

UNIVERSITY OF SOUTH FLORIDA
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COURSE: PHIL 3600 SEC. 401 ETHICAL THEORY

ON PHILOSOPHY AND ETHICS

1. The history of Western Philosophy can be sorted into periods.

1.1. The first period is designated as 'the Ancient Period' (500 B.C. - 500 A.D.). The two great philosophers of this Greek and Roman period of philosophy were Greeks: Plato (428/7 - 348/7 B.C.) and his student Aristotle (384/3 - 322/1 B.C.).

1.2. The second period is the Medieval Period (500 - 1400). The two great philosophers of this period were Augustine (354 - 430) and Thomas Aquinas (c. 1224 - 1274).

1.3. The third period is the Renaissance (1400-1600). Two Renaissance philosophers of significance were Francis Bacon (1561 - 1626) and Francis Suarez (1548 - 1617).

1.4. The Modern Period of Philosophy beginning in the 17th. Century is so called because with Descartes there was a radical shift in philosophical inquiry. Human knowing itself became the center of inquiry. Descartes, the first of the trio of 17th. Century Rationalists with Spinoza and Leibnitz to follow, searched for a basis of certainty in human knowing. The 18th. Century Empiricists followed: Locke, Berkeley, and Hume along with the critic of both the rationalists and empiricists, the transcendentalist Kant (1724-1804). Among the 19th. Century philosophers were the hedonist Bentham (1748-1832), the utilitarian John Stuart Mill (1806-1873), the idealist Hegel (1770 - 1831), and the communist Marx (1818 -1883).

2. 'Philosophy' derives from the compound 'philosophia' translated as a love of wisdom.

2.1. Wherever intelligence is exercised, there is room

for wisdom (sophia), and so 'philosopher' in its broadest and popular usage means one whose action is wise or right or beautiful. Therefore, sages, such as some statepersons or poets, and even some common persons, are taken to qualify as philosophers in spite of not being able to explain why they are doing what they are doing.

2.2. 'Philosopher' in a technical sense is one who is able to give grounds for actions that will stand up to the test of critical discussion. She or he has developed a clear articulate discussible system of ideas and principles which can be supported on the basis of rational criteria.

2.2.1. Various kinds of technical philosophers can be distinguished on the basis of the wisdom they seek. Metaphysicians seek wisdom about reality; epistemologists about truth; ethicians about morally right action; and aestheticians about beauty. Thus, various branches of philosophy can be designated: metaphysics (later called 'ontology'), epistemology, ethics, and aesthetics.

3. Ethics is the study of conduct in regard to its moral rightness or wrongness.

3.1. The object of ethical study is conduct.

3.1.1. 'Conduct' refers to a special kind of human action, i.e., action that is voluntary and so involves choice and decision.

3.1.1.1. Voluntary action can be equated with responsible action because such actions are decided upon and so could have been changed or corrected. One is engaged in responsible action if one can change or correct the action.

3.1.1.1.1. There must be self-determination or freedom if there is to be voluntary action.

3.1.1.1.1.1. Theological, physiological, psychological, social, and economic determinism must be ruled out.

3.1.1.2. Wherever learning reaches its efficacy to

correct behavior, there responsibility will be found.

3.1.1.2.1. As there are degrees of capacity to learn, there are degrees of responsibility. Thus, varying degrees of responsibility are found in the baby, the child, the teen-age youth, and, of course, the neurotic and psychotic.

3.1.1.3. Habits fall within ethical action because a habit is an action or a set of actions that were learned, and so when the habit was starting the actions were voluntary.

3.1.1.3.1. Bad habits are vices and are a target for moral reform, while virtues are good habits and are lauded.

3.1.1.4. A contrast to voluntary action is reflex action. Such action is embedded in the structure of the organism and is not learned. Striking examples are to be found among insect behavior. The female digger wasp, when ready to lay her eggs, digs a hole, then finds a grasshopper. She does not kill it but only paralyzes it with a sting. Dragging it by its antennae to the hole, she leaves it and checks the hole. Then she returns to the grasshopper and drags it by means of its antennae into the hole. Finally, she lays her eggs in the body of the grasshopper, seals the hole, and leaves. To indicate the rigidity of the action, if the antennae of the grasshopper are cut off, the wasp is helpless even though it could use its legs to drag the grasshopper.

3.2. The study of ethics is commonly grouped into three branches: descriptive, normative, and meta-ethics.

3.2.1. Descriptive ethics is concerned with the way things are. It describes the ethical beliefs of people and their conduct relative to these beliefs.

3.2.1.1. Research that provides the content for descriptive ethics is done largely by scientists of human behavior: psychologists, sociologists, anthropologists, and historians.

3.2.2. Normative ethics is the study of what con-

stitutes conduct that is morally right or wrong. It treats of how persons ought to conduct themselves not how they do.

3.2.2.1. Normative ethics is so-called because it involves norms or standards or criteria for judging the moral rightness or wrongness of conduct.

3.2.2.2. Normative ethics can be divided into two parts: general normative ethics and applied normative ethics.

3.2.2.2.1. In general normative ethics, a set of principles that prescribe right moral conduct is generated and justified as valid. Since theory consists of a set of principles, general normative ethics also is called 'ethical theory'.

3.2.2.2.1.1. Research that provides the content of ethical theory is largely done by philosophers specializing in ethics.

3.2.2.2.2. Applied normative ethics is a study of how ethical principles should guide conduct in specific contexts.

3.2.2.2.2.1. Philosophers who are ethicists also add to the study of applied normative ethics. It is persons such as clergymen and parents who give detailed advice as to what is moral conduct in given situations.

3.2.2.2.3. Poets, dramatists, novelists and other non-philosophers (to mention a few: T. S. Eliot, Shakespeare, and Tolstoy) have functioned as moral sages, but they differ from the philosopher insofar as their accounts usually lack what distinguishes a philosophical one: generality, systematic nature, and attempt to prove claims.

3.2.3. Meta-ethics is a study of the meaning of terms used in ethical principles and the forms of arguments used to justify ethical principles.

3.2.3.1. Meta-ethics is considered non-substantive, while normative ethics is considered substantive. Meta-ethics does not address conduct as normative ethics does; it addresses ethical theory. Thus, meta-

ethics addresses knowledge, while normative ethics addresses practice.

3.2.3.2. Meta-ethics is second-order discourse or discourse about mention and normative ethics is first-order discourse or discourse about use. For example, meta-ethics addresses the question: "What does it mean to say that capital punishment is right?", while normative ethics addresses the question: "Is capital punishment right?" In the meta-ethical questioning, a mention of 'right' is addressed, while in the normative ethical questioning, a use of 'right' is addressed.

3.3. The results of the philosophical study of conduct should be discourse that is objective, universal, practical, and autonomous.

3.3.1. Ethical discourse is objective if and only if it is true or false.

3.3.1.1. Something that is true is publicly warrantable and so endorsed without doubt by informed reasonable, reflective, and careful observers.

3.3.1.2. Something that is true does not depend on peculiarities of persons setting it forth or on the culture, but determinable by any rational agent who is apprised of the relevant facts.

3.3.2. Ethical discourse that is universal is general, and so asserts that relevantly similar persons in relevantly similar situations also have a right to do the action or ought to do it.

3.3.3. Ethical discourse is practical when it is action guiding and attitude molding.

3.3.4. Ethical discourse is autonomous when no moral statement is entailed by any set of purely non-normative statements, i.e. when ethical discourse cannot be reduced to empirical science.

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ON ETHICAL RELATIVISM AND SCEPTICISM

4. Ethical relativism is a position that what is morally right is dependent upon either an individual or a group.

4.1. Three kinds of ethical relativism can be distinguished: descriptive, normative, and meta-ethical.

4.1.1. Descriptive ethical relativism is a position that the ethical principles of individuals conflict in a fundamental way.

4.1.1.1. To conflict in a fundamental way is to disagree even if both sides understand the various aspects of the conduct under judgment.

4.1.1.1.1. The Eskimo and the American are thought to conflict in a fundamental way about the right way to treat their parents at a certain age or degree of feebleness. The Eskimo lets their parents die in order that the group survive, but the American preserves their parents' life as long as possible through all possible care, including medical care. However, this difference could be questioned in the light of the current discussion in America about limiting health care of the elderly due to the threat of a society bankrupted by medical costs.

4.1.1.2. A special form of descriptive relativism is called 'cultural relativism'. The cultural relativist emphasizes the mores of the society as the source of morals. The cultural tradition is the source of the individual's views of what is morally right and disagreements between persons stem from enculturation into different ethical traditions.

4.1.1.2.1. For example, earlier in their history, the Figians engaged in cannibalism, while Americans did not. (But what of the Donner Party (1846-47) of Cali-

fornia emigrants? Is the suspicion that some of the weak were killed for food founded? Or did they only eat the flesh of those who died? But consider that conditions were extreme--indescribable hardships.)

4.1.1.3. From descriptive ethical relativism, it does not follow that there is no ethical truth. For example, the conclusion does not follow from the premises in the following argument:

In some societies, slavery is thought to be
morally wrong.
In other societies, slavery is thought to be
morally right.
Therefore, slavery is neither morally wrong or
morally right.

The only conclusion that follows is

Therefore, slavery is thought to be either
morally wrong or morally right.

What is really right or wrong does not follow from what persons believe. This cultural differences argument does not establish that there is no ethical truth.

