

Ethical Principles

Ethics in a Time of Polarization

Osher Course

John Hooker, study leader

September-October 2021

Ethical principles

- We must have principles for resolving issues in an objective way.
 - Otherwise we can rationalize anything.
 - **Generalization principle**
 - **Utilitarian principle**
 - **Autonomy principle**

Facts and Values

- Facts \neq values
 - The distinction will factor into **every issue we discuss.**
- Why?
 - Facts are important in ethical arguments, but...
 - One can't deduce an ethical conclusion **solely** from facts.
 - This is the **is-ought** gap.
 - There must be an **ethical premise** at some point.



David Hume
*Treatise on Human
Nature* (1739)

The Is-Ought Gap

- Invalid argument:
 - Everyone evades taxes.
 - Therefore, it's ethical to evade taxes.



The Is-Ought Gap

- Invalid argument:
 - Everyone evades taxes.
 - Therefore, it's ethical to evade taxes.
- Valid but unsound* argument:
 - Everyone evades taxes.
 - **Something that everyone does is ethical.**
 - Therefore, it's ethical to evade taxes.

*Ethical
premise*

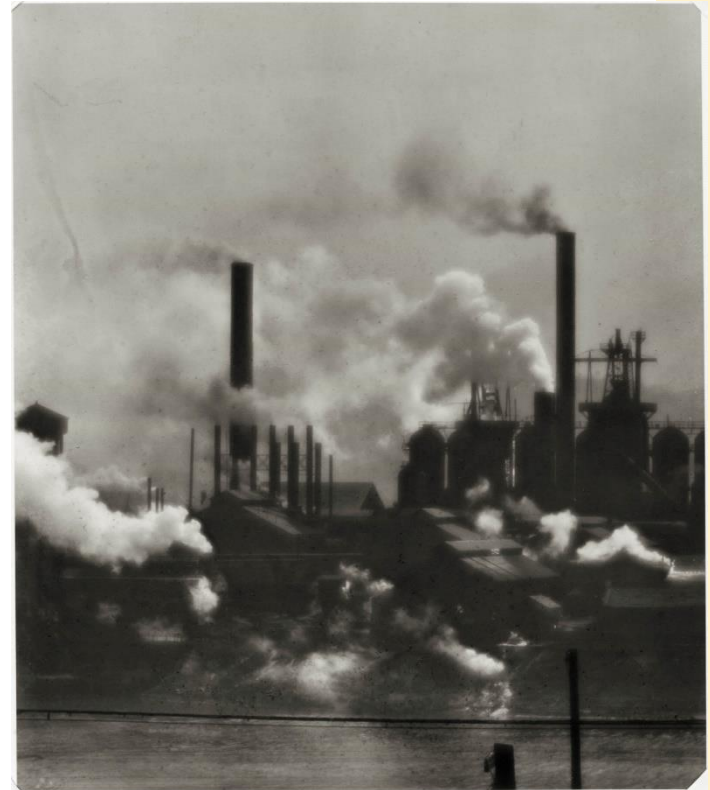
*Premises not all true



The Is-Ought Gap

- Invalid argument:
 - Nature is based on survival of the fittest.
 - Therefore, we should design a society based on survival of the fittest.

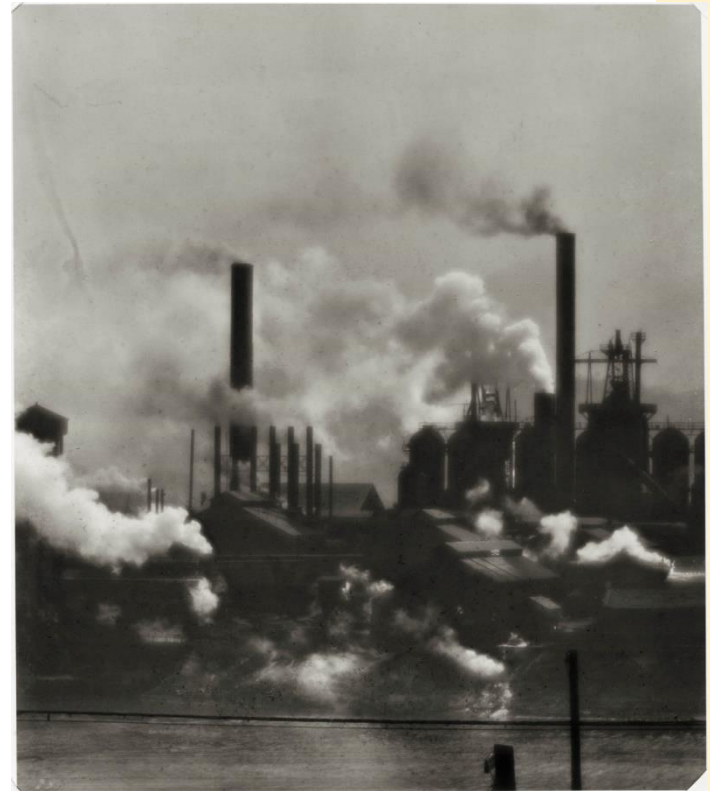
Pittsburgh, early 1900s



The Is-Ought Gap

- Invalid argument:
 - Nature is based on survival of the fittest.
 - Therefore, we should design a society based on survival of the fittest.
 - *This is social Darwinism, advanced by Herbert Spencer and endorsed by Andrew Carnegie.*
 - *Carnegie lost count of on-the-job fatalities.*

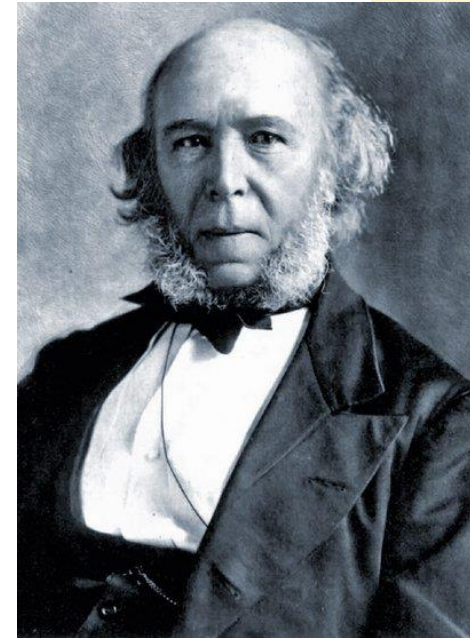
Pittsburgh, early 1900s



The Is-Ought Gap

- Invalid argument:
 - Nature is based on survival of the fittest.
 - Therefore, we should design a society based on survival of the fittest.
- Valid argument (sound?):
 - Nature is based on survival of the fittest.
 - **Human society should imitate nature.**
 - Therefore, we should design a society based on survival of the fittest.

