remember that when we will something, we are committed to making it happen. So our maxim combines an action with the goal that we intend to achieve by our action. Kant gives the example of someone who is in trouble making a false promise to get themselves out of that trouble. So the maxim they are acting upon is 'I will lie to get myself out of trouble'. If a friend of mine is in hospital and I want to cheer them up, I might decide to visit them. The maxim I'm acting upon might be 'I will visit my friend in hospital, to cheer them up'.

Now to consider this in relation to the universal law formulation noted above. Kant means that I should only follow maxims that I could will everyone to act on in similar circumstances.

QTs:

- Do you agree that moral rules should apply to everyone in the same situation in the same way?
- Would it be wrong to do something that you think other people should not do? Try to explain your thinking, giving reasons.

Kant describes two ways in which our maxim being universalised could be problematic. Both are a type of contradiction and thus we could not will it to become a universal law. And, if we could not will it to become a universal law, then it is our duty not to follow this maxim. For both types of contradiction we have a duty not to follow the maxim.

Contradiction in conception and perfect duties

A contradiction in conception is when we cannot even imagine the maxim being universalised without a contradiction. Kant says such a maxim '… cannot even be conceived as a universal law of nature without contradiction, let alone be willed as what ought to become one.'

Kant describes the example of a false promise to explain this kind of contradiction. See the quote below:

> '[W]hether a lying promise conforms to duty — I ask myself: would I actually be content that my maxim (to extricate myself from a predicament by means of an untruthful promise) should hold as a universal law (for myself as well as for others), and would I be able to say to myself: everyone may make an untruthful promise when he finds himself in a predicament from which he can extricate himself in no other way? Then I soon become aware that I could indeed will the lie, but by no means a universal law to lie; for according to such a law there would actually be no promise at all, since it would be futile to pretend my will to others with regard to my future actions, who would not believe this pretence; or, if they rashly did so, would pay me back in like coin, and hence my maxim, as soon as it were made a universal law, would have to destroy itself.'[15]

[15] Kant, I., Gregor, M.J. and Timmermann, J. (2012). Groundwork of the metaphysics of morals. Cambridge: Cambridge University Press.

QUs:

- What is the maxim that the person Kant describes is acting upon?
- Why does Kant think that he could 'will the lie' but not the 'universal law to lie'?
- What would your duty be in this situation, according to Kant?

Kant states that we must never act on maxims that would result in contradictions in conception when universalised. We have what Kant describes as a **perfect duty** not to do those things. Perfect duties are ones that always apply, no matter what the circumstances. The example above of making a false promise to get out of a difficult situation results in a contradiction in conception. This is because if it was a universal law to lie in such cases, no one would believe our lie and so we could not achieve our aim of getting out of trouble. Therefore, Kant would say we have a perfect duty not to lie in such a situation. This describes a duty we have to other people. Kant recognised that we also have duties to ourselves.

Kant describes a situation where someone is contemplating taking their own life because they consider their life to have more suffering and pain than pleasures. Kant considers universalising the following maxim: 'For love of myself, I make it my principle to cut my life short when prolonging it threatens to bring more troubles than satisfactions'[16]. Kant says that this is an example of a maxim that leads to a contradiction in conception when universalised, and leads to a duty to oneself:

> 'So the question is whether this principle of self-love could become a universal law of nature. If it did, that would be a nature that had a law according to which a single feeling created a life affirming push and also led to the destruction of life itself; and we can see at a glance that such a 'nature' would contradict itself, and so couldn't be a nature. So the maxim we are discussing couldn't be a law of nature, and therefore would be utterly in conflict with the supreme principle of duty.'[17]

So we have a duty, in this case to ourselves, never to act on such a maxim.

QUs:

- Using the quote above to help you, explain why the maxim 'For love of myself, I make it my principle to cut my life short when prolonging it threatens to bring more troubles than satisfactions' results in a contradiction in conception.
- What duty arises from this contradiction?

QTs:

- Do you think that people have a moral duty not to take their own life?
- Do you agree with Kant's reasoning as to why we ought not to do so? Explain your thinking.

[16] Groundwork for the Metaphysic of Morals in the version by Jonathan Bennett presented at www.earlymoderntexts.com
[17] Groundwork for the Metaphysic of Morals in the version by Jonathan Bennett presented at www.earlymoderntexts.com

Contradiction in the will and imperfect duties

A second type of contradiction is described by Kant as a contradiction in the will. This is when there is a maxim that we can imagine being universalised without there being a contradiction in conception, but even though we can imagine the universal law existing without it undermining itself, it would be against our reason to will it to exist.