4.1.1.4. The descriptive ethical relativist does not necessarily support the position that there is nothing transcendent to the individual or culture by which to judge beliefs about what is morally right or wrong.

4.1.2. Normative ethical relativism is a position that conduct is morally right or wrong if a person or group thinks that it is morally right or wrong.

4.1.2.1. It is patently absurd to hold that what someone thinks is morally right conduct for her or him is really morally right for her or him. There would be no point in discussing with a person what is morally right for her or him to do unless she or he was in doubt.

4.1.2.2. Some argue that normative ethical relativism--in the sense that what one believes is morally right is really morally right for that person--must be accepted in order that the freedom of the person not be restricted. But without rationality which means transcendent criteria in terms of which individu-

al beliefs can be judged, the individual is enslaved to the present and cannot decide upon a future beyond the self. Without rationality, there is no freedom.

4.1.2.3. If, however, what is meant by normative ethical relativism is that one cannot be condemned for doing what she or he takes to be really morally right, then it is no longer controversial or relativist.

4.1.2.3.1. Of course, the person could be condemned for not taking the care to judge properly. Conditions must be added such as reasonable amount of careful reflection and non-influence by preferences.

4.1.2.4. Normative ethical relativism--in the sense that what the group takes to be morally right is morally right and so one ought to act in conformity with the group's moral standards--appears at first sight correct.

4.1.2.4.1. There obviously are objections to this position. Some groups support abhorrent conduct, e.g., genocide of other ethnic groups; and others trivial conduct, such as no shopping on Sunday. Moreover, unless there are criteria transcendent to a group no moral progress is possible. The group cannot transcend ~~from~~ its own horrors and trivialities.

4.1.3. Meta-ethical relativism is a position that, while the procedural rules connected with the making of factual judgments are cross-culturally valid (scientific and technological (praxiological) methods are cross-culturally valid), the procedural rules connected with moral discourse are purely conventional. Moral rules are rationalizations of custom.

"Immoral" never means anything but contrary to the mores of the time and place. Therefore the mores and the morality may move together, and there is no permanent or universal standard by which right and truth in regard to these matters can be established and different folkways compared and criticised.

(Sumner, FOLKWAYS)

4.1.3.1. Meta-ethical relativism suffers the same inadequacy as normative relativism, i.e., moral stagna-

tion.

5. Ethical scepticism is a position that no one can state with justification that an action is morally right or wrong. Some actions may be morally right or wrong, but there is no way of knowing.

5.1. Ethical scepticism is a meta-ethical position, since it is a claim about the logic of justification in ethics, that it is not possible to justify moral claims and so have moral knowledge. No claim is made that there is no true moral claims, only that they cannot be known as true.

5.1.1. Justification of moral claims is not an empirical matter (moral claims are autonomous) and so ethics is neither a branch of science or praxiology.

5.1.1.1. 'Empirical' derives from the Greek 'empiria' meaning experience in the sense of what is and so can be observed not in the sense of what ought to be and so might never have been to be observed.

5.1.1.2. Science is knowledge about cause and effect relations and so can be established through observation of what is.

5.1.1.3. Praxiology is knowledge about instrumental value or effectiveness, what means are valuable or effective in reaching ends, and so can be established through observation of practice.

5.1.1.3.1. 'Praxiology' is a term that should be credited to Kotarbinski and is used to get away from the unwanted notions of hardware and technique with its connotation of specificity which adheres to 'technology'.

5.1.1.3.2. Praxiology is practical but differs from ethics since it treats of instrumental value. Ethics treats of intrinsic value, what is of value in itself not as a way to an end.

5.1.1.4. Just as there are physical, biological, and human sciences, so there are physical, biological, and human praxiologies.

5.1.1.5. The discourse of both science and praxiology is universal insofar as it is general and so holds true irrespective of time and place; and it is objective insofar as it is intersubjective and so does not depend upon the peculiarities of persons or cultures but is determinable by any rational agent who is apprised of the relevant facts, i.e. cross-validation is possible.

5.1.2. Moral claims can be justified through transcendental argument which shows that certain moral principles must be correct if there is to be moral discourse at all, i.e., shows that moral discourse of which the principle is an example is impossible without presupposing the principle.

5.1.2.1. Transcendental argument justifies the ultimate principles of impartiality, rational benevolence, and liberty.

5.1.2.1.1. To objectively judge the rightness or wrongness of conduct demands judgment in terms of features that are relevant always unless there is a special explanation. Therefore, it follows that conduct that is right or wrong for one person is right or wrong for every person unless there are special factors present. Impartiality, the principle that one ought to treat similar cases similarly in deciding rightness and wrongness of conduct, is a demand of justice.

5.1.2.1.2. To objectively judge the rightness and wrongness of conduct demands that discourse be public insofar as right and wrong should be determinable by any rational being. Therefore, it follows that determination will not neglect the interests of any rational being. Rational benevolence, the principle that one ought to take into account the interests of all rational beings whatsoever in deciding rightness and wrongness of conduct, is another demand of justice.

5.1.2.1.3. To objectively judge the rightness and wrongness of conduct demands that only rational persuasion be used relative to a rational being's course of action. Therefore, it follows that any interference with the chosen course of a rational being is a determination of her or his action by force or at least a limit imposed by force on the extent to which her or his actions may be rationally determined. Liberty, the

principle that one ought not to interfere in the chosen course of any rational being or impose on any rational being conditions which will prevent her or him from pursuing her or his chosen course of action, is the third demand of justice.

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ON ETHICAL SUBJECTIVISM

6. In THE REPUBLIC, Plato (428/7 - 348 B.C.) set forth a tripartite view of the human psyche with respect to its functioning: cognitive (thinking), conative (intending), and affective (feeling). This view has been accepted and language is analyzed accordingly as a way of expressing and eliciting in others thought, intention, and feeling. Through thinking one attempts to arrive at truth. Language then must express thought or be cognitive in nature, propose, in order to count as true or false. Ethical utterances, therefore, must be cognitive or propose what is morally right or wrong if they are to count as either true or false. True ethical utterances do propose what is really morally right or wrong; they are true judgments about what is morally right or wrong.

7. Ethical subjectivism is a meta-ethical position going one step further than ethical scepticism. There is a denial that moral claims can count as knowledge. All moral utterances are subjective. If moral utterances are objective, in the sense of being intersubjective, then they can count as knowledge.

7.1. One form of ethical subjectivism does not take moral utterances to be non-cognitive. They are judgments about right and wrong only they are always biased. No objectivity is possible. Clearly judgments, particularly about morals, are often biased.

7.1.1. Being biased would be meaningless unless one presupposed the possibility that people could make ethical judgments in a calm impartial way after due reflection. There would be the possibility of objectivity even if no one ever has or will. The empirical facts simply would indicate social chaos not philosophical bewilderment. This form of subjectivism cannot be justified.

7.2. Individual approbativism is another form of subjectivism which is non-cognitivist by making moral utterances expressions of an individual's approval or disapproval of conduct. The utterance sets forth truth or falsity about a person's attitude or feeling as to whether conduct should be approved and not about the moral rightness or wrongness of the conduct.

7.2.1. This individual approbative theory will not hold because it does not account for moral fallibility and moral disagreement. There would be no question about the individual approving certain conduct; the individual approves of what she or he approves of. The individual is infallible and cannot be faulted.

7.2.2. Social approbativism shifts approval or disapproval from the individual to the group, the culture, and so strictly speaking is not a form of subjectivism.

7.2.2.1. The objections brought against meta-ethical and normative cultural relativism hold with respect to the social approbative theory. Neither custom nor law are necessarily expressions about conduct that is morally right.

7.3. Emotivism is a third form of subjectivism and one that is non-cognitivist. In this form, moral utterances express the feelings of the speaker and are used to evoke similar feelings in others. The utterances thus do not propose anything about the moral rightness or wrongness of conduct and so can be neither ethical truths or falsehoods.

7.3.1. Emotivism as a non-cognitivist theory, as is the individual approbative theory, can be set aside on the grounds that it discounts the possibility of rationality in the realm of ethics. It makes normative ethics impossible.

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ON RELIGION AND ETHICS

8. The religionist position on what is right or wrong is that it is divinely sanctioned conduct.

8.1. William James has pointed out that every religion involves an awareness of the divine and a response to the divine.

8.1.1. Religions can be typed on the basis of where the divine is primarily sought and located and what sort of response is made.

8.1.1.1. In sacramental religion, the centering is sacrament and ritual. The divine is found in things thought to be the habitation or manifestation of the divine. Examples would be the Ark of God thought by the ancient Jews to be the habitation of their god, Jahweh, and the consecrated bread and wine thought by the Catholics to be the body and blood of Christ. Response is through ritual acts involving the embodied divine. The Catholic Mass would be one such ritual.

8.1.1.2. In prophetic religion, the centering is revelation and creed. The divine is found in human society, particularly the inspired utterances of great historical figures. Response is through the word, which is the medium of contact with the divine. Judaism, Christianity and Islam are the three chief prophetic religions, called sometimes "religions of the book".

8.1.1.3. In mystical religion, the centering is experience in which the divine permeates and transforms the individual. Response consists in giving oneself over to the divine. An indivisible unity emerges.

8.1.2. Christianity, is an example of an intermingling of the types. It began as an outgrowth of Jewish prophecy but took on the sacramental and the mystical.