Herbert Spencer
1820-1903



*Ethical
premise*

The Is-Ought Gap

- Also known as the **naturalistic fallacy**.
 - G. E. Moore: Even when we know the facts, we can sensibly ask, “Is this ethical?”.
 - So it’s a **fallacy** to draw ethical inclusions from facts alone.
 - *Herbert Spencer’s reaction on visiting Pittsburgh: “Six months’ stay here would justify suicide.”*



G. E. Moore
1873-1958

The Is-Ought Gap

- **Ethics** cannot tell us the **facts**.
 - We must go out and investigate, gather **data**.
 - No amount of talk will settle issues of fact.

The Is-Ought Gap

- **Ethics** cannot tell us the **facts**.
 - We must go out and investigate, gather **data**.
 - No amount of talk will settle issues of fact.
- **Facts** cannot tell us what is **ethical**.
 - We need ethical principles.
 - These are established by **analysis**.

The Is-Ought Gap

- **Ethics** cannot tell us the **facts**.
 - We must go out and investigate, gather **data**.
 - No amount of talk will settle issues of fact.
- **Facts** cannot tell us what is **ethical**.
 - We need ethical principles.
 - These are established by **analysis**.
- Ethics tells us which facts **matter**.
 - This can save us a lot of effort.
 - Only chase down the facts that matter.

Basic assumptions

- **Universality of reason**
 - *You don't get to have your own logic.*
- **Acting for reasons**
 - *Freely chosen action is based on a rationale.*

Basic assumptions

- **Universality of reason**
 - *You don't get to have your own logic.*
- **Acting for reasons**
 - *Freely chosen action is based on a rationale.*
- This is the **deontological** approach to ethics.
 - **Deontology** = What is required.
 - *Ethical principles represent what is required for the possibility of free action.*

Universality of reason

- What is rational **does not depend on who I am.**
 - I don't get to have my own logic.
- The assumption underlies science and all forms of rational inquiry.
 - Ethics assumes nothing more.



Acting for reasons

- Basic premise: We always act for a reason.
 - Every action has a rationale.
- Why?
 - This is how we distinguish **freely chosen action** from mere behavior.
 - *An MRI machine can detect our decisions **before we make them.***
 - *If decisions are determined by **biological causes**, how can they be freely chosen?*

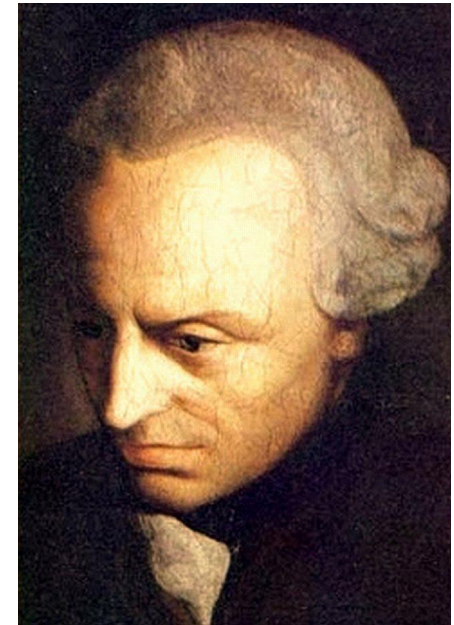


Acting for reasons

- Solution:
 - Free chosen actions have **two kinds of explanation**:
 - *A biological cause*
 - *A rationale provided by the agent*
 - For example:
 - *A hiccup has **only** a biological explanation. Not a freely chosen action.*
 - *Drinking water to stop hiccups has **2 explanations**: a biological cause and a rationale. A freely chosen action.*

Acting for reasons

- Dual standpoint theory
 - Originally proposed by Immanuel Kant.
 - *Grundlegung zur Metaphysik der Sitten* (1785)
 - *Recent versions: Nagel (1986), Korsgaard (1996), Nelkin (2000), Bilgrami (2006).*
 - Provides a **basis for ethics**.
 - *Ethical principles are **necessary conditions** for the logical coherence of an action's rationale.*



Generalization principle

Generalization principle

- My action has a reason behind it.
 - Why? Every action has a rationale.
- So if the reason justifies the action for me...
 - It justifies the action for **anyone to whom the reason applies.**
 - Why? Universality of reason.

Generalization principle

- Maybe I don't agree with universality of reason.
 - Why can't I say, "My arguments show that cheating is unethical, but others are free to believe something else."
 - *They are, but I am saying they would be **wrong**.*
 - *That's what it **means** to believe that cheating is unethical.*

Generalization principle

- Maybe I don't agree with universality of reason.
 - Why can't I say, "My arguments show that cheating is unethical, but others are free to believe something else."
 - *They are, but I am saying they would be **wrong**.*
 - *That's what it **means** to believe that cheating is unethical.*
 - Suppose I say, "My calculations show that $7 + 8 = 15$, but others are free to believe that $7 + 8$ is something else."
 - *They are, but I am saying they would be wrong.*
 - *That's what it **means** to believe that $7 + 8 = 15$.*

Generalization principle

- **Example**
- Suppose I steal a watch from a shop.
- I have 2 reasons:
 - I want a new watch.
 - I won't get caught.
 - *Security at the shop is lax.*



Example - Theft

- So I am making a decision for everyone:
 - All who want a watch and think they won't get caught should steal one.



