

# Global Justice

## Part I



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# INTRODUCTION

# Global Justice

- The question of global justice (broadly understood) is the question of how individuals and states ought to conduct themselves in relation to others on the world stage, and how international institutions might be restructured if the world were to be more just.
- It is an enquiry into our duties, on what we owe to each other in the world at large (morality vs ethics).
- The question of what we owe to each other is the the subject of moral and political philosophy.
- That is why we will study moral theories and theories of justice.
- Global justice is concerned with specific global issues. These issues can become test cases for evaluating our moral and philosophical theories. Global justice issues poses new challenges for those theories which in some cases have been thought for domestic settings.

# Global Justice

## World poverty – Immigration – Climate Change

- Although global income inequality has been falling, **world poverty** remain a major global problem. Is morally acceptable that the life's prospect of an individual born in a rich country be dramatically different with that of an individual born in a poor country? Few people would deny that world poverty is a bad thing and many would admit that we should do something about. But who has the responsibility to address the question and to act consequentially? What are the limits of that responsibility? Should we act as individuals or through governments and institutions?
- **Immigration** is strictly related to global inequality and world poverty. People moving from a poor to a rich country has the chance to triple or increase 10-fold their real income. Countries face a singular paradox. They let people move out of country - so recognizing the importance of the freedom of movements – but, at the same time, they pose strict limits to let people in. Do states have the right to keep individuals who are non-members out, through restrictive immigration rules? Does this state's prerogative to keep individuals who are non-members out conflict with universal human rights that the same democratic states declare to promote and defend?
- Global **climate change** is public good (bad) par excellence. Public good are both nonexcludable and nonrivalrous. Clean air, clean water, biodiversity, sustainable stock of fish are free goods. They are free goods, produced by nature and available to everyone. They are subject to no well-defined property rights. People and firms do not place enough values in these good and efficient markets outcomes are not feasible.

# Global Justice

## World poverty – Immigration – Climate Change

- Under a system of private property, men who own property recognize their responsibility. On the contrary, if a specific good is open to all, the right of each use it may not be matched by a corresponding responsibility to protect it. The results are pollution, depletion of natural resources. To solve these issues it is required a collective action.
- Emissions are normally unjust. They harm people, and **to harm a person is generally to do her an injustice**. We harm many presently living people. But although this harm is large, it is only a small part of all the bad. Most of the bad consequences will be suffered by people who are not yet living.
- Emission reductions are therefore necessary to prevent harm. Yet they come with opportunity costs of economic development and growth. How can this collective cost be fairly allocated to the different countries of the world? The duty to control climate change is at the end something we in the present owe to future persons. How should this generational responsibility be divided intra-generationally within a framework of an international climate change agreement?

# Acting Morally

What does it mean to act morally?

Is an action motivated by self-interest an «immoral action»?

Is an action that promotes good unintentionally a moral action?

Should we look only at the consequences to judge an action's moral worth?

A moral act must be our own act; it must spring from our own will. If we act mechanically, there is no moral content in our act. [...]

It is not enough that an act done by us is in itself good; it should have been done with the intention to do good. That is to say, whether an act is moral or otherwise depends upon the intention of the doer. Two men may have done exactly the same thing; but the act of one may be moral, and that of the other the contrary. Take, for instance, a man who out of great pity feeds the poor and another who does the same, but with the motive of winning prestige or with some such selfish end. Though the action is the same, the act of the one is moral and that of the other non-moral. [...]

Just as a moral action should be free from fear or compulsion so should there be **no self-interest** behind it. This is not to say that actions prompted by self-interest are all worthless, but only that to call them moral would detract from the dignity of the moral idea.  
(Mahatma Gandhi)

# Acting Morally

- **Intent:** The motivation behind the action should be to do good or avoid harm. The intention should be based on ethical considerations, such as kindness, fairness, or respect for others.
- **Consequences:** The outcomes of the action should ideally result in a positive impact or the least harm possible. Moral acts consider the well-being of others and the broader community.
- **Adherence to Moral Principles:** The act should align with established moral principles, such as honesty, justice, empathy, and integrity. These principles can be derived from cultural norms, religious teachings, or philosophical frameworks.
- **Respect for Rights and Dignity:** A moral act respects the inherent rights and dignity of all individuals involved. This includes recognizing and valuing the humanity and autonomy of others.
- **Universality:** Universalizing a moral principle means applying it consistently and **impartially** to all individuals and situations, regardless of their particular circumstances, preferences, or identities. In other words, it involves identifying general principles or rules that apply universally to all people, and using them to guide ethical decision-making in different contexts.



# Henry Sidgwick (1838 – 1900)

Henry Sidgwick's *The Methods of Ethics* (1874) is a foundational text in moral philosophy, particularly in utilitarian ethics. The book systematically examines different ethical methodologies and attempts to unify them into a rational, coherent framework. Here's a breakdown of its main content:

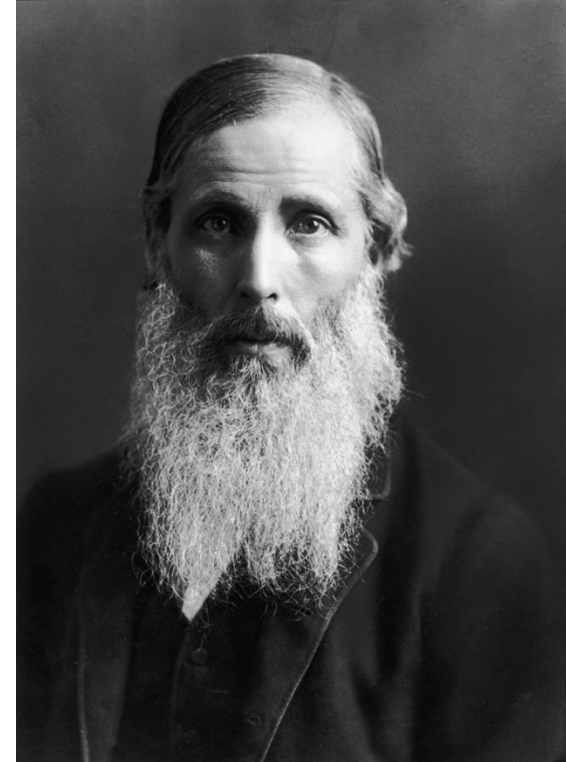
## 1. Ethical Methods

Sidgwick identifies and critically analyzes three major ethical methodologies:

- **Rational Egoism:** The pursuit of one's own happiness as the ultimate moral goal.
- **Utilitarianism:** The principle that the greatest happiness of the greatest number should be the moral criterion.
- **Intuitionism (or Common-Sense Morality):** The idea that moral principles are self-evident truths that can be known through intuition.

## 2. Systematic Examination of Morality

- He critically examines common-sense morality and intuitionism, arguing that moral rules derived from intuition often lack consistency and are subject to relativism (see slavery).
- He seeks to clarify whether moral principles can be rationally justified.



# Henry Sidgwick (1838 – 1900)

## 3. Utilitarianism and Rational Benevolence

- Sidgwick argues that utilitarianism provides the most rational and systematic moral framework.
- However, he also acknowledges the challenge of justifying why individuals should always act in ways that maximize general happiness.

## 4. The Dualism of Practical Reason

- One of the most famous aspects of *The Methods of Ethics* is Sidgwick's formulation of the "dualism of practical reason.»
- If rational egoism is true, then each person has a fundamental reason to prioritize their own well-being over others.
- If utilitarianism is true, then each person has a fundamental reason to treat their own happiness as no more important than anyone else's.
- He finds an unresolved conflict between egoism and utilitarianism: if reason dictates both personal happiness and universal happiness as ultimate goods, how can we resolve this conflict? The problem, according to Sidgwick, is that **reason does not provide a way to reconcile these two perspectives**. They both appear to be valid principles of rationality, yet they lead to opposing conclusions about what one ought to do.

## 5. Moral Motivation and Ethics' Relation to Metaphysics

- Sidgwick discusses whether morality has a foundation in metaphysical or religious concepts, particularly in regard to moral motivation.
- He suggests that, without a belief in divine justice or an afterlife, the rational justification for always choosing utilitarianism over egoism remains uncertain. If there were **divine justice**, then acting morally (i.e., in a utilitarian way) would ultimately **benefit the individual**—whether in an afterlife or through divine intervention in this life. This would align self-interest with universal happiness, eliminating the rational tension between egoism and utilitarianism.

## Conclusion

- While Sidgwick leans toward utilitarianism as the most rational system, he acknowledges that his work does not fully resolve the tension between egoism and utilitarianism, leaving the "dualism of practical reason" as an open question.

# Self-interest

## A justification?

*“It is not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but from their regard to their own **self-interest**. We address ourselves not to their humanity but to their self-love, and never talk to them of our own necessities, but of their advantages” **Adam Smith**, *An Inquiry into the Nature & Causes of the Wealth of Nations*, Vol.1*

This famous quote from Adam Smith’s *The Wealth of Nations* explains a fundamental principle of free-market economics: that individuals and businesses act out of self-interest, and this, in turn, benefits society as a whole.

### **Meaning:**

**Self-Interest Drives Economic Activity** – The butcher, brewer, and baker do not provide food out of kindness but because they seek profit. They work to earn a living, not purely out of generosity.

**Mutual Benefit through Trade** – Instead of appealing to their compassion, consumers engage in transactions that benefit both parties. The customer gets food, and the seller makes money.

**The Invisible Hand** – Though each person acts out of self-interest, the market organizes resources efficiently. This is a key idea in capitalism—individual pursuit of profit can lead to overall prosperity.

Essentially, Smith is arguing that a system based on self-interest, rather than charity, is more effective in meeting people's needs,

He addresses the question of the central anxiety that besets capitalism: the question of how to be a good person and live a moral life with the individualistic, antagonistic and impersonal social relationship that the market/capitalistic society imposes. Smith asserts the apparently self-contradictory notion that capitalism transform selfishness into its opposite: regards and services for others. He argues that within the rules of market/ capitalistic society we are actually being good to our fellow human beings. With this amazing argument, some scholars argues that Smith absolves us of the moral ambiguity and inconsistencies that haunt capitalistic reality. (See Fogel, Adam’s Fallacy. A Guide to Economic Theleology)

# Self-interest

## A justification?

Bernard Mandeville's *The Fable of the Bees* (1714) is a satirical poem and philosophical commentary that argues that private vices—such as greed, selfishness, ambition and luxury—can lead to public benefits, such as economic prosperity and social advancement.

**Paradox of Vice and Prosperity:** Mandeville challenges the traditional moral belief that virtue is essential for a thriving society. He suggests that selfish behaviors, like the pursuit of wealth and luxury, drive economic activity, industry, and innovation.

**Critique of Moral Hypocrisy:** He exposes how societies condemn vices while benefiting from them. For example, luxury spending may seem wasteful, but it creates jobs and sustains economies.

**Early Economic Insights:** His ideas foreshadow Adam Smith's *invisible hand* theory, as they suggest that individuals pursuing their self-interest inadvertently contribute to the common good.

**Decline of the Hive:** In the poem, when the bees become virtuous and abandon their greed and ambition, their once-thriving hive collapses. This illustrates Mandeville's belief that a society purely based on virtue lacks the energy and motivation to progress.

**Controversy & Impact:**

Mandeville's ideas were controversial because they challenged moral and religious doctrines of his time. However, his work influenced economic thought, particularly classical liberalism and capitalism.

# Ethical Egoism

- Ethical egoism is sometime called self-love or what the Freudians call the ego; it should be noted that an ethical egoist need not be an egoist in every day say sense of this term. He may, actually, do the things that we don't normally call egoistic or selfish if he thinks that they are to his advantage. When he is considering an individual as a moral agent, he holds that he has the obligation to promote for himself the great balance of good and evil. It s not clear what the ethical egoist says when he acts as **spectator** or moral judge. He could either (1) pursue his own advantage when he is making such judgments or (2) to the advantage of the person he is talking about.
- It has been argued that ethical egoism is self-contradictory since it cannot be to one individual's advantage that all others should pursue their own advantage so assiduously. As Kant would put it, one cannot will the egoistic maxim to **be universally acted on** because as we will see, empirically, the position of the ethical egoist does seem to involve one in a conflict of will and thus seems to be a difficult position to maintain as a moral theory (**self-defeating**).

# Prisoners's Dilemma

Two political prisoners are brought before a magistrate, who presents them with this “offer.” If one will testify to the guilt of the other, then he will go free while the other will receive a ten year prison term. If each betrays the other, each will be sentenced to five years. And if both remain silent, each will receive a one-year sentence.

The prisoners are then led into an empty room to deliberate their decisions. They are assured that whatever their decision, will never meet again and will in no way affect each other's lives.

This is the so-called “prisoners dilemma,” much discussed and much debated by economists, political scientists, and moral philosophers.

	B informs	B is silent
A informs	5 years each	A is released B gets 10 years
A is silent	A get 10 years B is released	1 years each

## Prisoners's Dilemma (2)

	B informs	B is silent
A informs	5 years each	A is released B gets 10 years
A is silent	A get 10 years B is released	A gets 1 years B gets 1 years

Several important insights arise from this thought-experiment (cells identified like directions on a map):

1. The fate of each individual prisoner is not exclusively in his hands. He is hostage to the decision of another, and *vice versa*. An individualistic strategy is self-defeating. If B chooses “informs”, A will choose “informs”. If B chooses “silent”, A will choose “informs”. No matter what, A will choose “informs”. The same applies to B. (Nash equilibrium).
2. The optimum outcome for an individual prisoner (SW and NE cells: no prison time) is not the optimum outcome for both prisoners – the sum of each (the SE cell: two years total).
3. The more likely that both individuals attempt to maximize their personal payoffs, the more they are likely to cause ruin for both. (NW cell).
4. The best possible outcome for each individual (SW and NEW) is in conflict with the best outcome for both (SE).
5. The best outcome for both (SE) is the “moral outcome” – a function of mutual trust and altruism, and a mutual awareness that one’s trust and altruism are reciprocated by the other.
6. And yet the more that one prisoner (A) trusts the other (B), the greater the temptation for the other (B) to betray (A)
7. Lift the premise that neither prisoner will have contact or influence on the other after the decision is made, and the “dilemma” collapses. Once sanctions are introduced and the defector faces retaliation and punishment (e.g., “the rule and enforcement of law”) each prisoner will confidently accept the best solution for both (SE – one year each). (“*Omerta*” – the secret of The Mafia’s success).

# Practical Dilemmas (Parfit 1942 – 2017)

## Contributor's Dilemmas.

These involve public goods: outcomes that benefit even those who do not help to produce them. It can be true of each person that, if he helps, he will add to the sum of benefits, or expected benefits. But only a very small portion of the benefit he adds will come back to him. Since his share of what he adds will be very small, it may not repay his contribution. It may thus be better for each if he does not contribute.

Some public goods need financial contributions. This is true of roads, the police, or national defense. Others need co-operative efforts. When in large industries wages depend on profits, and work is unpleasant or a burden, it can be better for each if others work harder, worse for each if he himself does. The same can be true for peasants on collective farms. A third kind of public good is the avoidance of an evil. The contribution needed here is often self-restraint. Such cases may involve:

- **Commuters:** Each goes faster if he drives, but if all drive each goes slower than if all take buses;
- **Soldiers:** Each will be safer if he turns and runs, but if all do more will be killed than if none do;
- **Fishermen:** When the sea is overfished, it can be better for each if he tries to catch more, worse for each if all do;
- **Peasants:** When the land is overcrowded, it can be better for each if he or she has more children, worse for each if all do.

“There are countless other cases. It can be better for each if he adds to pollution, uses more energy, jumps queues, and breaks agreements; but, if all do these things, that can be worse for each than if none do. It is very often true that, if each rather than none does what will be better for himself, this will be worse for everyone.

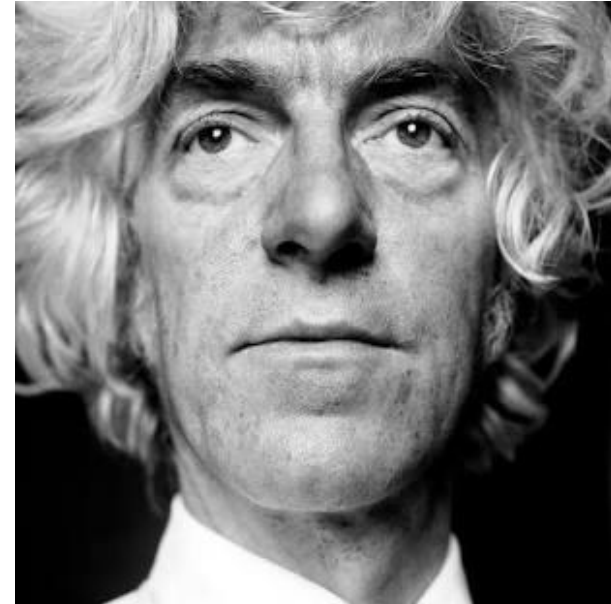
These Dilemmas are usually described in self-interested terms. Since few people are purely self-interested, this may seem to reduce the importance of these cases. But in most of these cases the following is true. **If each rather than none does what will be better for himself, or his family, or those he loves, this will be worse for everyone.”**

Excerpt from Derek Parfit, *Reasons and Persons* (1984).



# Dereck Parfit (1942 – 2017)

British philosopher (Ch'engtu 1942 - Oxford 2017), fellow of All Souls College, Oxford. In the context of the revival of the normative approach to ethics by analytical philosophy, P.'s reflection is notable for the intersection of themes of ethics, philosophy of mind and theory of rationality. His major contribution consists in the elaboration of a Humean theory of personal identity as a temporal scansion of psychological configurations (character, beliefs, desires, etc.) that can present more or less high degrees of discontinuity. This theory would imply a notion of person as constituted by successive Selves, according to which the future Selves of a person can be psychologically and emotionally less connected to their present Selves than they are to other Selves of the community. Hence the defense of an altruistic attitude towards one's fellow men, to be preferred, rationally and ethically, to the priority attributed to one's own personal future. Author of numerous articles, he systematized his theses in *Reasons and persons* (1984) and *On What Matters* (2011). In the latter he tries to bridge longstanding divides between ethical traditions and give an objective foundation to morality.



# The Theory of Moral Sentiments (1759)

- Adam Smith's first book was TMS and it was published in 1759. Kant was influenced by TMS.
- It is not a book of *moralism* but of *moral psychology*. Smith wants to understand how human beings come to form the moral sentiments they have and what accounts for the changes in people's moral sentiments over time. (for example, in the last 5 decades, we have seen great changes on issues such as same sex-marriage, homosexuality, divorce, sexual or ethnic chauvinism)
- He takes an empirical approach in the fashion of Newton to the investigation of the subject.
- A central claim is that people desire a *mutual sympathy of sentiments* with their fellows. It gives us pleasure to discover that people share the same sentiments that we have and give us displeasure when they don't.
- Living in a community we develop a standard of behavior because we all seek out this sympathy or harmony or correspondence. There is a process of mutual adjustment which results in the development of shared habits, rules from etiquette to moral duties.
- This process gives rise to the «Impartial Spectator», whose imagined perspective we use to judge our conduct as well as the other's conduct.

# The Theory of Moral Sentiments (1759)

- Moral sentiments evolve over time by an evolutionary process that depend on interactions with others.
- We are social animals. Smith's thought experiment of the ***solitary islander*** : would such person survive on his own and could he have any moral sentiments? No. He doesn't have the experience with the mirror on his conduct that society with others provides.
- Smith: We desire not only to be loved but to be lovely.
- *«The chief part of the human happiness arise from the consciousness to be beloved». (...) «All the members of human society stand in need of each others assistance, and are like-wise exposed to mutual injuries. When the necessary assistance is reciprocally afforded from love, from gratitude, from friendship, and esteem, the society flourishes and is happy.» TMS*
- Smith observes that our moral sentiments changes from one culture to an another, but some of them overlap across cultures. The first point suggests moral relativism and the second, a moral objectivity.

# The Theory of Moral Sentiments (1759)

**Justice (negative virtues/duties) & Beneficence (positive virtues/duties)**

**The three rules of Justice - 3 ps**

- 1) «guard the life and **person** of our neighbor
- 2) «guard our neighbor's **property** and possession
- 3) «guard what are called our neighbor's rights or what is due to him from the **promises** of others

(1) Do not harm, kill, enslave, or molest; (2) do not steal, trespass or damage others' property; (3) do not renege on contracts or promises.

*«We may often fulfil all the rules of justice by sitting still and doing nothing» TMS*

# The Theory of Moral Sentiments (1759)

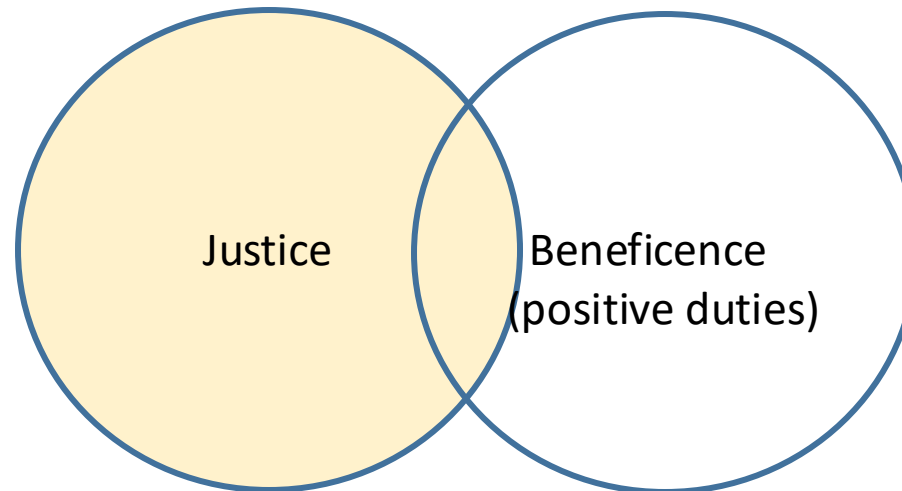
## Justice (negative virtues/duties) & Beneficence (positive virtue/duties)

### Beneficence

- To fulfill our beneficent obligations – and we do have duties of beneficence according to Smith – we must take positive action to improve others' situation (parents to their children; friends to one another; and so on.)
- Beneficence must come at some costs to us
- Beneficence is always free, it cannot be extorted by force. Force may be used only to prevent or correct actual injury. *For something to count as moral action, it must be freely chosen.*
- Real Beneficence is surprisingly difficult. What is genuine help? Money? Food? Advice? Friendship? Smith believes that for this reasons beneficence should be left not to the government but to individuals on the basis of their local knowledge and judgement.
- Smith believes that the rules of justice are *sacred* (God or natural law? No), while beneficence is «the ornament which embellish society». Justice is necessary for any society to survive. Beneficence, on the contrary, is less essential to the existence of society than justice.