Today Christianity can be said to be predominately prophetic compared to Hinduism and Buddhism. However, its Catholic wing (Roman and Greek) is largely sacramental, and its Protestant wing is largely prophetic. Mysticism appears in both wings. In Catholicism, the ceremonies, the insistence on the sacraments for salvation, and the special status of priests are marks of being sacramental. In Protestantism, the emphasis on speaking the word of God (the sermon) rather than on the ritual, the Bible as recorded divine revelation, and the moral earnestness and social concern are marks of being prophetic.

8.2. In monotheistic religions, for conduct to be in accordance with divine sanction, it must be in accordance with the cosmic plan of the Creator (Natural Law Theory) and the direct commands of God revealed in the Scriptures (Divine Command Theory).

8.2.1. Since God is the eternal ever-present and creative source of anything that does (or can) exist and since God is goodness and rightness, the cosmic plan and commands of God incorporate right or good conduct.

8.2.1.1. The ethics of Thomas Aquinas (c. 1224-1274) is classified as a natural law theory. Thomas held natural law to be participation in the eternal law (cosmic plan) of God and that all human beings had sufficient knowledge of what is right to regulate their own conduct. "In the case of volitional activities, the proximate standard is human reason (*regula proxima est ratio humana*) but the supreme standard is eternal law. Therefore, whenever a man's action proceeds to its end in accord with the order of reason and of eternal law, then the act is right, but when it is twisted away from this rightness, then it is called a sin."

8.2.1.1.1. Thomas based much of his ethical teaching on Aristotle's notion of *entelechy*, or natural and appropriate function. The natural and appropriate function of the human being is rationality.

8.2.2. Unless one has faith, there is no basis for taking the commands of God revealed in the Scriptures to prescribe truly what ought to be done.

8.2.2.1. Faith is defined in the first Vatican council (1870) as "a supernatural virtue, by which guided and aided by divine grace, we hold as true what God has revealed, not because we have perceived its intrinsic truth by our reason but because of the authority of God who can neither deceive nor be deceived." Such a definition presupposes a knowledge both that God exists and that he has revealed the truths. Reason is a preamble to faith through arguments establishing God's existence and evidence of revealed truth as miracles, fulfillment of prophecies, holy lives, and growth and durability of the Church.

8.2.2.1.1. Thomas set forth five ways (Quinque Viae) God's existence can be proved through reason. All the ways employ the principle of causality and are empirical (they start from experience of nature). Thus, they are a posteriori arguments as opposed to a priori arguments which are non-empirical depending upon reason alone.

8.2.2.1.1.1. The Quinque Viae are considered to be five formulations of one basic argument: because one experiences effects of a God, one must conclude that a sufficient reason or explanation must be found in God as cause.

8.2.2.1.1.1.1. The first formulation is the argument from change: because one experiences change, one must conclude that a sufficient reason or explanation must be found in an unchanging being, God, as cause.

8.2.2.1.1.1.2. The second formulation is the argument from production: because one experiences that everything is caused, one must conclude that a sufficient reason or explanation must be found in a non-produced being, God as first cause.

8.2.2.1.1.1.2.1. In response to why there cannot be an infinite regress with respect to the causal chain, Thomas agreed there is no reason why not but that the entire series must have a cause.

8.2.2.1.1.1.3. The third formulation is the argument from contingency: because one experiences that everything has a limited existence, one must conclude that a sufficient reason or explanation must be found in a

necessary or non-limited existent upon which all other beings depend, God as creator of contingent beings.

8.2.2.1.1.1.4. The fourth formulation is the argument from degree: because one experiences gradations in goodness and truth, one must conclude that a sufficient reason or explanation must be found in a most good and most true being, God as perfect being.

8.2.2.1.1.1.5. The fifth formulation is the argument from design: because one experiences order (finality or purpose), one must conclude that a sufficient reason or explanation must be found in an intelligent being, God as designer.

8.2.2.1.1.2. Since for Thomas we can have knowledge of God through reason which is then extended through faith, he rejects the ontological argument of St. Anselm (1033-1109). He takes St. Anselm's argument to make God's existence a matter of faith and then reason. The argument proves only that if we think of God because of faith then reason requires us to think of God as existing. If one has faith, then Anselm's argument holds.

8.2.2.1.1.2.1. The ontological argument points out that the idea which necessitates being is God, all other ideas demand experience to see if they exist with the exception, of course, of ideas that deny existence (e.g., a round square). The ontological argument is as follows:

God is ens realissimum (most real).

Therefore, God exists.

If God does not exist, then God is not real.

Therefore, a contradiction follows: most
real is not real.

8.2.2.1.1.3. Thomas' arguments were refuted by Kant (1724-1804) who presented the practical argument that if morality is true, then God is presupposed.

8.2.2.1.1.3.1. Kant grouped Thomas' arguments from change, production, and contingency and called them "the cosmological argument":

If anything exists, than an absolutely
necessary being exists.

I at least exist.

Therefore, an absolutely necessary being
exists.

He refuted this argument on the grounds that it depends upon the ontological argument and so on faith. The cosmological argument proves only a necessary being not God as the sum of all positive attributes, the most real being.

8.2.2.1.1.3.2. Kant took Thomas' argument from degree to be the weakest because it depends upon an assumption of absolute goodness. One can make judgments of gradation without assuming a maximum, nearer does not apply nearest.

8.2.2.1.1.3.3. Kant refuted Thomas' argument from design by pointing out that the most it establishes is an architect; it does not necessarily establish a creator.

8.2.2.1.2. The emphasis on reason as a basis of faith, which has dominated Catholicism since Thomas, has been questioned particularly within the Protestant tradition. Faith is taken as a direct awareness of God with its own assurance and so not based upon reason. It is an experience of God.

8.2.3. Since faith, whether or not it is based upon reason, always transcends reason, the religionist position about what is right or good conduct, goes beyond ethical inquiry.

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ETHICS AND EGOISM

9. The development of physical science, particularly in the seventeenth and eighteenth centuries, led to thinking of all events including human actions as determined not by moral considerations or by God but rather by laws of nature in the sense of established scientific generalizations not in the sense of natural law issuing from God. The human being was not a moral agent in the sense of capable of conduct or voluntary action and so responsible for her or his action.

9.1. Thomas Hobbes (1588-1679), an English philosopher, viewed the human being as a machine and denied any immaterial psyche. All human actions, therefore, are motions of matter and as such necessitated or caused. Yet he viewed the human being as free. The freedom was not a freedom of the will but of the human being. The will was merely the last desire in the deliberating process, and freedom resided in the absence of external compulsion. Freedom is "the absence of all the impediments to action that are not contained in the nature and intrinsic quality of the agent". Two principles underlie the personal good as well as civic duty: "the one arising from the concupiscible part, which desires to appropriate to itself the use of those things in which all others have a joint interest, the other proceeding from the rational which teaches every man to fly a contranatural dissolution, as the greatest mischief that can arrive to nature." If a human being were driven only by her or his concupiscible part and reason did not enter, there would be no society and life would be "solitary, poor, nasty, brutish, and short."

9.2. Jeremy Bentham (1748-1832), English Utilitarian, set forth psychological hedonism:

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. On the one hand, the standard of right and wrong, on the other, the chain of causes and effects, are fastened to their throne. They govern us in all we do . . .

The opposition between duty and what we want is a false one; the real opposition is between conflicting inclinations and is to be settled by considering which inclinations lead to the greatest pleasure, i.e. most intense and lasting satisfaction. Among his list of pleasures, Bentham included pity and he did not think it necessary to reduce it to self-interest in a narrow sense as did Hobbes who wrote: "Pity is imagination or fiction of future calamity to ourselves, proceeding from the sense of another man's calamity."

9.2.1. It should be noted that Bentham took self-interest to be enlightened. Human action is based upon reason. "When matters of such importance as pain and pleasure are at stake . . . who is there who does not calculate?" Nevertheless, human beings are not active but reactive, since pleasure moves the human being to act. No one can do other than what pleases one. Reason is but an instrument in a life of pleasure.

9.2.2. Hobbes' and Bentham's conceptions of human nature emphasize self-realization and so individuality. Human beings make society; society does not make human beings. The classical liberal position with respect to government was rooted in this conception and was the basis for economic and political thought in America. Classical liberalism was foundational to Republican theory which was brought to full development in the Revolutionary generation by statesmen such as Thomas Jefferson and John Adams.

9.2.2.1. According to classical liberalism, certain conditions are required to stimulate the human being into productive activity. The human being must be secure in the fruits of her or his toil, that is, the property right in all its forms must be held inviolate. The human being must enjoy freedom of occupational choice with freedom denied exclusively as absence of legal restraint. 'Freedom' is taken only in a negative sense. The human being must be barred from access to

goods for which they have not labored.

9.2.2.2. Also according to classical liberalism, the self-interest of the human being is the interest of the community. Thus, there is a natural harmony of interest. The mechanism for harmony is the free market for the exchange of products of labor divided among human beings.

He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it . . . by directing . . . industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases led by an invisible hand to promote an end which was no part of his intention.
(Adam Smith, THE WEALTH OF NATIONS)

The free market (competition) proportions reward to merit by giving consumers the benefit of the producer's best efforts and shielding them from the producers' greed, and by protecting the producers because consumers are in competition for scarce goods supplied by producers.

9.2.2.2.1. But it has been found that the free market does not contain any mechanism for equalizing the distribution of scarcities. Thus, the state has entered to insure a just distribution. The American state has become a welfare state and controversy about welfare is central to the American scene.