Kant gives the example of the maxim 'Never help others in need, who I am able to help', and says this:

> 'Now, certainly, if such a way of thinking were to become a universal law of nature, the human race could very well subsist, … But even though it is possible that a universal law of nature could very well subsist according to that maxim, it is still impossible to will that such a principle holds everywhere as a law of nature. For a will that resolved upon this would conflict with itself, as many cases can yet come to pass in which one needs the love and compassion of others, and in which, by such a law of nature sprung from his own will, he would rob himself of all hope of the assistance he wishes for himself.'[18]

As we can see, Kant thinks we can imagine a world where such a principle exists.

QU: Why does Kant say that it would be 'impossible to will that such a principle holds everywhere as a law of nature'?

We are constantly in need of the help of others in so many aspects of our lives: we need the help of our family to look after us when we are too young to look after ourselves; we need the help of teachers to learn; of doctors when we are sick, and so on. Therefore, it would not make sense for us to wish for no-one to ever help anyone they are able to help. It would make it harder, if not impossible, for us to achieve our goals if no-one ever helped us; it would contradict our will.

So, we have a duty not to follow these maxims. It is not ok, 'never to help people in need, who we are able to help'. However, it may also be obvious that we can't constantly help others either. For maxims that result in a contradiction of the will, we have a certain amount of responsibility to do the opposite of the maxim. So we have a certain amount of responsibility to help others in need when we can do so. Kant calls this kind of duty an imperfect duty. Kant does not specify how often or in what way we must fulfil these duties, but suggests that we must make a policy for ourselves to decide when and how we will fulfil these kinds of duties.

[18] Kant, I., Gregor, M.J. and Timmermann, J. (2012). Groundwork of the metaphysics of morals. Cambridge: Cambridge University Press.

QTs:

- Do you think it is important that a moral theory gives us duties to help other people?
- Come up with a policy that you could use to decide when you should help other people? Try to consider how much you should help people, when and how. Is it easy to come up with such a policy?
- What kind of things did you consider? Were any of your considerations based on the consequences of your help? Or your feelings? If so, does this mean that Kant's philosophy requires us to consider consequences or our inclinations after all?

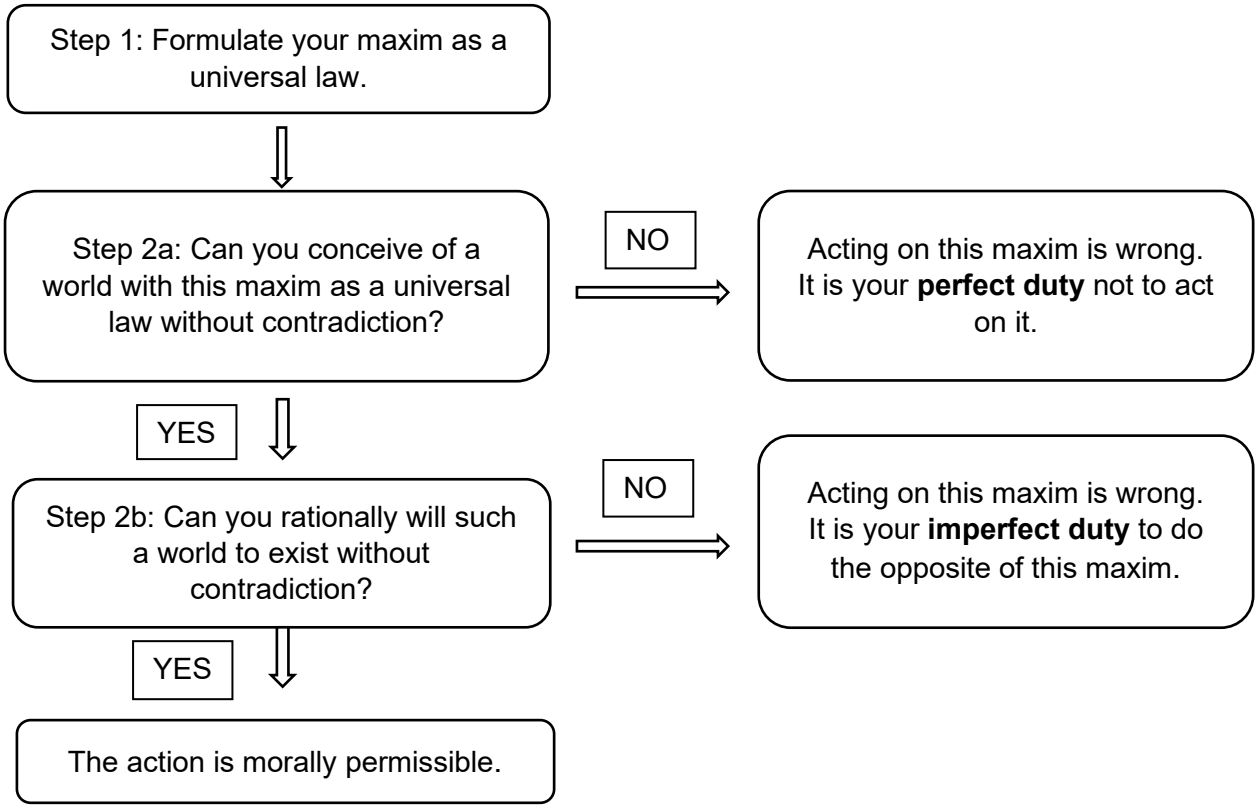
Kant also describes a maxim that results in a contradiction in the will and leads to a duty to oneself. He describes the maxim of 'neglecting your talents because it allows you to indulge in idle amusement'. Kant claims that we can imagine a world where no-one endeavours to put time and effort into bettering themselves by developing their skills, but instead aims to satisfy their basic pleasures. However, a world with a universal law that requires this would be against our reason to will because we do want to develop our own skills, given how many different purposes they have, and not doing so would stop us achieving some of the goals we have for ourselves. For example, if your goal is to enjoy good food, you might want to develop your skills in cooking so that you can make yourself tasty meals. Equally, you have other goals that rely on other people developing their talents. If you want to have healthy teeth, you require someone to develop their skills in dentistry; if you want to enjoy watching good films, then you need many people to develop different talents to ensure good quality movies are made, and so on.