# Smith & social justice

- Smith's account of justice which does not include any positive duties is «too thin» according to today standards. Smith believes that the role of the government is to enforce the protection of the 3ps. The government would be asked to intervene only upon the infringement of someone's person, property, or promise. The role of the government is to protect a «Negative Defensive Only» conception of justice. However the government has *«the duty of erecting and maintaining certain public works and certain public institutions which can never be for the interest of any individual to erect or maintaining»*. WN. (infrastructures, schools)
- The term social justice has different meanings, but we can say that most account of social justice is that it should include at least some duties of beneficence, our obligations to others who need our help.



# Smith & the strangers

- There is a vast differences between the writings of Bernard Mandeville and Adam Smith and how Smith believed that both self-interest and benevolence play a vital role in human motivation. Put simply, if one realizes that something is making another person unhappy, that realization makes oneself unhappy and vice versa.
- Smith's writings actually point out that there are multiple motivating factors in human behavior. Smith asserts that people do not only rely on the benevolence of others and that it is quite possible to be self-interested and have other concerns as well. Self-interest and benevolence have a multifaceted and complementary relationship with one another, something of which Smith is well aware and fully expects the reader to understand.
- Next, Smith investigates human nature when it comes to one's own wellbeing, whether it be financially or dealing with one's health, when compared to that of a **complete stranger**. Smith states that the loss or gain of a small interest of one's own appears vastly more important than the greatest concerns of a complete stranger.
- Smith provides a great hypothetical example of this conundrum in TMS, where he points out that if a man from Europe were to hear of a great disaster in China, where a hundred million people lost their lives, he would feel an initial sorrow for the people and might stay in a melancholy state for a time, but would sooner than later go back to his normal business:

# Smith & the strangers

*«Let us suppose that the great empire of China, with all its myriads of inhabitants, was suddenly swallowed up by an earthquake, and let us consider how a man of humanity in Europe, who had no sort of connexion with that part of the world, would be affected upon receiving intelligence of this dreadful calamity. He would, I imagine, first of all, express very strongly his sorrow for the misfortune of that unhappy people, he would make many melancholy reflections upon the precariousness of human life, and the vanity of all the labours of man, which could thus be annihilated in a moment. He would too, perhaps, if he was a man of speculation, enter into many reasonings concerning the effects which this disaster might produce upon the commerce of Europe, and the trade and business of the world in general. And when all this fine philosophy was over, when all these humane sentiments had been once fairly expressed, he would pursue his business or his pleasure, take his repose or his diversion, with the same ease and tranquillity, as if no such accident had happened. The most frivolous disaster which could befall himself would occasion a more real disturbance.»*

*(Smith, TMS; par.4, pt.3, ch.3)*



# Smith & the strangers

- Smith goes on to say that if that same person were to know that he would lose his little finger the following day, the man would not be able to sleep all night. As stated earlier, the man knowing of the tremendous loss in China would snore throughout the night, and in all likelihood would not give the disaster a second thought. This for two reason: (a) the first is one of self-interest, (2) The second reason is that every individual is naturally more attached to his own society than to any other. Smith's argument here is that **benevolence is strongest within the family, and as one moves further and further down the line, away from family and friends, we do not only see an absence of benevolence but the presence of malevolence. Smith believes benevolence operates weakly when dealing with strangers.**
- Nevertheless, Smith follows up on his explanation of his previous example by asking the following question: suppose that it were possible to prevent the loss of those hundred million lives by sacrificing his little finger, would a man of humanity be unwilling to make the sacrifice? Smith answers this question by stating that while our passive feelings are almost always so selfish, our active principles often are generous.
- In fact, if he were to act differently, if had chosen to retain his little finger by letting a hundred million die, he would not have been able to live with himself. We have to appear worthy in our own eyes. It is not love for the Chinese (for whom he might have no feeling at all), but love for **the dignity and superiority of his own character which, if he had to face such a choice, would lead the man of humanity to sacrifice his little finger.**

# Smith & the Impartial Spectator

- It is not the love of mankind that makes one willing to sacrifice (his finger), but it is because he/she sees himself/herself through the eyes of an **impartial spectator**.
- Smith's **impartial spectator** can be illustrated a system of social reciprocity, where each person judges others as a spectator. Society acts like a mirror where all actions are rehearsed and conduct is governed by an **internalized construct, the impartial spectator**. Therefore with this understanding of Smith's impartial spectator, we can deduce that the Smithian conception of **self-interest is not an injunction to act without moral scruple**. Instead, it is embedded within the framework of social reciprocity, which allows for the formation of moral judgment.
- The **impartial spectator** is then embodied in the codes of conduct that individuals and societies create. We conform to the codes of conduct because we wish to be admired by others. According to Smith, we not only have a desire to be approved of, we also wish to be what is approved of in others. The liberty on which commercial society is based implies a moral order that links the individual to sociability.



*"From now on, maybe we should let somebody else's conscience be our guide"*

## Negative & Positive Duties

- **Negative duties:** Not to harm (don't kill, don't rape, don't attack, don't rob) – Respect a person's property and liberty
  - They have a universal character: the unit of concerns are human beings as such independently if they are part of family, fellow-citizens or foreigners
- **Positive duties:** Aiding people in need – they have universal character for contingent situations (helping an injured person you meet on the street, a shipwrecked person, etc.). However, in general our moral preferences or our allegiances go first to our family, second to our friends, third to our compatriots, etc.

It seems incontrovertible that harming is worse than not aiding or that negative duties are more stringent than positive duties.

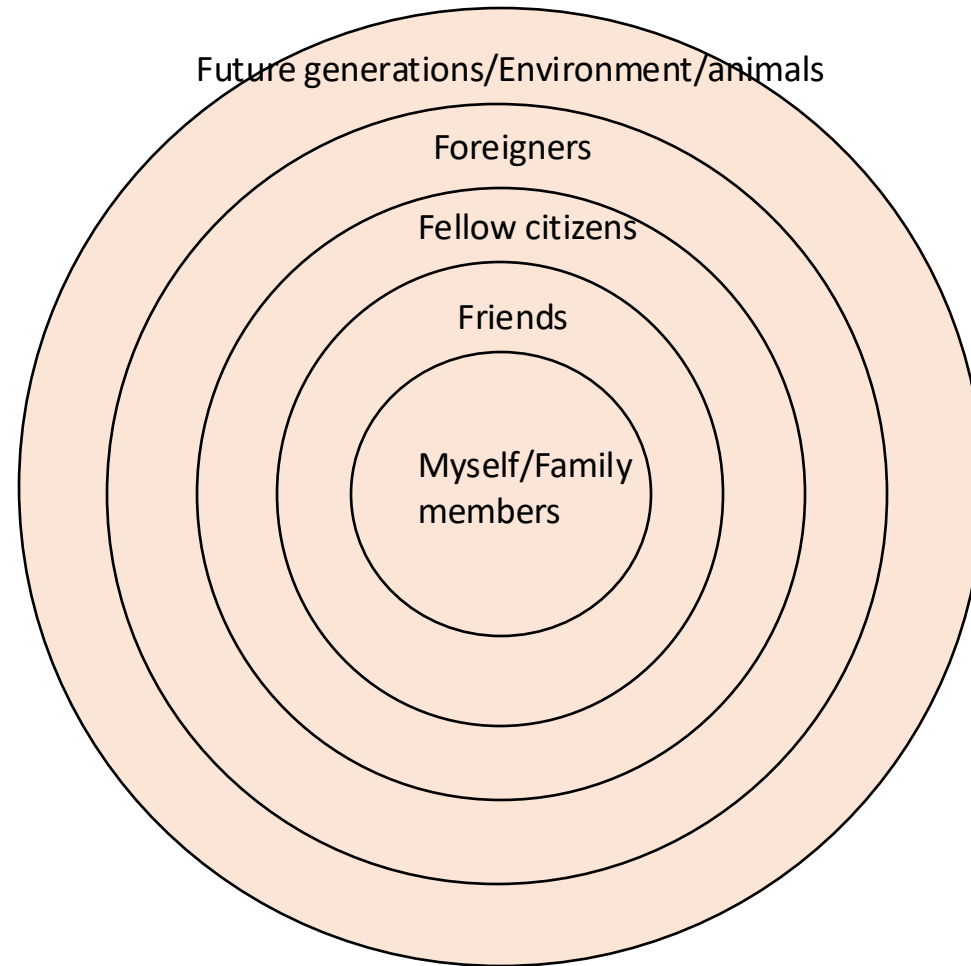
## Negative & Positive Duties

Negative duties are widely accepted because we can easily satisfy them. However, negative duties in certain cases may be more demanding than we might believe.

### **NEW HARMS**

- Carbon emissions ( Drive less, turn down the thermostat, turn off the lights, take cooler shower, eat local, eat less meat, Recycle, etc.),
- Consumer behavior (Not to buy goods produced by companies that employ children (sweatshop-made clothes), etc.
- Government policies - Tariffs (impacts on the agricultural sectors of the poor countries)

Positive duties: how do we weight our moral preferences and allegiances toward the others?



## Common sense morality and moral theories

- Our moral intuition or common sense morality tell us that as far as we talk about negative duties we tend not to make distinction between friends and strangers or fellow-citizens and foreigners. However, when we talk about positive duties, benevolence, doing good in general our moral attitudes changes. We feel that our moral obligations might change accordingly to our allegiances toward the others (family, friends, fellow-citizens, foreigners).
- Common sense morality tell us what to do, but should we trust our moral intuition? In fact, we want to know not only what we ought to do but also why we ought to do it. We are looking for reasons.
- The virtues of benevolence is commonly defined in terms of a rule “we ought to love all our fellow-men” or “all our fellow creature”. Kant and other philosophers understand the virtue of benevolence not in terms of an emotional elements like love, piety or kindness but as the determination of the will to seek the good or the happiness of others.
- Utilitarianism, for example, encourages us to consider “the happiness of any one individual as equally important with the equal happiness of any others”. Common sense morality, on the other hand, takes it as immediately apparent that we have special duties to others who stand in special relation with us.
- Reflective equilibrium is the act of balancing theoretical accounts (moral theories) against intuitive convictions (common sense morality).

## Family, Friends, Compatriots, Foreigners

There are general duties that we have toward other people simply because they are people. There are also some special duties that we have towards particular individuals because they stand in some special relationship with us: our families, friends and our fellow countrymen. These subjects get priority compared to foreigners or in general distant people. This is apparently contrast with modern moral philosophy which insist on **universality** and **impartiality** in applying the moral law. On this much, the two great contending of moral philosophy – Kantians and utilitarians – can agree.

**Family.** It is natural communistic society based on reciprocity. Individuals will engage with one another in accordance with expectations of mutuality, fairness and give-and-take. Each one get according her needs and gives according to her ability. Such important intimate relationships provide reasons for giving priority to members' need compared to outsiders.

**Compatriots.** Members of a Political community (nation-state) are engaged in **common project** which has the objective to promote their welfare. The State provide tax-financed goods which are distributed to fulfill a set of important community needs. The way these goods are distributed should follow principle of fairness and justice. When we make political choice to distribute these goods we take part in the creation of laws and policies that communities' members are forced to obey. In this respect political communities are moral actors who fulfill important duties on behalf of their members. Notice that some of these duties are directed also to non-members. See for example assistance to refugees, financial aid to poor countries, health assistance to everyone who reside within the border state.

# Kinship, identities, Patriotism, Citizenship, Cosmopolitanism

**Patriotism** is defined as someone's love for his country. Our country is the country of our birth. We have studied its history in school and celebrated in public events. We celebrate its heroes, and poets.

The achievements of their citizens are celebrated in the new media. However, country's love should not be confused with **parental love** or romantic love. It should be understood more like a sense of identification than love.

Indeed, we have a multiplicity of Identities (creed, nation, race, gender, LGBTs) which generated special allegiances and obligations towards specific groups.

The identification process produces a sense of pride and belonging to a specific group. Patriotism is the attachment to the country. This affects our sense of solidarity and our moral preferences (partiality of the Nationalist in contrast to the universality of the cosmopolitan).

We should also distinguish between nation and nation-state. State borders are arbitrary and within a State can live more than one nation (see Kurds, Basques, Tibetans) in the sense of a group of people that share a common ethnicity, religion or culture (identity).

But, on the other hand, States create Nation with common language, (manufactured), history and culture. See the example of Italy. "Fatta l'Italia, bisogna fare gli Italiani" (Massimo D'Azeglio).



## Kinship, identities, Patriotism, Citizenship, Cosmopolitanism

“Country” can refer to the administrative notion of the nation-state or the notion of nation as one’s community bound together by ethnicity, language, and culture.

But one’s nationality can be nothing more than one’s membership of the nation-state of which one is citizen. In this sense one’s moral commitment to a nation is a matter of pragmatic convenience and reciprocal justice. What is required is obedience to the laws, contribute to the common good by paying taxes and participation in the political process. Good citizenship does not require a deeper form of loyalty such “love of country”.

# Identity Recognition & Dignity

In contemporary politics we observe a growing demand for recognition. This demand comes from nationalistic movements as well as from minority or subaltern groups (feminist groups, Afro-Americans, etc.). The demand for recognition arises as result of the link between recognition and identity, where the latter designates something like a person's understanding of who they are, of their fundamental characteristic as a human being. It is who we are, where we are coming from.

*“Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being. (Charles Taylor)”*

Without proper recognition minority groups are induced to adopt a depreciatory image of themselves. They tend to internalize a picture of their own inferiority and are condemned to suffer of low self-esteem.

Due recognition is not just a courtesy we owe to people. It is a vital human need.

In the ancient regime more than recognition we speak of honor or **dignity** which was reserved to the elite or to dignitaries of a hierarchical society. Today we use the word **dignity** in a universalistic and egalitarian sense. We talk of inherent dignity of human being. The notion of dignity is also linked to the notion of **authenticity** which was also a product of the decline of hierarchical society which means to be true to oneself.

## Identity Recognition & Dignity

The politics of equal dignity has been advocated in Western philosophy by Rousseau and Kant. In Rousseau's ideal Republic, citizens are equal sharing the same dignity. They are members of a common project or "general will". There aren't relationships of domination or servitude. The relationship master/servant is seen by Rousseau as corruptive for both subjects.

# Identity

## **Making sense of identity – Amartya Sen**

Amartya Sen, the Indian economist and philosopher, has written extensively about identity, both in terms of its importance and its potential dangers.

One of Sen's key arguments is that people have multiple identities, and that these identities are not fixed or unchanging. He emphasizes the importance of recognizing the complexity of identity and avoiding the temptation to reduce individuals to a single identity or group membership.

Sen is very critical of what he calls "solitarist" views of identity, Sen argues against reducing individuals to singular identities, such as being defined solely by their religion, nationality, or ethnicity. He advocates for a "plural" view of identity that recognizes the diverse and intersecting aspects of an individual's identity.

Furthermore, Sen has highlighted the dangers of solitarist or identity politics that promote exclusivist and narrow definitions of identity, which can lead to conflicts and violence. He argues that a more inclusive and pluralistic understanding of identity is essential for building a more just and peaceful society.

Overall, Sen's views on identity emphasize the importance of recognizing the complexity and fluidity of identity, and of promoting inclusive and diverse social norms that value individual freedom and mutual respect.

# Identity

## **Making sense of identity – Derek Parfit**

Derek Parfit was a British philosopher who made significant contributions to the field of personal identity. One of his key arguments was that personal identity is not a matter of having a continuous and unified consciousness (a soul or a deep self), but rather a matter of psychological connectedness and continuity.

Parfit argued that our sense of personal identity is based on psychological continuity, which is the connection between our past and future selves through memories, beliefs, desires, and personality traits. According to Parfit, what makes someone the same person over time is the fact that their current mental states and attitudes are causally connected to their past mental states and attitudes, forming a chain of psychological continuity.

Parfit also challenged the traditional view that personal identity is based on the persistence of a self or soul that remains unchanged over time. He argued that there is no such thing as a "self" or "soul" that persists over time, but rather a continuous stream of mental states that are causally connected.

For Parfit identity isn't what matters. "What matters is ... psychological connectedness and/or psychological continuity, with the right kind of cause." This implies a lot of counterintuitive things about people's relationships to their future selves, and to each other. For example, it makes selfishness a lot less defensible. If I decide to give more to charity and renounce to take a trip to Patagonia next year, the person who was supposedly taking that trip he was not really me but someone psychologically connected to me.

# Identity

## Making sense of identity – Derek Parfit

### The Transporter Scenario

This thought experiment is inspired by sci-fi teleportation, like in *Star Trek*. Suppose you enter a machine that scans and destroys your body while creating an exact replica on Mars, with all your memories and personality intact.

Parfit asks:

- ✓ **Is the replica still "you"?**
- ✓ **Does your original self die, or do you just continue life on Mars?**
- ✓ **If two replicas were created, which one would be "you"?**

Parfit argues that identity is not what matters for survival. Instead, psychological continuity (having the same memories, personality, etc.) is what truly matters. This challenges the idea that personal identity must be tied to a single, continuous body.

### The Split-Brain Scenario

This scenario is based on real neurological cases where the corpus callosum (which connects the brain's hemispheres) is severed, often to treat epilepsy. Studies show that the two hemispheres can function independently, leading to situations where one hand may act separately from the other, as if there were two distinct centers of consciousness.

Parfit extends this to ask:

- ✓ **If the brain can function as two independent streams of thought, does this mean "one person" has become two?**
- ✓ **Does personal identity require a single, unified consciousness?**

This supports Parfit's idea that personal identity is not absolute but more like a spectrum of psychological connectedness.

### Parfit's Conclusion

These cases suggest that personal identity is not what matters most. Instead, psychological continuity and connectedness (memories, personality, and thought processes) are what truly matter for survival. This challenges the idea that there is a fixed, unchanging "self."

Would you agree with Parfit, or do you think there's something more to personal identity?

# Nationalism

**Nationalism:** Nation: The idea of an “imagined community” united by a common language, ancestry and culture. Nationalism as ideology became prominent in Europe of the XX sec. and was used by political leaders by redirecting social unrest and quest for social justice into hatred of foreign powers or minority groups. (Fascism, Nazism). Rulers attempt to create allegiances and loyalty to the nation beyond shared interest and reciprocal duties. The nation is seen as an inseparable part of one’s identity. The danger is that nationalism can take “extreme forms of patriotism” which involves

- A belief in the superiority of one country
- No constraints on the pursuit of one’s country goals
- Automatic support of one’s country military policies

# Nationalism

## Nationalism is the malaise of the XX century?

- **Negative Aspects of Nationalism in the 20th Century:**
  1. **World Wars:** The 20th century witnessed two devastating world wars, both of which had roots in nationalist sentiments and conflicts over national interests.
  2. **Colonialism:** Nationalist movements often fueled the struggles for decolonization, but they could also lead to ethnocentrism and conflicts between different nationalist groups.
  3. **Genocides and Ethnic Conflicts:** Extreme forms of nationalism have been associated with discriminatory ideologies, leading to instances of genocide and ethnic conflicts.
- **Positive Aspects of Nationalism:** Nationalism, in some contexts, has played a positive role in fostering a sense of identity, unity, and collective purpose among a group of people. It has been instrumental in the formation of nation-states and the achievement of independence for various countries.

**Political patriotism or “socratic” citizenship.** A morally correct patriotism can be defined as loyalty to the *polis* of which one is member. A good society depend critically on the social cooperation of its members. Cooperation can be interpreted as an instance of patriotism, as a sense of belonging to a political community which defends human rights and social justice. Athens was a polity that depended on the cooperation of its members. Socrates was found guilty of corrupting the youth and of impiety (mockering the gods of the state). For this he was sentenced to death. He had the chance to escape but he refused to do it. He said the laws have been of service to him by establishing the society in which he was able to flourish and therefore he was going to respect them.



# Cosmopolitanism

## Cosmopolitanism

Cosmopolitanism is the view that the moral standing of all people and each individual person around the world is equal. Individual should not give moral preferences to their compatriots, their co-religionists or fellow members of their demographic identity groups.

*“Three elements are shared by all cosmopolitanism positions. First, **individualism**: the ultimate units of concern are human beings, or person – rather than family, ethnic, cultural, or religious communities, nation, or state. (...) Second, **universality**: the status of ultimate unit of concern attaches to every living human being equally – not merely some sub-set such as men, Aryans, or Muslim. Third, **generality**: this special status has global force. Persons are ultimate units of concern for everyone – not only for their compatriots, fellow religionists, or such like.” (Thomas Pogge)*

*«Cosmopolitanism is universalistic. It believes that every human being matters, and that we have shared obligations to care for one another. But what distinguishes it from other forms of universalist philosophy is that it also accepts a wide range of legitimate human diversity. That respect for diversity comes from something that also goes back to Diogenes, tolerance for other people's choices of how to live and humility about what we ourselves know. Conversation across identities, religions, races, ethnicities, and nationalities is worthwhile because through conversation you can learn from people with different, even incompatible, ideas from your own;» (Kwame Anthony Appiah)*

# Why does posterity matter?

- Why should we sacrifice for the well-being of the future generations? What have future generations ever done for us? A today sacrifice for future generation appears to be a one-way street. We do not have mutual advantage or reciprocity. How can we justify our duties to future generations?
- Humankind has an enormous power to affect the future. We are capable of destroying the human future. Whatever the future generations' preferences in life style, music or amusements, they will need cultivable lands, clean water, clean air, natural resources. An alternative is doing nothing, carrying on wasting, polluting, exhausting and destroying the earth, its plants and its creatures. Does this sound reasonable?
- Philosophers have started to have these concerns only recently. John Rawls (1971) and Derek Parfit (1984) are among those philosophers who are credited for having started thhnking about these issues.
- There are several arguments that support the idea that present generations ought to care for the well-being of future generations:
  - *A concern for present people implies a concern for future generations.* Generations overlap one to each other. Caring for living people means caring for future people. If you care for your children, you care also for the children of your children and so on.

## Why does posterity matter?

- *Thought experiments in which choosers do not know to which generation they belong imply a concern for future generation.* Rawls's thought experiment (original position) is a hypothetical situation in which people don't know their identities and they can deliberate on society's rules. choose deliberate on the considerations can be extended to present and future generations as well. Without knowing to which generation they will belong, they want to be sure that each generation will have all the necessities (resources, clean air, etc.) to flourish and have a good life.
- *Regarding the natural resources, present generations have no right to use to the point of depletion or to poison what they did not create.* Members of the present generations have the duties to future generations of leaving the earth's life-sustaining capacities in as a good shape as they found them.
- *Past generations left many of the public goods that they created not only to the present generation but to future generations as well.* Each generation is an heir to the legacies of past generations. We received a lot of assets from past people: roads, bridge, libraries, school, institutions, art, knowledge and science. The present generation owes to future generations their share in these public goods. To do the right thing each generation must act as stewards of their cultural heritage – preserving and renewing it.