9.2.2.2.1.1. The systematic correction of built-in social inequalities by appropriate public action is not socialism. The status of wage and salary earners is not changed; such earners do not own the means of production, i.e. the instruments of labor, and so their profits go to the owners of capital. Socialism means that there is common or social ownership, and which means, of course, that there is not state ownership. State ownership vests effective control in a political bureaucracy. If socialism is identified with political bureaucracies as found in Stalinist or Fascist regimes, anyone would reject it for modern corporate capitalism. Such identification is not correct. A good definition of socialism is that of Dickinson:

Socialism is an economic organization of society in which the material means of production are owned by the whole community and operated by organs representative of and responsible to the community according to a general economic plan, all members of the community being entitled to benefit from the results of such socialized planned production on the basis of equal rights. (H. Smith, THE ECONOMICS OF SOCIALISM RECONSIDERED, London: Oxford, 1962, p. 113)

9.3. Freud (1856-1939), the Czech founder of psychoanalysis, pointed out internal factors that constrain the human being. Freud did not take a materialistic stand with respect to the human being, but he did hold the principle of psychic determinism. For him, just as in physical nature, nothing happened by chance; there were always determining factors. Moreover, Freud took the stand that the psychic factors that determined human action were largely unconscious, i.e. not in the human being's awareness. To be able to study these unconscious mental processes, Freud developed the method of psychoanalysis. But more than a method of study, it was a method of therapy, the "uncovering of what is unconscious in mental life" in order to overcome repressions which are causing symptoms. Freud set forth a theory of the psyche which was tripartite. The id comprised the biological drives as psychic energy, the ego consisted of the functions with respect to the individual's relation to her or his environment, and the superego consisted of the moral precepts and ideal aspirations of our minds.

9.3.1. Freud's explication of the id was largely in terms of the libido, the sexual instinct, although he also recognized an aggressive instinct. Sexuality was not restricted to the genitals but was extended beyond that which had to do with reproduction. Also Freud recognized infantile sexuality. Sexuality manifests itself in a typical sequence. First, there is the oral stage (first year and a half of life) in which the mouth, lips, and tongue provide gratification. Second, there is the anal stage (the next year and a half) in which the anus becomes the most important site of gratification. Third, (close to the third year of life)

the genitals assume the sexual role, and this role is normally maintained by them thereafter. This stage is called 'the phallic stage'. In the phallic stage, the boy's object of choice is his mother (Oedipus complex), and the girl's her father (Electra complex). Also, in this stage, the girl envies the boy's penis and the boy fears castration. In the latency period (roughly from the fifth to the tenth year), there is an inhibition of prephallic and phallic aims.

9.3.1.1. During these various stages, the libidinal energy attaches itself (is cathected to) its appropriate object, e.g. during the oral stage libidinal cathexis of the breast occurs. The persistence of the libidinal cathexis of infancy or childhood into later life is called 'fixation', while regression is return to an early cathexis. Both fixation and regression are usually associated with psychopathological conditions. In fact, Freud states that "libidinal fixation represents the predisposing, internal factor in the aetiology of neuroses". Elsewhere he states that "if the vita sexualis is normal, there can be no neurosis".

9.3.2. The ego too has an evolution. Its functions--motor control, perception, memory, affects, and thinking--develop gradually as the infant grows. Experience influences that development--experience of one's own body and identification with others and with objects. In the course of that development some of the energy of the id is neutralized and attached to the ego. When the ego is mature it denies neither the demands of the id or the superego but translates them so that their fulfillment is not destructive.

9.3.2.1. If this maturing process does not occur, then another cause of neurosis, conflict with the id, occurs. An ego not in conflict with the id, according to Freud, "no longer lets itself be governed by the pleasure principle, but obeys the reality principle, which also at bottom seeks to obtain pleasure, but pleasure which is assured through taking account of reality, even though it is pleasure postponed and diminished".

9.4. The empiricists of the eighteenth century--Locke, Berkeley, and Hume--were concerned with problems of knowledge. A position emerged as to the origin of hu-

man knowledge: all human knowledge originates in the external world. This external world includes also the individual's body. The external world gives rise to impressions, or as Locke called them "simple ideas". The individual's body gives rise to impressions of reflexion (what is happening to the self, such as pleasure). Then the ideas coming from the environment, the outer and the inner (the body), become associated according to principles such as contiguity and resemblance. Action results when an idea becomes linked with pleasure or pain.

9.5. Saint-Simon (1760-1825) introduced the term 'positivism' for scientific method and its use to bring about social progress. Through Comte (1798-1857) social positivism became, in the second half of the nineteenth century and in the twentieth century up to the second world war, a powerful movement in the Western world. Comte originated the science of sociology and took all human phenomena, including the psychological, to be encompassed in this science. He held that mind is known only in terms of experience which is social.

9.6. Out of empiricism and positivism grew behaviorism. The behaviorist holds that the conditions of the human being can be improved through manipulation of the environment which is the determining influence on behavior.

9.6.1. Freud's non-behavioristic approach is to be rejected.

Freud's analysis has seemed convincing because of its universality, but it is the environmental contingencies rather than the psyche which are invariant. The conflicts between the superego and the id, which the ego so often fails to resolve, show certain familiar patterns. In some cultures the fact that a son loves his mother and views his father as a rival is almost as characteristic of the human male as the anatomy which defines his sex, but a comparable universality is to be found among the social contingencies of reinforcement maintained by the kinds of families in such cultures. (Skinner, ABOUT BEHAVIORISM, Vintage Book , 1974, p. 167)

The life of the mind is fabricated but so too is personality. A self or personality is at best a repertoire of behavior imparted by an organized set of contingencies.

9.6.1.1. Behavior is operant and not respondent. In respondent behavior, there is a known stimulus, e.g. in the conditioning of Pavlov's dogs, there was a known stimulus, the ringing of the bell, which was substituted for the original known stimulus, food, in order to induce salivation. In operant behavior, the stimulus is not known but contingencies are manipulated so responses related to a goal are reinforced, e.g. in conditioning an animal to press a lever contingencies resulting in satisfying hunger are used as reinforcers of wanted behavior. Contingencies determine behavior. Contingencies can be designed for special purposes, and so behavior can be engineered, it can be controlled. WALDEN TWO is an example of an engineered society.

10. Hobbes' view of human nature as individual, non-social, competitive, and aggressive leads to ethical egoism, the ethical theory that right action is action based upon self-interest not the interests of other human beings (altruism).

10.1. Ethical egoism versus ethical altruism does not arise as a problem until the seventeenth century.

10.1.1. In Plato's view, the good and the pursuit of a person's good necessarily coincide. The good resides in Truth which is pursued by a person striving to be good. To be good is to have one's will in accord with reason and so controlling the desires. The just person is courageous in willing what is wise and thus is temperate in desiring. The virtues of a good person are justice, wisdom, courage, and temperance.

10.1.1.1. In THE REPUBLIC, Plato through Socrates does address Thrasymachus' account of human nature as egoistic--the human being not limiting themselves to what justice (goodness) prescribes provided he or she can be unjust successfully--and asserts that in human nature the good and the pursuit of good necessarily coincide.

10.1.2. In the medieval view, the human being's self-fulfillment is discovered in love of God and of the rest of divine creation. The virtues of faith, hope, and charity are added to justice, wisdom, courage, and temperance and so the seven cardinal virtues emerge. Therefore, there is no special problem about the relation between what I owe to myself and what I owe to others.

10.2. The problem of self-love versus benevolence as good reasons for human conduct has been treated by either siding with Hobbes and taking altruism to be a mask for egoism or disagreeing with Hobbes and ethical egoism and asserting benevolence as an ultimate and unexplained property in human nature.

10.2.1. To solve the problem, the following concepts must be clarified: desire, self-interest, and altruism.

10.2.1.1. It is not true that one necessarily desires pleasure, nor that in seeking satisfaction of one's desires, one necessarily seeks pleasure or avoidance of pain. When one does not satisfy desires, it is certainly less satisfactory than having them satisfied, but it is not necessarily painful or even unpleasant. Moreover, it is not true that if one does something, one always does it because one desires to. Desire can be cited as an explanation for an action, for one does not always do something because one desires it. Thus, one can ask whether someone does something to get pleasure or because one desired to.

10.2.1.2. When Thrasymachus asks Socrates whether justice is more profitable than injustice, Socrates makes clear that the answer will be different depending upon whether an unjust or a just person answers the question. What the just man desires is not what the unjust man desires. Thus, there is not a single spring of action entitled 'self-interest' in every person. A person who acts from self-interest allows action from certain motives in a given situation; the same action done from the same motives in a different situation would not be done from self-interest. If one engages in industry, it is only in a situation which requires a disregard for the legitimate claims of others that ambition becomes action from self-interest. The notion

of self-interest, therefore, does not apply to action in general but to a certain type of human situation, one in which action can be competitive.

10.2.1.3. In most dealings with others of a cooperative kind, questions of altruism do not arise, any more than questions of self-interest. If one wants to lead a certain kind of life, with relationships of trust, friendship, and cooperation with others, then wanting their good and wanting one's good are not two distinct desires. It is not even that one has two separate motives, self-interest and altruism, for the same action. One has one motive, to live in a certain way, which cannot be characterized as for one's good rather than that of others. For the good recognized and pursued is not one's particularly, except in the sense that one recognizes and pursues it.