Example - Theft

- So I am making a decision for everyone:
 - All who want a watch and think they won't get caught should steal one.
- But I know that if all do this, they will get caught.
 - The shop will install security.
 - My reasons will no longer apply



Example - Theft

- I am not saying that all these people actually **will** steal watches.
 - Only that if they did, my reasons would no longer apply.



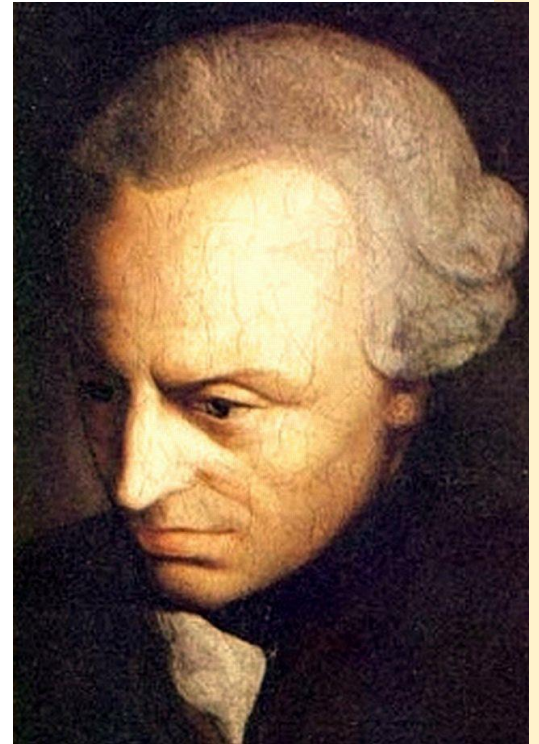
Example - Theft

- My reasons are **inconsistent** with the assumption that people will act on them.
- I am caught in a contradiction.
 - I am deciding that these reasons justify theft for **me**.
 - But I am **not** deciding that these reasons justify theft for **others**.
 - I can't have it both ways.



Generalization principle

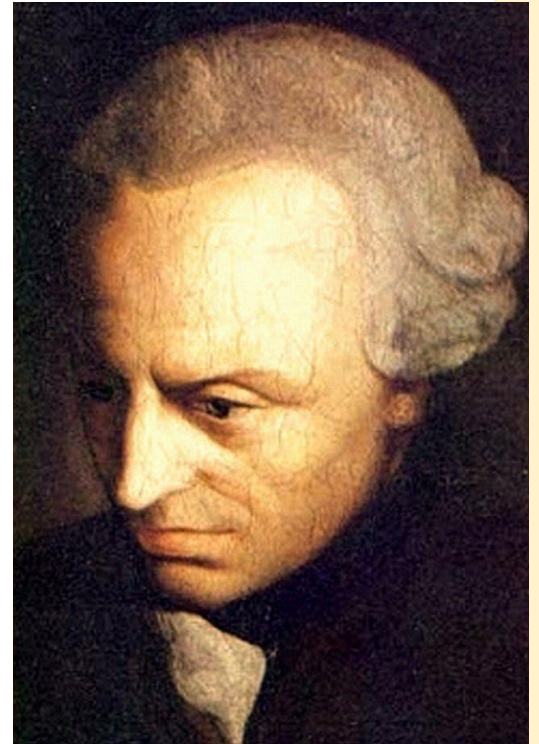
- The principle is:
 - The **reasons** for an action should be **consistent** with the assumption that **everyone with the same reasons acts the same way**.



Immanuel Kant, 1724-1804

Generalization principle

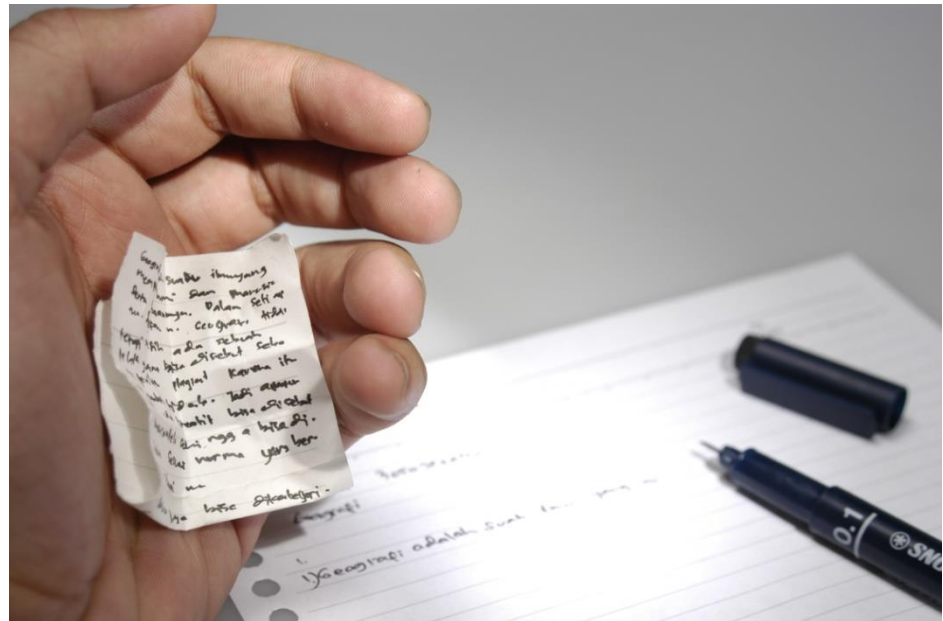
- Or more precisely:
 - It should be **rational** for me to believe that the **reasons** for my action are **consistent** with the assumption that **everyone with the same reasons acts the same way.**



