

CS 4001: Computing, Society & Professionalism

Munmun De Choudhury | Assistant Professor | School of Interactive Computing

Week 3: Deontology and Social
Contract Theory
January 26, 2017

Deontological ethics or deontology (from Greek word, *deon*, "obligation, duty") is the normative ethical position that judges the morality of an action based on rules. It is sometimes described as "duty-" or "obligation-" or "rule-" based ethics, because rules "bind you to your duty."

What is deontological ethics?

Deontologists

- An act is right if, and only if, it conforms to the relevant moral obligation; and it is wrong if, and only if, it violates the relevant moral obligation
- They argue that the consequences of an action are irrelevant to moral evaluation
- They emphasize that the value of an action lies in motive, especially motives of obligation

Kant's Moral Theory

- Historical Background
 - Immanuel Kant (1724-1804)
- Kantianism is based on the writing of philosopher Kant. He believed that people should be guided by universal moral laws. For these laws to apply to all rational humans, they must be based on reason.
- Kant said that the only thing that is good without qualification is a **good will**.

Kantian Ethical Approach

- In Kantianism, the rightness or wrongness of an action just depends on the type of maxim (or obligation) from which one is acting, rather than on the consequences of this particular action

Kant's Moral Theory

- Historical Background
 - Immanuel Kant (1724-1804)
- The concept of the “good will”
- The concept of duty
- Two principles
 - The Hypothetical Imperative
 - The Categorical Imperative

Good Will

- An action has moral worth only when performed by an agent who possesses a good will
- An agent has a good will only if moral obligation based on a universally valid norm is the action's sole motive

Duty

- All persons must act not only *in accordance with*, but *for the sake of*, obligation
- A person's motive for acting must rest in a recognition that what he or she intends is demanded by an obligation

Working Example

- Kantian versus Consequentialist:
 - Mom's bad hair cut (book example)
 - Suppose, for example, that a judge knows that the defendant in a capital case is innocent, but also knows that not finding the defendant guilty and sentencing him to death will result in riots in which many will be killed. What would a consequentialist say about this sort of case? How about the Kantian?

Hypothetical Imperative

- “If I want to obtain e , then I must obtain means m .”
 - E.g. “If I want to buy a house, then I must work hard to make enough money for a down payment.”

Categorical Imperative

- The supreme principle or moral law.
- Every moral agent recognizes whenever accepting an action as morally obligatory
- Why is the categorical imperative?
 - Human beings are imperfect creatures and hence need rules imposed upon
 - These rules enjoin us to do or not to do something thus we conceive them as necessitating our action

Categorical Imperative: Two Formulations

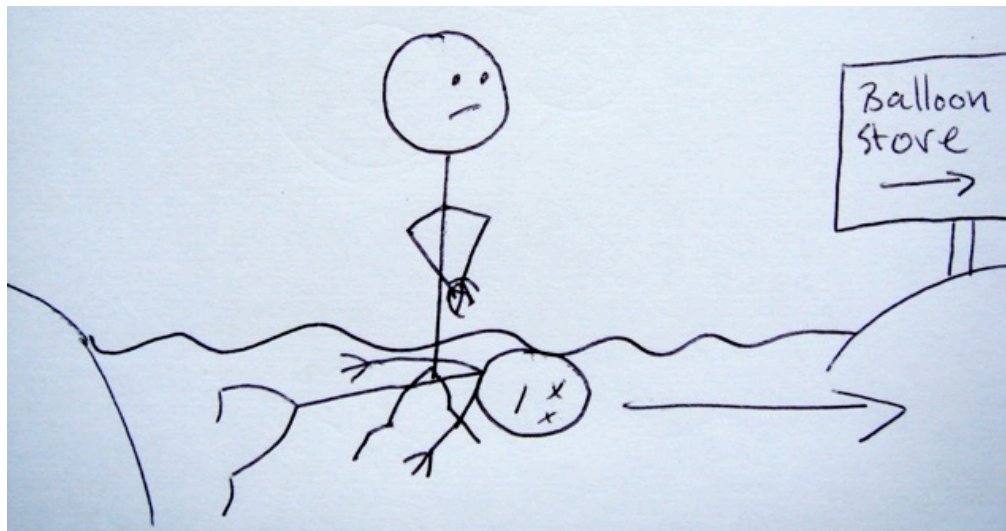
- **Act only in such a way in which the maxim of action can be rationally willed as a universal law**
- Main idea:
 - Do unto others as you would have them do unto you (“mentally reverse roles”)
- It requires unconditional conformity by all rational beings, regardless of circumstances
- Is unconditional and applicable at all times
- **Example of “breaking a promise” in pg. 68**

Another Example: Lying

- Is it possible to universalize a maxim that permits lying?
- What is the maxim?
 - It is ok to cheat when you want/need to?
- Can this consistently be willed as a universal law?
 - No, it undermines itself, destroying the rational expectation of trust upon which it depends.

Categorical Imperative: Two Formulations

- **Act so that you always treat both yourself and other people as ends in themselves and never only as a means to an end**
- Main idea:
 - Treat others as you would like to be treated



Class Activity

Kantianism

- The Case For:
 - It treats all persons as moral equals
 - It gives all persons moral worth by considering them as rational, autonomous beings
 - Everyone is held to the same standard
 - It produces universal moral guidelines
- What is the difference with the Cultural Relativism theory?