10.2.2. Given the clarification of desire, self-interest, and altruism, it can be seen that, since Hobbes, a special type of human situation--a competitive situation in which a person and someone else have incompatible aims and the person's aims are connected only with her or his well-being--mistakenly has been treated as the paradigm of all human situations.

10.2.3. The postulation of benevolence as an innate human property along side egoism is rooted in the eighteenth century disregard of the variety and variability of human motives. Also the elimination of benevolence as egoism in disguise will not do. One should not commit a genetic fallacy and confuse original motives (for Hobbes, in the state of nature; for Freud, in early childhood) with adult motives. Because the desires of children have to be socialized, it does not follow that adult motives are necessarily masks for childlike desires.

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KINDS OF ETHICAL THEORY

11. Ethical theories can be separated into teleological and deontological ones.

11.1. Deontological theories are those that hold that at least some acts are morally obligated regardless of their consequences, i.e. at least some acts are a matter of duty (must be done) regardless of the resultant good. "Let justice be done although the heavens fall".

11.1.1. The term 'deontology' derives from the Greek: 'deon' (duty) and 'logos' (truth).

11.1.2. Deontological theories hold that the concept of duty is logically independent of the concept of good. Therefore, it is not logically necessary to justify duties by showing that they are productive of good. The questions, "What is right and wrong?" and "What is good and bad (worthwhile or valuable or not worthwhile or not valuable)?" are taken as of a different order, only the first question is the moral question.

11.2. Teleological theories are those that hold that acts are morally obligated in terms of their end, i.e. the resultant good determines the rightness of the action.

11.2.1. The term 'teleology' derives from the Greek: 'teleos' (end) and 'logos' (truth).

11.2.2. Teleological theories do not hold that the concept of duty is logically independent of the concept of good. It is logically necessary to justify duties by showing that they are productive of good. The question of rightness or wrongness is answered in terms of the question of goodness.

11.2.3. Greek, medieval, and early modern philosophers

took a teleological stand in ethics. Socrates in THE REPUBLIC met the challenge to prove that the life of justice was the happy life, i.e., one that resulted in good for the person. Kant (1724-1804) was the first philosopher to give a clear statement of a deontological ethical theory.

11.2.4. Different teleological theories result from different specifications of what is intrinsically good, i.e. valuable in itself, necessarily valuable, or valuable whatever else might be true.

11.2.4.1. Intrinsic goods are to be contrasted to extrinsic goods and conditions necessary to intrinsic goods. Something is a necessary condition to intrinsic good if without that thing the intrinsic good could not be.

11.2.4.1.1. Something is extrinsically good if it is instrumentally valuable, valuable as a means, or causally produces directly or indirectly intrinsic goods.

11.2.4.2. Ethical hedonism is an example of a teleological theory, for according to the theory the only thing that is intrinsically good is the mental state of pleasure, all other things, including non-mental items such as actions, institutions, and policies can have only extrinsic value. A necessary condition to a mental state of pleasure would be cognition. Without cognition, there is no mind and so no mental states. For an ethical hedonist, marriage can only be an extrinsic good, and is so when it is instrumentally valuable as a means to pleasure.

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ON UTILITARIANISM

12. Utilitarianism is a teleological ethical theory with a welfarist theory of value, human or sentient welfare or happiness is what is of value or useful ('utilis' is Latin for useful). Utilitarianism claims that actions, motives, institutions, etc. are right or justified insofar as they maximize welfare.

12.1. Different conceptions of welfare are possible, and so different conceptions of utilitarianism results from these different conceptions of the good.

12.1.1. Traditional versions of utilitarianism construe welfare as subjective, either pleasure or preference satisfaction.

12.1.1.1. Jeremy Bentham (1773-1832) in INTRODUCTION TO THE PRINCIPLES OF MORALS AND LEGISLATION set forth hedonist utilitarianism. He began by stating psychological hedonism: all actions are motivated by the desire for pleasure and the fear of pain. He went on to state ethical hedonism: ethical obligation is based upon pleasure and so do what produces welfare, the good which is pleasure. Thus, he derived the general principle of utility which "approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness [happiness is taken as the predominance of pleasure over pain] of the party whose interest is in question." The quantity of pleasure being equal, pushpin is as good as poetry.

12.1.1.2. John Stuart Mill (1806-1873), in his essay "Utilitarianism," tried to correct Bentham's hedonism by introducing the qualitative aspect of pleasure. This eliminated Bentham's emphasis on the quantitative and so the uncultivated mode of life, and introduced superior pleasures, notably the intellectual, aesthetic, and moral. "Better to be Socrates un-

satisfied than to be a fool satisfied." Mill's criterion of quality, however, introduces a standard of value other than pleasure and so contradicts hedonism.

12.1.1.3. The most important objection to hedonism is that pleasure is not the only good. Consider Robert Nozick's experience machine:

Suppose there were 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, preprogramming your life's experience? (ANARCHY, STATE, AND UTOPIA, New York: Basic Books, 1974, p. 42)

Nozick goes on to state that a human being would not plug into such a machine, because each of us wants to be a certain kind of being and so do certain kind of things and not merely have experience as if one were a certain kind of being and were doing certain kinds of things. The thought experiment shows that a valuable life consists not in mental states but in certain kinds of character traits and the exercise of certain capacities. Hedonism must be false.

12.1.1.4. Many twentieth century utilitarians and most economists hold a desire-satisfaction theory, i.e. the good resides in satisfaction of desires which we seek.

12.1.1.4.1. There are two varieties of the theory: actual and counterfactual. The actual desire-satisfaction theory claims that what is valuable is what would satisfy one's actual desires. The objection to this theory is that desires can be based upon false beliefs and be inconsistent. So the counterfactual desire-satisfaction theory is proposed: what is valuable is what would satisfy one's desires if they were based upon true beliefs and they were consistent.

12.1.1.4.2. Desire-satisfaction theories are false for at least two reasons. Firstly, they get things the opposite way around: we do not desire things and so they

are valuable rather things are valuable and so we desire them. Secondly, actual desire-satisfaction theories give value to lives that are immoral (lives of drug addicts) or trivial (lives of socialites who let their intellectual and creative talents atrophy). In fact, these theories encourage cultivation of desires easily satisfied and so lower sights to increase frequency of success. But some would argue that the counterfactual theories meet this second objection because of the stipulation of desires based upon true beliefs which would rule out actions that are immoral, trivial, and less risky. However, the stipulation changes the subjective theory into an objective one in which certain kinds of character traits are specified to allow desires which are valuable.

12.1.2. There are also objective theories of utilitarianism. Plato's theory of the good life was an objective utilitarianism which placed welfare in the reflective life.

12.2. Are the consequences to be addressed those of the individual or all sentient beings? Is the welfare that of the individual or the group? If we adopt the former alternative, egoistic utilitarianism results. If we adopt the latter, altruistic utilitarianism results.

12.2.1. Bentham's analysis of pleasure included "extent" (number of persons affected). But it is difficult to see how the desire for one's pleasure can be connected to the extent or pleasures of others in deciding on a course of action. Is desire for the pleasure of others also a sovereign master? Mill assumed a general convergence of individual and social benefit. Nevertheless, the hedonists and other subjective utilitarian theorists left unanswered why in cases of conflict we ought to place the public over the private interest. The principle of the greatest happiness of the greatest number was left ungrounded.

12.2.2. Altruistic objective utilitarianism (AOU) defines moral right in terms of maximal goodness, welfare for everyone, where goodness or welfare is not subjective, i.e., is not pleasure or satisfaction of desire.

12.2.2.1. It is argued that AOU cannot account for the existence of moral rights, for a person's right to something can be set aside only in the face of a more important right or disastrous consequences; maximal utility is not a legitimate reason for defeating a right.

12.2.2.1.1. There are positive rights to goods and services as well as negative ones involving freedom from various kinds of treatment from others. What rights do is to protect or guarantee especially important interests. If these interests are to be safeguarded, then rights should eliminate claims to violate these interests to promote maximal utility.

12.2.2.2. It is argued that AOU cannot account for the moral significance of personal integrity. Deep commitment to certain personal projects gives life meaning and so integrity. AOU requires that one take an impersonal point of view and take an impartial attitude to one's own welfare; a person must view her or his own projects as no more valuable than those of others.

The point is that he is identified with his projects and attitudes which in some cases he takes seriously at the deepest level, as what his life is about. . . . It is absurd to demand of such a man, when the sums come in from the utility network which the projects of others have in part determined, that he should just step aside from his own project and decision and acknowledge the decision which utilitarian calculation requires. It is to alienate him in a real sense from his action and the source of his action in his own convictions. It is to make him into a channel between the input of everyone's projects, including his own, and an output of optimistic decision; but this is to neglect the extent to which his actions and his decisions have to be seen as the actions and decisions which flow from the projects and attitudes with which he is closely identified. It is thus, in the most literal sense, an attack on his integrity. (B. Williams, "A Critique of Utilitarianism" in UTILITARIANISM: FOR AND AGAINST, Cambridge Univ. Press, 1973, pp. 116-7)

12.2.2.3. It is argued that AOU gives an erroneous account of our obligations to others. It is both not strict enough and too strict with respect to our obligations. For example, it is not strict enough when it permits us to set aside our obligation to tell the truth when telling the truth stands in the way of maximal utility. Utilitarianism is too strict because it requires continual benevolence and self-sacrifice.

12.2.2.4. It is argued that AOU cannot account for distributive justice, for it is concerned with maximization of total value and not its distribution.