Immanuel Kant, 1724-1804

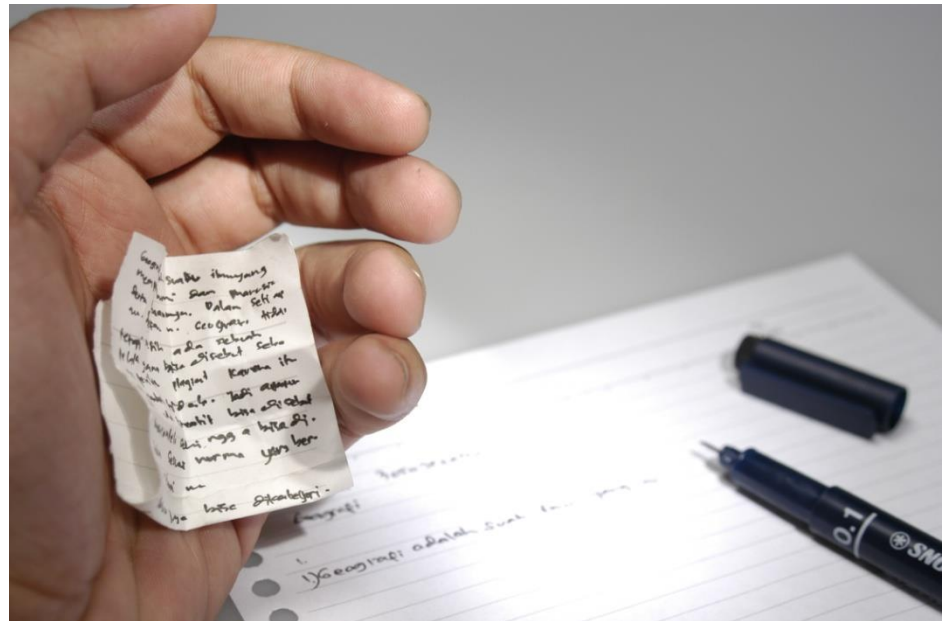
Example - Cheating

- What is wrong with cheating on an exam?
- My reasons:
 - I will get a better grade.
 - Which means I will get a better job.



Example - Cheating

- Nearly all students have these reasons.
- If they all cheat...
 - Everyone will have a top grade.
 - Good grades won't get me a better job.



Example - Agreements

- **Breaking an agreement** violates generalization principle.
 - If I break it merely for convenience or profit.
 - An agreement (or contract) is a mutual promise.



Example - Agreements

- Suppose everyone broke agreements when convenient.
 - It would be impossible to **make** agreements in the first place.
 - And therefore impossible to achieve my purposes by **breaking** them!
 - The whole point of having an agreement is that you keep it when you **don't want** to keep it.

Example - Lying

- Lying for mere convenience violates the generalization principle.
 - If the reason for lying implies that people will believe the lie.
 - If everyone lied when convenient, no one would believe the lies.
 - *The possibility of **communication** presupposes a certain amount of credibility.*



Example - Lying

- Lying can be generalizable, depending on the reasons.
 - Workers in an Amsterdam office building lied to Nazi police, 1940-42.
 - *They denied knowing the whereabouts of Anne Frank's family, who they knew were hiding in the building.*
 - *Their purpose was to avoid revealing a Jewish family's location to the Nazi regime.*



Example - Lying

- Lying can be generalizable, depending on the reasons.
 - This is generalizable
 - *If everyone lied to avoid revealing a Jewish family's location to the Nazi regime, it would still be possible to accomplish this purpose by lying.*
 - *It would not be necessary for the police to believe the lies.*



Alternate formulations

- The generalization principle can be formulated:
 - It should be rational for me to believe that I could **achieve my purposes** if everyone with my reasons acted the same way.
 - *I would not achieve my purpose by cheating if everyone cheated to get a better job.*

Alternate formulations

- The principle can also be formulated:
 - It should be rational for me to believe that the **practice or institution** that makes achieving my purposes possible would **not be undermined** if everyone with my reasons acted the same way.
 - *The institution of grades would be undermined if everyone cheated to get a better job.*

Example - Theft

- Suppose I steal whenever it is convenient and profitable for me. Why is this unethical?
 - Because it is illegal?
 - *Suppose it were legal. Would this make it OK?*

Example - Theft

- Suppose I steal whenever it is convenient and profitable for me. Why is this unethical?
 - Because it is illegal?
 - *Suppose it were legal. Would this make it OK?*
 - It would undermine the institution of **property**.
 - *I steal something to have possession and use of it.*
 - *That is, to make it **my property**.*
 - *If everyone stole for convenience, there would be no institution of property.*
 - *When I steal something, others will steal from me 5 minutes later.*

Example - Deception

- One can **deceive** without lying.
 - For example, if your doctor deliberately neglects to mention a serious diagnosis.
 - *There is no lying, only deception.*
 - *Deception = **causing someone to believe something you know is false.***

Example - Deception

- One can **deceive** without lying.
 - For example, if your doctor deliberately neglects to mention a serious diagnosis.
 - *There is no lying, only deception.*
 - *Deception = **causing someone to believe something you know is false.***
 - Deception, merely for convenience, is **not generalizable**.
 - *It would not deceive if generalized.*

Getting the reasons right

- Gertrude Grosvenor says:
 - I am stealing a watch because:
 - *I want it.*
 - *I can get away with it.*
 - ***My name is Gertrude Grosvenor***
 - This is generalizable
 - *Only one person in the world has the name Gertrude Grosvenor.*



Getting the reasons right

- Gertrude Grosvenor says:
 - I am stealing a watch because:
 - *I want it.*
 - *I can get away with it.*
 - ***My name is Gertrude Grosvenor***
 - This is generalizable
 - *Only one person in the world has the name Gertrude Grosvenor.*
 - But her name is **not a reason**.
 - *She would steal if she learned her name is Genevieve.*



Getting the reasons right

- The **scope** of her rationale is too narrow.
 - *Scope* = set of circumstances under which she would steal
 - Gertrude's name is not part of her rationale for stealing.
 - *The stated rationale is too narrow.*



Getting the reasons right

- The **scope** of her rationale is too narrow.
 - *Scope* = set of circumstances under which she would steal
 - Gertrude's name is not part of her rationale for stealing.
 - *The stated rationale is too narrow.*
 - The reasons must be seen as **individually necessary** and **jointly sufficient** for the action.
 - *Gertrude's name is not necessary.*



Human decision making

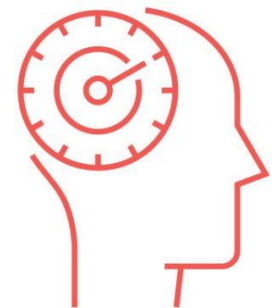
- A flaw in rationality-based ethics?
 - Most of our actions are automatic.
 - *We can't devise a rationale for everything we do.*
 - *We are creatures of habit.*
 - This doesn't mean we are unethical most of the time.