Using the universal law formulation to work out perfect and imperfect duties

Below is a step-by-step procedure for working out what our **perfect** and **imperfect duties** are using the universal law formulation of the categorical imperative. It is useful to regard the categorical imperative as a test: if a maxim fails the test in some way, we have a moral duty not to follow it. If the maxim passes the test, it is morally permissible:

1. Formulate your maxim as a universal law — the underlying principle on which you wish to act — make it an action plus what you want to achieve by the action.
2. Consider whether universalising your maxim results in a contradiction. If it does, then you have a duty not to perform this maxim. There are two ways the maxim could commit a contradiction:
    a) We cannot imagine a world in which this was a universal law. This is a contradiction in conception and leads to a perfect duty not to act on it.
    b) We can imagine such a world, but we cannot will such a world. This is a contradiction in the will and leads to an imperfect duty. We have an imperfect duty to do the opposite of this maxim.
3. If it passes both the contradiction in conception and the contradiction in the will test, then it is morally permissible for you to act on this maxim.

Using the universal law formulation to work out our duties — flowchart



A common mistake

Sometimes people confuse permissible actions for Kant with obligations. If a maxim passes the three steps above of the universal law formulation, this does not mean you must act on the maxim; it is not a duty for you to follow it. Rather, it is simply a maxim that it is ok for you to follow.

Activity 17: Using the universal law formulation to work out our duties

QTs:

- Was it easy to work out what your duty was in these situations? If not, what made them difficult?
- Do you think the duties that arise from applying the categorical imperative to these scenarios fits in with your intuitions about what is right to do? What does this say about the use of the categorical imperative for making moral decisions?

The end in itself formulation

This second formulation of the categorical imperative states:

> 'So act as to treat humanity, both in your own person, and in the person of every other, always at the same time as an end, never simply as a means.'

This formulation also provides us with a guide as to duties that we must follow.

QT: What does it mean to treat someone as a means to an end?

Kant believes that rationality is one of our defining features as human beings. This rationality is what gives us our autonomy as free agents in the world and our fundamental dignity, making us worthy of respect in our own right:

> 'I maintain that man — and in general every rational being — exists as an end in himself and not merely as a means to be used by this or that will at its discretion. Whenever he acts in ways directed towards himself or towards other rational beings, a person serves as a means to whatever end his action aims at; but he must always be regarded as also an end.'[19]

Kant distinguishes between how we treat people compared to how we treat inanimate objects. Inanimate objects get their value from what they do for us, that is, how they help us to achieve our goals or ends. People, on the other hand, are valuable in themselves and so we should never just use them in the way we would use objects. In addition, Kant demands of us that we treat humanity in our own person as an end in itself. So, we must respect ourselves and our own humanity, as well as other people's.

A very helpful account of how to understand the second formulation of Kant's categorical imperative comes from philosopher Onora O'Neill. In Activity 18 there are some extracts from her article 'A Simplified Account of Kant's Ethics' which describes what it means to treat people as a 'mere means to an end' and also what it means to treat people as 'an end in themselves'.

Activity 18: Using people as 'mere means to ends'

Although it is not as commonly discussed, this second formulation entails both perfect and imperfect duties in the same way as the first formulation does. They arise as follows:

Perfect duties arising from the end in itself formulation

We should never do something that uses someone as a mere means to an end. Therefore, we have perfect duties not to do anything that would involve someone in something to which they could not rationally consent. For example, lying to someone uses them as simply a means to your own ends. It would not be rational to consent to being lied to and when someone lies to you, they take away your ability to make your own rational choices in response to a situation. For this reason, Kant thinks we must never do this.