## Why does posterity matter?

- *The present generation's caring for future generations benefits not only future generation but also itself. Self transcendence is the overcoming of the limits of the individual self and its desires in spiritual contemplation. It includes the need of a well-functioning person to care for the future beyond his lifetime. A person achieve self-satisfaction and self-enrichment if he/she concerns for other people and future people. Self-transcendence is a way to overcome our vulnerability to death The self comes to an end in death and ceases to give value. Death take away not only our life but also what gave it value. In contrast, we can nurture and cultivate values that outlive them.*
- *Self-transcendence is the process of going beyond the limitations of one's individual self or ego and connecting with something larger than oneself, such as a higher purpose, a spiritual dimension, or the universe as a whole. It involves a shift in perspective from a narrow focus on one's own interests and desires to a broader awareness of the interconnectedness of all beings and the greater good.*

## From duties to rights

- People have rights because others have obligations, no the other way around.
- **Duties of justice** (see for example the Smith's 3ps) are stringent to the point to be *enforceable*. Since I have not right to violate others' rights, I am not wronged if I compelled to act justly. We do not think people's right are violated when they are forced not steal or to pay their debts.
- **Duties of benevolence, goodness or assistance** (health care, unemployment subsidies, social housing etc.) in our societies are fulfilled within given limits by the State which mobilize the required resources through taxes and public debt. In this case recipients have the right to receive these benefits, duties of assistance are duties of **justice**. When we fulfill our duty of assistance privately, - through NGOS, charity, etc. – the recipients have no right to be assisted by the donors. In this case duties of assistance are **charity**.

## From duties to rights

### Basic Rights

- **Security (negative) right** – physical security – not be subject to murder, torture, mayhem, assault or rape
- **Subsistence (positive) right** – minimal economic security, which is more controversial than physical security, means unpolluted air, unpolluted water, adequate food, clothing and shelter. Consumption for a decent chance at a healthy and active life.

Guaranteed security and guaranteed subsistence are simultaneous necessities for the exercise of any other rights. They are inherent necessities. “Freedom of peaceful assembly” is separate from “security from beating” but it always needs to accompany it.

# From duties to rights

## Basic Rights

If government wants to **enforce** these rights properly, no matter whether the right are negative or positive, he must positively act:

- **Security rights.** The protection of security rights necessitates police force, criminal courts , penitentiaries, school or training police, lawyers, etc. The State needs to **mobilize resources** through taxes and public debt. It would be misleading to say simply that physical security is a negative matter of other people's refraining from violations (corrective negative duties).It would be a mistake to say that physical security is just a negative matter.
- **Subsistence rights.** Fulfillment of this right involve not just providing goods or money to the needy, but to provide opportunities for supporting themselves.

*When a State of a foreign country fails (a **failed State**) to enforce these rights properly, what should we – citizens of affluent societies – do to fulfill the demand of justice coming from people lacking these rights?*

# “Problem of Global Justice”

*«Sovereign states are not merely instruments for realizing the pre-institutional value of justice among human beings. Instead, **their existence is precisely what gives the value of justice its application**, by putting the fellow citizens of a sovereign state into a relation that they do not have with the rest of humanity, an institutional relation which must then be evaluated by the special standards of fairness and equality that fill out.» (Thomas Nagel, The Problem of Global Justice. )*

*«Justice applies only to a form of organization that claims political legitimacy and **the right to impose decisions by force**, and not to a voluntary association or contract among independent parties concerned to advance their common interests.» (Thomas Nagel, The Problem of Global Justice. )*

If this hold, how can we have global justice?

- Some scholars believe that the global poor have a right to our assistance and the principle of humanity requires that we meet the basic human needs of everyone in the world, but apparently without requiring us to correct those aspects of the global systems which systematically disadvantages the poor for the benefit of the rich. They argue that without a **global sovereign power to enforce** redistributions (principles of justice) there can be no injustice to correct them. Our only duties would be those **humanitarian duties** that oblige us to meet human needs.
- On the other hand, some other scholars believe that we should reform our international and supranational institutions to assure to everybody a basic global justice.



# “The Problem of Global Justice”

## Key questions:

- ✓ Should the demands of justice apply only at the domestic level or are there demands of justice that apply even beyond the boundaries of the nation state?
- ✓ Should the same principles of justice that apply at the domestic level be extended at the global level or should the principles be different?

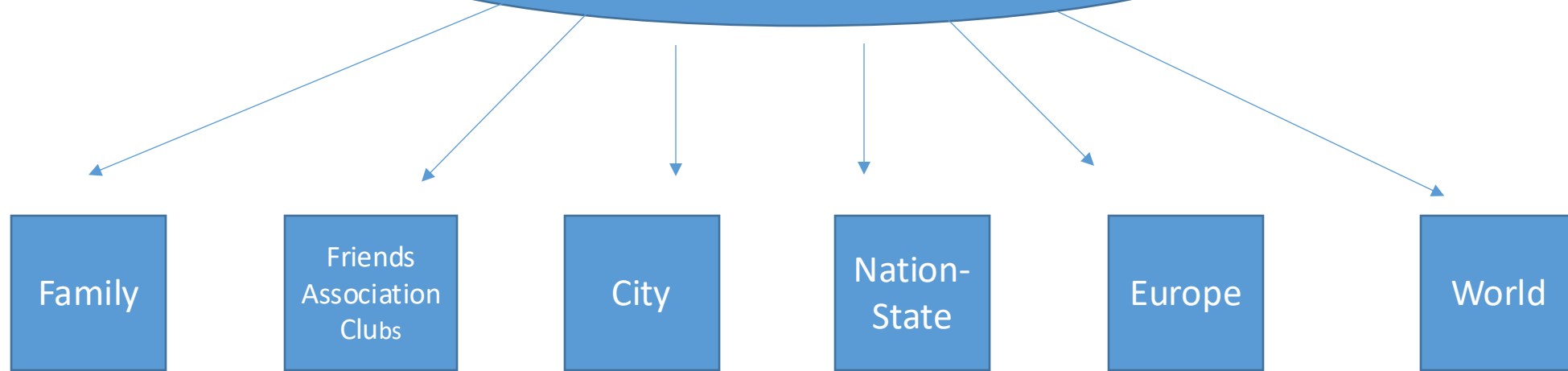
## Charity vs. Justice

Charity	Justice
Charity = social service. Charity provides direct services like food, clothing, shelter.	Justice = social change. Justice promotes social change in institutions or political structures.
Charity responds to immediate needs.	Justice responds to long-term needs.
Charity is directed at the <i>effects</i> of injustice, its symptoms. Charity addresses problems that already exist. Otherwise put: LOVE MOPS UP.	Justice is directed at the <i>root causes</i> of social problems. Justice addresses the underlying structures or causes of these problems. Otherwise put: JUSTICE TRIES TO MAKE SURE THE MESS ISN'T MADE TO BEGIN WITH.
Charity is private, individual acts.	Justice is public, collective actions.
Examples of charity: homeless shelters, food shelves, clothing drives, emergency services.	Examples of justice: legislative advocacy, changing policies and practices, political action.

(Source: Office for Social Justice, Archdiocese of St. Paul/Minneapolis.)

# What do we owe to each others?

«We» possess a Multiple-identity  
We belong to many communities



# What do we owe to each others?

## Negative duties/positive duties

### Individual

family	fellow citizens	foreigners	city/state
Reciprocity in supporting each others “from each according to his/her ability, to each according to his/her needs”	Not to harm Helping to various degree	Not to harm Helping to various degree	tax mandatory military service civic duties

Any political community is also a moral community, a moral actor

### State Political Community

fellow citizens	foreigners	foreign States
education health infrastructures welfare security	political asylum to refugee open borders to immigrants	no attacking respect the Treaties helping in defending friend countries Intervening in countries that commit genocide avoiding policies that have negative spillover effects on other countries or other people financial aid

# The Moral Divide

- The Enlightenment project has promoted the scientific revolution, obtaining great successes but not so much in terms of the ethical revolution, leaving western societies with profound ethical divisions.

In contemporary liberal democracies disagreements about the ends of life and about how we ought to live persist and, if anything, tend to worsen. To which extent should we permit gross inequality of income and ownership? Should we have flat or progressive taxes? Should we be responsible of injustice perpetrated by our ancestors to other peoples? Should we permit same sex marriage with the same rights of heterosexual couples? Should we allow legalized abortion? Should we permit a market for human organs? Should we allow euthanasia? Should we legalize the use of drugs for recreational purposes? To which extent should we fight extreme poverty? To which extent should we open up our borders to immigrants? These are some of the questions that divide us into opposing camps but the list could be much longer. We are divided into the answers we offer to these variety of problems simply because we are consciously or unconsciously committed to a specific conceptions of justice in a world where coexist a set of competing ethical theories

# The Moral Divide

## The Ethics of Altruism

### Peter Singer

Peter Singer, "Famine, Affluence, and Morality", Philosophy and Public Affairs, 1972

Peter Singer (1999), "Singer Solution to World Poverty"



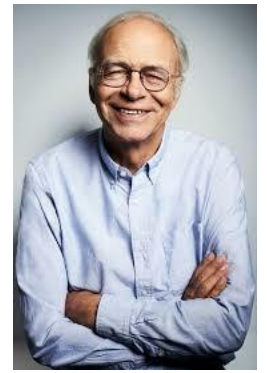
### Garret Hardin

Garret Hardin, "Lifeboat Ethics: The Case Against Helping the Poor", 1974





Peter Singer, "Famine, Affluence, and Morality", Philosophy and Public Affairs, 1972



- In 1971 9 million people fled across the border from East Pakistan to India.

Premise 1. Suffering and death from lack of food, shelter and medical care are bad

Premise 2. If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral significance, we ought to do it

Premise 3. It is in our power to prevent suffering and death from lack of food, shelter, and medical care, without thereby sacrificing anything of comparable moral significance

**Therefore, we ought to do it**

In support of Premise 2

### **The Drowning Child in the Shallow Pond Story**

You see a child who has fallen into a shallow pond and appears to be drowning. You look for the child's parents, but there is no one else around. If you walk on, the child will die. If you wade in and rescue the child, you will ruin your favorite pair of shoes and get your clothes wet and muddy.



### Let's universalize the principle

Helping those in need – children dying of poverty related causes  
What do we ought to do to help people living in extreme poverty?

- If we can prevent something very bad from happening, without giving up anything morally significant, we ought to do it.
- If we were acting upon this principle, the world would be fundamentally different.
- The principle takes no account of proximity or distance.
- It make no difference whether the person I can help is a neighbor's child or a Bengali whose name I don't know.
- It makes no difference between cases in which I am the only who can help and cases in which I am one among millions in the same positions.
- If we accept any principle of **impartiality, universalizability, equality** we cannot discriminate against someone merely because he is far away from us



Peter Singer, "Famine, Affluence, and Morality", Philosophy and Public Affairs, 1972

**How good is the analogy?**

Are there morally relevant differences between the drowning child situation and the situation of the affluent with regard to children dying of poverty-related causes?

## Critique

- Unrealistic expectations: Some argue that Singer's argument sets an unrealistic and overly demanding standard for individual moral obligations. Critics argue that people should not be held responsible for solving all the world's problems on their own and that governments and other institutions have a larger role to play in addressing global poverty.
- Neglects the importance of personal relationships and obligations: Critics argue that Singer's argument neglects the importance of personal relationships and obligations, and that individuals have a special obligation to their family, friends.
- Ignores cultural and political complexities: Some argue that Singer's argument ignores the cultural and political complexities of poverty and famine, and that alleviating poverty requires more than just donations from affluent individuals.
- Humanitarian and development assistance raises problems of justice. Singer is ill equipped to handle. Justice is understood as a practice- dependent form of morality that addresses social institutions and relationships. When human beings engage in social relationships or share social institutions it produces the need for principles of justice for purpose of regulation. John Rawls' statement that "justice is the first virtue of social institutions" is rooted in this concept of justice. Poor demand justice not assistant.

## Critique

- The shortcomings of Singer's approach become evident when looking at how Singer insulates his duties from existing social institutions and relationships. Some cosmopolitan critics have argued that he does not address the causes of poverty.
- The Singer Solution to poverty (take a job at Wall Street, make a lot of money and send the money to the poor) presents a complicity problem. Take the Gates Foundation, which was created by Bill Gates using the wealth he earned from founding and helming Microsoft. The Gates Foundation may put its endowment to good use by financing development projects in Africa or vaccines for diseases that disproportionately affect the poor, but, if the cosmopolitans are correct, then this wealth has come from an unjust system that privileges large corporations like Microsoft.
- The experiment thought isn't well designed. Imagine a situation with hundreds of observer and and hundreds of children drowning. with many observer. Whose is responsible to intervene?

### The metaphor of the lifeboat

- The world is divided into rich and poor nations, 2/3 are desperately poor. Each rich nation is a lifeboat. In the ocean outside the lifeboat swim the poor of the world who would like to get in.
- In each lifeboat sit, say, 50 people and we have space for 10 more, but we have in the open ocean 100 people who want to get in. We have several options. If we follow Christian or Marxist ideals (to each according to his needs) the result will be disaster. Complete justice, complete catastrophe.
- The harsh ethics of the lifeboats become harsher if we consider the reproductive differences between rich and poor countries. Population of rich countries increases by 0.8% per year while poor countries by 3.3%. Any sharing policies of resources with the poor countries will increase the load with no limits.

### **The tragedy of the common**

- Under a system of private property, men who own property recognize their responsibility. On the contrary, if a pasture become a commons open to all, the right of each use it may not be matched by a corresponding responsibility to protect it. The result is overgrazing. The tragedy of the commons.
- In recent year we have seen the push for humanitarians reason to create artificial commons such as a World Food Bank.
- Such a program in the long run might do more harm than good. Those who advocate this program argue that is to solve special situation, "crises".
- But countries need to learn the hard way and look in perspective (moral hazard issue).
-

Garret Hardin, “Lifeboat Ethics: The Case Against Helping the Poor”, 1974

## The tragedy of the common

- One prominent criticism of the tragedy of the commons comes from political scientist **Elinor Ostrom (Nobel prize in Economics)** , who argued that the concept oversimplifies the complex dynamics of shared resource management. Ostrom conducted extensive research on real-world examples of shared resource management, such as irrigation systems and fisheries, and found that communities are often able to develop effective and sustainable systems for managing their resources, even in the absence of formal regulations.
- Ostrom argued that successful management of shared resources requires a combination of factors, including clear rules and boundaries, effective communication and collaboration among resource users, and mechanisms for monitoring and enforcing compliance with those rules. She also highlighted the importance of local knowledge and social norms in shaping resource management practices, and the potential for collective action to promote sustainable outcomes.
- Overall, Ostrom's research challenged the idea that the tragedy of the commons is an inevitable outcome of human behaviour and suggested that communities can develop effective strategies for managing shared resources if given the right conditions and support.

### **Population Control the Hard way**

- Rich countries' population increases 0.8, while poor countries 3%. If poor countries received no food from outside, their growth will be checked by crop failure and famine. Without a system of worldwide food sharing, the proportion of people in the rich and poor countries might eventually stabilize. A world food bank is a common in disguise.
- Every human born constitutes a draft on all aspects of the environments : food, air, water, forests, beaches, wildlife, scenery. Food can be significantly increased to meet a growing demand, but what about clean air, clean beaches, unspoiled forest, and solitude? (Hardin predicts in 1974 that in 30 years the India's population will double, from 600 ml to 1.2 bln.)

Garret Hardin, “Lifeboat Ethics: The Case Against Helping the Poor”, 1974

## Immigration Vs. Food Supply

- World food banks move food to people, hastening the exhaustion of the environment of the poor countries. Unrestricted immigration, on the other hand, moves people to the food, thus speeding up the destruction of the environment of the rich countries.
- As in case of foreign-aid program, immigration receives support from selfish interest (employers looking for cheap labor) and humanitarian impulses
- “The interests of the employers of cheap labor mesh well with the guilty silence of the country’s liberal intelligentsia.”

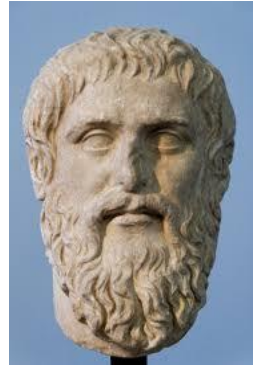
*“Every life saved this year in a poor country diminishes the quality of life for subsequent generations” (G. Hardin)*



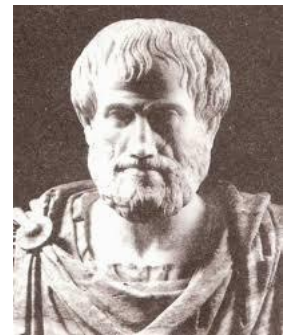
# **A SHORT SKETCH OF HISTORY OF MORAL PHILOSOPHY**

Western philosophers regard justice as the most fundamental virtue for ordering interpersonal relations and maintaining a fundamental stable political society for fruitful social cooperation

- **Plato (429/23 B.C. – 348/), Aristotle (384 B.C. – 322 B.C.)** – Criticisms of the Sophists – Justice is giving people what is their due but actually it depends on whether people are our friends or not - justice is relative to whatever is advantageous to the stronger people – natural justice dictates that superior people should rule over inferior people – justice is a conventional compromise agreed to by people for their own selfish good
- **Justice is seen as an essential virtue of a good political state and a good personal character.** Virtues for a good society are: wisdom (leaders), courage (defenders), temperament (leaders, defenders & producers) & justice (which applies to everybody) **justice is each person doing the tasks assigned to him and not to interfere with others.**
- **Justice is essential to the good life.** Justice is good in itself: is the health of the soul. Developing a moral virtue is essential to the well-being of society and to the flourishing of any human being. For the *ancient* justice is a matter of fit. **Giving people the honors and offices they deserve.** For the *modern* is matter of choice: allocate rights is not to fit people to roles that suit their nature, is to let people choose their role for themselves. Slavery is justified because is necessary and because some people are suited by their nature to suit this role.



Plato



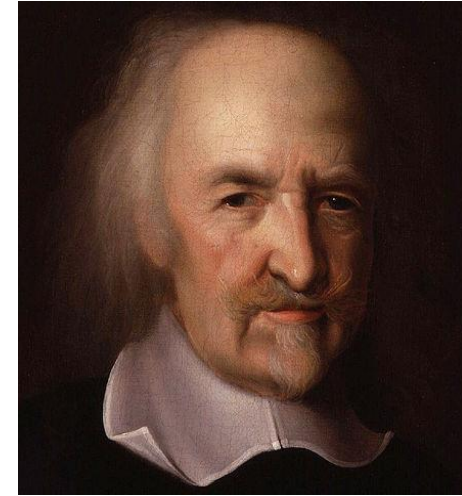
Aristotle

# THE SOCIAL CONTRACT

- The idea of basic political principles as the result of a social contract is one of the major contributions of liberal political philosophy in the Western tradition
- First, it demonstrates clearly and rigorously that human interests themselves are well served by political society, a society in which all surrender power before law and duly constituted authority.
- Second, it shows us that if we deprive human beings of the artificial advantages some of them hold in all actual societies (wealth, rank, social class, education), they will agree to a contract of a certain specific sort, which the theories then proceed to spell out.
- Given that the starting point is in that sense fair, the principles that result from the bargain will be fair. The tradition thus bequeaths to us a procedural understanding of political society in which the equal worth of persons and the value of reciprocity among them are central features.

Martha C. Nussbaum. *Frontiers of Justice: Disability, Nationality, Species Membership* (Tanner Lectures of Human Values (Harvard University))

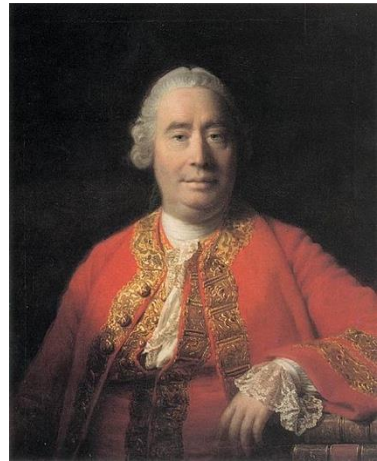
- ❖ **Thomas Hobbes (1588-1679)** – Man is driven by instinct and appetite like other animals. Casual determinism. He is motivated by survival instinct and self-interest.
- ❖ We are rational distrustful of one another, inclined to be antisocial (*homo homini lupus*). Fortunately, our passion of fear motivates us to use reason to calculate how to escape this hellish state.
- ❖ Life in the State of nature is *solitary, poor, nasty and short*. It is a pre-moral situation.
- ❖ Man has natural desire for security and order.
- ❖ We try to establish peace with others for our own selfish good. In order to secure self-preservation we voluntarily surrender all our rights and freedom to some authority. This transferring of right is the *social contract*.
- ❖ Prior to the contract we were morally free to do whatever we wished, but when a covenant or a pact is made then to break it is unjust. Justice is an artificial virtue necessary for the civil society, a function of the voluntary agreements of the social contract.
- ❖ As result of this contract the mightiest authority is to protect their lives and property. This led to the emergence of the ruler or monarch.
- ❖ Hobbes was the supporter of absolutism. *“Law is dependent upon the sanction of the sovereign and the Government without sword are but words and no strength to secure a man at all”*.
- ❖ Individualism, materialism, utilitarianism and absolutism are interwoven in the theory of Hobbes



- ❖ **John Locke (1632 - 1704)** – His theory of the social contract is different than that of Hobbes. His State of Nature is not pre-moral as in Hobbes. It was a good and enjoyable situation (*Golden Age*) but the property was not secure. The State of Nature was a state of perfect and complete liberty to conduct one's life as one best sees fit. All were equal and independent.
- ❖ Property plays an important role in Locke's argument for civil government. Private property is created when a person mixes his labour with raw material and land.
- ❖ Property in the State of nature is insecure because: 1) absence of established law; 2) absence of impartial judge; 3) absence of natural power to execute natural laws.
- ❖ Men entered into the social contract for the protection of their property. But they did not surrender all the rights to one single individual, they surrender only the right to preserve order and enforce the law.
- ❖ The individual retained with them the other rights, i.e., right to life, liberty and estate because these rights were considered natural and inalienable rights (*life, liberty and property*).
- ❖ Having created a political society and government through their consent, men gained three things they did not have in the State of Nature: laws, judges, and executive power to enforce these laws.
- ❖ The purpose of the government and law is to uphold and protect the natural rights of men.
- ❖ If the Government does not fulfill this purpose, then the laws would have no validity and the Government can be thrown out of power.
- ❖ Unlimited sovereignty is contrary to natural law.
- ❖ Locke advocates a state for the general good of people, he pleaded for a constitutionally limited government



- **David Hume (1711-1776)** – Radical empiricist skeptical of justice as an absolute virtue. He is not an ethical egoist and refutes the social contract theory. Unlike Hobbes he sees all values including justice as derived from passions rather from reason. Any virtue including justice is desirable because provide us with the pleasant feeling of approval and any vice, including injustice, with the painful sense of disapproval.
- Justice is virtue because is beneficial to society and to the end of social cooperation. In particular, a beneficial convention is respecting others' properties, which is what the rules of justice essentially requires us. Justice comprises three principle: – «*of the stability of possession, of its transference by consent and of the performance of promises*». He is proto-utilitarian's or consequentialist
- **Jean-Jacques Rousseau (1712-1778)** – His philosophy influenced the Age of the Enlightenment as well as the French Revolution.
- He rejects the Christian doctrine of original sin and the Hobbesian account of human nature as purely self-interested and naturally indifferent to others' fates. The kind of person we are is partially determined by the social and political institutions we create and maintain.