Kantianism

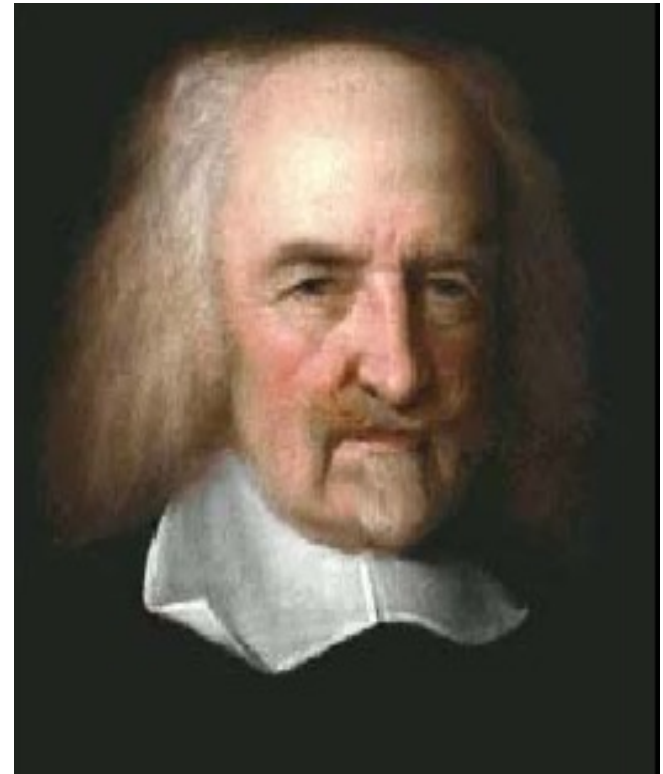
- The Case Against:
 - Sometimes no single rule fully characterizes a situation
 - Sometimes there is no way to resolve a conflict between rules
 - Kantianism allows no exception to perfect duties

Social Contract Theory

Thomas Hobbes

Social Contract Theory

Lived during the English civil war era and saw the consequences of social anarchy



Life in a State of Nature


No laws or government.

No rules of morality.

Everyone for themselves.

Anyone has the ability to kill anyone.

Hobbes calls this a “state of WAR” .



Why the state of nature is bad

No industry

No society

No agriculture

No pleasure

No seafaring

Continual Fear



Why does this occur?

There is equality of need.

There is scarcity of resources.

There is essential equality of human power.

There is limited altruism.

Contract Law and Morality

Enter into a covenant with other people.

This is the basis of and reason for acting morally.

Explains the foundations of contracts: you both agree to give up some liberties.

In a state of nature, “upon any reasonable suspicion” the contract is void. (*Leviathan*, 1.14.18)



The Social Contract

Morality is the set of rules that rational people will agree to obey, for their mutual benefit, provided that other people will obey them as well.

Need for Rules and the Social Contract

- According to Pollock (2007), there are five main reasons that laws are required in society:
 - The harm principle: to prevent the serious physical assault against others that would be victimized.
 - The offence principle: to prevent behavior that would offend those who might otherwise be victimized.
 - Legal paternalism: to prevent harm against everyone in general with regulations.
 - Legal moralism: to preventing immoral activities such as prostitution and gambling.
 - Benefit to others: to prevent actions that are detrimental to a segment of the population.

Position of SCT

- “. . . parties do not know their conception of the good or their special psychological propensities”
- The terms of the social contract are chosen behind a veil of ignorance.
- This ensures that no one is advantaged or disadvantaged in the choice of principles or rules by the outcome of natural chance or the contingency of social circumstances.
- In other words, this is to ensure that disadvantages are neutralized and everyone receives the same benefits

SCT and Rawl

- Rawls envisions a society in which the principles of justice are founded in a social contract.
- His theories are not focused on helping individuals cope with ethical dilemmas; rather they address general concepts that consider how the criminal justice system ought to behave and function in a liberal democracy.

Rawl's Principles of Justice

- [E.g., Liberty] Each person may claim a “fully adequate” number of basic rights and liberties such as freedom of thought and speech, freedom of association, the right to be safe from harm, and the right to own property, so long as these claims are consistent with everyone else having a claim to the same rights and liberties

Rawl's Principles of Justice

- [E.g., Wealth] Any social and economic inequalities must satisfy two conditions: first they are associated with positions in society that everyone has a fair and equal opportunity to assume; and second, they are “to be to the greatest benefit of the least-advantaged members of the society (the difference principle)

Social Contract Theory

- The Case For:
 - It is framed in the language of rights
 - It is based on a solid understanding of human nature, recognizing that rational people act out of self-interest in the absence of a common agreement
 - It explains why under certain circumstances civil disobedience can be a morally right decision

Social Contract Theory

- The Case Against:
 - None of us signed the contract
 - Some actions can be characterized in multiple ways
 - It does not explain how to solve a moral problem when the analysis reveals conflicting rights
 - It may be unjust to those people who are incapable of upholding their side of the contract

Working Example

- Sam sells DVDs and has a database of customers and their demographic information
- He sells them to third party mail-order companies.
- Some people don't mind it and even buy things from those companies. Some people are annoyed due to the excess "junk mail".
- Did Sam did an ethical thing?