Activity 19: The 2nd formulation and perfect duties

Imperfect duties arising from the end in itself formulation

As well as perfect duties, this formulation provides us with imperfect duties. To fully respect someone as an end in themselves we must respect their goals. We have imperfect duties to help further others in achieving their goals. For example if a friend of ours has an exam to study for and they are finding it very difficult, respecting their goal of doing well in their exam

[19] Kant, I., Gregor, M.J. and Timmermann, J. (2012). Groundwork of the metaphysics of morals. Cambridge: Cambridge University Press.

might lead us to help them to study. As this is an imperfect duty, we don't have to do it all the time, but we have a certain responsibility to support others in achieving their goals.

A common mistake

It is important to recognise that Kant is not saying that we should never treat people as a means to an end. Instead, he says that we should treat them '…always at the same time as an end, never **merely** as a means.' This emphasis suggests that it's fine to use people to achieve certain goals, as long as we respect them as people who are valuable and worthy of respect in themselves. That is, we see them as ends in themselves.

QTs:

- Are all people worthy of our respect?
- What if someone does not treat you with respect — should you treat them with respect anyway?
- Are there any actions that a person could commit that would make them no longer worthy of your respect?

Analysing and evaluating Kantian ethics

Activity 12: Evaluating Kantian ethics

Some common criticisms

Below are identified a summary of some common questions and criticisms raised to challenge Kantian ethics.

For each of the criticisms described there are several questions to help you to think more deeply about these issues and decide for yourself whether they are truly problematic for Kantian ethics or not.

Problems with duties

The problem of conflicting duties

What do we do if we have more than one duty at the same time? For example: Sam and Charlie are best friends. Sam confides in you that they are in love with Charlie, but they don't want to ruin their friendship by telling them. You promise them you will not tell anyone about how they feel. Later, you are asked outright by another friend if Sam is in love with Charlie.

Using the categorical imperative, we can work out that you have a perfect duty not to lie in this situation and a perfect duty to keep your promise that you made to Sam. Which duty should you pursue?

QTs:

- Would evading the question be sufficient to avoid breaking your promise, while not lying? Or is this going to give the answer away and thus break the spirit of the promise you made?
- Can you think of another example where you have two perfect duties that properly conflict?
- What do you think you should you do if you have a perfect and imperfect duty that conflict?
- What do you think Kant would say about making promises to lie or cheat for someone?

The problem with perfect duties

For Kant, perfect duties have no exceptions, but sometimes we think that it is right to make exceptions to such rules. Often this is because the consequences of following the rule would be so bad. For example, perhaps it is ok to lie to someone who you know is trying to hurt someone else (or many other people) and a lie would prevent this[20].

- Can you think of an example where the consequences of lying would be much better than the consequences of not lying?
- Are we solely responsible for what we ourselves do? Or is it our responsibility to stop others from doing harm when we can be reasonably sure that it will happen and that we can prevent it?
- Could it be right to break a moral rule if it prevented considerable harm? Could it actually be wrong not to break such a rule in some cases?
- Is a person who breaks a moral rule worthy of our respect? If not, is it ok to lie to them or break other moral rules that would violate their dignity according to Kant?[21]

[20] In an essay titled 'On the Supposed Right to Lie from Benevolent Motives' kant_lying.pdf (sophia-project.org) Kant describes such a circumstance where a would-be murderer enquires as to the whereabouts of their intended victim. Kant argues that it would be wrong to lie to them. He says it would harm humanity in general to undermine the principles of trust that rely on truthfulness from all. In addition, if our lie was to lead to the victim's harm, we would bear some of the responsibility for that harm, as our wrong action had led to it. Critics and defenders of Kant's ethics have written a great deal about the case of the enquiring murderer and how it can or cannot be defended. Several authors have claimed that Kant was not in fact arguing that it would be morally wrong to lie to the murderer and certainly the murderer has no right to be told the truth. Rather it is a legal wrong that is done when a lie is told in this situation. This debate is well beyond the scope of the Higher Philosophy course. However, for further reading on this essay the following resources offer interesting insights:
Microsoft Word — Right to Lie copy.doc (harvard.edu) — Christine Korsgaard
Kant and the right to lie reviewed essay: On a supposed right to lie from philanthropy, by Immanuel Kant (1797) (scielo.org.co) — Allen Wood
Microsoft Word — Penultimate for academia Supposed Right to Lie Kant Lexicon.doc (core.ac.uk) — Helga Varden

[21] There is reason to think that Kant did believe there were circumstances in which we can violate the moral law with impunity, and this is in cases where the other person has already tried to use you as purely a means to their own ends. Both Christine Korsgaard and Helga Varden cited above take this view. Kant may have defended such a position in his 'Lecture on Ethics'.

The problem with imperfect duties

Kant does not give clear guidance as to how we decide which imperfect duties we should follow, when or why. We cannot follow these all the time and can never do all the possible imperfect duties we have. It seems likely that any reason we have for choosing one imperfect duty over another is going to be based on what we feel like doing, or the consequences of our actions when implementing these. Kant says that neither how we feel, nor the consequences, should play a part in moral decision making, so how else are we supposed to decide?

