

Session 4 Q and A

Ashley:

Can utilitarianism do more harm than actual good? Some people's actions can benefit themselves but may harm someone else from those actions, even if they intend to act morally.

The requirement of “impartiality” in utilitarianism prevents anyone from benefiting themselves a little by causing greater harm to others. Agents must maximize the good of all, not their own good. This principle has led some critics to believe that utilitarianism is too demanding – that no one can live by a morality which makes self-sacrifices our duty. I have presented [here](#) and [here](#) and [here](#) solutions to this problem.

Heini:

Act utilitarianism has received critique, but are there some objections to using rule utilitarianism as a basis for making moral judgments? If yes, can you give an example?

If following a rule-utilitarian rule in a particular case would not maximize general good, what should we do? Say that the rule should be followed, anyway? But would that be the utilitarian thing to do? Would it not just be rule worship, utilitarianism's worst enemy? Or should we make an exception? But then we would collapse back to act utilitarianism. I seem to say these and some more on pages 70–71 of [this book of mine](#) from the time when dinosaurs roamed on earth.

Elin:

Are there any ethical theorists that have tried to and somewhat successfully managed to redefine Kant's examples of acting morally or immorally in a more contemporary way?

[Christine Korsgaard](#) is one of the most read contemporary interpreters of Kant's moral philosophy. Worth looking up.

Elena:

How widespread is the philosophy of moral legalism?

Moral legalism is what most (at least secular) Finns hold if they do not happen to have a clear ideology that states the contrary.

Is it not anachronistic to think that the law is just because it is the law? I understand that it is a fundamental thought to express the authority of the law because if one did not assume that the law was just, then it would lose its value and would no longer be respected.

It is at least a simplification to think that the law is the law because it is the law. Moral legalists do *not* explicitly claim that the law is *just* because it is the law. It is implied, though, and this is problematic because we know fully well that some laws have been and are blatantly unjust.

Can there be a good balance between moral legislation and Kantian law? Both seem to tend towards opposite expressions of law, which leads to clashes between authority and activists.

The clash you suggest is illustrative. At least Finnish authorities tend to be moral legalists and activists can, of course, claim that reason and true morality are on their side.

Jessica:

This is going to be a bit abstract, so I hope I can make myself clear. It was stated that respecting the social institution of truth telling is more important than saving someone's life by lying. To my amateur-ethics-brain it seems like two valued notions are in conflict: not accepting killing someone and respecting valued institutions. It made me wonder if there could ever be a point when this dynamic could change, as in, what if a (valued) social institution systematically led to people dying, could we start valuing the not-dying over respecting an institution? Now, I got even myself so confused that I cannot come up with an example, so this is purely theoretical then.

Also a light-hearted one... During the lecture you mentioned it would affect us if you started showing video clips of your favorite TV show. And it got me thinking, what is your favorite TV show?

I am not an expert in Kantian ethics but I do know that different Kantians have had different solutions to the apparent fanaticism of always telling

the truth regardless of the consequences. The picture I draw in the lecture is simple and based on the idea of universalizability – that my actions should be dictated by axioms that I can accept as a general rule for everyone. I cannot accept the rule of lying when it is convenient for safeguarding other values. I cannot accept the rule of killing people in a jealous rage, either, but in the neighbor example I am not killing anyone, the murderer is. I am the guardian of my own morality and I have to make sure that I do not do anything that I cannot condone as a rule for every other reasonable being. By not telling the lie I live by a rule that I can accept for all. The consequences are not my primary concern. If they were, I would be a utilitarian. I hope that this clarifies more than confuses. ;)

I like crime series that do not concentrate on graphic violence. I just finished watching Imma Tataranni – Sostituto Procuratore and then moved on to early-this-millennium Midsomer Murders. Anything Agatha Christie will always do.

Laure:

On slide 67, you state that under Kantian ethics, a concentration camp guard acted immorally because he followed unreasonable laws. However, earlier (slide 58), you state that the first premise in Kantian ethics is that morality only concerns choices and actions that are free (so we cannot be held responsible for behaviour dictated by laws imposed on us by others). I see those two statements as a contraction. For most of the population (including the concentration camp guard), all laws are imposed on us by others. Could you clarify under which circumstances does Kant considers one's acts to be free (and therefore a person can be held morally liable for them)?

The concentration camp guard can act either out of duty, freely (according to one's own reason) or out of inclination, unfreely (guided by the fear of punishment). In other words, Kant means our "metaphysical" freedom, not freedom from social and legal constraints.

Alberto:

Which of the presented ideologies is the strongest or most prevalent in a modern western democratic Rechtsstaat and do you see any other

ideologies fighting for the podium in certain aspects of societal rule making (e.g. is the ideology behind constitutional law the same as it is labour law)?

The official idea of Rechtsstaat (Rule of Law) in contemporary Western nation states is “liberal democracy”. That attracts them towards the top right corner of my map. Since the global economic system is corporate capitalism, there is also push into the direction of libertarianism. The civil service is supposed to work on impartially utilitarian grounds and succeeds in this partly. Labor laws are designed to keep socialists from revolting, gender equality laws to keep care and recognition advocates from complaining, and immigration laws to keep the nationalist fractions of the former agrarian parties from winning elections. For starters. It is a mixed bag.