Human decision making

- A flaw in rationality-based ethics?
 - Most of our actions are automatic.
 - *We can't devise a rationale for everything we do.*
 - *We are creatures of habit.*
 - This doesn't mean we are unethical most of the time.
 - **Dual process theory** agrees.
 - ***System 1 thinking*** is fast and unconscious.
 - ***System 2 thinking*** is slow and based on conscious reasoning.
 - *We usually rely on System 1.*



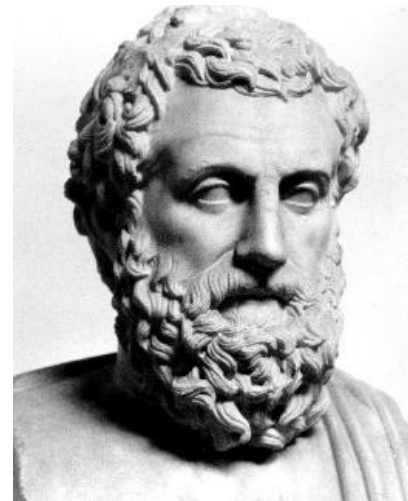
SYSTEM 2
Slow Thinking



SYSTEM 1
Fast Thinking

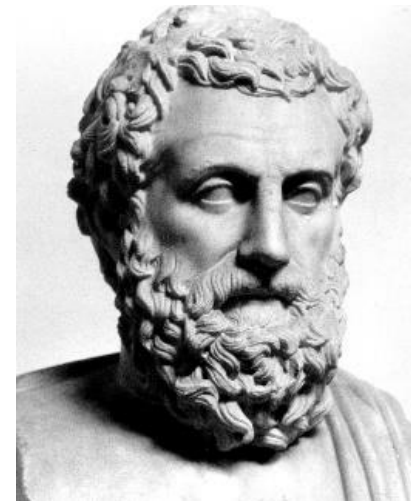
Human decision making

- Ethicists are well aware of this
 - Going back at least to Aristotle.
 - We allows habits to **continue**.
 - *If I continue smoking, I **make a decision** not to break the habit.*



Human decision making

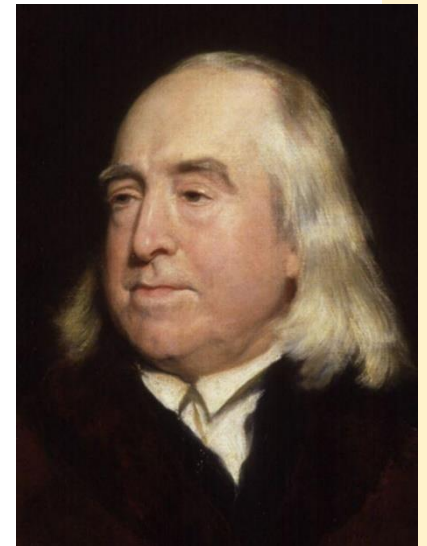
- Ethicists are well aware of this
 - Going back at least to Aristotle.
 - We allows habits to **continue**.
 - *If I continue smoking, I **make a decision** not to break the habit.*
 - We can **invoke system 2 thinking** when needed.
 - *This is where **ethics** comes into play.*



Utilitarian principle

Importance of utility

- The **utilitarian principle** is based on the idea that one should try to make things better.
 - Or as Jeremy Bentham put it, one's actions should **maximize utility**
 - *That is, create the **greatest good for the greatest number***
"On the principle of utility" (1780)

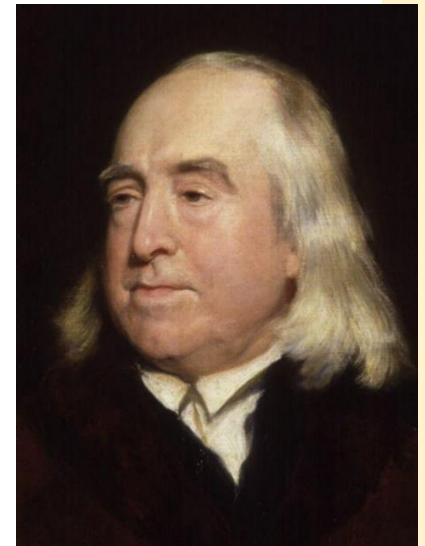


Jeremy Bentham
Father of utilitarianism

Importance of utility

- The **utilitarian principle** is based on the idea that one should try to make things better.
 - Or as Jeremy Bentham put it, one's actions should **maximize utility**
 - *That is, create the **greatest good for the greatest number***
"On the principle of utility" (1780)
 - *For example, Bentham believed that criminal penalties should be designed to reduce crime rather than exact retribution.*

Jeremy Bentham
Father of utilitarianism
Feminist, founder of UCL

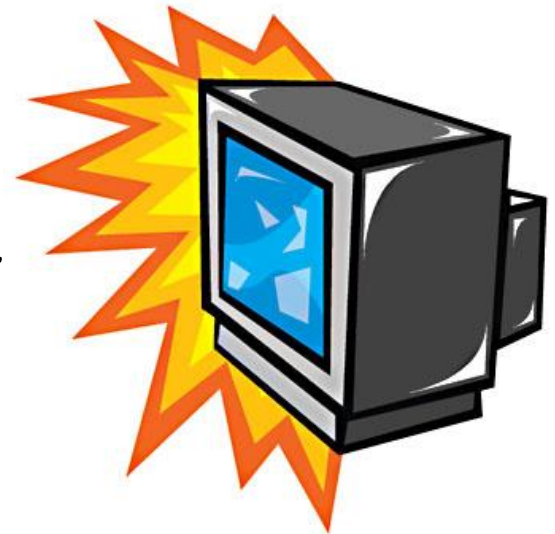




Bentham's skeleton dressed in his clothes, with wax head, in student center of University College London