QTs:

- What should you do about conflicting imperfect duties?
- Is Kant helpful in deciding which imperfect duties you should pursue?
- Can you think of any policy for choosing imperfect duties that does not consider how you feel or the consequences of your action?
- How important are imperfect duties in Kant's moral theory?

Problems with maxims

Very specific maxims can be used to justify anything

It is possible to create maxims in such a way that they only apply to one person, or a very particular situation, and so it seems to be possible to universalise these without contradiction. For example, the maxim 'Don't cheat in exams unless you have red hair, weigh 82 kilos, live in Perth, study Philosophy and own an Alsatian dog'. It may be possible to universalise this maxim, as it would not obviously involve a contradiction in conception, nor in the will, but does not seem to fit in with Kantian thinking.

QTs:

- For Kant, a maxim must be underpinning what we intend to do. Would it really be correctly describing our intended action by describing it so specifically? If someone asked you what you were planning to do, would you answer 'I, who have red hair, weigh 82 kilos, live in Perth, study Philosophy and own an Alsatian dog, intend to cheat in my exam to get a better grade'?
- Could this maxim really be universalised without contradiction? If examiners knew this was a universal law, then could they not put in place measures to make sure this person could not cheat?
- Would the 2nd formulation of the categorical imperative condone such an action? If not, what does this suggest about the way we have devised such a maxim?

What is a contradiction in conception in the universal law formulation?

A problem that has been highlighted by some philosophers is the difficulty in knowing what exactly the contradiction in conception amounts to. Kant suggests three types of contradiction[22]:

1 a logical contradiction, where we cannot even conceive of the maxim being universalised in any sense
2 a practical contradiction, where making your maxim a universal law would be self-defeating (as with the false promise)
3 a teleological contradiction, where your maxim is inconsistent with the purpose of a harmonic natural system (as with the man who wishes to end his life for love of self)

QTs:

- Does it matter if there are several different ways that a contradiction in conception can occur?
- Do all these types of contradictions make sense?
- Could you use the end it itself formulation to help you work out your duties? Does that solve the problem for Kant?

Problems with motives

Who is morally praiseworthy?

There is a difficulty knowing what someone's motives are. This is an important matter, as whether someone deserves moral praise or blame — and thus whether they might deserve to be punished for their actions — depends on what their motives were. But can we even be certain what our own motives are? I might, wanting to think myself a good person, believe that I was motivated to help someone by my concern to do the right thing. In fact, I may have been motivated by my desire for others to see me as a good person. How could I tell the difference between these two possible motives for myself or others?

QTs:

- Does it matter that we often can't tell if someone deserves moral praise or blame?
- Does it matter that we might fool ourselves about our own moral praiseworthiness?
- What is the job of a moral theory? To tell us the principles that ought to govern our behaviour? To allow justice to be delivered? Does it matter if it can't do both?

Does the reason why you behave morally matter?

This relates to Kant's claim that the intention to do what is right, our duty, is the only morally valid motive. But is this right? Are we ignoring other morally praiseworthy motives? There are other deontological theories that simply argue that as long as we do our duty then that is all that matters.

---

[22] Here are a couple of useful sources for discussion of this issue:
Korsgaard, Christine M. 1985. Kant's formula of universal law. Pacific Philosophical Quarterly 66, no. 1–2: 24–47, found at Kant's Formula of Universal Law (harvard.edu)
Galvin, Richard Francis (1991), 'Ethical Formalism: The Contradiction in Conception Test'. History of Philosophy Quarterly 8: 387–408.

QTs:

- Do you think it matters if we do the right thing for the wrong reason?
- We often praise people when they want to do kind things for others because they feel like it. Is this wrong?
- Is it somehow inhuman to put the motivation of duty above our feelings when it comes to acting morally?
- If our motivation for acting is just that we feel like doing it because of compassion, or it makes us feel good, what are we likely to do when we don't feel like doing something that is our duty? Does this justify Kant's position?

Activities

Activity 1: How do we make moral decisions in everyday life?

Consider the table of actions below and rank them from best to worst in terms of their moral praiseworthiness.

QT: What factors did you consider when making your decisions about where to rank them? Make a list of all the things you thought were relevant in determining how much morally better or worse each action is than the others.

Table of actions

Calling a member of your class names	Donating money to charity	Inventing a cure for a serious disease
Cheating in a spelling test	Giving blood so that your friends will think you're brave	Murdering someone
Sharing a snack with your friend because they forgot theirs	Letting your friend walk home alone through a dodgy neighbourhood, late at night	Stealing groceries to give to a family who can't afford to feed themselves
Saving someone from drowning	Taking an illegal substance	Giving up your seat on the bus to someone who clearly needs it even though you are tired and want to rest

Activity 2: How motivating are pleasure and pain?

