

Contemporary Consequentialism

Description: This seminar will be an examination of contemporary consequentialism, with attention to both current consequentialist ideas and the most influential objections they face. The course will be based on *The Cambridge Companion to Utilitarianism*, with most chapters supplemented by related readings that present complementary or contrasting views. Likely authors of related readings include John Stuart Mill, Henry Sidgwick, Peter Railton, Frances Howard-Snyder, Derek Parfit, and Frances Kamm. Assignments will probably include a choice of either two 3,000-word papers or one 6,000-word paper, along with an in-class presentation and class participation.

Class schedule: Mondays, 2:30–4:20, in 3097 Wescoe Hall (class no. 26481)

Meeting with me and contacting me:

The location of my office is 3071 Wescoe Hall. I have office hours on Mondays from 5:00 to 5:50 and on Wednesdays from 2:00 to 2:50, but you should feel free to come by my office at any time. I anticipate being in and around my office most Mondays, Tuesdays, Wednesdays, and Fridays; and although in rare cases I may have to ask you to come back at another time, in general I will be happy to speak to you at your convenience. You are also quite welcome to make an appointment with me. To do so, please send me an e-mail (my e-mail address is my last name (no capitalization necessary), followed by '@ku.edu') with a list of some times when you are available, and I'll find a time when we're both available and write back to you. Please note that I tend to use e-mail only for scheduling appointments and handling logistical matters, not for substantive discussions of course material.

Requirements/grading:

At the end of the course, I'll give you a grade between A and F. The grades A, B, C, and D are given specific interpretations in KU's University Senate Rules and Regulations, which I adhere to. Article 2 of those rules and regulations – “Academic Work and Its Evaluation” – contains a section called “The Grading System” (at <http://policy.ku.edu/governance/USRR#art2sect2>), which says that an A should be given for achievement of outstanding quality, a B for achievement of high quality, a C for achievement of acceptable quality, and a D for achievement that is minimally passing, but of less than acceptable quality.

What letter grade I give you will depend on the final average of the scores you get on the various assignments in the course (which I'll outline below). I'll use the following scale to convert your final average to a letter grade. (For an explanation of how I arrived at these numbers, see the “Plus/Minus Grading” document on my web site.)

<u>final average</u>	<u>letter grade</u>
93.50 and above	A
90.00 through 93.49	A–
86.50 through 89.99	B+
83.50 through 86.49	B
80.00 through 83.49	B–
76.50 through 79.99	C+
73.50 through 76.49	C
70.00 through 73.49	C–
66.50 through 69.99	D+
63.50 through 66.49	D
60.00 through 63.49	D–
59.99 and below	F

Many (if not all) assignments will be graded numerically, rather than with letter grades, and you can also use this scale to interpret the numerical scores you get in this course during the semester.

Here are the factors that will determine your overall grade, and their weights (in percentages):

<u>assignment</u>	<u>weight</u>
paper(s)	80
presentation	10
attendance and participation	10

Paper assignments:

You can complete the “paper(s)” component of the course by writing either (1) one paper of not more than 6,000 words or (2) two papers of not more than 3,000 words each. Any paper you turn in should be the kind of thing a responsible philosopher might submit for presentation at a professional conference or for publication in a reputable journal: it should offer an original contribution to the discussion of some important philosophical issue or text, and should be a finished, polished piece of writing. It should be written as if intended for the general philosophical reader (albeit one who, perhaps, specializes in ethics), not just for me or the members of this class. You are encouraged to talk to me at any point in the semester about your plans for your paper(s). I encourage you to make your paper(s) the culmination of gradual progress, rather than some large burden(s) to be discharged at the last minute, under duress. If you write 3,000-word papers, the first one will be due in October; other papers will be due in December. (See details in the schedule, below.)

A note on word counts: How word counts are computed depends on the circumstances. For a journal concerned about the cost of materials (e.g., paper and ink), word counts might include every single word. In contrast, our purposes have to do with establishing a level playing field for everyone in the class to express his or her ideas within the same constraints as everyone else. So, word counts do not have to include identifying text you should put at the beginning of everything you write for this course (see “Formatting your papers,” below), or any bibliography which you might have occasion to put at the end of a paper. But they must include every word directly contributing to the content of the paper – including, for example, a paper’s title, section titles (if applicable), regular text (of course), and footnote text (including both regular prose and citations to other works). You do not have to have a bibliography, but if you are pressed for space then you can use a bibliography to minimize the number of footnote words you use referring to other works.

A note on word limits: For any paper, if w is the word limit and n is the number of words in your paper, and $n > w$, then your paper’s score will be reduced by $100 \times \frac{n - w}{w}$ points, or (simplified) $\frac{100n}{w} - 100$ points.

Formatting your paper(s): At the beginning of every paper, include at least the following identifying information: your name, the date when you are turning it in, and its word count.

Turning in your paper(s): Any paper you turn in should be submitted electronically, by e-mailing it to me.

Formatting your files: Any file you send me should be in the format associated with any of the following extensions: .docx, .doc, .rtf, .pdf. Be sure that you save your file in one of these formats; do not save it in another format and then just change the extension to one of these. Software capable of saving files in several of these formats are available on most, if not all, of the computers in KU’s computer labs.

Deadlines: Deadlines for turning in work will be strictly enforced: late papers’ scores will be reduced by 25 percentage points for each full or partial day of lateness (with each “day” starting at whatever time of day the paper was originally due).