12.2.2.4.1. If AOU makes itself distribution-sensitive by taking distribution of goods to be a good, then the argument is met. However, the theory is no longer teleological and so utilitarian. "Whereas if the distribution of goods is also counted as a good, perhaps a higher order one, and the theory directs us to produce the most good (including the good of distribution among others), we no longer have a teleological view in the classical sense." (John Rawls, A THEORY OF JUSTICE, Cambridge University Press, 1971, p. 25)

12.2.2.5. It is argued that AOU fails to recognize the separateness of persons. Just as prudence is indifferent among different distributions of the same amount of welfare throughout the various stages of one's life, so utilitarianism is indifferent among different distributions of the same amount of welfare throughout the population. In effect, utilitarianism treats social groups as big persons and individual persons as different stages in the life of the society.

12.3. Besides sorting utilitarianism into subjective and objective and into egoistic and altruistic theories, it can be sorted into act and rule utilitarianism.

12.3.1. If the acts to be assessed as good are particular acts then act utilitarianism is being espoused. On the other hand, if the acts are taken as sorts of acts then one gets some sort of rule utilitarianism. The rule utilitarian does not consider the consequences of each particular act as does the act utilitarian, but rather the consequences of adopting some general rule such as "Keep promises." Rule can be interpreted ei-

ther as a possible or actual rule (rule conventionally operative in society). Bentham, of course, would be an act utilitarian, but there is controversy about Mill's position.

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ON ETHICAL PRINCIPLES

13. Ethics articulates principles that a human being ought to impose on herself or himself as rules governing action.

13.1. These principles are imposed as rules, because the actions called for must be done for their own sake and not for some end they are expected to bring about. The principles, therefore, are deontological because they set forth what truly is one's duty.

13.1.1. These principles are categorical imperatives: commands bidding one to act in a certain way whether one wants to or not and without regard to any result the action might bring about.

13.1.1.1. Categorical imperatives are to be distinguished from hypothetical imperatives which bid one to take certain steps in order to achieve desired ends. Hypothetical imperatives are directives that are dependent upon the desires of persons.

13.2. The fundamental categorical imperative is Kant's principle of universality:

Act only on the maxim whereby thou canst at the same time will that it should become a universal law.

13.2.1. The principle of universality sets forth that one's choosing should not be in terms of self-interest (should not be subjective), but rather should be in terms of rules which all rational beings can follow consistently (should be objective).

13.2.2. The principle of universality is one of normalcy for being rational. It is a requirement for being rational.

13.2.3. The principle of universality also may be called the principle of impartiality and may be stated as follows:

Treat similar cases similarly in deciding rightness and wrongness of conduct.

13.2.3.1. To objectively judge the rightness or wrongness of conduct demands judgment in terms of features that are relevant always unless there is a special explanation. Therefore, it follows that conduct that is right or wrong for one person is right or wrong for another person unless there are special factors present.

13.2.4. It should be noted that the principle of universality expresses the golden rule which is found in religions and thereby indicates that ethical principles are common to religions.

13.3. Kant also stated the principle of autonomy which followed from the principle of universality:

So act that the will could at the same time regard itself as giving in its maxims universal laws.

13.3.1. The principle of autonomy makes clear that subjective choosing which is objective is also a will conditioning itself or a good will. One rises above one's desires and so is not enslaved to them. Reason rules, and so decisions emerge; the will conditions itself and so desires do not corrupt the will.

13.3.2. The principle of autonomy establishes liberty. It is a requirement for freedom.

13.3.3. The principle of autonomy also may be called the principle of liberty and may be stated as follows:

Do not interfere in the chosen course of any rational being or impose on any rational being conditions which will prevent her or him from pursuing her or his chosen course of action.

13.3.3.1. To objectively judge the rightness or wrongness of conduct demands that only rational persuasion

be used relative to a rational being's course of action. Therefore, it follows that any interference with the chosen course of a rational being is a determination of her or his actions by force or at least a limit imposed by force on the extent to which her or his actions may be rationally determined.

13.4. Finally, Kant stated the principle of humanity which also follows from the principle of universality:

So act that in your own person, as well as in the person of every other, you are treating mankind also as an end, never merely as a means.

13.4.1. The principle of humanity makes subjective choosing which is objective, respect for the self. The dignity of the human being arises from freedom; the human being as an I is an end not a means. The duty to all other human beings arises from objectivity; other human beings are I's (persons) and so cannot be treated as means, as instrumentalities.

13.4.2. The principle of humanity establishes inviolability. It is a requirement for communality.

13.4.3. The principle of humanity also may be called the principle of rational benevolence and may be stated as follows:

Take into account the interests of all rational beings whatsoever in deciding rightness or wrongness of conduct.

13.4.3.1. To objectively judge the rightness or wrongness of conduct demands that the discourse be public insofar as right and wrong should be determinable by any rational being. Therefore, it follows that determination will not neglect the interests of any rational being.

13.5. The justification of the principles of universality (impartiality), autonomy (liberty), and humanity (rational benevolence) resides in the intuition of rationality as the essential characteristic of humanness.

13.5.1. On the metaethical level, the three principles are established by a transcendental argument:

The principles of impartiality, liberty, and rational benevolence must be true if there is to be moral discourse at all, i.e., moral discourse of which the principles are examples is impossible without presupposing the principles.

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ON THE SOCIAL CONTRACT AND SOCIAL WELFARE PRINCIPLES

14. 'Social contract' is the name given to the concept of agreement for the collectivity in all its possible shapes. It is the result of a process of contracting, compacting, or convenanting to end a state of nature and establish a state of society.

14.1. The theory of social contract is associated with the individualistic attitude to society and state, and so with the rights of the individual person and with consent as a basis of government.

14.1.1. The social contract proper (pactum societatis, pacte d'association, Gesellschaftsvertrag) is taken to be a bringing of individuals together in society, and the governmental contract (pactum subjectionis, pacte du gouvernement, Herrschaftsvertrag) establishing a formal government.

14.2. The social contract can be taken in either a literal or hypothetical sense.

14.2.1. In a literal sense, it is taken as a contract that actually took place in some past time, that there may be human beings in the world living in a precontractual situation, and that those now within a constituted society could revert to a precontractual situation (a nonpolitical condition).

14.2.1.1. The history of the concept of social contract has been largely the same as that of natural law, for natural law had to be assumed if the contract was to be taken at all literally. A contract rests on a duty to keep promises. Such a duty could not come into being with the contract itself and must persist should the contract be broken. Natural law prescribed such a duty as a basis for a contract.

14.2.1.2. The theories of social contract and natural

law had their origins in the Roman Stoicism of Cicero and in Roman law. Social contract became a standard feature of the Western Christian attitude as seen in the Middle Ages and, through the Reformation, rose to dominate European political thought.

14.2.1.2.1. Contractarian notions justified the right to worship of a Protestant minority in a Catholic country and a Catholic minority in a Protestant country. Also such notions justified civil war, rights to resist government.

14.2.1.2.2. Thomas Hobbes (1588-1679) derived rights of nature from human beings' tendency to assert themselves and to seek power. In a state of nature persons have a right to everything because they have a right to preserve themselves and do everything that will preserve their existence. That is to say, a fundamental right of self-preservation is accompanied by a fundamental law of nature discoverable by reason--don't do anything which has a tendency to destroy your existence or omit anything which has a tendency to preserve your existence. A state of war is detrimental to one's self-preservation, while a state of peace is conducive to one's self-preservation.

14.2.1.2.2.1. A state of peace is possible. There are rules of peace upon which all persons can agree and, if observed, peace would result. These rules are called 'the laws of nature' and may be discovered by reason. There are 19 laws of nature. The first law is: "Every man ought to endeavor peace as far as he has hope of attaining it." The second law is the basis for the mutual transference of rights (the social contract): "That the man be willing when others are so to, to lay down his right to all things to the degree to which he thinks necessary for peace and the defence of himself. And to be contented with so much liberty against other men as he would allow other men against himself." The third law is "That men perform their covenants as contracts." Keeping of a valid covenant is justice and breaking it is injustice. The only covenants that are valid are those that are enforceable. Hobbes concluded that enforcement depended upon tying every citizen to unquestioning obedience to a supreme, irresistible, indivisible sovereign whose dictates are the law. The commonwealth that emerged is "one person, of whose acts

a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all, as he shall think expedient, for their peace and common defence."

14.2.1.2.3. John Locke (1632-1702) took the state of nature to be one of liberty rather than of license. He viewed the state of nature as relatively peaceful and sociable. "The state of nature has a law of nature to govern it, which obliges everyone; and reason, which is that law, teaches all mankind who will consult it that, being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions." The natural moral law implies natural rights. Every person has the right to preserve oneself and to defend one's life, and has a right to freedom. The right to preserve oneself entails the right of property. With respect to the rights, there are correlative duties.

14.2.1.2.3.1. Even though in the state of nature all are bound to obey a common moral law, it does not follow that all actually obey this law. Therefore, human beings join together in society "for the mutual preservation of their lives, liberties and estates, which I call by the general name, property." This compact should be understood as an individual's consent to submit to the will of the majority. "It is necessary the body should move that way whither the greater force carries it, which is the consent of the majority." The will of the majority sets up the government. And "the community put the legislative power into such hands as they think fit with this trust, that they shall be governed by declared laws, or else their peace, quiet and property will still be at the same uncertainty as it was in the state of nature." Thus, Locke set forth a democratic government as the result of the social contract.