- Humans have natural social inclinations, including a natural capacity for sympathy and compassion with their fellow beings, which can be either encouraged or extinguished by their social circumstances. Moreover, humans are capable of justice and under normal circumstances of social life they develop a sense of justice directed towards those with whom they stand in cooperative relations.
- Rousseau believes that equal rights of political participation are central to individual freedom. In Locke's social contract it is envisioned that the large majority of people will alienate their natural political rights in order to gain the benefits of political society. Equal political rights are then not among the inalienable liberties. Locke was a liberal but not a democrat.
- For Rousseau it is citizens' and legislators' duty to vote, not their "particular will" or personal preferences of a majority, but instead their conscientious and informed judgments regarding the common good. The common good for Rousseau is justice, which consists in the measures needed to achieve the freedom and equality of citizens. To vote the General Will is then to vote what is required by justice.





- He gave a new interpretation to the theory of Social Contract in his work “The Social Contract” and “Emile”. According to him, **social contract** is not a historical fact but a hypothetical construction of reason. Prior to the Social Contract, the life in the State of Nature was happy and there was equality among men.
- As time passed, however, humanity faced certain changes. The improvement of the standard of living due to human progress gave people leisure time which led people to make comparison between themselves and others leading, in turn, to envy, pride and contempt. Most importantly however the invention of the **private property** constitutes **the fall from grace out of the State of Nature**.
- The essence of his theory of General Will is that State and Law were the product of the people. State and the Laws are made by it and if the government and laws do not conform to **General Will**, they would be discarded. While the individual parts with his natural rights, in return he gets civil liberties such as freedom of speech, equality, assembly, etc.





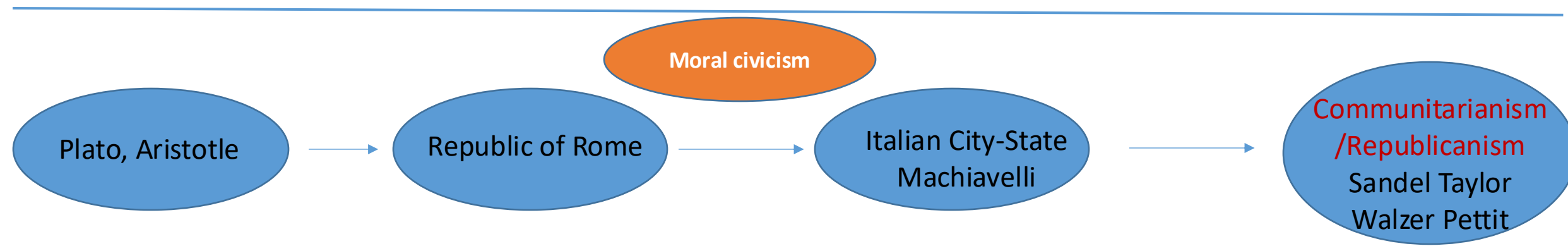
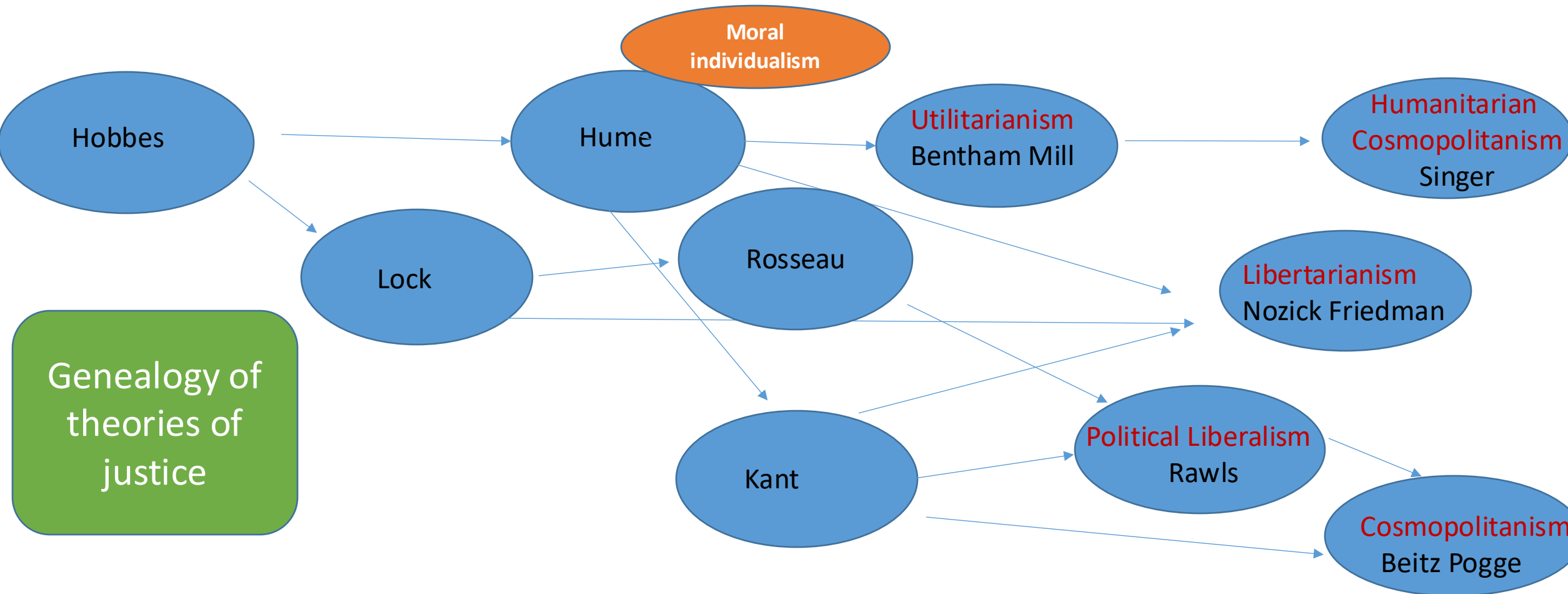
- Rousseau's ideal society is based on the concept of the "general will," which represents the collective interests and common good of the community. Private property, according to Rousseau, can run counter to the general will by creating individual interests that may conflict with the well-being of the entire society.
- While Rousseau is critical of private property, he does not outright reject it. He suggests that if there is to be private property, its ownership should be limited and subject to the general will. This implies that property rights should be aligned with the interests of the community and not contribute to significant social disparities



- **Immanuel Kant (1724- 1804)** – His rationalist convictions were challenged by Hume's views for whom reason was slave of passion . His practical philosophy is the most renowned example of deontology ( science of duty). Consequentialist theories see what is right as function of the good. For Kant what is right is independent of what is considered good. Justice requires a respect of the right regardless of inconvenient circumstances and undesirable consequences. Moreover, the moral worth of an action cannot be based on interest, wants, desires or preferences. On this view matters of rights will be applicable to all person as autonomous rational agents regardless of gender race or social status. In order to have a concept that independent of empirical needs, desired or wants, «what is right» respond to as single fundamental principle, the categorical imperative. (a) formula of universalizability, (b) treating people as valuable ends in themselves and not as means
- **Jeramy Bentam (1748 – 1832), John Stuart Mill (1806 – 1873)** – «By the principle of utility is meant that principle which approves or disapproves of every actions (...) according to the tendency (...) to have to augment or diminish the happiness of the party whose interest is in question» where happiness and unhappiness is defined in terms of pleasure or pain. Principle applies to the single action as well as to collective actions (governments). Aggregation of individual utilities. Potential conflict between utility and justice. For example if slavery for the society as whole would yield a higher level of happiness than a society without slavery it would follow that slavery is just. But that it is not the case for several reasons. The very reason it is unjust is that it violates the utility. Justice is the name for the most important social utilities. The case of Theft. Why theft is wrong?

- **John Rawls (1921 – 2002)** – He revived the social contract theory which was criticized by Hume. He presents his theory as alternatives to utilitarianism based on Kantian foundations. The principles of the just society are selected starting from an hypothetical situation that he calls the original position under a «veil of ignorance». People do not have a selfish bias to choose the principle that will rule the society. They select two basic principles: (1) maximum equality in the assignment of basic rights and duties, (2) social and economic inequalities are just only if are compensating benefits for everyone and in particular for least advantaged members of society. No to the utilitarian justification of disadvantages for some on account of greater advantage for others. Like Kant is committed to a «priority of the right over the good». The principle justice selected in the original positions independently from the conception of the good.
- **Robert Nozick (1938 – 2002)** – The most famous critics of Rawls' theory. As a libertarians he is opposed to compromising individual liberty to promote socio-economic equality. The outcome of the market society, which is based on competition, is inherently right. Minimum role for the State. «Entitlement conception of justice.» Anyone who justly acquires any holding is rightly entitled to keep and use it as well as anyone who justly acquires by just transfer of property (buying, donation or inheritance). On the contrary, acquisitions by theft, fraud or force are illegitimate holding which need to be rectified by justice. Any pattern of distribution that would force people to give up any holdings which are entitled to give to someone else is unjust. Taxation is slavery.

- **Charles Beitz (1949), Thomas Pogge (1953)** – A universalistic moral conception. All person are subject to the same system of moral principles. The system assign the same moral benefits (liberties, immunities) and burdens ( duties and liabilities) to all. Focus on international human rights. States are responsible for satisfying certain conditions for their own people and the failure to do so may justify some form of preventive action from the world community. Pogge develops a global justice approach. He wants apply the Rawls' "difference principle" to fight world poverty. He propose a «global resource tax» on corporation extracting resources (oil, coal, etc.) The proceeds should go to countries to support the poor and disadvantaged. Sanction will be applied to those countries that do not channel correctly these funds.
- **Michael Sandel (1953), Michael Waltzer (1935) , Charles Taylor (1931), Alasdair McIntyre (1929)** – As communitarian argues that well-being of a community take precedence over individual liberty and over the economic welfare of its members (ancient view). They criticizes Rawls and the liberals for their notion that justice should be neutral toward conception of the good life (priority of the right over the good). In order to make sense of our moral and political experience we have to start from our identity which is shaped by our history, traditions and faith which we learn in the community where we grow up. As member of a community we have special obligation towards our fellow citizens (solidarity and membership). On the contrary, the liberal justice requires only that we respect people's rights not that we advance their good



# The Main Theories of Justice

	Philosopher	Principle	Precursors	Priority
Utilitarianism	Singer, Godwin	Maximizing utility	Hume,Bentham, Sidgwick, Mill	good
Libertarianism	Nozick, Rothbard,Hayek, Friedman	Entitlement Theory, natural rights	Locke, Hume, Godwin	right
Contractualism (Political Liberalism)	Rawls	Principles of justice defined in the original position	Kant Hobbes Locke	right
Communitarianism/republicanism	Sandel, Walzer, McEntyre, Pettit, Taylor	Promote civic virtues	Aristotle, Roman Tradition, Machiavelli	good

umanitarian  
cosmopolitanism  
(Singer)

Moral  
individualism

Moral Civicism

Contractual cosmopolitanism  
(Beitz, Pogge)

## Ethics of virtues vs. Ethics of duties

	Criteria	Ancient ethics	Modern Morality
1	Basic question	What is the good life? What is happiness and human flourishing?	What's the right thing to do? What do we ought to the others? The question of good life play a sub-ordinate role
2	What is the object of concern?	Self-centered: the person's own interest dominate	Other-related: The interest of other people are most central
3	What is most important?	Pursuit of goals: personal perfection, personal project	Universal moral obligations & rules: individual should look for impartiality
4	What is examined?	Agent: important are the acting person and his character	Action & Consequences: correctness of the action & consequences
5	Central Notions	Virtues	Norms: duties, obligations
6	Rationality is seen as?	Capacity of context sensitive insight	Deduce inferences from abstract propositions
7	The goal of human action	The goal of human action are objective (happiness, thinking)	The goal of human action are individually defined (subjectivism)
8	Scope of morality	Adult male +with full citizenship	Men, women, children, animals, environment
9	Individual and community	Individual is in unity with the community	Individual and community are disconnected

## Right vs. Good

- Right vs. good is at the center of the divergence between utilitarians on one side and contractarians and libertarians on the other side
- Communitarians attack contractarians because the theme of the good must be at the center of public discourse and cannot be relegated to the private sphere as Kant and Rawls do

### **Example of conflict between right and good: the Judge and the alleged murder story**

The Judge knows that the alleged murder is actually innocent, but the community is strongly convinced that is guilty. If he will not be sentenced guilty there will be riots, violence and probably other killings. For the goodness of the society he should be sentenced guilty, but that will not be right.

Utilitarianism	Rights are instrumental to pursue the welfare of the society
Libertarianism	Natural rights are independent of the society. In the essence they are right to life and to external properties
Contractualism	Rights are artificial institutions. They are selected in a hypothetical situation independently of the conception of the good which is a personal matter. Rights are prior to the good
Communitarians	They challenge the contractualist view since any meaningful political public discourse cannot avoid discussing issues regarding the conception of the good (the good society).



# Equal of opportunities & Moral Arbitrariness

## The lottery of life

The prospect and success of our life depend critically by factors that we do not choose:

- I am a plutocrat's son / I was born in a slump
- I am a talent person / I don't have any special talent
- I am born in a rich country / I am born in a poor country



However, if the prospects of our life depend to a large extent by these factors we can change the institutions of the society in order to mitigate their effects

# Ancient vs. Modern Morality

## The World of Antiquity

### The Ancient Family

- The family was everything. It was a civil and religious institution. It was an instrument of immortality.
- They worship the ancestors through rites. In each house of the Greeks and Romans there was an altar. They kept a fire alive continuously. The fire ceased only when the family had perished.
- The authority of the eldest male was absolute
- Originally outside of the frontier there were only enemies.
- *Pietas* and solidarity was only with the boundaries of the family members.
- Religion, family and the right of property were bounded together. The ancestors were their gods and their property.

### The Ancient City

- The wider association required their own priesthood, assemblies and rites.
- The altar was raised to a divinity or “hero” held in common, a man deified.
- Gods of nature or polytheism replaced divine ancestors (Apollo, Neptune, Venus, Diana and Jupiter)
- Worship and initiation cults dominated the life of the ancient citizen. No space for individual conscience or choice.
- Kingship was the highest priesthood. The other function as magistrate and military leader were the adjuncts of his religious authority.
- Nothing like the modern notion of sovereignty The priest guarded the law of the city which were the work of the gods.
- Religion, family and territory were inseparable. Defending a city for the ancient citizen it was defending the very core of his identity.

### The Ancient Cosmo

- The Citizen was a kind of a superman. Women, merchants and slaves had important social functions, but they did not have any role in the public sphere.
- Luxury led inexorably to the corruption of the city.
- Honor rather than pleasure ought to be the concern of the citizen.
- Commerce was seen as decadence. Giving in the appetites for sensual pleasure and narcissism
- No distinction between military and economic activity.
- By the third and second century BC Greeks welcomed the imperial progress (Macedon and Roman) as a relief from the social conflict within their own cities.
- Sophists started to challenge the notion of justice
- The answer of the official philosophers was that every being has a purpose or a goal (telos) which it it to occupy a particular place.
- Greeks projected their hierarchical vision onto the universe. A vision elaborated by Aristotle and later refined by Ptolemy. They encircled the earth in a series of crystalline spheres. The more distant the sphere the purer and more spiritual it was assumed to be. Aristotle assigned a separate intelligence to each spheres.

# Ancient vs. Modern Morality

## A moral Revolution: The creation of the individual

### The World Turned Upside Down

- The image of a single remote God dispensing his law to a whole people corresponded to the experience of people under the Roman *imperium*
- The voice of Judaism spoke to that experience. Virtue consisted in obedience to God's will. The ancient idea that sees ethics as custom is transformed to the idea of ethics as duty to God.
- In the ancient world the logos of a superior citizen class ensures the harmony of thought and action, now an act of submission to God is the precondition to knowledge
- But the real revolution comes with Jesus. Jesus crucified and Jesus resurrected. The individual replaced the family as the focus of immortality.
- Paul will invent Christianity - through the Christ, God is reconciling to us.
- On the road to Damascus Paul discover the human freedom – with is moral implication utterly different from the freedom enjoyed by the privileged class of citizens in the polis.
- *"There is neither Jew nor Greek, there is neither slave nor free, there is neither male or female; for you are all one in Christ Jesus"*.

### The Moral Equality

- Knowledge of the depths revealed by Christ raised the question of human freedom. If faith in the Christ can free human from the bondage of sin, than each must have a potential for freedom
- Origen, an early Christian writer, recognized that Christian's unwillingness to sacrifice to the civic Gods or take up arms when ordered by the Emperor could compromised the safety of the Roman Empire. But he argued for a society that recognized moral limits to the claim of moral power. "We know of the existence in each city of another sort of country, created by the Word of God".
- The writers were invoking the country of God to assert the claims of individual conscience. This conscience sees to follow from the assumption of moral equality, choice and responsibility.
- Martyrdom will play an important function in illustrating the exercise of an "individual will" founded on conscience. It made that will visible.
- It was not an accident that women and even slaves played an important part the growth of Christianity. The offer of dignity through the belief in Christ did not openly challenge patriarchy o servitude, but it started a moral revolution.

# Dialectic Tensions among Democracy, Justice Principles and the Market System

## Liberal Democracy

political equality  
civic participation  
Majority rule

## Justice Principles conceptions of justice

Basic liberties  
equality of opportunities  
solidarity to the worse-off

## Market System

Efficiency  
Competition  
Increase of productivity

- Cosmopolitans who foster universal justice see in democracy sovereignty which defend a given territory a potential threat and a limitation to their views.
- Migration issues bring up dilemma at the hearth of liberal democracy: between sovereign-self determination on the one hand and universal human rights principles on the other hand
- Entitlement conceptions see democracy for its tendency to redistribute wealth through taxation a potential threat for his principles

- Democracy is egalitarian. Market system is inegalitarian in the outcomes.
- The rich might turn democracy into plutocracy
- Market expansion (globalization) constrains national autonomy
- Mass migration creates conflict between individual liberty and democratic sovereignty

- Entitlement theories (libertarianism) are aligned with market principles, but solidaristic conceptions (contractualism) are at odd with unfettered markets (especially labor market)
- Communitarians want to protect several spheres of every day life and activities from the influences of markets

## Right vs. Good

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# **CONSEQUENTIALISM, WEALFARISM AND UTILITARIANISM**

# Consequentialism (teleology)

- Consequentialists affirm that the result of an action determines whether it is right or wrong. It is the badness or goodness of an action consequences that determines its rightness or wrongness.
- The morally right action for an agent to perform is the action, of those actions that the agent can perform at the time, that has the best consequences or results in the most good.
- Consequentialism is a maximizing doctrine. We must choose the best alternative.
- We are not merely encouraged to maximize good: we are required to do so.
- An action that might have bad consequences is still be a good action. This is the case if all permissible actions have bad consequences. We choose the one that minimize the loss.
- Rawls defined an ethical theory teleological (consequentialist) if «the good is defined independently from the right, and then the right is defined as that which maximize the good»

# Consequentialism (teleology)

- How do we draw the line between teleological and non teleological ethics? Rightness is thought a property of acts and goodness as a property of states of affairs. **Teleological ethics** first evaluates state of affairs and then determines the value of an act from the value of state of affairs it leads to – of its consequences. **Nonteleological ethics** on the other hand assigns intrinsic value to some acts independently of their consequences. For instance, the view that breaking a promise is wrong in itself, quite apart from its consequences, would be nonteleological.
- Consequentialist or teleological theory is one in which the rightness of acts is determined by their goodness.
- Consequentialism is the view that the right consists in maximizing the general good. We should choose the action that maximizes the expected value of the outcome in mathematical terms. If for example the action A has two possible outcomes with probabilities 0.7 and 0.3 and expected values 10 and -2, the expected value of action A is  $E(v) = 10 \cdot 0.7 - 2 \cdot 0.3 = 6.4$ .
- Consequentialism is not a complete ethical theory. In addition, we need to have (1) a **theory of value** or a theory of the good and (2) the possibility to **aggregate**, which is the view that the general good is the sum of the individual goods (interpersonal comparison of individual utilities or well-being.)



# Consequentialism (teleology)

- Utilitarianism as moral principle can be seen to be a combination of three elementary requirements:
  - '*consequentialism*', requiring that every choice, whether of actions, institutions, motivations, rules, etc., be ultimately determined by the goodness of the consequent states of affairs.
  - '*sum-ranking*', requiring that utility information regarding any *state* be assessed by looking only at the sum-total of all the utilities in that state;
  - '*welfarism*', requiring that the goodness of a state of affairs be a function only of the utility information regarding that state;
- Utilitarianism takes happiness or more broadly well-being to be the only thing that is good in itself or valuable for its own sake.
- We can distinguish the theory of value in subjective (utilitarians) and objective theories:
  - Classical hedonism based on pleasure and pain (utility) – (Bentham, Mill, Sidgwick) - subjective
  - Revealed preferences (Samuelson, economists) – subjective
  - Good life approach, Capabilities approach – (Aristotle, Sen, Nussbaum, Etzioni))

# Economics & Utilitarianism

- Classical economists such as James and John Stuart Mill and Neoclassical economists such as Jevons, Marshall, Edgeworth, Pigou were all utilitarians. They believe that we could aggregate the utility of different individuals (cardinal utility plus interpersonal comparison). We could choose between policy A and B measuring the net effects on the utilities of the single individuals and summing them up.
  - In the 30s economists started to reject utilitarianism on the presumption that we cannot compare the utility among different individuals (incommensurability.) as well as the concept of cardinal utility.
  - In alternative, they adopted the concept of **Pareto efficiency** or **Pareto optimality** and an ordinal utility approach to preferences.
  - If a state of allocation of resources is such that it is impossible to reallocate the resources so as to make one individual better off without making no one worse off, we say that we have reached **Pareto optimality**.
  - A **Pareto improvement** is a change to a different allocation where at least one individual is better off without any other individual worse off.
  - The problem with the Pareto approach is that almost any policy will make someone better off and someone else worse off. If we cannot aggregate utilities and dis-utilities of different people, we cannot decide what policy to adopt.
- 
- ❖ **First Fundamental Theorem of Welfare Economics:** in presence of competitive markets the economy tends toward an efficient allocation of resources (Pareto optimum)
  - ❖ **Second Fundamental Theorem of Welfare Economics:** in presence of competitive markets the economy can achieve any efficient allocation changing the initial resources held by the economic agents.

If society is not satisfied with the outcome generated by the market it is possible to change the initial endowments to achieve the desired result. But to do so we must appeal to some moral theory.