Labiba:

To what extent should ethical frameworks be adapted to culturally-specific contexts? Would this form of adaptation not defeat the purpose of having an ethical framework in the first place? Quite the paradox...

They can be adapted to culturally specific contexts in many ways. – Rule utilitarianism, Kantian ethics, and natural law thinking provide, loosely interpreted, wide frameworks within which moral rules, maxims, and laws can acquire their content from social norms. That happened to Kant when he rejected opium yet condoned alcohol; and in some of his other examples. This should satisfy scholars in any culture. The laws can be derived from prudence, reason, or divine commands. – Moral legalism and virtue ethics fill the gaps. If we simply want to obey the sovereign law-giver of the land, we can choose the moral legalist route. And if we want customs and traditions rather than laws to guide us, we can devise our own list of virtues and vices. Many religious systems of ethics have done the latter.

Katri:

According to virtue ethics virtuousness is a result of successful education. The lecture slides describe that children first imitate virtuous action, and then see why it is good. If this fails, it results in weakness of the will or viciousness, which means going perversely against the good

life. Does this mean that according to virtue ethics only children can learn virtuous action, and if they don't, they will never be able to live a truly good life in adulthood? How fixed is the human nature according to this theory, or is it still possible to change your nature in adulthood? Secondly, are children by default seen as vicious and only imitating virtuous action until they develop to understand why virtuousness is good? How is the human nature seen by default according to virtue ethics?

This is a practical and flexible view of morality. Nothing is absolutely fixed and adults can learn. It is just that immature minds are an easier target to moral education from the viewpoint of our *polis* (Greek city state) and its values than adults who have either already failed in their learning here or learned different sets of manners somewhere else. Common sense, that's all. As for children, I haven't encountered this question before. My reconstruction is that they could, at a pinch, be said to be on their way from *akrasia* (the weakness of the will) to virtue (successful training) or vice (something has gone horribly wrong) – unless, of course, the weakness of the will persists.

Sofia:

If we would take an example less radical than a concentration camp guard, to what extent is hierarchy and obedience a social institution important enough to not be sacrificed?

For example would it be wrong according to Kantian ethics for a worker to complete assignments that would cause harm for the environment if the other option would be to disobey both their employment contract as well as the social institution of hierarchy?

I have not encountered this question before but I suppose it would be a matter of balance between upholding an institution and paying heed to its detrimental impact. This is, however, a theoretically risky road to travel, as it can easily make Kantian ethics a form of rule utilitarianism. Since Kant did not say anything specific about protecting the environment, we can only guess (or, if you prefer a fancier expression, “make our own interpretations”).

Cheng Siu Wai:

For virtues ethics, if someone tells lie for a good reason, then does he possess a good virtue? What is 'a truly good life' means in slide P.87 ?

If telling a lie for a good reason can be seen as the Golden Mean between excesses, it is virtuous. A truly good life is really, genuinely good, not just thought to be so.

Miki:

Would moral legalism lead to dictatorship or somehow manipulate how the general public thinks?

Since law is the bottom line of well-behaving, and the philosophers agreed that morality is beyond obeying the law, is there any way to push the people to do something further? Like, is there any real examples?

Moral legalism is the choice of individuals, probably prompted by education and social pressure, to see law as a sufficient equivalent of morality. No actual political dictatorship is involved.

Some people are motivated by their conscience, or reason, or cultural custom, to do more.

Antonia:

What would you say is the most prominent ethical theory used today, for example in politics?

Contemporary Western nation states swear by "liberal democracy". That attracts them towards the top right corner of my map. Since the global economic system is corporate capitalism, there is also push into the direction of libertarianism. The civil service is supposed to work on impartially utilitarian grounds and succeeds in this partly. Labor laws are designed to keep socialists from revolting, gender equality laws to keep care and recognition advocates from complaining, and immigration laws to keep the nationalist fractions of the former agrarian parties from winning elections. For starters. It is a mixed bag.

Sanna:

It is said on the lecture that by following the logic of act utilitarianism one could argue that torturing a terrorist might not be wrong since it could save many people. But the terrorist might lie or might not know anything and therefore, it is not certain that torturing will in fact lead to saving people. So, my question is, is there a point when the maximization of good becomes so uncertain that doing something, for example torturing a terrorist, cannot be seen as right or ethical anymore?

Yes, absolutely, good point! The example is a part of a longer chain of arguments and counterarguments and its use rests on the assumption that the terrorist knows and will tell. The point is to say that absolute prohibitions do not stand the test of genuinely horrible and certain consequences. This is a theoretical claim. The cases you mention are practical. In real-life situations, the rightness and wrongness of choices often depends on the certainty or uncertainty of the consequences.

Camille:

Would the adoption of a moral legalism framework inevitably lead to either excessive or insufficient laws?

Well, using it exclusively would inevitably lead to questions about the “real morality” of the law over time. “So it is not OK to keep humans as slaves now but it would be if we had the laws many countries had 200 years ago.”