14.2.1.2.4. Within a generation of the death of Locke, the defeat, under the utilitarian criticism, of the natural law outlook caused the contract, in any literal sense, to lose its persuasiveness.

14.2.1.2.4.1. The development of anthropology and sociology makes it entirely unlikely that the contract in a literal sense will be adopted again by theorists.

14.2.2. In a hypothetical sense, the social contract is taken as a basis for analysis of state and society. For state and society, agreement must always be presumed.

14.2.2.1. John Rawls, a living American philosopher, has used the concept of the social contract in its hypothetical sense to develop an account of justice as an alternative to utilitarianism.

14.2.2.1.1. Utilitarianism attempts an account of social welfare, but in so doing sets aside human rights. Rawls extends the interpretation of the Kantian principles of universality (impartiality), autonomy (liberty), and humanity (rational benevolence) into the social. In so doing, he meets the challenge of a new liberalism in which the claims or rights of self-development are adjusted to the sovereignty of social welfare.

14.2.2.1.2. Rawls conceives of an imaginary assembly of abstract persons who are supposed to rationally choose, from behind a "veil of ignorance", the ideally just institutions for a society. They are required to discount any knowledge of their own position in society, of their own abilities and dispositions, and of their particular advantages and disadvantages. These persons would speak with the voice of shared humanity, knowing enough of the general tendencies of people to enable them to agree with one another on a set of principles defining a just society. A social contract would emerge incorporating individual and social welfare.

14.2.2.1.3. The principles chosen by human beings who are rational are:

First: each person is to have equal right to the most extensive basic liberty compatible with a similar liberty for others.

Second: social and economic inequalities are to be arranged so that they are both
(a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all.

Rawls restates the second principle to clarify that a difference principle operates as well as a principle of equality of opportunity:

Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.

14.2.2.1.3.1. The first principle of equal rights compels every person to prefer liberty to all other human goods.

14.2.2.1.3.2. The second principle of greatest benefit to least advantaged and of fair equality of opportunity compel every person to mitigate, or never increase, natural human inequalities.

14.2.2.1.3.2.1. The second principle is not of redress in the sense of requiring compensation for inequalities so that everyone on a fair basis could compete with everyone else. However, the second principle does demand recognition that the advantaged are not to gain because of their native assets or social circumstances but because of benefiting the disadvantaged. The advantaged are not deserving of greater social and economic rewards than the disadvantaged, inequalities of birth or station are not merited. Hence, no one should gain or lose from one's arbitrary place in the distribution of natural assets or social circumstances without gaining or receiving compensatory advantages in return. In other words, the second principle is an agreement to share in the benefits of the distribution of natural talents whatever they might be.

14.2.2.1.3.2.1.1. Rationality is not supportive of either a meritocracy or a technocracy. These are unjust social arrangements.

14.2.2.1.3.2.2. The second principle does not perpetuate the status quo. Earlier generations owe to later generations the implementation of policies, including eugenic ones, which will, if it can be done, move the society toward equal talent.

14.2.2.1.4. Rawls' principles of equal rights, greatest benefit to least advantaged, and fair equality of opportunity must be added to Kant's principles of impartiality, liberty, and rational benevolence, for they set forth the rules for society's assignment of rights and duties and for the distribution of social and economic advantages. Consequently, these principles appear utilitarian insofar as they are concerned with social welfare and so the consequences of actions with respect to common good. But they are not utilitarian, for they are justified in terms not of consequences of actions but rather in terms of rationality. The principles of social justice are derived from the categorical imperative and the hypothetical social contract and so are not hypothetical ones.

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ON THE METHOD OF MORAL CRITICISM

15. The method of moral criticism is a procedure for applying ethical principles in judging actions.

15.1. This method was developed by E. Steiner (THE ANATOMY OF MORAL CRITICISM IN THE SCIENCES, National Science Foundation Project SPI 79-01221, 1980) because the three approaches used in programs for moral education were inadequate.

15.1.1. Values clarification was inadequate because it did not go far enough; one must not only be clear about their values but be able to sort out moral values and judge them.

15.1.2. Values analysis did include judgment but the basis for judgment was inadequate. Intrinsic values, such as moral values, cannot be judged on empirical grounds.

15.1.3. The third approach was that of Kohlberg.

15.1.3.1. Kohlberg in discussing moral development viewed it as a moral reasoning process in which one acts because one has judged the action in a certain way. This process progresses through three identifiable levels. On the first preconventional level, one acts because of hedonistic consequences. This level has two stages: first one acts to avoid pain, then one acts to secure pleasure. The second level is conventional, in which in the first stage one acts to secure approval through conformance, and in the second, action is to maintain the social order. The final level is postconventional, autonomous or principled. It too has two stages: the first in which one acts on the principle of utility and the second on the principle of universality. Furthermore, Kohlberg holds that the stages form an invariant sequence that occurs and applies to every culture. Moreover, each stage employs a form of

moral reasoning that is more adequate than the preceding stage. Since a person can comprehend moral reasoning at one stage higher than his or her own, Kohlberg has set forth the moral dilemma as a way of guiding a person to progress to a higher stage of moral reasoning.

15.1.3.2. Whether Kohlberg is correct about the way moral reasoning develops is an empirical matter and thus is not a concern of the philosopher as a philosopher. However, which stage he claims as most adequate is. Considering what is morally right, it is patent that Kohlberg is correct that the postconventional level is the most adequate level. But Kohlberg's treatment of autonomy is not at all clear, since autonomy always involves universality. Moreover, he does not present all of the ethical principles that could be involved. Finally, detail of the nature of adequate moral reasoning is lacking; all that one knows is that it is reasoning in which the principle of universality is used.

15.2. The moral criticism approach is indebted to Beardsley's analysis of criticism (AESTHETICS, 1958) and Toulmin, Rieke, and Janik's analysis of ethical reasoning (AN INTRODUCTION TO REASONING, 1979).

15.3. Criticism is an act of judging value. Judging value involves more than comparison of what is to be judged to a standard or standards. Before evaluation can occur, one must characterize what is to be judged. One cannot compare an unknown against a standard or standards. Facts are required. However, description and evaluation are not enough. Interpretation, setting forth meaning or significance, is also necessary. Unless one knows how what is to be judged relates to the context of criticism--the context in which the standard or standards apply--one cannot apply the standards.

15.3.1. As an illustration, consider the case in which Dr. Kevorkian assisted Sue Weaver to end her life. One cannot judge the act of Dr. Kevorkian to be morally wrong unless, after one describes the case, one interprets the case as to the features imposing obligation. Obviously, both features of the described action that relate to Sue as a person and as a patient place obligations on Dr. Kevorkian. He is both a human being

and a physician. He must respect Sue's personhood and he must do all he can for the well being of Sue. Dr. Kevorkian must not violate Sue's person and he must carry out his professional responsibility as a healer. It should be noted that interpreting the case as to features that relate to legality or cost effectiveness are beside the point with respect to obligation. Dr. Kevorkian may be breaking the law but acting morally right. Dr. Kevorkian may be saving money for society but acting morally wrong.

15.4. Ethical or moral reasoning is a process in which a claim about what is right or wrong is connected to grounds (features imposing obligation) by reliable and applicable warrants (moral maxims) which are justified by sufficient and relevant backing (ethical principles).

15.4.1. To return to the case of Dr. Kevorkian's assistance of Sue Weaver in discontinuing her life, moral reasoning might proceed as follows: the action of Dr. Kervorkian was wrong because termination of life prevents human being and healing. The moral maxim "Do not kill" is based upon the ethical principle of autonomy, and the moral maxim "Do not assist in the death of thy patient" is based upon the ethical principle of healing, the ethical principle of the medical profession.

15.4.2. The claim in ethical or moral reasoning could be qualified in terms of the modals, 'certainly' or 'presumably'. The modal 'presumably' is used when the warrant(s) applies to actions only under certain circumstances. Instead of the claim taking the form 'So certainly C', it takes the form 'So presumably C'. This form indicates that the presumption can be set aside if special circumstances can be cited. The term 'rebuttal' is given to the setting aside of the presumed conclusion by means of special circumstances.

15.4.2.1. Returning yet again to Dr. Kevorkian's assistance of Sue Weaver in discontinuing her life, some would hold that the claim--Dr. Kevorkian's assistance in the death of Sue Weaver was morally wrong--is a presumption which can be rebutted because Sue Weaver was terminally ill and was suffering severe pain that could not be controlled.

15.5. Combining the elements of criticism and moral reasoning, the moral criticism of cases evolved as a process of reasoning or rational decision making, i.e., of coming to decisions about the intrinsic goodness (moral rightness) of actions through a logical procedure. A logical procedure is one based upon relevant criteria.