## Constructing the Social Welfare Function

### The Arrow impossibility theorem

- The basic engagement of social choice with which Arrow was concerned involved evaluating and choosing from the set of available social states  $(x, y, \dots)$ , with each  $x, y$ , etc, describing what is happening to the individuals and the society in the respective states of affairs. Arrow was concerned with arriving at an aggregate "social ranking"  $R$  defined over the set of potentially available social states  $x, y$ , etc. With his democratic commitment, the basis of the social ranking  $R$  is taken to be the collection of individual rankings  $\{R_i\}$ , with any  $R_i$  standing for person  $i$ 's preference ranking over the alternative social states open for social choice. It is this functional relation that Kenneth Arrow calls the "social welfare function." Given any set of individual preferences, the social welfare function determines a particular aggregate social ranking  $R$ .
- That there could be problems of consistency in voting rules was demonstrated by the Marquis de Condorcet in the 18th century. It is useful to recollect how the problem comes about, for example for the method of majority of decision. Take three persons 1, 2 and 3 with the following preferences over three alternatives  $x, y$ ,

## Constructing the Social Welfare Function

### The Arrow impossibility theorem

<u>1</u>	<u>2</u>	<u>3</u>
x	y	z
y	z	x
z	x	y

- In majority decisions, x defeats y, which defeats z, which, in turn, defeats x. The R generated by majority rule violates transitivity and even weaker conditions of consistency than that (such as acyclicity). And since each alternative is defeated by another available alternative in the available set, there is no majority winner - no "choice set" - for the available set {x,y,z}.
- Majority rule is of course a very special rule, though highly appealing. Arrow's theorem, among other things, generalizes the problem for any voting rule.

## Constructing the Social Welfare Function

### The Arrow's impossibility theorem

Consider now the following set of axioms, which are motivated by Arrow's original axioms, but are in fact somewhat simpler - and also somewhat less demanding - which, taken together, are nevertheless adequate for the impossibility theorem.

1. U (unrestricted domain): For any logically possible set of individual preferences, there is a social ordering  $R$ .
2. I (Independence of irrelevant alternatives): The social ranking of any pair  $\{x, y\}$  will depend only on the individual rankings of  $x$  and  $y$ .
3. P (Pareto principle): If everyone prefers any  $x$  to any  $y$ , then  $x$  is socially preferred to  $y$ .
4. D (Non-dictatorship): There is no person  $i$  such that whenever this person prefers any  $x$  to any  $y$ , then socially  $x$  is preferred to  $y$ , no matter what others prefer

The General Possible Theorem: If there are at least three distinct social states and a finite number of individuals, then no social welfare function can satisfy U, I, D and P.

One common way of putting this result is that a social welfare function that satisfies unrestricted domain, independence, and Pareto principle has to be dictatorial. This is a repugnant conclusion - antithetical to the democratic commitment - emanating from a collection of reasonable-looking axioms.

## Sen's Liberal Paradox

### The impossibility of a Paretian Liberal

**Sen's paradox** states that no social system can simultaneously:

- a) be committed to a minimal sense of freedom (minimal liberalism)
- b) always result in a type of economic efficiency known as Pareto efficiency (no other outcome can make someone better off without making someone else worse off)

### Lady Chatterley's Lover

The person called Prude hates the book, sees it as pornographic, and would not like to read it, but would suffer even more from its being read by the other person – called Lewd (there has been a renaming here, from the more unwieldy Lascivious) – who loves the book. Prude is particularly bothered that Lewd may be chuckling over the book. Lewd, on the other hand, would love to read the book, but would prefer even more that Prude reads it. For Lewd it is great fun to contemplate 'narrow-minded' Prude reading the book he detests.

## Sen's Liberal Paradox

### The impossibility of a Paretian Liberal

There is here no liberty-supported case for no one reading the book, since Lewd clearly wants to read it, and his decision regarding whether to read or not read the book, it may be plausibly thought, is none of Prude's business. Nor is there a liberty-based case for Prude reading the book, since he clearly does not want to do so, and it is none of Lewd's business to weigh into that choice, in which he is not directly involved. The only remaining alternative is for Lewd to read the book – which would, of course, be exactly what would happen if both the persons were left free to decide what to do (or not do). However, given their utilities as described, both Prude and Lewd receive more utility from Prude reading the book than Lewd reading it, so that the self-choice alternative seems to go against the Pareto principle.

**Minimal liberalism (free choice) – Prude (not read) – Lewd (read)**

*(inefficient)*

**Pareto optimum (benevolent dictator) - Prude (read) – Lewd (not read)**

*(efficient)*

*Market efficiency assume that each individual care only about his/her consumption. **There is a strong similitude between Sen's paradox and the result that markets fail to produce Pareto outcome in presence of externalities.** Externalities arise when the choices of one party affect another party. Examples include pollution and overfishing (lack of properties rights - tragedy of the commons)*

*Liberal values conflict with Pareto principle. The Paradox highlights the conflict between right-ethics and utility-ethics principles.*

# Government must decide whether or not to implement policy A

## Utilitarian approach

John



-5 utils

Annah



+ 10 utils

Simon



+10 utils

$$\sum \Delta u(\text{John}) + \Delta u(\text{Annah}) + \Delta u(\text{Simon}) = 15$$

POLICY «A» CAUSES AN INCREASE IN TOTAL UTILITY

## Paretian approach

John



John:  $S.Q. > A$

Annah



Annah:  $A > S.Q.$

Simon



Simon:  $A > S.Q.$

POLICY «A» DOES NOT CAUSES A PARETO IMPROVEMENT

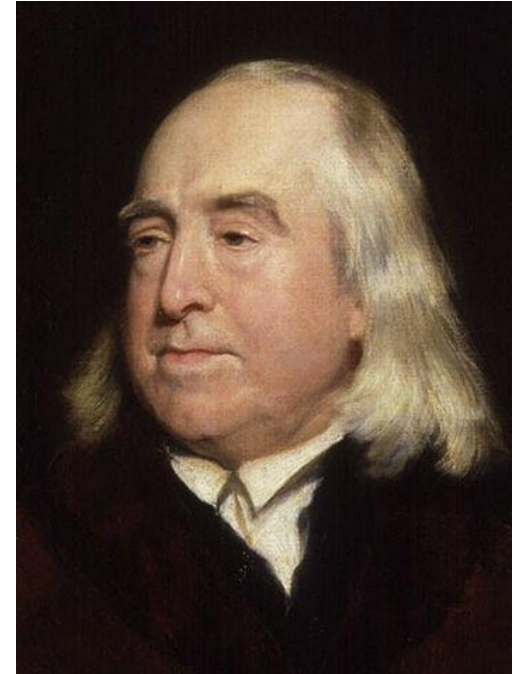


# Jeremy Bentham (1748-1832)

- Jeremy Bentham is the founder of modern utilitarianism and a great reformer.
- He had as student and collaborators James Mill, John Stuart Mill, John Austen and Robert Owen, founder of the Utopian Socialism.
- On his death he left instruction to have his body dissected and preserved as an «auto-icon» (University College London).
- He was in correspondence with many influential people like Adam Smith. On monetary issues he had different views from Ricardo advocating monetary expansions to stimulate the economy.
- The greatest happiness principle is the cornerstone of his philosophy:

Nature has placed mankind under the governance of two sovereign master, 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 or wrong, on the other the chain of causes and effect, are fastened to their throne. They govern us in all we do/say/think...

- He is one the earliest proponent of animal rights. It is the ability to suffer not to reason should be the "insuperable line»
- Bentham spoke for a complete equality between sexes and in a essay unpublished until 1931 he argued for the liberalization of laws prohibiting homosexual sex



# Bentham's Panopticon

- For Bentham transparency had moral value. Exemp.: Journalism put power-holders under scrutiny. Surveillance and transparency can improve people's lives
- The idea of the Panopticon is an application of this view.
- Bentham was influenced by Cesare Beccaria. At the time capital punishment was very common. Beccaria believed that the State had no right to suppress a life as well as to torture an individual and that Capital punishment should be replaced by life sentence.
- Prison labor would ease the cost of imprisonment for the State
- Panopticon was designed with the help of his brother Samuel. Bentham started to persuade the prime minister William Pitt to Build one as National Penitentiary and he wanted to be the governor of the Penitentiary.

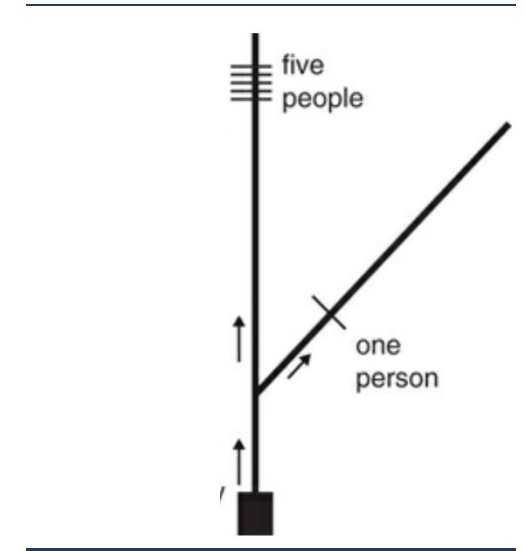


# The Runway Trolley Problem

- **The Trolley driver Case:** A trolley driver realizes that the brakes don't work. He sees in front 5 people. He has two alternatives: 1) doing nothing and have 5 people killed; 2) he can turn the trolley on the right on a different track, but on that track there is one workman who will be get killed.
- **The Transplant case:** A surgeon has 5 patients who need organs. 1 heart, 2 kidneys, 2 lungs, 1 liver. If they don't get the organs today they all die. In his office there is a patient that has those organs in order. He is potential donor.
- Why is it that most will agree that the driver may turn his trolley (actually, some would say that he must), while the surgeon cannot remove the organs from his patient and save the life of 5? In both cases one will die if the agent acts, but 5 will live who would otherwise die.
- One proposed solution (Mrs. Foot) is that in the **transplantation case** we have:
  - I. *Killing one is worse than letting 5 die* so that the surgeon must refrain to act while in the trolley driver case we have:
  - II. *Killing 5 is worse than killing one* so that the trolley driver may (or must) turn the trolley.

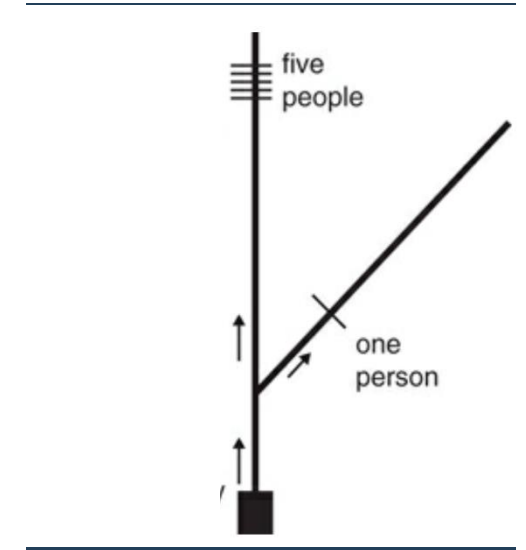
But there is reason to believe that problem is not easily solved. Let us look at a slightly different case:

- **The Bystander at the Switch case.** Suppose that an external observer sees the trolley driving into the 5 people while the driver has fainted and so he can't operate the trolley. The bystander is near a switch and thus can turn the trolley on a different track but in doing that he will kill a person who is standing on that track.
- In this case most people would say that it is *permissible* to operate the switch by the bystander which means that *Killing one is better than letting 5 die*. If the bystander does not act 5 people will die, but if he acts, he will provoke the death of one person. But this contrasts with the solution suggested by Foot for the surgeon case which says that *Killing one is worse than letting 5 die*.

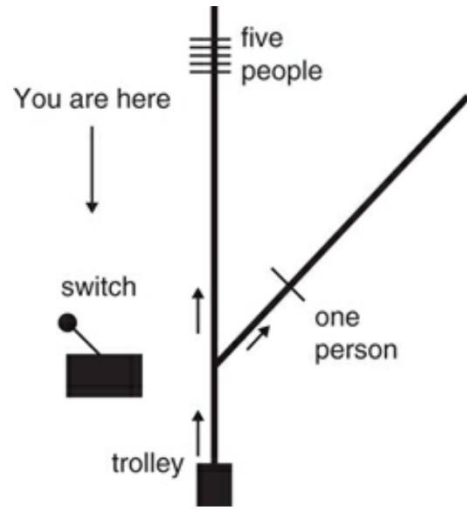


# The Runway Trolley Problem

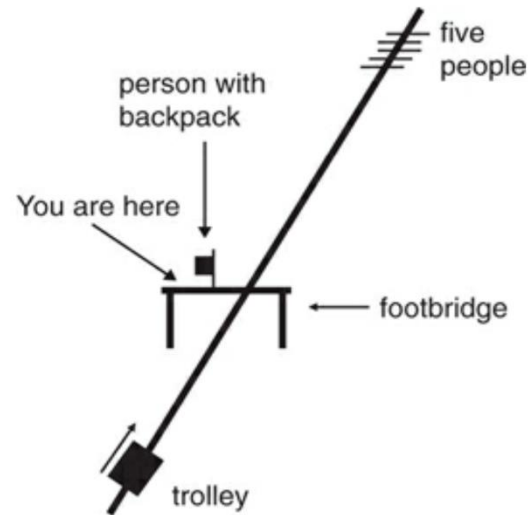
- What is then the fundamental difference between the bystander and the transplant case?
- To understand the difference that we need to appeal to Kant's categorical imperative and the concept of right. The C.I. says: "Treats the others as ends, not as means". Respect people. Respect their rights. In the Transplant case, the surgeon infringes the fundamental right to life. He commits a murder to save the life of 5. The same cannot be said of the Bystander case. Here the Bystander proceeds in maximizing utility as the surgeon would do if he transplant the organs, but apparently the Bystander is not infringing any right. Why is it if his action is provoking some one's death? In the Bystander case we have a threat given by the "broken" trolley that will cause, in any event, a damage (loss of lives). The Bystander doesn't have responsibility for this threat. What he really does is re-directing an existing threat to minimize the losses. All the potential victims have the same right to life. The fact that one is going to be sacrificed to save other life in this "specific conditions" it should not be perceived as a right infringement by the same victim. In the case transplant case, the Surgeon is the one making the threat.
- This example suggest that rights trump utility and points out limits to a wide application of the utilitarian principle.
- Discuss the story of the 9/11/2001 and the United Flight 93. Discuss the "very restrictive" German Constitutional Court sentence.



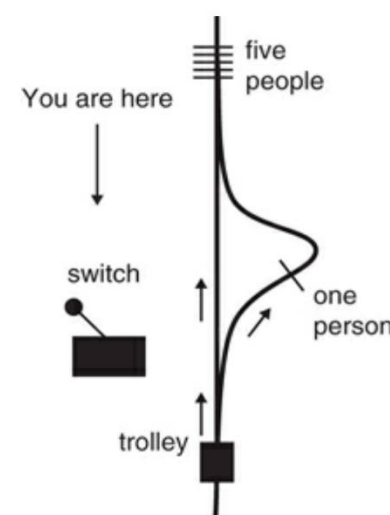
# The Runway Trolley Problem



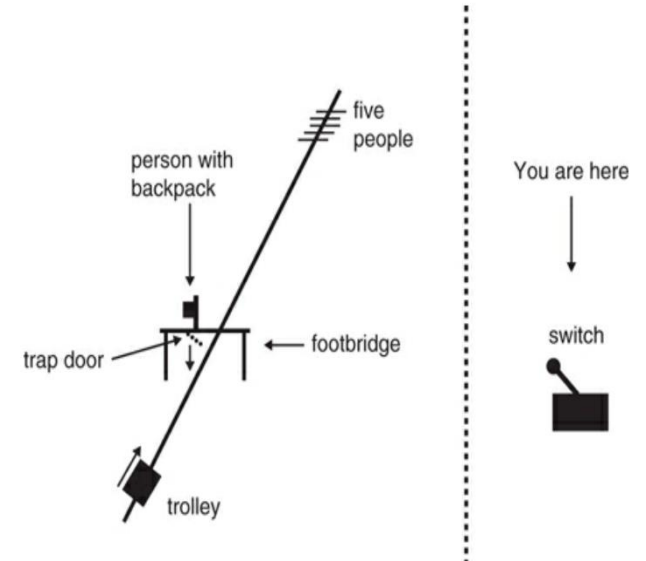
A) The **Switch** case



B) The **Footbridge** case



C) The **Loop** case



D) The **Remote Footbridge** case

- A) Most people say that it **is** permissible to hit the switch (killing a side effect)
  - B) Most people say that it **is not** permissible to push the person (killing as means to an end)
  - C) Most people say that it **is not** permissible to hit the switch (killing as means to an end)
  - D) Most people say that it **is** permissible to hit the switch
- 
- Green (psychologist) believes that in the switch case we use our cognitive capacities, while in the Footbridge case in which we have to use force and violence we use our gut feeling. We don't think about. We use our instinct which is the result of the evolution of millions of years: as social animal we want to limit the use of violence within our group.
  - We should not trust our moral instincts, many of which will be automatic moral responses that are not relevant anymore. According to Greene rejecting emotionally based automatic process and the rationalizations that philosophers use to support them leave consequentialism as the best available option. ( Conclusion: we should not judge a moral theory by whether if it matches our intuitions, which might be outdated based on experiences no longer relevant)

# LIFE BOAT CASE

➤ 4 people are in a life boat after the main ship has sunk (shipwreck): the Captain, 2 sailors and a cabin boy. After 20 days they are with no water and food. They are about to die. No ship in sight. The Captain takes an extreme decision. He order to kill the boy so that they can eat him and survive. He believes that is the best decision: the cabin boy is orphan while the others have families. The Captain calculates that the loss of the boy is the solution that minimize the pain compare to the other options (loss of another man or loss of all the crew). Few days after the Captain and sailors will be rescued by a passing ship and later prosecuted.

## 1. Objection (rule utilitarian)

Captain has considered only the effect of the pain and pleasure of the families involved but not the consequences for society as whole. First if this action had accepted it would weaken the norm against murder or accepting the idea that people could take the law in their hand weakening the rule of law. The rule of men above the rule of law (Rule utilitarianism)

## 2. Objection (deontological)

Besides calculation of benefits and cost we have a sense that killing a boy and eat him is not right. The consequences are not all we care about. Are there some moral duties and human right that rise above such calculations? And if there are certain rights that are fundamental, how can we recognize them?

## Objection 1: Individual Rights

- The main criticism to utilitarianism is that it fails to respect the individual rights. By caring only to the sum of pleasure and pain of various individuals, it overrides individual's rights. The single individual matter only in the sense that each one's preferences count along with everyone else's. Therefore, it can easily violate what we consider as basic norms of decency, dignity and respect. (what individual rights?)

**Example 1 – Is torture justified?** Suppose that a suspected terrorist has been captured and might know where a bomb is located that it can explode any time and cause the death of hundreds of innocent lives. Would you will object if police decide to torture him? It seems that in this case numbers matter and make a moral difference. But this scenario might change if instead of a terrorist suspect the torture is inflicted on an innocent person. Suppose that the terrorist suspect has been tortured but he is not willing to speak up. Police can capture his sister who is not involved in terrorist activity. Would you object if police decide to torture her?

## Objection 2: A common currency of value

Utilitarianism is based on the notion that happiness can be measured and aggregated among different individuals. It weights preference without judging them. But to aggregate preference we need to measure them on a single scale. But is it possible to measure all the moral good on a single scale? Is money a good a measure to aggregate of people desires? Utilitarians use cost-benefit analysis like government and corporations. Anything can be priced, life as well. The problem with money is that it is not a constant measure to calculate people's welfare. A euro means a lot more to a poor person than to a rich person. The marginal utility of that dollar is much higher for the poor person than for the rich person.

**Example 2 – The Ford Pinto** – Ford Pinto was a popular car in the US in the 70s. Unfortunately, its fuel tank was prone to explode if the car was hit in the back. Ford made a study and it found out it was more expensive to recall the auto (\$137 ml) than pay for death losses and injuries (\$ 50). They estimated 180 deaths and 180 injuries. Each death was worth \$200,000. For the cost of the traffic fatalities Ford used the values of National Highway Traffic Safety Administration. The jury was outraged by this study commissioned by Ford..

**Example 3- Trade off between life and higher salary.** Suppose working in a coal mine pay \$10,000 a year more than working a safer desk job and coal miners have 1% greater chance of dying in the job in a year. Some economist would conclude that this trade-off suggests people value a human life at \$1 million. They assume the increased cost of working as coal miners (which on average is \$1 ml multiplied 1%, or \$10,000) is reflected in increased pay.



**Example 4 . Increase in the speed limit.** After 1987 the US government allowed States to increase speed limit from 55 mph to 65 mph. Many States did so but fatality rose by one third and drivers saved time. Overall people in the US saved about 125,000 hours per lost life. At average wage the trade off between time saved and increased risk of fatality state decision makers were putting the value of a human life at about \$1.5 million. Evidently the States recognized that this trade off was worthwhile and therefore they put the value of a human life at something less of \$1.5 ml.

Today the Environmental Protection Agency set the value of human life on average at \$9 ml, Food and Drug Administration put it at \$8 and Department of Transportation at \$6 million.

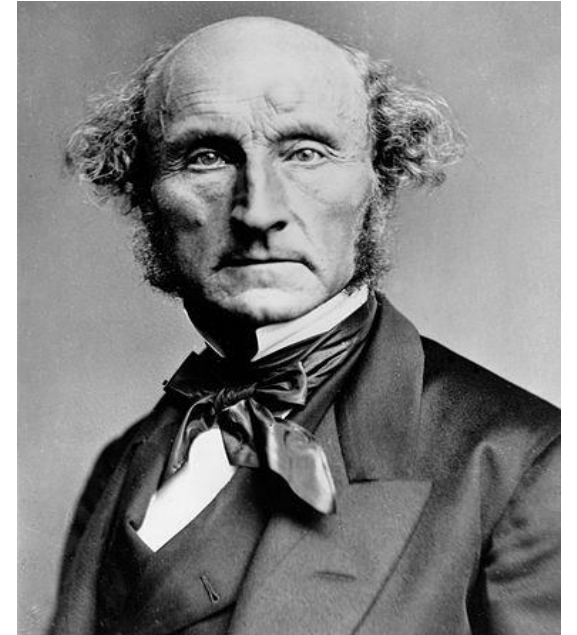
**Example 5. The experiment of Thorndike (1937)** He want to show how different experiences can be converted into a common currency of pleasure and of pain (in current dollar)

How much would you have to be paid to have one the front tooth pulled out? (4.500)

- To have the little toe of one foot cut off? (57.000)
- To eat a live earthworm six inches long? (100.000)
- To choke a stray cat to death with you bare hand? (10.000)
- To live all rest of your life on a farm in Kansas City? (300.000)

# John Stuart Mill (1806-1873)

- He was a philosopher, political economist egalitarian and civil servant.
- He was the son of the philosopher and economist James Mill, a close friend of Ricardo and Bentham. He was a prodigious child who began to study Greek from the age of 3. He was not eligible to study at Cambridge and Oxford because as Nonconformist (Puritans, Pilgrims) he did not subscribe the doctrine of the Church of England. Later he defined himself as agnostic. He received most of his education from his father.
- He spent 25 years as a colonial administrator at the English East India Company. In the last part of his life he became Member of the Parliament for the Liberal Party. He became a strong advocate of such social reform as labor union, farm cooperatives, the extension of suffrage and equality between sex.
- His major works are: *On liberty* where addresses the nature and limits of the power that can be exercised by the society over the individual; *Utilitarianism* where he revises Bentham's view and allows for the qualitative separation of pleasure; *Principle of Political Economy*, a text in the classical tradition of free market although in the latest editions went towards a more socialist bent speaking for a co-operative wage system.