Make a list of five things that you choose to do, or not do, based on what is pleasurable or painful.

QTs:

- Are any of your choices in life not influenced by what is pleasurable or painful?
- What choices are they?
- What does motivate you to make them?
- Do you agree that because it is in human nature to be motivated by pleasure and pain that we **ought** to be motivated by them?

Activity 3: Mill's justification for the GHP

Try to present Mill's arguments from the quotes below in standard form. (Think carefully about this. Although the passages are quite short, Mill argues for a few different points.)

> 'The only proof capable of being given that an object is visible, is that people actually see it. The only proof that a sound is audible, is that people hear it: and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it…
>
> No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness. This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good: that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons.'

John Stuart Mill, Utilitarianism, 1863, Chapter 4. Of what Sort of Proof the Principle of Utility is Susceptible[23]

Activity 4: What would a consequentialist do?

QUs:

- What is the consequentialist principle?
- For each of the following actions, consider what the likely consequences might be. Do you think the actions would be good or bad, according to consequentialism?
  a) Driving while under the influence of drugs or alcohol.
  b) Lying to your parents so that you can go to a concert with your friend.
  c) Studying hard for an exam.
  d) Doing a sponsored walk to raise money for a charity that supports people who are homeless.

Activity 5: Is consequentialism correct?

Look back to Activity 1 and the list of factors you thought were relevant in determining how much morally better or worse each action was.

QTs:

- How important were the consequences to where you placed actions?
- Did some of the other factors matter more in your considerations?
- Do you think that only the consequences matter when it comes to making moral decisions? What does this mean for the GHP?

[23] The complete text is available in the public domain. See: http://fair-use.org/john-stuart-mill/utilitarianism

Activity 6: Is hedonism correct?

Make a list of the things you value most in life.

QTs:

- Do they make you happy?
- Is that why you value them?
- Are there bad pleasures? Can you think of anything you that it is wrong to take pleasure in?
- Do all the things you value make you happy? Would you value them, even if they did not make you happy? Can you think of anything that you value even though it caused you pain?
- Can pain be a good thing? Can you think of examples of experiencing pain or suffering that could be seen as valuable? Would it be valuable if there had been no pain or suffering?
- Think about the bad things in life? Do they all cause pain or suffering? Are they only a bad thing because they cause pain and suffering? Would they still be bad if they didn't cause pain and suffering?

Activity 7: The hedonic calculus

Read **Bentham extract 2**, **Jeremy Bentham in the 'Introduction to the Principles of Morals and Legislation', Chapter IV: Value of a Lot of Pleasure or Pain, How to be Measured** in the Higher Philosophy Course Specification, Moral philosophy text extracts, then answer the questions that follow:

QUs

- What are the four criteria that Bentham says are considered when deciding the value of a pleasure or pain to an individual?
- Fecundity and Purity are qualities of what?
- Sum up Bentham's steps to weigh up the pleasures and pains. (See point V in the extract linked above.)
- Does Bentham think we need to perform this calculus for every single moral judgement, legislative or judicial decision? What does he say about this? (See point VI in the extract linked above.)

Activity 8: Using the hedonic calculus

Pick some of the moral dilemmas below or come up with your own. Perform calculations using the hedonic calculus to consider which action would produce the greatest happiness and thus which would be the right thing to do according to utilitarianism:

1 Your friend confides in you that they stole a copy of an upcoming test. They explain that they are feeling guilty about it and that they now don't even plan to use it. A few days later, you find out that someone else in the school has been blamed for taking the test and is going to lose all their marks and be put on detention. What should you do?

2 You receive a package at your home that was delivered to the wrong address. The shipping label indicates it is an item that you can't afford yourself but really want. Do you keep it or notify the person it was intended for?

3 You work at a bank. While doing your job you spot that someone in your team has made an error which means that a large sum of the bank's money has been put into the account of a charity that runs a local food bank. The money would make a big difference to the charity and what they could do to support the local community. Should you tell someone about the error you spotted?

4 You are walking to school and on your way, you see someone have a serious fall off their bike. They have cut one of their knees quite badly and may have other injuries too. If you go and help them you will be late for school and the last time you were late, you were told that you would be given a detention if you were late again. Should you go and help them?

Activity 9: Mill's higher and lower pleasures

Read **Mill extract 1, John Stuart Mill, in Utilitarianism Chapter 2** in the Higher Philosophy Course Specification, Moral philosophy text extracts, and create a summary of the key points (this could be an individual task or you could work in groups — each summarising a different paragraph — then share your summaries with your class).

Activity 10: Summarising Bentham and Mill's utilitarianism

Make an information poster or summary sheet highlighting the key ideas of the classical utilitarians, Bentham and Mill. On it you should include:

- the greatest happiness principle
  - the consequentialist principle
  - the hedonic principle
  - the equity principle
- the hedonic calculus
- Mill's higher and lower pleasures
  - competent judges
- at least one quote from each thinker emphasising core ideas

Try to add as much detail and information to your poster or summary sheet as you can.

