Philosophy 104, Ethics, Queens College, Spring 2006
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Finishing Utilitarianism., and starting Kant

I. How rule utilitarianism avoids act utilitarianism's problems of rights and justice

Should you peep?
In this instance, you might gain more pleasure than anyone loses.
But which rule should we follow:
Rule #0: Do not peep.
Rule #1: Peep if you want.
If we adopt Rule #1, some people would get caught.
Then, the overall unhappiness of those whose rights are violated outweighs the titillation of the peepers.
So, I shouldn't peep.

Brandt says that the rule utilitarian approves of actions which would be permitted by a moral system that is 'optimal' for the agent's society, p 85.
He believes that a moral system is some kind of collection of the consciences of its individual citizens, but we need not spend much time on that complication.
The idea is just that we are looking to develop a moral code that will serve as a social standard.
This code need not be followed perfectly, like the law, but it sets a moral standard.
This standard should supercede the law, which will reflect the dominant morality.
The dominany morality may not be best, and we should follow the optimal standard, p 89.

II. Problems with rule utilitarianism

Adopting rule utilitarianism means losing the flexibility that was the great advantage of classical utilitarianism.
Imagine yourself in a situation in which you have to choose either to follow a general rule that creates great consequences, or to break the rule because of the better consequences that would result by doing so.
A rule with an exception is still a rule.
That is, we might adopt the following rule:
Rule #2: Peeping is prohibited, unless you can be sure not to be caught.
This rule creates greater happiness (or fulfillment of preferences), than Rule #0.
We are back to evaluating individual acts, to see if they are the exceptions which we should build into the rules.

III. Utilitarianism Summary

Consider two arctic explorers, who meet an accident which enable only one of them to survive.
One sacrifices his life in return for a promise.
According to the utilitarian, the survivor should act as if the promise was never made.
The utilitarian defends promise-keeping on the basis of precedents and expectations.
You should keep your promises because of the expectations of those to whom you promise, and the precedent set for others who see you break your promises.

No one else knows about the explorer's promise, so breaking it will not create any ill precedents.
Any guilt is residual evidence of non-untilitarian presuppositions.
There seems to be something wrong with the assumption that no promise was ever made, even if, in the end, you do break the promise.

We have been trying to show that utilitarianism fails to account for important intuitions: justice, desert, promise-keeping.
Notice that these problems are backwards looking.
When presented with such cases, either we give up the theory or the intuitions.
But it is not always clear which to cede.

There are other ways to criticize the theory.
We might show that it is inconsistent.
See Bernard Williams and J.J.C. Smart, *Utilitarianism, For and Against*, for an extended debate.

Another way to criticize a theory is to present a preferable alternative.
In this vein, we shall examine Kant's ethics.

IV. Introduction to Kant's Ethics

Consider helping a struggling person across the street.
This is a good act.
Consider the same situation, but which ends with an unforeseeable bad consequence.
An unseen truck runs you both over.
The utilitarian, given the bad outcome, must describe this as a bad act.
But the initiating action is the same action.
How could it be good in one case and bad in the other?

Kant says that the only good thing is a good will, a desire to do one's duty.
Since the will in each case was the same, the moral worth of each action was the same, independently of the consequences.
For Kant, morality is always independent of consequences.

V. The contrast between will and inclination

Will is what results from rational deliberation, reason in its practical employment.
Dogs and cats can have inclinations, which are immediate.
Consider saving someone when there's a big reward.
Is it a good act?
Kant says, the answer is unclear, since we have to determine the content of the will.
To have moral worth, an action must be done from the motive of duty.

How duty and inclination may meet:
There are four cases to consider:

1) Acting contrary to duty
E.g. robbing, murdering, lying.
These are obviously not morally valuable.

2) Acting consistently with duty and with inclination
E.g. the shopkeeper charging a fair price.
Here, we do no wrong.
But since the act is in our interest, we can not see the moral value in it.

3) Acting consistently with duty, but not with immediate inclination, though we might have some inclination
E.g. Not picking some one's pocket.
We might be inclined to steal, but we want to avoiding being caught.
So, we act in the right way, but for the wrong reasons.

4) Acting consistently with duty but contrary to inclination.
Here morality shines.
E.g. returning lost money, volunteering one's time to help others.

Weak claim: We can see only see moral value in acts done contrary to inclination, though other acts may also have moral worth.
Strong claim: Only acting contrary to inclination creates moral worth.
Kant is committed to the stronger claim, but the weaker one is less controversial.