«The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness» *Utilitarianism*

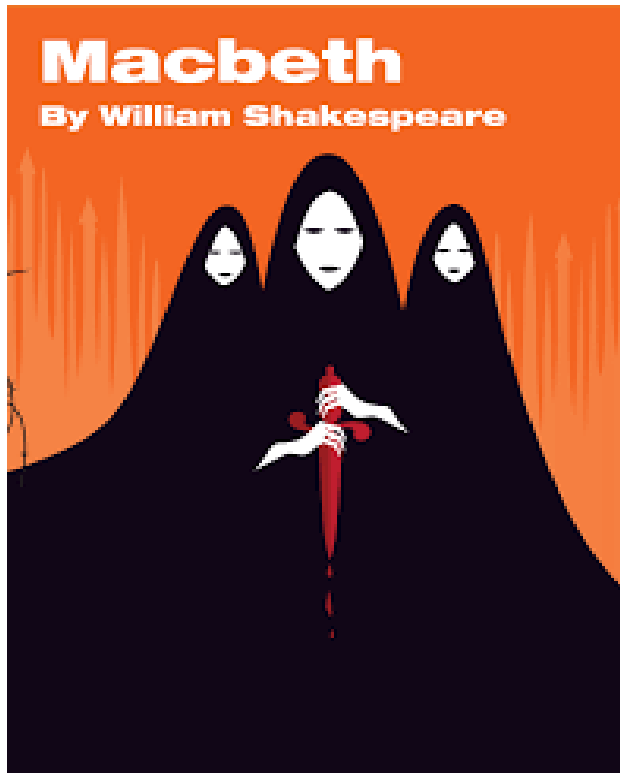
## Mill's response to the first objection on individual right

- According to Mill (*On Liberty*) people's should be free of whatever they want provided they do not harm others. Government should not interfere with individual liberty. Over himself, over his body and mind the individual is sovereign. For example, government should not impose the majority's view about how best to live. But how is this compatible with utilitarianism? If what count is the greatest happiness, a large majority could ban the life-style or the religion of a minority. The increase in happiness of the large majority could easily outweigh the loss of the minority.
- The answer of Mill: when we maximize utility for the society we should look at the long run effect of a given action. Today dissenting view might be right tomorrow. According to Mill subjecting the predominant view to criticism it will prevent the creation of dogma and prejudice, and, thus, society will not be deprived of energy and vitality and potential improvement. Is this answer convincing? What if we have a benevolent dictator that assures long term happiness. Should we not care anymore about individual rights?
- For Mill the individual achieves the highest end of human life when he can freely develop all of his human faculties. Conformity is not the best way to live. Convention may lead to a satisfying a life but that is a life which is worth to be spent? "It is really of importance, not only what men do, but also what manner of men they are that do it". What matter is not only consequences but also character. Is this still utilitarianism?

## Mills' response to the second objection on a common currency of value

- For Bentham, pleasure is pleasure and pain is pain. No moral judgement or qualitative distinction are made on preferences. “De gustibus non disputandum”. Some people like Beethoven, others prefer Fedez. One of the appealing of utilitarianism is that take preferences for what they are without passing judgement on their moral worth. All value can be measured on a single scale. Indeed, many societies ban cockfighting and dogfighting not only because inflict pain to animals but also because having pleasure from these spectacles is abhorrent. But if people like them more than going to a museum should government subsidize them instead of arts?
- Mill unlike Bentham believes that we can distinguish between **higher** and **lower** pleasures. He allows that some type of pleasure are more valuable than others. There are experience on pleasure that almost all of us consider of higher order, irrespective of moral obligations. However, although we know what the highest experience are we might often indulge ourselves in lower pleasures. Mill does not want to give up the idea that there are some way of life more noble than others. But in doing that he is not fully committed to the logic of utilitarianism. The higher pleasures are not higher because we prefer them, but we prefer them because we recognize as higher, because they engage our highest faculties.
- Bentham was a more coherent thinker than Mill. The latter tried to save utilitarianism invoking a moral ideal of a human dignity and character which is independent of utility itself.

# Macbeth versus Harry Potter



- Which one did you enjoy most?
- Which one is the highest?

## Hedonistic vs. Preference Utilitarianism

- Bentham, Mill and Sidgwick were hedonistic: the only thing of positive intrinsic value is pleasure or happiness and the only thing of negative intrinsic value is pain or suffering. (Plato and Aristotle believed that only “noble” pleasures were good. Mill distinguishes between higher and lower pleasures)
- Economist dissatisfied with the notion of pleasure or pain that are not directly observable developed the idea of **revealed preference**: if I have one dollar and I can buy either an orange and an apple and I chose an apple I reveal my preference. What I maximize is not anymore pleasure but the satisfaction of preferences or desires. Doesn't matter what is the pleasure I get. Matter only preferences. **Preference utilitarianism** is based on this notion. For example, many people prefer to live a life with less happiness or pleasure if they can fulfill other important preferences. They might choose to crave for excellence in art, music, or literature even though they have little chances to achieve it. The right act is the one that will in the long run satisfy more preferences than it will obstruct.
- Derek Parfit's Altruistic Pusher. An altruist pusher make people addict to a certain drug to satisfy their intense desire for drug and he will be able supply the drug at no cost for the rest of their life. The Drug brings no pleasure, as long as the desire for it can be met soon after it begins. According to **preference utilitarianism** the Altruistic Pusher is benefiting people. Would do you like to be benefited like this?

## Does utilitarianism ignore special obligation? Is possible to be always impartial?

- William Godwin, a contemporary of Bentham, argued that if he can rescue only one of two people trapped in a burning house and he have to choose between Archbishop Fenelon and his mother he would rescue the Archbishop because by doing so he would be helping thousand of people.
- Derek Parfit has described an act of **excessive partiality** that occur in close relationship “blameless wrongdoing”.
- Paul Farmer, co-founder of Partners in Health, ran a clinic in Haiti instead of a comfortable life in the US. He was disturbed because he realized that he loved more his son than his patients from malnutrition. But if he had focused only on his child and abandoned his work that would have been the wrong thing to do although he could not be blamed for doing so.

## Is utilitarianism ignoring the separateness of the persons?

- Utilitarianism hold that it is justifiable to inflict a cost on one individual in order to benefit others.
- Critics say that utilitarianism cannot be implemented in practice because it requires us to engage in “impossible utility comparison”. In absence of this comparison we can have the weak **Pareto-style** comparison. A state of affairs is better than an another if someone is better off and no one worse off. However, using his approach is almost impossible to judge any policy action.
- **Example** we find two survivors in a building that collapsed. The only way to rescue the life of A is to move a piece of concrete that will brake the B’s leg. Those that contend that is never justifiable to impose the cost on one person to benefit another must say that we have to leave A to die.
- Is this a violation of Kant’s claim that it is always wrong to use one person as means to benefitting another?



# The distribution of the utility

- Consider the following distribution of a simple society with only three individuals: A,B and C and these are the only alternative available.

(3) A: 5; B: 5; C: 5  
(4) A: 15; B: 5; C: 2

Which distribution (1 or 2) do utilitarians favor if each unit correspond to 1 unit of welfare or utility? Remember that **they deny that equality has intrinsic value**. Would you change your answer if each unit corresponds to 10,000 euro?

The **utilitarians'** answer to those who say "they don't care" about inequality that they always favor redistribution policy from the rich to the poor because the marginal utility of one euro is higher for the poor compare to the rich's one. The redistribution policy will go on to the point that the total welfare start to decrease. Increasing taxes lower the productive capacity of a society and so is detrimental to society as whole if the level of taxation is too high.

- **Egalitarian** will favor 1 both if the units represent euro or unit of utility (welfare) since they favor equality over any alternative distribution. However, they also face some real issue. For example, between (3) and (4)

(3) A: 10; B: 5; C:3  
(4) A: 2; B: 2; C: 2

they will favor (4), although it will bring about an impoverishment for each members of the society, since they focus only on equality of outcome.

# The distribution of the utility

- **Prioritarians** hold that it is more important helping those near the bottom than helping those who are better off. But notice that also **prioritarianism** can be quite unreasonable. Consider the following alternative distributions:

(5) A: 100; B: 100; C:3

(6) A: 10; B: 10; C: 4

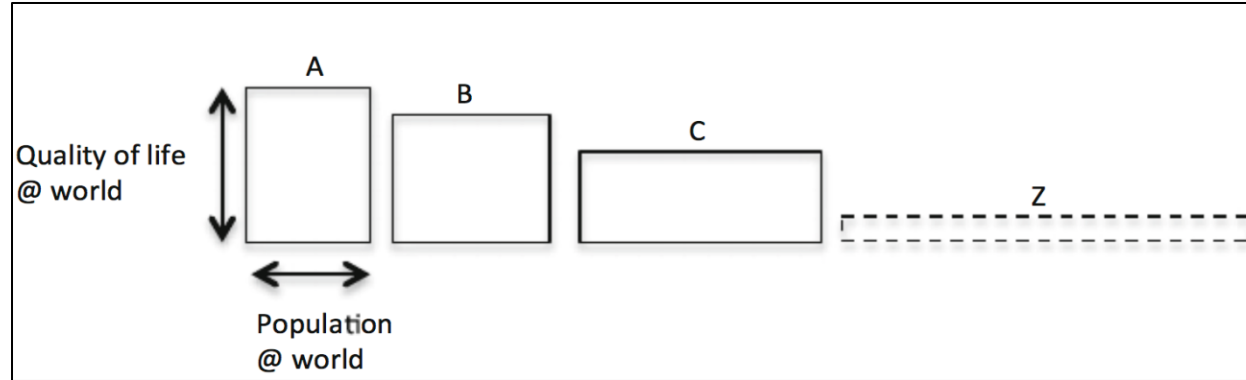
A Prioritarian will favor 6 over 5 although it will bring about a drastic reduction of welfare of members A and B compared to a slight improvement of the least advantaged because he focuses only on the condition of the latter one.

## Act-utilitarianism vs. Rule-Utilitarianism

- **Act-utilitarianism:** the right action is the one that, among those available to the agent, has consequences that are better or not worse than any other actions
- **Rule-utilitarianism:** the right action is the one that is in accordance with the rule that if generally followed would generate better consequences than other rules.
- Rule utilitarianism is very different from act-utilitarianism because in certain cases will prohibit doing what will have the best consequences. (Doctor should never intentionally harm a patient, Public officials should always obey the law)
- *But for utilitarians it is very difficult to accept that an act cannot be justified by any exceptional circumstances whatsoever.*
- **Example.** Do not torture is for many an absolute rule with no exceptions. Utilitarians accept torturing for example a terrorist if this is going to save the life of hundreds of people. Is rule-utilitarianism compatible with the spirit of utilitarianism?

# Population Puzzles

- The Repugnant Conclusion
- Total versus average utility



- Imagine a world A where each individual enjoys a nice life; B is a world where we have a larger population with a slight lower quality of life; if the area of B is greater than A the total utilitarian will prefer B over A; C has a larger population than B but a slight lower q.o.l. but again if C is greater than B, C is preferred-.The series of world continues in this fashion. At the end Z will have a very minimum quality of life with a very large population , but it would be better than A. (The Repugnant Conclusion - Parfit)
- The Puzzle seems to vanishes if we consider average utility instead of total utility of population. In this case world A will be the “preferred world”. But imagine that you live in Paradise Island, the only inhabited island of world, in which the average happiness is at its max. level of 100/100. We discover the existence of a new Island with the same population in which the average happiness is 90/100. The World Report, a yearly publication, indicates now that the average World happiness has decreased to 95/100. Should we conclude that the World is - after the discovery of the new island - a less happy place than before? Maximizing average utility doesn't seem to be an acceptable solution.

# Utilitarian Theory and Future generations

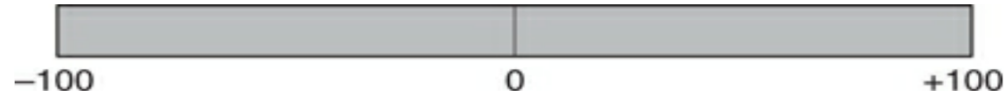
- The very notion of future generation poses a series of problems to utilitarian theory.
- It maybe useful to start with an idea pertinent to this argument, i.e., the Parfit's notion of "person-regarding morality": i.e. that duties must be always direct toward someone.
- For example, it make impossible to have a duty to preserve the human race, because if we have a duty is to a certain future persons no to a general phenomenon such as the human race. But if we do not preserve the human race, we find ourselves with no future persons to whom this duty must be directed.
- Parfit launch another challenge to utilitarianism (nonidentity problem):
  - a. If a person is conceived in a moment which is different from the one he actually is conceived, he will be a different person.
  - b. Policies affect people destinies which implies also the identity of future persons.
  - c. Suppose we have to chose between policy A and B. A implies the depletion of natural resources and B to conserve them. Policy A would increase the standard of living of the current generation. Many children would be conceived and they will have much less in term of terms of resources, clean environment and wealth. On the contrary, policy B will imply a higher standard of living for future people, yet these would be different people from the one who would be borne of result of policy A.

## Utilitarian Theory and Future generations (2)

- The paradox is that if we chose policy A (depletion), we do not harm anybody, because for had we chosen policy B , different person would exist. Thus, if we choose policy A there will be no one to come and “blame us” . Future person who will have little and not clean air will still appreciate the fact of being alive and will not consider themselves to be harmed. Therefore, it is not wrong for us to adopt a depletion policy because it will not harm people who live in the future. This paradox seems to suggest that according to utilitarianism we do not have duties towards future generations.
- A possible challenge to the paradox is the following: “We should not be concerned that under one policy certain people will exist and under another policy different people will exist. We should simply measure the amount of utility that each policy will bring to present and future people whoever they are and decide accordingly which is the preferable policy.”
- This works fine when the number of people remain the same, but many policies imply a change in the number of people, and this poses serious problems to utilitarian theory. We observe that:
  - If we adopt the average utilitarianism formula, we should choose those policies that increase average utility, but that contrast with our moral intuition that a society with more people and a slight lower average utility is better of a society with less people and a slight higher average utility.
  - If we adopt the total utilitarian formula, we will choose policies that increase the number of people without caring about average happiness of the population, but we might fall in the repugnant conclusion.

# Utilitarianism in action

- Utilitarianism tell us to reduce suffering and increase happiness. And we should focus on reducing suffering.
- There is an asymetry between suffering and happiness. If you have a given amount of resources to give up, the most effective way to reduce suffering is to give to the most in need



**10. A symmetrical conception of suffering and happiness.**



**11. An asymmetrical conception of suffering and happiness.**

Would you be prepared to be compensated for one hour of the worst suffering you have experience with one hour of the greatest possible happiness you have experienced?

## Utilitarianism in action (2)

### End of life decisions

- In many countries we have lively debates about euthanasia using right-based debates (for example the legal distinction between passive and active euthanasia)
- For utilitarians human life generally has more happiness than suffering. That is why is wrong to kill a person.
- But for people whose future life contains much more suffering than happiness is different. So if a doctor on request of the patient helps him to die is not doing a wrong act

### Ethic and animals

- Utilitarians argue that we wrongly give little or no weight to any interest of non-human life (we kill animals for sport and inflict them a lot of suffering)
- The demarcation is between sentient and no-sentient beings
- The use of animal for research is instead a more difficult question (we have to calculate costs and benefits)

### Effective altruism

- In all affluent countries all citizens usually have enough to eat and basic health care
- Extreme poverty is decreasing (today is about 10% of the population) yet 700 ml are still starving
- Effective altruism regard reducing global poverty a way of doing the most good



# The sanctification of Hiroshima

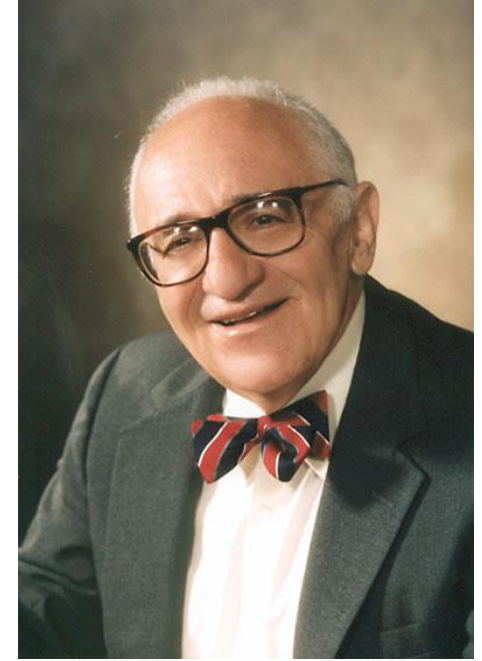
- The atomic bombing of Hiroshima and Nagasaki, which caused the killing of 200.000 civilians, was a violation of human rights of enormous proportion
- The event was justified using a pure utilitarian argument: without the bombing we would have had much more casualties both in the American and Japanese camp. (It was estimated about 1 million of death with the continuation of the war.)

«The fortieth anniversary of Hiroshima has greatly strengthened my belief that Hiroshima (but not Nagasaki) was necessary – not at all for the reason I have just mentioned, but for a much more far-reaching reason that draws on the early argument favoring the use of the bomb. The fortieth anniversary of Hiroshima has seen an **outpouring of emotions**, a display of concern, that goes much beyond any previous observation of the Hiroshima bombing. Are we witnessing a gradual sanctification of the Hiroshima event to the status of a profoundly mystical event, an event ultimately of the same religious force as Biblical events? ...This sanctification of Hiroshima is one of the most hopeful developments of the nuclear era». Alvin Weinberg, Nuclear Physicist, 1985.

# **LIBERTARIANISM**

# Murray Rothbard (1926 – 1995)

- American heterodox economist of the Austrian school and political theorist whose writing have played a seminal role in the development of the modern American libertarian movement and anarcho-capitalistic views.
- He asserted that all services provided by “the monopoly system of the corporate state” could be provided more efficiently by the private sector and wrote that the state is “the organization of robbery systematized and writ large”.
- He opposed central banking and the fractional-reserve banking system. He was critical of classical economists (Smith, Ricardo) but also some “libertarian “ economists such as Milton Friedman. He accused Friedman to be a statist for his views on monetary matters that favored a positive role of the Central Bank. He was very critical of J.M. Keynes for his statist views labelling him a shallow political opportunistic.
- On ethics he was a fierce opponent of utilitarianism. He also distanced himself from his mentor, the Austrian school’s economist Von Mises, by accusing him of often using utilitarian arguments. On the contrary, Rothbard attempted to assert an objective, natural law basis for the free market founded on a theory of ownership borrowed from John Locke’s ideas.
- He was a strong critic of egalitarianism and of the civil rights movement. “Equality is not on the natural order of things, and the crusade to make everyone equal in every respect (except before the law) is certain to have disastrous consequences”.
- He opposed the war. He believed that “war is the health of state”. This was the reason for his opposition to aggressive foreign policy. War is a means for imposing a permanent militarization upon the economy and society in bringing to the country a permanent industrial military structure and a permanent system of conscription. He made two exception to general condemnation of war: the American Revolution and the War for Southern Independence. He sided with the Confederates.



# Property and Exchange: an Anarcho-capitalistic view

## **The Nonaggression Axiom**

- No man or group of men may aggress against the person or property of anyone else. Aggression is synonymous with invasion. Everyone has the right to be “free” from aggression.
- Libertarians stand for “civil liberties”: freedom to speak, publish, assemble, and freedom to engage in “victimless crimes” such as pornography, prostitution, use of recreational drugs. They regard conscription as slavery on mass scale and wars as mass murder.
- Libertarians oppose government interference with property rights or with the free market economy through controls, regulations, subsidies, or prohibitions.
- Individuals have the rights to give away their property (bequest or inheritance) and to exchange it for the property of others (free contract and free market economy) without interference (laissez-fair capitalism).
- Libertarians see the State throughout the history as the central, dominant aggressor of these rights. Moreover, the State commits murder engaging in war mass murder. They see the Sate as an intruder.
- Conscription is Slavery and Taxation is Robbery.

# Property and Exchange: an Anarcho-capitalistic view

## Property Rights

- The Non Aggression Axiom has been defended through 3 different ethical philosophies: emotivism, utilitarianism and the natural rights view point.
- Emotivists defend the principle purely on subjective, emotional basis. Utilitarians, differently, assert that liberty will lead, as opposed to alternative systems, to better prospects in terms of welfare. But Rothbard believe that Utilitarians looking only to the consequences are prone to violate the principle of protecting the property rights allowing a lot of exceptions, notably, in the fields of police and military affairs, education, welfare etc.
- Rothbard believes that natural rights is the cornerstone of a political philosophy which is part of a greater structure of “natural law”. Natural law theory is based on the insight that men have a specific nature as each organic and inorganic entity of the world. Each man must choose his own ends and employs his own means to attain them. *“Since men can think, feel, evaluate, and act only as individuals, it becomes vitally necessary for each man’s survival and prosperity that he be free to learn, choose, develop his faculties, and act upon his knowledge and values.”* To interfere with this process by using violence goes profoundly against man’s nature.
- First consider the right to “self-ownership”. To violate this principle would mean that:
  - I. A certain class of people A owns another class B. In this case Bs are sub-humans and As exploit Bs.
  - II. Everyone has the right to own his equal quotal share of everyone else. This is a kind of participatory communalism. Here no one would be able to do anything and the human race would quickly perish.

# Property and Exchange: an Anarcho-capitalistic view

## Property Rights (2)

- Second consider the right to own material objects. Men to survive must transform the resources given by nature into consumer goods. Food must be grown and eaten. Men must own not only his own person but also material objects for his control and use. John Lock said that men place the stamp of his person upon the raw materials by **mixing his labor** with them. That is the condition for owning material objects. The alternative would be: a) another man or set of men have the ownership of that product; b) every individual in the world has an equal equal share of that product (the communal solution). Solution a) is plainly unjust. Solution b) to be put in practice requires an oligarchy of few expropriating the manufacturer in the name of world public ownership.
- Third consider the right to own or control the earth. Here again we have 3 possibilities: it belongs to the first user; it belongs to a group; it belongs to the world as whole. Henry George a libertarian, believed that no one has the right to own the land and proposed a tax on land to eliminate other taxes, improve land uses and raise wages (known as “the single tax” movement). Rothbard believes that if we accept the third approach a small oligarchy would *de facto* control and own the land and not the whole world. Rothbard again following Lock argues that the pioneer or the “homesteader transform the character of the nature-given soil by his labor and personality. The pioneer is a legitimate owner of the land as well as the manufacturer that transform the raw-material in different products. (mention here the Lockean proviso)

# Property and Exchange: an Anarcho-capitalistic view

## Society and the individual

- What about the right of the society? Don't they supersede the rights of individuals? The libertarian believes that one of the prime errors in social theory is to treat society as if it were an actual existing entity. Treating society as a thing that chooses and acts serves to obscure the real forces at work. Society is a collective concept and nothing else. Society disappears when the components parts disperse. Society is not an extra person. *"There is no such thing as society. There are individual men and women, and there are families"*. (Margaret Thatcher)

## Free Exchange and Free Contract

- The **central core of libertarianism is to establish the absolute right to private property** of every man: first in his own body and second in previously unused resources which he transform by his labor. These two axioms establish the complete set principles of the libertarian system.
- But if a man owns anything he then has the right to *give away* or *exchange* these property titles to someone else. From these corollary to private property stems the basic justification for free contract and for free-market economy. Men might exchange not only the tangible objects but also his own labor, which of course they own as well.
- By accident it happens that the **free-market economy**, and the specialization and division of labor is by far the most productive and efficient form of economy known to man and has been responsible for industrialization and the modern economy on which the current civilization has been built.