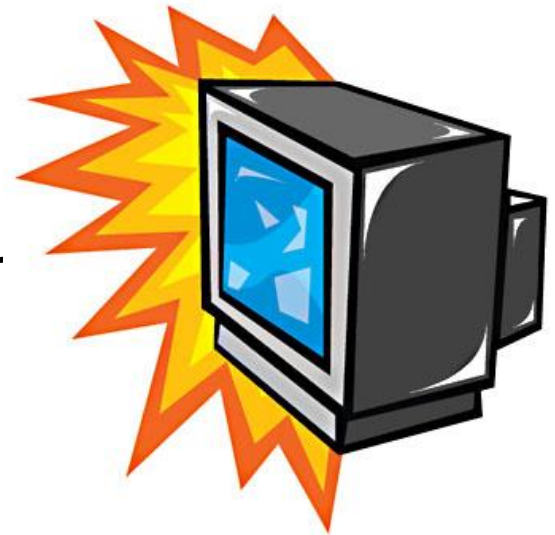
Importance of utility

- For example, suppose I listen to loud TV in my hotel room at 2 am.
 - Keeping other guests awake.
 - *Why is this unethical?*
 - *Let's say it doesn't violate hotel rules.*
 - ***So it satisfies the generalization principle.***



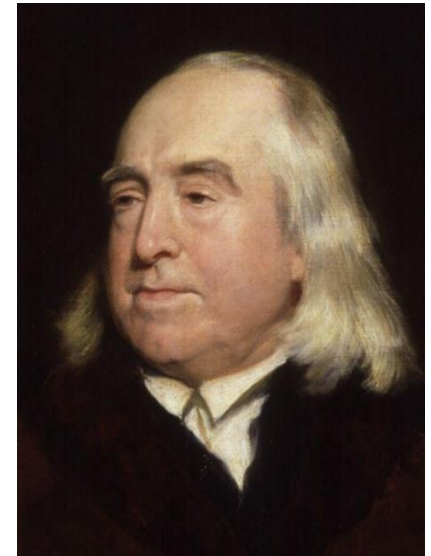
Importance of utility

- For example, suppose I listen to loud TV in my hotel room at 2 am.
 - Keeping other guests awake.
 - *Why is this unethical?*
 - *Let's say it doesn't violate hotel rules.*
 - ***So it satisfies the generalization principle.***
- Problem: it reduces net utility.
 - Maybe it makes me a little happier.
 - But it substantially reduces utility of other guests.



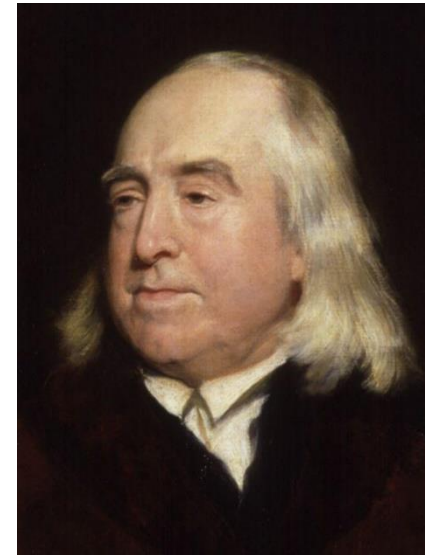
Basic argument

- Step 1: An action is often a **means to an end**.
 - You may want to achieve some goal.
 - Maybe your ultimate goal is happiness.
 - *This was Bentham's suggestion.*
 - Whatever it is, let's call it **utility**.
 - *It's what you regard as **inherently valuable**, as the **end** to which your actions are a **means**.*



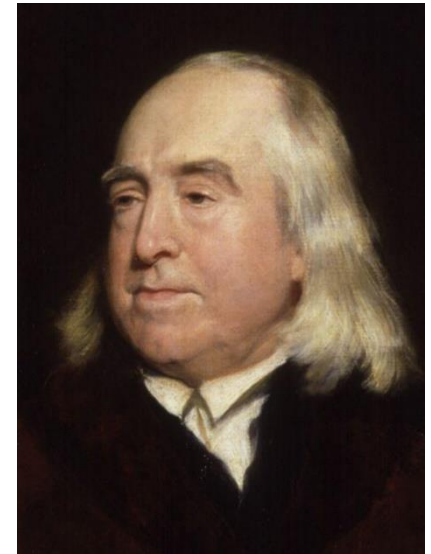
Basic argument

- Step 2: If I regard something as inherently valuable...
 - I must regard it as inherently valuable for **anyone** (not just me).
 - ...due to the **universality of reason**.



Basic argument

- Step 3: My actions should take everyone's happiness as seriously as my own.
 - Bentham thought this means **maximizing total net utility**.
 - *This is adequate for most purposes.*
 - *We will go with it for now.*



Utilitarian principle

- An act is ethical only if I can rationally believe that **no other act...**
 - creates **more net expected utility*** ...
 - and **satisfies other ethical principles.**

counting **everyone's utility.*



Utilitarian principle

- Why consider only actions that satisfy other ethical principles?
 - Because behavior that doesn't satisfy other ethical principles is **not action**.
 - *And so is not a freely chosen option.*
 - So utility can never “override” the other principles.

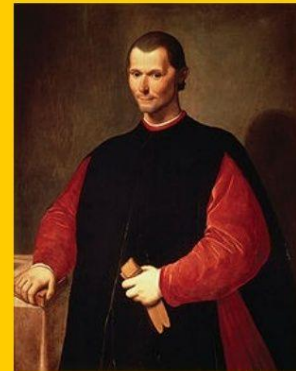


Utilitarian principle

- Does the **end** justify the **means**?
 - Only an end **can** justify a means.
 - But only it can do so **only if...**
 - *The means satisfies the **generalization and autonomy principles.***
 - *The disutility of the means **doesn't offset** the utility of the end.*

Niccolò Machiavelli

- “The end justifies the means.”