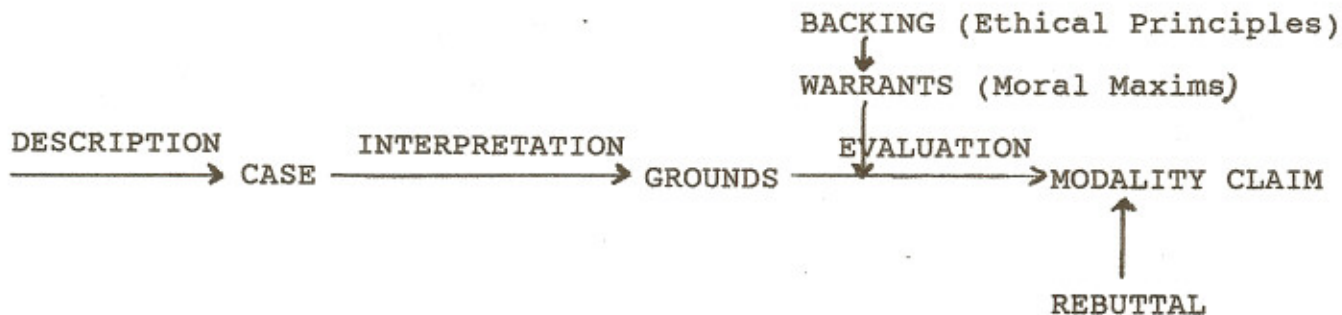
15.5.1. In describing a case, epistemic criteria, criteria for truth, must be utilized. First, the description must correspond to what has happened. For a description to correspond to what has happened, it must be observed and that observation must be discriminating, systematic, comprehensive, continued, and needless to say, unbiased. Observation in terms of all possible aspects of the case aids in correspondence as does observation by an honest person. Secondly, the description should be coherent. All parts of the description must be consistent, and thus no one part should contradict another part.

15.5.2. In interpreting a case, semantic criteria, criteria for meaning, must be used. With respect to interpreting a case in the realm of morality, the case must set forth the features that relate to the moral dimension of action. Features imposing obligation become the grounds for the action being either right or wrong. The moral maxims which can be deduced from the six ethical principles permit the determination of features imposing obligation to act or not to act. That Dr. Kevorkian was arrested for his action or that most of the medical practice in the United States did not approve of his action are not features that relate to the moral dimension of the action. Needless to say, any advantages (or disadvantages) of Sue's death to the rest of society also do not so relate.

15.5.3. In evaluating a case with respect to morality, the significance or grounds are judged as right or wrong and thereby tied to a claim which is what is concluded in the argument. The judgment is made on the basis of moral maxims. Moral maxims are warrants or guarantees for connecting grounds to claims; they are the reasons for the claims. In the case of Dr. Kevorkian, one warrant was that one ought not kill, another was that physicians ought not to assist in the death of patients.

15.5.4. Moral maxims to be adequate must be based upon ethical principles. Ethical principles are the backing which establishes the trustworthiness of the maxims; they are reasons for the reasons, the ultimate reasons. The ethical principles that apply to all human beings are universality (impartiality), autonomy (liberty), humanity (rational benevolence), equal rights, greatest benefit to the least advantaged, and fair equality of opportunity. There are special ethical principles that apply to human beings because of their pursuit of special interests which involve them in special actions, e.g., the principle of healing for physicians.

15.6. Schema 1 summarizes the moral criticism approach.



Schema 1: The Moral Criticism Approach

The following steps summarize the moral criticism approach:

1. description which presents the case,
2. interpretation which presents feature(s) of the case as grounds for a claim, and
3. evaluation which presents a claim which has either the modal 'certainly' or 'presumably' followed by a conclusion as to moral rightness or wrongness (when the claim is a presumption, it can be set aside by a rebuttal that cites special circumstances) warranted by a connection between grounds and claim through moral maxim(s) backed by one or more ethical principles.

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ON BEING MORAL AND HAPPY

16. Some have tried to define the morally right in terms of what makes us happy. In other words, they have attempted to define rights and obligations in terms of the good consequences they may bring about and the bad consequences they may avoid. To hold that acts are morally right or wrong because they bring about good consequences and not because they are inherently right or wrong apart from their consequences is called 'consequentialism'. It is a teleological approach to ethics--one in terms of ends achieved. ('Teleos' is a Greek word meaning end.) A major form of consequentialism is utilitarianism which is evaluating consequences in terms of usefulness in bringing about happiness. To hold that acts are inherently right or wrong no matter their consequences is a deontological approach to ethics. ('Deon' is a Greek word meaning duty.)

16.1. The case for rights of persons does not rest on any calculation of their happiness.

16.1.1. Rights of persons do not rest on what they take to be their good. Persons' good, and hence their interests, are distinct from their well-being, and are determined by many factors including their physical and mental well-being, the roles adopted and identified with, and their rational aspirations and ideals. One may distinguish what is in persons' interests from what is dictated by their welfare, from what they desire, what they desire most, from what will give them most pleasure and least pain, and so on. Thus, with human persons there is no equation of feelings, maximizing certain feelings, satisfying desires, or the like, with realization of their interests.

16.2. The moral principles of impartiality, autonomy, and humanity arise from the fact that persons are beings possessing rational capacities which include the capacity for moral deliberation and decision. Consciousness and self-consciousness are aspects of rationality. Ability to conceptualize is another capacity relating to reason. Capacity to choose, decide, to act on the basis of conscious decisions, are other rational activities. But the crucial factor conferring rights is the capacity to will what is morally right.

16.2.1. The human being in an irreversible coma, the being without a moral will, potentially or actually, the being which lacks the capacity to formulate moral concepts and hence to make moral judgments, potentially or actually, does not count as a person and so has no rights.

16.2.2. The permanently insane may have a degree of sanity and so a degree of moral capacity. Also it is seldom that it can be said with confidence that there is no potentiality for sanity and so moral autonomy. Thus, the insane cannot be discounted as persons and so taken as human beings without rights.

16.2.3. If it is certain that psychopaths do not possess any potentiality for moral autonomy, then they are not persons. They have no rights.

16.2.4. With infants it is meaningful to ascribe rights on the basis of what would be or will be their moral wills.

16.2.5. If an animal has the relevant moral capacities, actually or potentially, then it can be the possessor of rights. The evidence available to date about the rational capacities of animals is far from complete, but to date it appears to be decidedly unfavorable to the view that any animals possess the relevant moral capacities. Research on chimpanzees, monkeys, and many other animals, however, reveals a significant degree of rationality which provides an important ground for justified moral demands that they be better treated than they now are. Further research might reveal that the human being is not the only animal capable of personhood (Iness) and so capable of being a bearer of rights. Does morally appropriate behavior meanwhile demand acting towards some animals as if they are possessors of rights? Whales? Dolphins?

17. We can respect persons' rights and fulfill our obligations to them and still have a world without joy, beauty, playfulness, or love. Therefore, we act also for such goods or to be happy.

17.1. Not all goods are desires or wants we happen to have; some are ideals we can choose. Though we may be stuck to some extent with wanting what we want, deciding what to strive for is up to us.

17.2. Not all goods have moral value. Many of the economic products labeled "goods" may be matters of indifference to morality, and some may be more bad than good. But in deciding which outcomes to try to bring about and which means to use to produce them, we need to ascertain which

ends and means are better or best, and these decisions will often involve the moral evaluation of nonmoral goods. We may decide that very different alternatives are equally valuable or that some should have priority over others.

17.2.1. Tolerance of a pluralism of goals is compatible with a shared respect for persons' rights. That all persons ought as moral beings adhere to principles assuring respect for rights can be asserted and defended. We can then combine a respect for rights based on principles that are not themselves preferences or goods, with room for a variety of preferences and goods to be sought within the bounds of rights.

17.2.2. In pursuing our goals we often assert our interests. Interests are not the same as rights, since we may have rights to do what it is not in our interest to do. Economic interests, for example, are not the same as economic rights. Property rights are moral rights only in their extension as resources needed for a modest level of human dignity. Above that level, there are no moral rights to property; there are only property interests. Once the claims of rights have been met, economic activity can maximize the satisfaction of the property interests of all those affected, where the interests to be considered are appropriately individual.

17.2.2.1. Economic justice is a serious matter. While those with moral rights to decent lives are deprived of these rights, playing economic games is not only frivolous but immoral. However, if such rights were respected and if playing economic games could be justified in terms of the maximization of interests, there then might be nothing morally wrong with egoistic economic pursuits among those who choose to engage in them. These might not be the most admirable activities to which a society's members could devote themselves, and developing alternatives should be an objective of every society with the economic resources to do so. But once those in need have been provided for and the moral rights of all have been assured, the obligations of those engaged in the production and distribution of economic goods have been fulfilled.

17.2.2.1.1. To draw a line establishing the level up to which persons are entitled to economic support by a society or to other goods of society is to limit the application of the principles of distributive justice, i.e. to limit the application of the principles of equal rights, greatest benefit to the least advantaged, and fair equality of opportunity. The principles as stated by Rawls allow no one to benefit from any goods beyond that yielded by

arrangements benefiting the least advantaged. Everyone would share in the whole of the production of goods in the society.

17.2.2.1.1.1. By giving persons' rights only to the goods minimally required for their autonomy, persons may obtain what they deserve in the context of the good of each individual.

17.2.2.1.1.1.1. Rachels in attempting to set forth a satisfactory moral theory integrated two ideas: acting so as to promote the interests of everyone alike, and acting to treat people as they deserve to be treated. He produced a principle:

We ought to act so as to promote impartiality the interest of everyone alike, except when individuals deserve particular responses as a result of their own past behavior.

But this principle, which is vague and susceptible to misinterpretation, is unnecessary provided the principles of distributive justice are given a limited interpretation in terms of a minimum not a maximum.

18. The principles of distributive justice: equal rights, greatest benefit to the least advantaged, and fair equality of opportunity arise also from personhood. To live as persons and to have a possibility of happiness requires a certain level of goods. Thus, morality demands more than maximization of goods; they must be distributed to dignify human life.