# Property and Exchange: an Anarcho-capitalistic view

## **Free Exchange and Free Contract (2)**

- This is a fortunate utilitarian result of the free market , but it is not to the libertarian the prime reason for his support to this system. The prime reason is moral and is rooted in the natural-rights defense of private property. Even if a despotic society could be shown to be more productive than the free-market system the libertarian would still prefer the system of natural liberty.
- The developed-market economy is nothing but a vast network of voluntary and mutually agreed-upon two person exchange

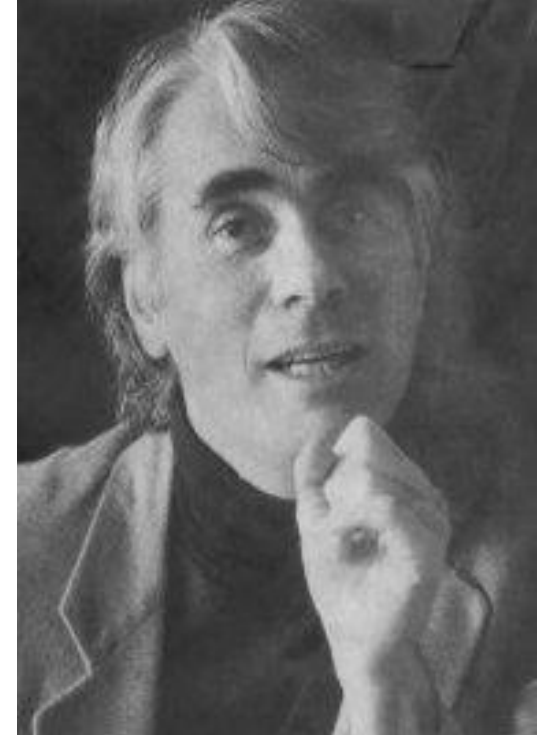
## **Property Rights and “Human Rights”**

- Some liberal (in opposition to libertarians) stand for personal liberties such as freedom to speech, press, assemble etc., but they are ready to compromise or to deny rights to property. According to the libertarian the two (property rights and human rights) are inextricably intertwined. They stand or fall together. For example the liberal socialist advocates government ownership of all means of production while standing for the human right of freedom of speech or press. But how is the right of free press to be exercised if the government owns all the newsprint and all the printing shops. The same is true for the right of free speech if the government owns all the assembly halls and therefore allocates those halls as it sees fit.



# Robert Nozick (1938 – 2002)

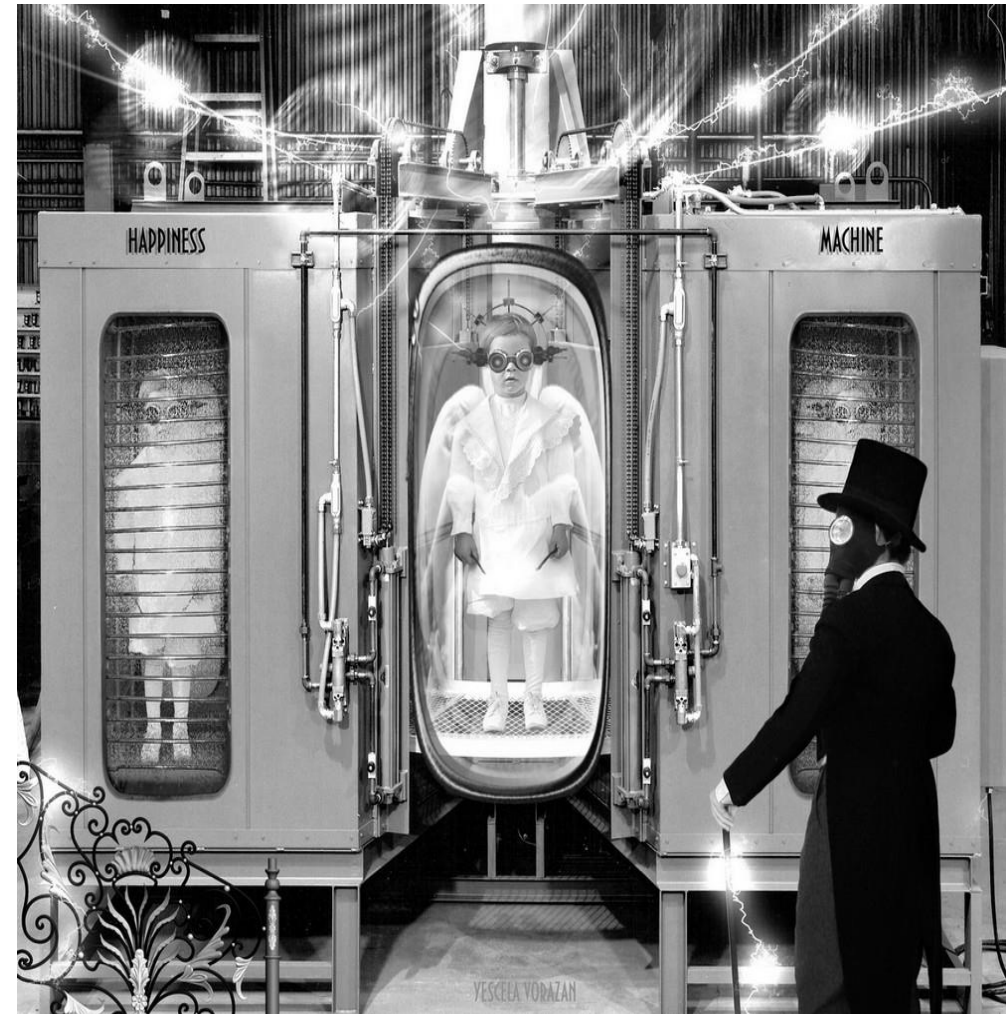
- He was born in Brooklyn. When he was very young he joined the Norma Thomas's Socialist Party. Later, he will be influenced by the anarcho-capitalist economist Murray Rothbard and he will develop a libertarian view.
- In "Anarchy, State, and Utopia" he challenged John Rawls' A Theory of Justice. He argued that only a "minimum State limited to the functions of protection against force, theft, fraud and enforcement of contracts, could be justified". For Nozick a distribution of goods is just if brought about by free exchange among consenting adults from a just starting positions even if large inequalities emerge from the process.
- Nozick appealed to the Kantian notion that people should be treated as end not merely as means to other ends and criticizes redistribution policies because violate this principle.
- He created the idea of the "Experience Machine" and of the "Utility Monster" to show that utilitarianism was fundamentally flawed.



# The Experience Machine

“Suppose there were an experience machine that would give you any experience you desired. Superduper neuropsychologist could stimulate your brain so that you would think 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 in this machine for life, preprogramming your life’s desires?... Of course while in the tank you won’t know you are there; you will think it’s actually happening...Would you plug in? What else can matter to us, other than how our lives feel from the inside?

Robert Nozick, *Anarchy, State, and Utopia*, 1974



## Utility Monster

Utilitarian theory is embarrassed by the possibility of utility monsters who get enormously greater gains in utility from any sacrifice of others than these others lose. For, unacceptably, the theory seems to require that we all be sacrificed in the monster's maw, in order to increase total utility. Robert Nozick, *Anarchy, State, and Utopia*, 1974





## The One who walk away from Omelas (Ursula Le Guin, 1973)

Omelas is about people in a city that seem happy and content in life. There is much laughter, playfulness and festivals. Children experience joy and, overall, the community appears to be a sublime and tranquil place. Yet, Le Guin reveals that this happiness in Omelas is dependent upon citizens accepting a disturbing feature of life in the city. In the basement of one of the buildings, a small child is locked inside a room. The child is abused and experiences malnutrition and neglect. People look in and the child cries out, "Please let me out. I will be good!" But, no one answers these pleas and the child must survive on a half-bowl of cornmeal a day and sit in its own excrement. Le Guin writes: "They all know it is there, all the people of Omelas. Some of them have come to see it; others are content merely to know it is there. They all know that it has to be there. Some of them understand why, and some do not, but they all understand that their happiness, the beauty of their city ... the health of their children ... even the abundance of their harvest ... depend wholly on this child's abominable misery." The social agreement in Omelas is to accept that this one child must suffer horribly so that the rest can be happy. The risk of setting the child free is that the comfortable life for the citizens of Omelas could be destroyed. People feel horrible for the child, but determine that there is nothing they can do. The protection of the happiness of the greater number of citizens is the priority over the suffering of this innocent child. And yet, some do walk away. After seeing the child in the room, they can't accept the ethical compromise on their personal morality and they walk. "They leave Omelas; they walk ahead into the darkness and they do not come back."

**Does this story ring you a bell?**



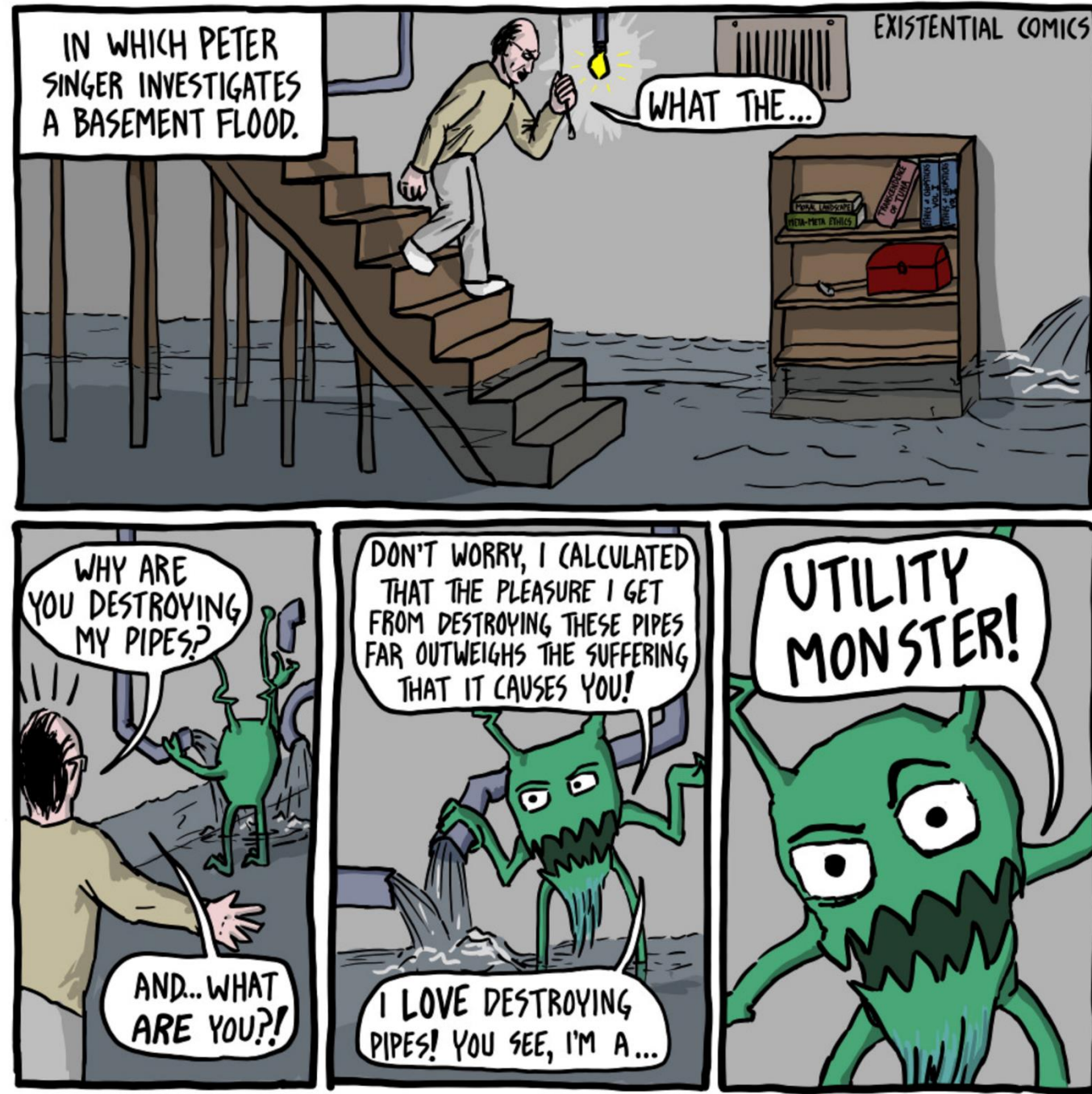
What reasons do the people give for allowing the child to remain in its misery?

How could you analyze these reasons using the various forms of moral reasoning (deontology, utilitarianism, virtue)?

# Utility Monster

A **Utility Monster** is a thought experiment by Robert Nozick, which criticizes utilitarianism. He asks us to imagine a monster which receives more utility (more pleasure basically) from each unit of resources than any humans do. It is therefore logical, and indeed morally required, to give everything to the monster. For example, if we had a piece of cake, the Utility Monster would get 1000 times more joy out of eating it than any human, so the action that would cause the most total pleasure would always be to give the cake to the monster.

The pun based 'Utility Monster' depicted in the comic gets a great deal of pleasure from destroying pipes. Apparently that pleasure is so great it outweighs the pain it would cause us to have the pipes destroyed. Since that would still result in more net pleasure, it is morally required to destroy the pipes. Peter Singer is a contemporary utilitarian.



# The Minimal State

“ a minimum State limited to the functions of protection against force, theft, fraud and enforcement of contracts”

No Paternalism	Oppose laws to protect people from harming themselves (seatbelt, helmet etc.)
No Moral Legislation	Oppose law to promote notions of virtue or to express moral conviction of the majority (prostitution, homosexuality, drugs)
No Redistribution of Income or Wealth	Oppose laws that requires taxation for the purpose to help others

# The Entitlement Conception of Justice

1. Each one has the right to his own person. We own ourselves
2. We are entitled to keep and use any holdings that we have acquired through our labor. Land and other natural resources do not belong to men, however if men have originally mixed their labor with them they are entitled to own those resources as far as the *Lockean Proviso*\* is respected.
3. We are entitled to use and to keep any holding acquired through *voluntary* transactions (market transactions, donations, heredity)

If the original distribution has been done rightly it follows that any other distribution is just as far as it was done through voluntary transactions. (*just-preserving principle*)

If the *just-preserving principle* has been violated then a case can be made for remedying the injustice through taxation, reparations or other means.

\* The *Lockean proviso* establishes that at the moment of the initial distribution of the land there should be a fair distribution of the lot of land.

## Some critical aspects of Entitlement Conception of Justice

Lockean proviso	the proviso is based on a concept of initial equal distribution of land and natural resources
Original acquisition	It is impossible to establish if the original acquisition was just
“voluntary” exchange	No all voluntary exchanges respect the Kantian imperative. In some exchanges although the trade might still be advantageous for both parties one of the party can be in a very weak position in terms of market power, economic and cultural disparities. See labor market in the early industrialization, the share cropping in Europe, labor market today with irregular immigrants (agriculture and constructions).



## Utilitarians & Libertarians on redistribution

Economic inequality among householder is steeper in the US than in other democratic country. However, the same patter of inequality is present in all industrial countries. America's top 10% (300K) average 9 times as much income as the bottom 90% (33K)

**Utilitarians** may favor income redistribution through taxes because overall happiness would likely increase. In Principle redistribution can go ahead until the last penny we take from the rich hurts him as much as it helps the recipient. However they consider the total effects. High tax on income reduce the incentive to work and if the economic pie shrink there is less to redistribute and total happiness could go down.

**Libertarians** argue that taxing the rich to help the poor is unjust because violate a fundamental **right**. It is a coercive action that violates their liberty to do whatever they please with their money. Libertarians favor unfettered markets and oppose government regulations not in the name of economic efficiency but of human freedom

- Messi is the most paid soccer player in the world. 80 (126) million euro a year of which 46 (92) million as salary and 34 (34) million from sponsors.
- He was recently charged of tax fraud. He avoided to paying taxes by using offshore companies in Belize and Uruguay for more of 4 ml.

- ✓ Libertarians see a moral continuity from taxation to force labor, to slavery.
- ✓ “labor taxation is equivalent to forced labor” Nozick
- ✓ “In a way the all system of taxation is a form of involuntary servitude” Rothbard.

objections	libertarian reply
1. <b>Taxation cannot be compared to forced labor.</b> If you don't want to be taxed you can work less	Yes, but why should the state force to make that choice? Some people like to work less and have more leisure, and other people like expensive activities (boating, travelling, etc.) and therefore work more. Why the latter should be penalized?
2. <b>The poor need the money more</b>	Yes, but this not a motive to force the rich to help the poor. You can eventually to persuade the riches to support the poor through their own free choice
3. <b>Messi doesn't play alone.</b> He own a debt to those who contribute to his success	Yes, but his team players do not complaint. If the company is paying Messi more than the others it is because can make more money through him (more spectators, more sponsors)
4. <b>Messi is not taxed against his consent.</b> As a citizen of a democracy, he has accepted the majority rule	If that is the case a majority could confiscate its wealth and property against its will. What is then the individual right? Does this also justify the taking of liberty? Can a majority deprive me of free speech claiming that as democratic citizen I have given to the majority my consent to whatever it decides?
5. <b>Messi is lucky.</b> He is fortunate to live in a society that value so much his skills. Yes, he worked to develop his skills, but he does not have any merit for his natural skills.	But if he doesn't own his skills, he doesn't own himself. The idea that I belong to myself, not to the State not to the Community, is the reason why is wrong to sacrifice my rights for the welfare of others.

## Fighting war – Conscription vs Voluntary

US Civil War	Vietnam	Today
Conscription allowing paid substitutes or paying the government a fee instead of serving. In the end relatively few draftees fought the war. (Andrew Carnegie, JP Morgan paid substitutes)	Conscription	Markets system (voluntary army)
<b>Libertarians</b> Conscription is like slavery. The possibility of paying substitute is a better solution	<b>Libertarians</b> This is the worst since is a coercive system	<b>Libertarians</b> The best system because respect the freedom of each individual
<b>Utilitarians</b> The possibility to enter in market transactions increase welfare. It is definitively better than the conscription system	<b>Utilitarians</b> This is the worst system because for most people will impose a utility loss	<b>Utilitarians</b> The best system: each one decide what to do based on utility maximization and opportunity costs;

## Objection 1: fairness & freedom

- ✓ For those with few alternative “free market” is not all that free
- ✓ Does every one had the possibility to get a college education or the only way is to enlist in the army?
- ✓ With poverty and economic disadvantages the choice to enlist might reflect the lack of alternatives
- ✓ The difference between conscription and voluntary system is not that one is compulsory and the other is free; is that each one had different form of compulsion
- ✓ Today young people from low income family are disproportionately represented in the army
- ✓ The first objection to the market rationale for a volunteer army is that can be coercive and unfair – the unfairness of class discrimination and the coercion for those young people that trade education for military services

## Objection 2: Civic virtue & common good

- ✓ Military service is a civic obligation similar to jury duty
- ✓ Serving the army strengthen the relation between the citizen and the nation, makes good citizens
- ✓ Hiring troops in the labor market is similar to have mercenaries who fight only for pay
- ✓ In Iraq and Afghanistan the US has started to recruit foreign immigrants living in the US
- ✓ In Iraq many logistic activities were outsourced to private companies (Blackwater) such as Blackwater. Some of its employees were charged for abuses on civilians
- ✓ Is military service a civic obligation that each citizen has to perform or is a risky job like others regulated by the market?

Market for kidneys	Assisted suicide	Cannibal of Rotenburg
<p>Many countries ban the markets of organ for transplantation. People can donate but not sell. Some argue that this is very costly for society.</p>	<p>Dr. Jack Kevorkian assisted more than 130 ill patients to end their lives. He was charged, tried and convicted of second-degree murder.</p>	<p>Armin Meiwes put an ad in Internet looking for someone willing to be killed and eaten. More than 200 people answered to the ad.</p>
<p>With a free market supply would increase and many lives will be saved. This is a utilitarian argument. For libertarians the argument would be that if you own yourself you can decide to sell your body parts as you please. You can sell to save a life but also to someone who want to use your kidney as an ornament for the coffee table.</p>	<p>For the libertarian laws banning assisted suicide are unjust because if my life belong to me I am free to give it up and if I agree with some one to assist me to end my life the State should not interfere. But even if you are not a libertarian you might sympathize with idea of assisted suicide for consideration of dignity and compassion.</p>	<p>Bern Brandes a 43 engineer met with Meiwes and gave his consent. Meiwes killed him, curve up the corpse and store it in plastic bags. The Court sentenced him to 8 year in prison to be guilty of killing on request. Later, a new sentence condemned him to life imprisonment. Libertarians believe that this sentence is unjust because this should be seen as a case of assisted suicide.</p>

# The Winner-Take-All markets

- Any society to prosper allocates its most talented people to its most important job
- Allocation of talent by central bureaucracy is recipe for disaster
- Market economies let people to choose their careers
- Competition for top prizes is intense (sport player, CEOs, rock stars, opera singer, models, etc.)
- Some argue that this completion generates some waste: (1) attract too many contestant  
(2) Unproductive investments as many people fail to get those positions

## Three views about markets

Libertarian View	Utilitarian View	Skeptical View
<ul style="list-style-type: none"><li>✓ Letting people engage in voluntary exchange respects their freedom</li><li>✓ Any law that interfere with the free market violate individual liberty</li></ul>	<ul style="list-style-type: none"><li>✓ Free market promote the general welfare</li><li>✓ When two people engage in an exchange both gain and overall utility increase</li></ul>	<ul style="list-style-type: none"><li>✓ Market choice are not always free as they seem, especially, if one side is economically and culturally weak (class discrimination).</li><li>✓ Certain goods and social practices are corrupted or degraded when bought and sold for money</li></ul>



## The Rights of future people

- Rights theories face some challenges in the context of intergenerational justice. Some argue that future people cannot have moral rights because they cannot exercise the kind of choice that rights entail. This is not totally convincing because we do recognize rights to person that are not in the condition to exercise properly their choices ( infants, idiots, people with serious incapability ). Others argue that future generations, by definition, do not now exist and therefore they cannot be the bearers of rights. But that it is not convincing either because we can claim that future people, *if and when they exists*, they will have rights. If so we should conserve the rain forest, clean up the environments, reduce carbon emission, and son on, in order not to violate these rights.
- We can argue that rights holders are subjects that have interests. As for future generations, we can assert they have the interests to live in a clean and sustainable environment. Therefore, we can admit that *every potential man and woman* has an interest to be born. But if we accept this view, we encounter a significant difficulty. Imagine that all the inhabitants of our planet decide that they no longer want to reproduce, no woman conceives, and so there are not future generations. Are we violating the rights of every potential man and woman? It seems that none of the rights of the future generations are violated by such decision – their existence being a prerequisite for their having rights. If there are no interests now, how can we say that future people have claims?