Activity 11: Applying act and rule utilitarianism

In groups consider the dilemmas below and decide the following:

a) What would an act utilitarian do and why?
b) What would a rule utilitarian do and why? Is there a difference if they are a hard or soft rule utilitarian?
c) Which position (act utilitarianism, hard rule utilitarianism, or soft rule utilitarianism) do you agree with most and why?
d) Do your answers raise any issues for the different types of utilitarianism? What do you think these types of Utilitarianism might say in their defence?

Appoint someone to feedback your answers to the rest of the class.

1 You are in a shop and see a woman with a baby slip a bottle of infant paracetamol into her coat pocket. The shop always prosecutes shoplifters.
2 You are on a lifeboat with 10 other people and a dog. The captain suggests that everyone's chances of survival will be slightly enhanced by throwing the dog overboard. He reasons that it is adding unnecessary weight to the boat and will need precious drinking water if it is to survive anyway.
3 When drunk, a close friend confides in you that she has stolen a small sum of money from the company you both work for. Later you learn that someone else in the company is being blamed for the theft and may lose their job. Your friend refuses to come clean to the management.
4 A surgeon tells you that your brother and sister are both terminally ill. There is a medical procedure that would give them both another 10 years of life but would involve you donating organs that would reduce your life by an estimated five years.
5 Driving in your car, you come to a set of red traffic lights at a crossroads at 2 o'clock in the morning, and there is no one around for miles. You are in a hurry to get home because your dog is sick and needs the medicine you have collected from an all-night vet.

Activity 12: Analysing and evaluating utilitarianism

Go back through your notes on utilitarianism. Make a list of potential criticisms. You will likely have identified quite a few as you have been working through the questions in these notes. You could also research further problems using textbooks, articles or from websites online.

For each criticism you have identified, do the following:

1 Sum it up in no more than three sentences.
2 Give your own unique example to help illustrate the point.
3 Pretend you are Jeremy Bentham or John Stuart Mill being presented with this criticism. What would they say in reply? How would they defend their philosophy?
4 Are some criticisms applicable to only act or rule utilitarianism? What are they?
5 Say how strong a criticism this is against utilitarianism and rank it from 0 to 5 (5 being the strongest and 0 being the weakest — a criticism ranked as 5 will be one that shows a

core idea in utilitarianism to be at best problematic and at worst completely wrong; a criticism ranked as 0 will be one that a utilitarian can easily explain away or dismiss with little impact on the theory as a whole).

6 Explain why you have ranked this criticism in this way.

Working with a partner: Create a dialogue. One of you should take the stance of a utilitarian and the other should take the stance of a critic of utilitarianism. In your dialogue you should discuss the problems for utilitarianism and see if the utilitarian is able to fully defend their view.

Whole class activity: Prepare a debate on utilitarianism. One half of the class could prepare a defence and one half could prepare a criticism of the theory.

Possible motions for your debate are:

- ‘utilitarianism provides useful guidance on how to respond to moral dilemmas’
- ‘utilitarianism is an impractical moral theory’
- ‘act utilitarianism is too difficult to follow and too demanding of its followers’
- ‘rule utilitarianism is a big improvement on act utilitarianism’

Appoint two speakers on each side. The first person on each side introduces their main arguments. The second speakers respond to the arguments made by the other side and sum up the key points made by their first speaker.

The remainder of the class will compile the audience and can ask questions of the speakers at the end of the debate.

Which side had the strongest arguments?

Activity 13: What, if anything, is intrinsically good?

Below is a list of criteria that have traditionally formed the basis of different theories of 'the good'. Consider each and say if it is:

a) **good in itself**, purely because of what it is, or
b) only **instrumentally good**, good because of something else that it achieves

Explain your choice.

Happiness — your own	
Happiness — other people's	
Kindness and compassion towards others	
Wisdom	
Money or wealth	
The intention to do your duty (what you know is morally right)	
Courage	
Achieving success in your chosen career	
Perseverance	
Power	

Activity 14: Kant on the good will

Read **Kant extract 1, Immanuel Kant, from Groundwork for the Metaphysic of Morals** In the version by Jonathan Bennett presented at www.earlymoderntexts.com, in the Higher Philosophy Course Specification, Moral philosophy text extracts. This extract describes Kant's view on the good will. Working in pairs, summarise each paragraph.

Activity 15: Acting from duty versus acting from inclination

Using the concepts below, explain in detail the distinction Kant makes between duty and inclination. Aim to give six separate points.

- inclination
- morally praiseworthy
- prudent
- motive(s)
- duty
- shopkeeper

Need help getting started? Try filling in the gaps in this sentence:

'In Kant's moral philosophy he distinguishes between acting out of duty and acting out of inclination. Only acting out of _____ is morally praiseworthy…'

Activity 16: Categorical versus hypothetical imperatives

What does 'categorical imperative' literally mean? Look up each word to find out their meaning — what do they mean put together?