© 2012 Rey Ty

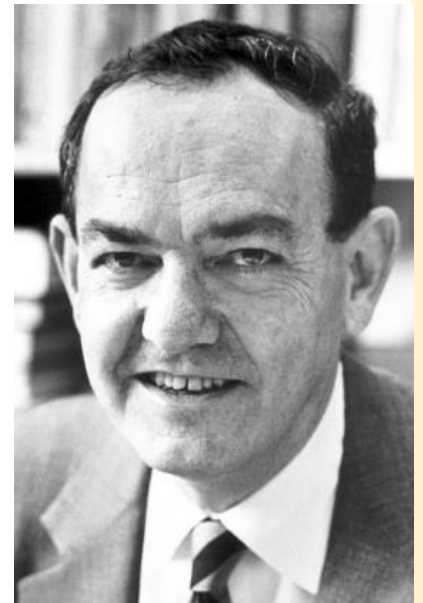
Measuring utility

- What if it's hard to predict the outcome of a decision?
 - I am not required to have a crystal ball.
 - I need only make a **rational** determination, given the evidence.
 - If there is no way to tell, the utilitarian principle is satisfied by default.



Measuring utility

- But I must make a reasonable effort to research the issue.
 - The same effort I would invest in decisions that affect me.
 - *For example, it is **irrational** to buy real estate without checking into it.*
 - Find **optimal tradeoff** between research and need to act.
 - *This is “satisficing,” a concept introduced by Herbert Simon.*
 - *Don’t waste time researching minor decisions.*



Autonomy principle

Autonomy

- Fundamental obligation: **respect autonomy.**
 - This rules out murder, coercion, slavery, etc.
- Why this obligation?
 - Will explain shortly...

AUTONOMY

Autonomy

- Autonomy = self-law
 - I act **autonomously** when I freely make up my own mind about what to do, based on coherent reasons I give for my decision.
 - An **agent** is someone who can act autonomously.
 - *Sometimes called a “moral agent.”*
 - **Agency** is the exercise of autonomy.

Autonomy

- Autonomous vs. programmed
 - An “autonomous car” is **not** autonomous in this sense.
 - It is only **programmed**.
 - *...and therefore independent of real-time human control.*



Action plans

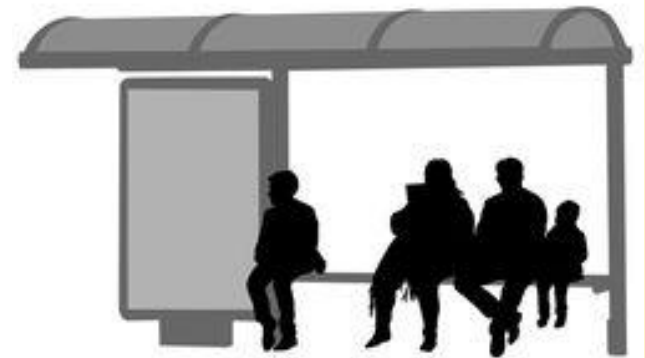
- To make things more precise...
 - An action has the form of an **action plan**.
 - *If the reasons for my action apply, **then** do it.*
 - *Example: “If I want to catch the bus, and the bus stop is across the street, and no cars are coming, then cross the street.”*



© Can Stock Photo

Coercion

- Coercion violates my autonomy if it **interferes with my action plan.**
 - I start to cross the street to catch a bus, *no cars are coming*, and you pull me off the street.
 - This *interferes* with my action plan.
 - A violation of autonomy.



© Can Stock Photo

Coercion

- Coercion does **not** violate my autonomy if it is **consistent with my action plan**.
 - I start to cross the street to catch a bus, and you pull me *out of the path of a car*.
 - This is *consistent* with my action plan.
 - Not a violation of autonomy.



© Can Stock Photo

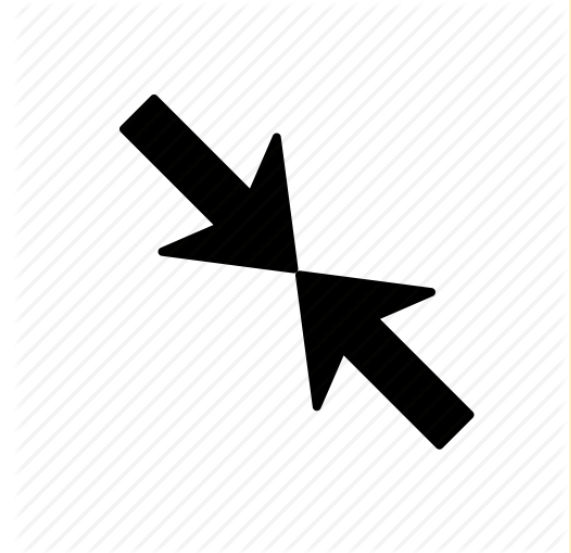
Autonomy principle

- An action plan is **unethical** if the agent is **rationaly constrained to believe*** that...
 - it **interferes** with the **ethical action plans** of some collection of other agents **without informed or implied consent**.

**it is irrational not to believe...*

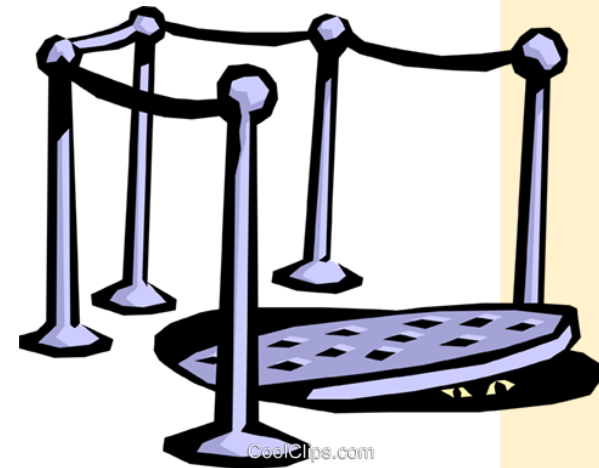
Autonomy principle

- Why?
 - Let's say I interfere with **your** ethical action plan.
 - If **I were you**, I would be interfering with **my own** action plan, which makes no sense.
 - But the universality of reason says that when choosing an action, **it should not matter** whether I am me or I am you.
 - So interfering with an ethical action plan is **self-contradictory**.