## The Rights of future people (2)

- **Human Rights.** Can we use the notion of human right to discuss our moral obligations towards future generations? When we talk about “human rights” we have in mind basic rights that regard the security of people and some basic subsistence rights to assure that people can have a “minimum” decent life. But what about with obligations that have more to do with environment? Should we stop polluting because future people have the human right to sunbathe on clean beaches? Here we are not only weighing the claims of contemporary people who against those of future people, but two different goals for society (namely, material progress versus conservation). When we decide to conserve, say, a large Forest, it is because we think that forest are good , that walking in the nature is good, better than building a new factory and create hundred new jobs. Therefore, obligations to future generations cannot be based on basic rights or human rights.
- **Welfare rights.** Because of these difficulties , some authors suggest that we should discuss the welfare of future people rather than their human rights. Welfare rights are rights to a provision of services by the state (health, education, housing, minimum income, etc.). These right has to do with membership and with the obligation that we have to each other as member of a same political community. Welfare rights in that sense derive from our understanding of a community, and in our context the **transgenerational community**. But then how can it be argued that the community is the fundamental concept when for libertarians and in modern liberal societies individualism is dominant? How can we reconcile environmental ethics with individualism or in general to a “natural rights” approach such as libertarianism?

## Bearing Children for pay

**Example 5 – The case of “surrogate pregnancy”** – Mary Beth, a 29 year old mother of two children agreed to be inseminated with Mr. Stern’s sperm, to bear the child and to hand him over to Mr. Stern upon birth. She also agreed to give up her maternal rights to Mr. Stern’s wife so that she could adopt the child. For his part, Mr. Stern agreed to pay Mary Beth a fee of \$10.000. After the birth, Mary Beth decided to keep the child. The Sterns got a court order requiring her to turn over the child. Mary was found in Florida and the baby given to the Sterns. The custody fight went to court in New Jersey. There were two issues: (1) the mother was not fully informed when she signed the contract. She could not anticipate her feeling once the time come to give up the child (2) it is objectionable to sell and buy children. The judge rejected the idea that mother was not informed and also that the contract was about buying a child, but was the payment for the service of bearing the child. Mary Beth appealed the case to the New Jersey Supreme Court. The court recognized that Mary Beth’s agreement about bearing the child was not truly voluntary and also that in a “civilized society there are some things that money cannot buy”. However, the Court awarded the custody of Stern on the basis that it was in the best interest of the child and restored Mary Beth’s status as child’s mother with some visitation rights.

## Objection 1: contaminated consent

- ✓ Conditions under which people make choice matter
- ✓ We can exercise free choice only if we are not unduly pressured by disadvantageous economic conditions or we are reasonably informed.
- ✓ Unlikely that the decision of bearing a child for money would be taken by a wealthy woman

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- ✓ For libertarians as far as there is no coercion people are responsible of their own decision –no objection
- ✓ For Utilitarians as far as there is an improvement in welfare nothing is wrong with the practice of bearing child for money

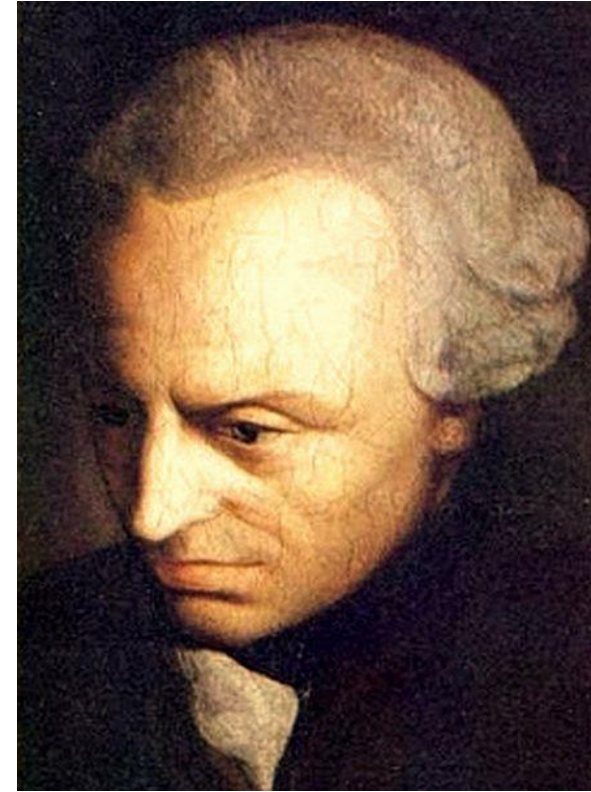
## Objection 2: Degradation & higher goods

- ✓ Treating babies and pregnancy as commodities degrades them and fail to value them appropriately
- ✓ The right way to value things is not always up to us. That is ok for cars, clothes, shoes, etc.
- ✓ It is wrong to treat human being as commodities
- ✓ Surrogacy contracts degrade children and women's as if they were commodities
- ✓ We value thing not just as "more" or "less" in a utilitarian fashion but also as in qualitatively higher and lower (as in Mill)
- ✓ To love or respect someone is to value her in a higher order
- ✓ "Surrogacy contracts convert women's labor into a form of alienated labor" (E. Anderson)

**KANT**

# Immanuel Kant (1724-1804)

- Central figure of modern philosophy – the human experience is structured by the necessary features of the human mind, morality is based on reason and the world in itself is unknowable.
- Politically, he had the idea that perpetual peace could be secured through universal democracy and international cooperation. (Kant's prophecy)
- His mayor work is the *Critique of Pure Reason* (1781). It is a theory of perception. Relation between human esperienze and reason. He is showing a way beyond the impasse of the debate between rationalists and empiricists and a critique to the skepticism of Hume.
- The other important work is the *Critique of Practical Reason* (1788) where he develops his moral theory. His earlier work on moral theory is the *Groundwork for the Metaphysics of Morals* which is a devastating critique of utilitarianism . Morality is not about maximizing happiness but respecting people.
- He was born in 1724 in Konigsberg in Prussia and died there at the age of 80. He had a simple life as lecturer and University professor.



Two key questions: what is the supreme principle of morality?  
What is freedom?

- **Approach 1** (Utilitarianism): the right action is one that maximize the collective happiness of society.
- **Approach 2** (Libertarianism): emphasis on freedom. The outcome of the market is just. The redistribution of income among the factors of production (capital & labor) is right. Interfere with the market outcome violates the individuals property rights and freedom.
- **Approach 3** (communitarianism): giving people what they morally deserve – allocating resources to promote virtue. Pursuing the good life.

Kant rejects approach 1 & 2.: The utilitarian principle «contributes nothing whatever establishing morality since making a man happy is quite different from making him good and making him prudent and astute in seeking his advantage quite different from making him virtuous”

- Every person is worthy of respect not because we own ourselves (libertarians) but because we are rational capable of reason and we are autonomous capable of acting free
- Yes, we have the capacity of feel pleasure and pain but when we act free we cannot be slaves of our passions

## Kant's notion of freedom

- Seeking pleasure and avoiding pain is not a free action
- Purchasing goods according to our preferences is not a free action (modern consumer theory)
- When we are acting according to our preferences, appetites, desires we are not acting freely because we are satisfying preferences which I did not really choose. Preferences are given by nature or socially determined.
- Choosing the best means to a given end is a rational act but not an act of freedom.

To act freely is according to Kant to act autonomously and to act autonomously is to act according to a law I give myself

The opposite of autonomy is *heteronomy* when I act *heteronomously* I act according to determination given outside of me



The moral worth of an action consists not in the consequences but in the intention  
What matter is the motive. And the motive that confers moral worth on an action is  
*the motive of duty*

**which means doing the right thing for the right reason**

### **The theft**

For the utilitarian the theft is not wrong in itself. It can actually increase the welfare of the society if the thief is poorer than the robbed. However, if everyone is going to practice robbery the social cooperation of society will collapse with disruptive effects on the welfare of the society. Utilitarians will conclude that the right thing is not to steal not for the motive of duty but for the consequences.

### **The shopkeeper & the child**

A child goes to the grocery store to buy a loaf of bread. The shopkeeper could easily deceive the child charging a higher price. But he refuses to do it because that could ruin his reputation and at the end he will reduce his profits. The shopkeeper is doing the right thing but for the bad reason

### **The case of the University of Maryland**

The University of Maryland to fight a widespread cheating problem offered to students a discount card of 25% discount at a pizza place to sign the pledge not to cheat. Buying honesty lacks moral worth

**The motive of duty – doing something because it's right not because it's useful  
or convenient – confers moral worth on an action**

# What is the supreme principle of Morality?

## *Groundwork for the Metaphysics of Morals*

Contrast 1 (morality)	duty v. inclination
Contrast 2 (freedom)	autonomy v. heteronomy
Contrast 3 (reason)	categorical v. hypothetical imperatives

### Morality

Only the motive of duty can confer **moral worth** on an action. If I help someone for compassion or altruistic motives this deserves praise but it is an action that does not have the status of moral worth

### Freedom

If we are acting **free** means we must be capable of acting not according to a law that imposed on us but according to a law we give to ourselves. If we were governed by pleasure and pain we would not be free.

### Reason

We are also rational being capable of reason. If **reason** determine my will, then the **will** becomes the power to choose independent of inclination or the dictates of nature. For the empiricist as the utilitarians reason enable us to identify means to achieve certain ends – ends that reason itself does not provide. Reason is for the utilitarians slave of passion. Kant reject this view.

# Categorical versus Hypothetical Imperatives

There are two way that reason can command the will: one is unconditional without exception – a categorical duty or right is one that applies regardless of the circumstances. Only categorical imperative qualifies as an imperative of morality. Hypothetical imperatives are conditional at the circumstances, they are good only as a means to something else. But what is categorical imperative?

## **Categorical imperative: 1: Universalize your maxim**

“Act only on that maxim whereby you can at the same time will that it should become a universal law” In other words, before you act, you should ask yourself whether you would be willing to have everyone else in a similar situation act in the same way, and whether the principle behind your action could be made into a universal law that everyone should follow.

Kant believe that actions are morally right only if they can universalized without contraction. For example, if you lie to someone to gain an advantage, you are treating that person merely as a means to your own end. If everyone were to do the same, trust would break down and society would become dysfunctional. Therefore, lying cannot be universalized without contradiction and is therefore morally wrong, according to Kant.

## **Categorical Imperative II: Treat persons as ends**

We cannot base the moral law on any particular interest, purpose or end. But suppose that there is something that has in itself an absolute value. That is humanity.

“Man exists as an end in himself, not merely as a means for arbitrary use” “Treat humanity whether in your person or in the person of any other not as means but as an end”

Both murder and suicide are at odd with the categorical imperative for the same reason.

Self-respect and respect of the other person.

Kantian respect must not be confused with love, sympathy, solidarity → **universal human rights**

# Morality & Freedom

Acting morally means acting out of duty  
For the sake of the moral law



The moral law is the Categorical Imperative  
Treat persons with respect, as ends in themselves  
as rational being worthy of respect

Acting in accordance with C.I. - I am acting free because I follow a law  
I give myself which is unconditioned by my particular wants & desires  
I can escape the dictates of nature and circumstances  
- passions, appetites, wants, desires, ends given outside of me –

Acting freely that is autonomously and acting morally are one  
and the same

This way of thinking leads Kant to his critique of utilitarianism  
“for what they discover was never duty but only necessity  
of acting from a certain interest”

Questions	Answers	Examples
1. Kant's C.I. is not the same as the Golden Rule? (treat others as one would like others should treat oneself)	No, because the Golden Rule depends on contingent situations	See situations where you have to announce bad news. You have to announce to your mother your father's death. Suppose your mother is seriously ill. What would you do?
2. Answering to duty and acting autonomously are the same thing. How I can be autonomous and free if I have to obey a law?	Duty and autonomy go together because I am the author of the law. Obeying the C.I we follow a law that we have chosen.	
3. How can be possible that each one of us choose the same moral law? If the C.I. is the product of my will isn't possible that different people will end up with different answers?	When we choose we do as rational being - as participants in what Kant calls "pure practical reason". We abstract from our particular interests – everyone who practice practical reason achieve the same conclusion	
4. Are we sure that we act autonomously with a free will apart from the play of power and interests? What if scientists discover that free will does not exist?	As natural being we belong to the sensible world. My actions are determined by the law of nature and the regularities of cause and effect. As rational being we belong to the intelligible world – we can act free we take moral responsibility	Because we inhabit simultaneously both world there is always a potential gap between what we do and what we ought to do. Morality is not empirical . It stands at a certain distance from the world. On the other hand, science cannot reach moral question because operates within the sensible realm.

## Kant's moral philosophy applied to concrete cases

### Casual sex (Sex outside of marriage)

Kant believes that in this case the desire for a man or a woman is not direct because he/she is a human being but just for satisfying his/her desire "each of them dishonors the human nature of the other. They make of humanity an instruments for the satisfaction of their lusts and inclinations." Treating persons as well as ourselves not as objects but as persons means we do not possess other people or ourselves (contrast with libertarians) we do not objectify ourselves. For example he opposed the selling of teeth "The underlying moral principle is that man is not his own property and cannot do with his body what he will."

He opposed prostitution.

Contrast between the free will of a rational being and individual act of consent.

Sex without a true union of human being (sharing person, body and soul) is degrading humanity.

### Telling the truth

Uncompromised position about the truth. It is wrong to tell a lie. "Truthfulness in statements (...) is formal duty of man to everyone, however the disadvantage that may arise".

Should I tell the truth to the murderer who is looking to kill my friend? Yes...

What about "white lies"?

Kant rejects them because they make an exception to the moral law on consequentialist grounds.

### Bill Clinton's lies

Recreational drugs

The Lewinsky's case

True but misleading statements are morally permissible

# Kant on justice

- The purpose of a system of justice is not to maximize utility but harmonizing each individual's freedom with that of everyone else.
- Since people "have different views on the empirical end of happiness, utility can't be the basis of justice and rights".
- Resting rights on utility would required the society to endorse one conception of happiness over others: it would fail to respect the right of each person to pursue his or her own end
- To base the constitution on one particular conception of happiness (such that of the majority) would impose on some the value of other it would not respect the right of each one his/her ends

"No one can compel me to be happy in accordance with his conception of the welfare"

"Each one may seek his happiness in whatever way he sees fit so long as he does not infringe upon the freedom of others "

Justice is derived by an "imaginary" social contract

No a real contract but one which derived from

"An idea of reason which nonetheless has undoubted practical reality; for it can oblige every legislator to frame his laws in a such way that they could have been produced by the united will of of a whole nation."

# Kant on Peace

- Immanuel Kant (1724-1804) wrote the "Project for a perpetual peace" in 1795. In the spring of that year the peace of Basel was signed, with which Spain, Holland and Prussia recognized the role of revolutionary France as a great European power.
- Like Hobbes, Kant argues that the State is the fruit of a pact between individuals. These stipulate a contract among themselves in which they agree to coexist peacefully on the basis of laws that everyone accepts because they find it advantageous and reasonable
- The "Project" proposes the same discourse at the level of the States: just as individuals have reached an agreement among themselves and have achieved peace through the State, so the States, as "large individuals", will have to agree among themselves in a federation to achieve peace.
- Before Kant, many thinkers had addressed the question: from Erasmus of Rotterdam (1466 / 1469-1536) to the abbot of Saint-Pierre (1658-1743). But their projects, mainly centered on the need to eliminate the psychological causes of wars, such as aggression or the expansionism of sovereigns, almost always culminate in an appeal to the princes. Instead Kant, proposes a different diagnosis of wars: these do not depend on the bad intentions of the sovereigns, but **on causes inscribed in the social structure**: it is the social structure of the Ancient Regime, of absolutism, the inexhaustible matrix of wars.



## Kant on Peace (2)

- Kant shifts the diagnosis from man's bad inclination, from the aggressive spirit of princes, to something that instead lurks within society itself. In order to grasp the perspectives of Kant's reasoning, we can look at this quote from the book the Critique of Judgment: «*Only under one condition can nature achieve its final intent: and it is when (...), in a totality called civil society, a legal power is formed, which is opposed to the impairment of the freedoms of individuals, in their mutual contrast: since the maximum development of natural dispositions can only take place in such a society*».
- For the the realization of human ends, the State must be structured with a legal power and with a constitution.
- Men are both gregarious and unsociable. They are unsociable because every man is a wolf for another man, but if they get together and regulate selfishness, it is possible for men to grow, develop and progress better. Man has a kind of oscillation between unsociability and sociability: he would tend to be selfish, but then when, in a forced way, the State unites individuals and overcomes this moment of unsociability, sociability manifests itself and man creates a civilization, it develops much better than it can develop in the wild, in the state of nature, in isolation.
- "The state of peace among men, who live side by side, is not a natural state": peace is something artificial, peace must be built, it exists only as a conscious effort of man, as spontaneously, of course, the situation of men, like the situation of states, is a situation of belligerence, of conflict, of war.

## Kant on Peace (3)

- Then Kant identifies three major conditions to be able to hope for perpetual peace: (1) that every state has a **republican structure**; (2) that a **federation** of free states be formed; (3) that **the right of hospitality**, i.e., the acceptance of foreigners on one's own territory, is recognized by all.
- **Republican structure.** It seems that there is no hope of perpetual peace if the states are not all republicans. However, this would seem to imply that we must wait for all peoples to spontaneously arrive at a republican institutional form since one cannot impose the republic from outside. This means that the road to peace is long.
- What are the characteristics of the republic? First of all, **freedom** understood not as the unbridled freedom (the state of nature), but the freedom of rationally accepted laws.
- This freedom translates into **equality**: the laws are a rational fact, they apply equally to everyone, therefore the republic is characterized by freedom and equality, equality of the citizen before the law.
- Moreover, the republics are always **representative**. When we see direct relations between the government and the masses with an osmosis of any kind we are dealing with forms of despotism. The republic implies that there are representatives of the interests of the various sectors of society. Instead, when there is an alleged direct participation of the people in power, we are faced with a form of despotism

## Kant on Peace (4)

### ➤ But why does the republic guarantees the peace?

«to decide "whether there should be war or not" the consent of the citizens is required, then the most natural thing is that, having to decide themselves to suffer all the calamities of war (the fight in person; paying the costs of the war out of his own pocket; repairing with great effort the ruins he leaves behind and, to top off the disasters - yet another that makes peace bitter - the burden of debts which, to because of the coming new wars, they will never die out) they will think a lot before starting such a bad game. On the contrary, however, in a constitution in which the subject is not a citizen, therefore a non-republican constitution, deciding on war is the thing on which one thinks less in the world, since the sovereign is not the fellow citizen, but the owner of the State , and the war will not touch his banquets, his hunting trips, his country castles, his court parties and so on, and he can then declare war as a kind of pleasure contest for futile reasons and, out of respect for forms, entrust with indifference to the diplomatic corps, always ready for this need, the task of justifying it".

## Kant on Peace (5)

- If the first characteristic of the situation which can lead to peace is the **republic**, the second is a **federation** of states. Here Kant's contractual vision clearly emerges: states are like individuals who must arrive at a contract. Peoples, as states, are like individual men. They can do each other injustice just by being close to each other in their state of nature.
- But if a state of peoples - a universal republic - is not conceivable, one can only hope that the states enter into a **federation** among themselves, without losing their sovereignty, because otherwise one would have to ask for the loss of their very identity, and this according to Kant is not possible.
- At this point one can ask: how is possible to get out of the state of nature between states, from the condition of belligerence between states ? Individuals have got out of the state of nature, that is, from the condition of belligerence between individuals, because they have accepted to submit to a sovereign, to a sovereignty, while on the other hand the States, inasmuch as they embody sovereignty, are not willing to submit to a superior sovereignty.
- The road to pessimism would seem open, but at this point all of Kant's Enlightenment optimism emerges: peoples, even when they wage war against each other, claim to have a legal reason, they find legal reasons for waging war. Even the aggressors, even the countries that unleash wars, still feel the need to have recourse to the concept of law. Kant deduces that the concept of law will make its way, will impose itself more and more among men.

## Kant on Peace (6)

- The third requirement for peace is the **right to hospitality**. The heart of Kant's arguments is this: men must recognize that the Earth belongs to everyone, and therefore that there must be free movement of peoples, because it is **accidental** to be born here or there. Wherever one must be ready to host the foreigner, one must consider the Earth as a unique homeland. *“It is not a right of reception to which the foreigner can appeal (for this a particular and benevolent agreement would be required to make him an inhabitant of the same house for a certain period), but a right of visit, which belongs to all men, the right to join the company under the right of common ownership of surface of the earth, on which, as it is spherical, men cannot disperse indefinitely, but in the end they must bear to stand side by side; originally, however, no one has more right than another to inhabit a locality of the Earth»*
- To this peroration of the right of hospitality Kant contrasts colonialism and the wars of robbery of the West. With regard to the right of hospitality, Europeans behaved like bandits, like pirates, towards other peoples. *“If we compare this [to the right of hospitality] with the inhospitable conduct of civilized states, especially commercial ones, in our part of the world, the injustice they demonstrate by visiting foreign countries and peoples (visits which they immediately identify with the conquest), is such as to be horrified. America, the Negro Countries, the Spice Islands, the Cape of Good Hope, etc., when they discovered them, were to them lands that belonged to no one; in fact, they absolutely did not take into account the inhabitants».*

## Kant on Peace (7)

- So far the discourse is beautiful, it is noble, but it appears weak. The republic is needed, but there are states that are not republican. Federalism is needed, but states are not willing to give up their sovereignty. The right of hospitality is necessary, but he himself lists historical examples in which the right of hospitality was denied up to conquest, up to robbery, up to genocide. Then Kant reinforces his discourse with a chapter on the guarantee of perpetual peace. This guarantee, paradoxically, comes from nature itself: "What provides this guarantee is nothing less than the great creator nature (*natura daedal rerum*) from whose mechanical course we see the finality shine, which from discord among men gives rise to concord even against their will; for this reason it is called destiny», or, says Kant, in another language it can be called Providence.
- Moreover, he sees in history the fact that despite antagonisms, wars and conflicts, men are preparing an ever-greater civilization. For example, Napoleon Bonaparte brings destruction throughout Europe with his wars that see him as an antagonist of the still feudal states, in the end, however, a field of rubble does not remain, at the end of the Napoleonic wars the Code of Napoleon, the abolition of serfdom, the abolition of feudalism is a fact.
- Basically, for Kant, peace is a moral ideal, so in order to achieve perpetual peace, politicians must behave like moral men. Machiavelli's name comes to mind. Machiavelli clearly distinguished politics from morality. Kant, on the other hand, opens the section of his book dedicated to politics and morals precisely by hypothesizing the perfect reconciliation between politics and morals.