QUs:

- What is a hypothetical imperative? Give an example.
- Explain in detail why Kant thinks that moral rules can't be hypothetical imperatives and instead must be categorical imperatives.

Activity 17: Using the universal law formulation to work out our duties

Below are some moral scenarios to consider. For each one, do the following:

a) Decide what maxims would be underlying your possible actions.
b) For each maxim, decide if it would result in a contradiction in conception if made into a universal law.
c) If it results in a contradiction in conception, say what duty you have from this.
d) If it does not result in a contradiction in conception, decide if there is a contradiction in the will.
e) If it results in a contradiction in the will, say what duty you have from this.
f) If there are no contradictions, what does this tell you about what you should do?

1 You are worried about an assignment you need to do for school. You don't know if you can get the grade for it that you need to get into your chosen course of study next year. You know someone who will write it for you for a small amount of money and they promise that it will get you the grade you need. Or, you could work hard over the next few weeks until the deadline to try and get the knowledge and skills needed to do a good assignment.
2 You are browsing computer games in a shop, and you see the new game that you have been waiting for has been released. It is very expensive, and you can't afford it. The shop does not have particularly good security and you think it would be easy for you to steal the game without getting caught.
3 Your friend asks you to help them practice their lines for a school play. They are quite nervous, and the opening night is only a few days away. You have had a long day and you are very tired. You would much rather go home and relax.
4 You want to go to a concert at the weekend. You know that your parents won't let you go without an adult to supervise. Your friend's parents are much more liberal and are happy for them to go with you alone. You could lie to your parents and say that you are just going to stay at your friend's house for the night and then you could go to the concert without them knowing.
5 In your team meeting at work your supervisor praises you for work that another co-worker did. They obviously think you did it. Your co-worker is not in the meeting that day so you could just keep quiet, and no-one would know that it wasn't you.

Activity 18: Using people as 'mere means to ends'

Read **'A Simplified Account of Kant's Ethics' Onora O'Neill** pp.412–413, sections titled 'Using Persons As Mere Means' and 'Treating Persons As Ends In Themselves'. Then explain the following in your own words:

1 What does it mean to use someone as a mere means? What would be an example of doing this?
2 As well as not using someone as a mere means to an end, what does it mean to treat someone as an end in themselves? What would be an example of doing this?

Activity 19: The 2nd formulation and perfect duties

The maxims below are ones that would result in contradictions in conception when universalised and thus would lead to perfect duties not to do them. Kant thought both formulations of the categorical imperative would lead to the same set of duties. Explain how these actions would involve using people as mere means to an end.

1 Lie to get out of trouble.
2 When I can't afford to buy something I want, I will steal it in order to satisfy my desire.
3 When I find a subject too difficult, I will cheat in a test to get a better grade.

Activity 20: Evaluating Kantian ethics

Go back through your notes on Kantian ethics. Make a list of potential criticisms. You will likely have identified quite a few as you have been working through the questions in these notes. You could also research further problems using textbooks, articles or websites.

For each criticism you have identified, do the following:

1 Sum it up in no more than three sentences.
2 Give your own unique example to help illustrate the point.
3 Pretend you are Kant being presented with this criticism. What would he say in reply? How would he defend his philosophy?
4 Say how strong a criticism this is against Kantian ethics. You could rank it from 0 to 5 (5 being the strongest and 0 being the weakest — a criticism ranked as 5 will be one that shows a core idea in Kant's theory to be at best problematic and at worst completely wrong; a criticism ranked as 0 will be one that a utilitarian can easily explain away or dismiss with little impact on the theory as a whole).
5 Explain why you have ranked this criticism in this way.

Working with a partner: Create a dialogue. One of you should take the stance of a Kantian and the other should take the stance of a critic of Kantian ethics. In your dialogue you should discuss the problems for Kant and see if the Kantian is able to fully defend their view.

Whole class activity: Prepare a debate on Kantian ethics. One half of the class could prepare a defence and one half could prepare criticism of the theory. Possible motions for your debate could be:

- 'Kantian ethics fails because it ignores the details of any moral situation when calculating the moral worth of an action'
- 'Kantian ethics is an impractical moral theory'
- 'Kantian ethics is cold and detached from reality'
- 'Kantian ethics is a better moral theory than utilitarianism'

Appoint two speakers on each side. The first person on each side introduces their main arguments. The second speakers respond to the arguments made by the other side and sum up the key points made by their first speaker.

The remainder of the class will be the audience and can ask the speakers questions at the end of the debate.

Which side had the strongest arguments?

Administrative information

Published: October 2023 (version 1.0)

History of changes

Version	Description of change	Date

Note: please check SQA's website to ensure you are using the most up-to-date version of this document.