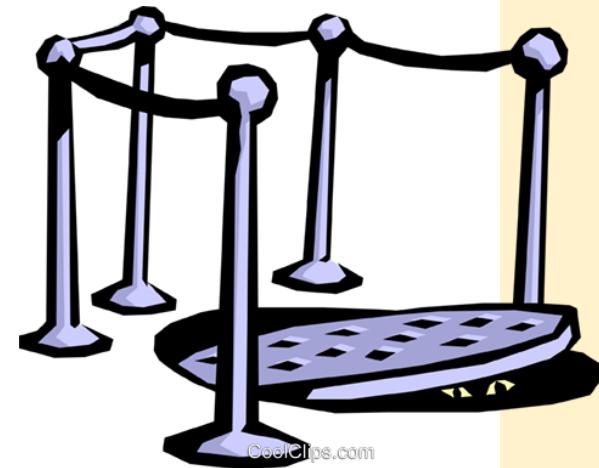
Autonomy principle

- I must be **rationally constrained to believe** there is a conflict of action plans.
 - That is, it is **irrational** not to believe this.
 - *If someone falls into a manhole I leave unprotected while working under a busy street, this is **not** a violation of autonomy.*
 - *It is only **probable** that someone will fall in.*
 - *My neglect violates the **utilitarian** principle.*



Autonomy principle

- I must be **rationally constrained to believe** there is a conflict of action plans.
 - That is, it is **irrational** not to believe this.
 - *However, suppose I replace the manhole cover with one that will **collapse** when someone steps on it (a booby trap).*
 - *And it is on **5th Ave NYC**.*
 - *I must believe this will interfere with someone's action plans.*
 - *This **violates autonomy**.*



Autonomy principle

- Suppose my commanding officer orders me to torture a prisoner.
- **Futility argument:** results are the same if I refuse, as someone else will obey the orders.
 - *This shows that the torture passes **utilitarian** test.*



Abu Ghraib Prison, Iraq

Autonomy principle

- Suppose my commanding officer orders me to torture a prisoner.
 - **Futility argument:** results are the same if I refuse, as someone else will obey the orders.
 - *This shows that the torture passes **utilitarian** test.*
 - **Autonomy argument:** My torture violates autonomy of the prisoner.

Informed consent

- Coercion does **not** violate autonomy if there is **informed consent**.
 - I attend a concert where there are strict rules against recording the performance.
 - Yet I record it anyway.
 - Ushers compel me to leave.
 - This does not violate my autonomy
 - *I gave informed consent.*
 - *My action plan was, “If I am not kicked out for doing so, I will record the performance.”*
 - *The ushers did not interfere with this action plan.*



Informed consent

- Coercion does **not** violate autonomy if there is **informed consent**.
 - My employer tells me I must transfer to another city or be fired.
 - This seems inconsistent with my action plan.
 - But by taking the job, I implicitly agreed to abide by the company's business decisions.
 - So my action plan is consistent with the company's decision.



Limits on autonomy

- The autonomy principle doesn't require you to allow people to **do anything they want**.
 - You can interfere with **unethical** action.
 - *Because unethical action is **not really action**, and so there is no interference with an action plan.*

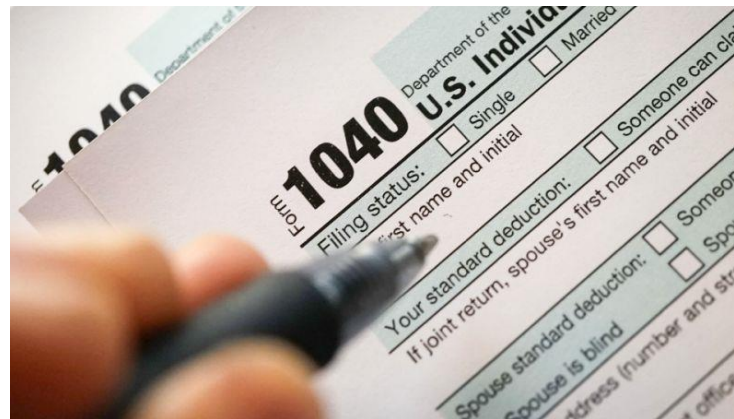
Limits on autonomy

- The autonomy principle doesn't require you to allow people to **do anything they want**.
 - You can interfere with **unethical** action.
 - *Because unethical action is **not really action**, and so there is no interference with an action plan.*
 - *You can defend yourself, because attacking you is unethical.*
 - *You can keep people off your property, because trespassing when forbidden by owner is illegal and therefore unethical.*



Interference principle

- **More** than minimal coercion is problematic.
 - *I can't lock you in a closet to prevent you from cheating on your income tax.*
 - *This interferes with many ethical actions.*



Limits on autonomy

- A restaurant can ethically refuse to serve me unless I wear a mask.
 - This does not interfere with **my** action plan.
 - *I cannot have an action plan of being served. This is not my decision to make.*
 - *I can only have an action plan of eating in the restaurant if served.*
 - A government mandate is another issue.



Limits on autonomy

- However, a prison guard cannot ethically refuse to serve me food and water.
 - True, I cannot have an action plan of being served food and water.
 - *But deprivation of necessities interferes with any and all of my ethical action plans.*
 - *It therefore violates autonomy.*



Limits on autonomy

- My boss cannot ethically require me to contribute to a political party I don't support.
 - I gave **no informed consent** to this.
 - But there is **no violation of autonomy**.
 - *I cannot have an action plan of being employed while making no political contributions.*
 - But this **violates generalizability**.
 - *It is a breach of the employment agreement, which implicitly promises that my duties will be related to the operation of the business.*