Presentation:

Your presentation will consist of your leading a short discussion of a paper you plan to write. The process will begin, a few days earlier, with your providing the class with a brief prospectus of a paper. This document will have a word limit of 10 percent of the word limit for the paper itself, and will be due – that is, sent to the class e-mail distribution list – not later than 6 a.m. on the Friday before the class period in which it will be discussed. In that class period, there will be comments and questions, to which you will respond. (You do not need to prepare anything more for the class period; you just need to be prepared to discuss your prospectus.) The last two class periods have been set aside for these discussions, and we may also use some or all of the antepenultimate class period, and/or parts of other class periods, as necessary.

Attendance and participation:

Your attendance and participation grade will be based, mainly, on the following considerations. First, you can miss up to three class periods at your discretion, without providing an excuse for your absence; if you have more than three absences, you should be prepared to provide excuses for all of them. But I do not want to encourage you to come to class when you are ill and might infect others. If you have a contagious illness, please protect your classmates from the risk of catching it from you. Absences in such circumstances will be excused and there will be no adverse effect on your attendance and participation grade.

Second, in this class, good class participation will consist of being prepared to provide, when called upon, answers to any of the study questions associated with the reading for any class period (unless you are absent from that class period with a good excuse). Correct answers are not required, but incorrect answers (as well as correct ones) must be based on textual or other evidence that contributes to the discussion and resolution of matter in question.

Third, good class participation consists of offering intelligent, relevant, and helpful comments and questions. You should be an active discussant and should feel free to introduce your own perspective and concerns into the discussion; at the same time, however, you should not think that more participation is always better. Ideal class participation not only involves being willing and able to contribute; it also involves being respectful of others' time and interests, being aware of what concerns are already under discussion and unresolved at any particular point, and being aware of those occasions when a particular topic or thread that interests you would be more appropriately pursued later in the discussion or outside of class.

Book to buy:

The Cambridge Companion to Utilitarianism, edited by Ben Eggleston and Dale E. Miller
(Cambridge University Press, 2014)

I have asked the bookstore to order this book. It should also be easily available from other sellers, such as Amazon.com.

When students' purchases of a text for a course can be expected to generate royalty payments for the instructor of that course, questions about the instructor's financial incentives can arise. KU has a policy pertaining to this situation, posted at <http://www.policy.ku.edu/provost/instructor-authored-material>, with which I will comply.

Course materials on the web:

Some course documents, including this syllabus, will be available on the web site for the course, the URL of which is

<http://www.benegg.net/courses/conseq3>

(If you don't want to type in this whole thing, you can stop after 'net' – at which point you'll be at my personal web site – and then follow the links to the web site for this particular course.)

Several of the readings mentioned below are marked '(Bb)'. Files containing these readings will be provided on the course Blackboard site.

E-mail distribution list:

I've set up an e-mail distribution list for the course. In general, I'll try to mention everything important (whether substantive or procedural) in class. But at times, I may use the e-mail distribution list to send you information that you will be responsible for having or acting on, so it is your responsibility to make sure that you read mail that I send to this list, by checking the e-mail account that goes with the e-mail address that you have on record with KU.

I've set up the list so that not only I, but also you, can send messages to it, which you will need to do in order to complete certain requirements of the course. Here is its address:

phil880{26481}fa14@ku.edu

Note that sending a message to this address is not sufficient for KU's distribution-list service to send that message to everyone on the distribution list. The message must also come from an approved account or, at least, an approved "From:" address. This could be relevant if you send the message from an e-mail account other than the one you have in KU's Outlook system. For more information about this issue, see section 1 of the following web page: <http://technology.ku.edu/how-use-ku-group-lists-distribute-email>.

Academic misconduct:

I take academic misconduct, especially cheating on tests and plagiarizing papers, extremely seriously, and am generally disposed to impose the harshest available penalties when it occurs. KU's policy on academic integrity is in article 2, section 6 of the University Senate Rules and Regulations (<http://policy.ku.edu/governance/USRR#art2sect6>).

Disability accommodation:

If you have a disability for which you may be requesting special services or accommodations for this course, be sure to contact Disability Resources (<http://www.disability.ku.edu>), at 22 Strong Hall or at 864-2620 (V/TTY), if you have not already done so, and give me a letter from that office documenting the accommodations to which you are entitled. Please also see me privately, at your earliest convenience, so that I can be aware of your situation and can begin to prepare the appropriate accommodations in advance of receiving the letter from Disability Resources.

Schedule:***August 25: course introduction***

September 1: no class (Labor Day)

September 8: Mill and his predecessors

Ben Eggleston and Dale E. Miller, "Introduction" (*CCU [The Cambridge Companion to Utilitarianism]*, pp. 1–15)

Colin Heydt, "Utilitarianism before Bentham" (*CCU*, ch. 1 [pp. 16–37])

James E. Crimmins, "Bentham and utilitarianism in the early nineteenth century" (*CCU*, ch. 2 [pp. 38–60])

Henry R. West, "Mill and utilitarianism in the mid-nineteenth century" (*CCU*, ch. 3 [pp. 61–80])

John Stuart Mill, *Utilitarianism* (in the *Collected Works of John Stuart Mill*, vol. X [The University of Toronto Press, 1969], pp. 203–259; originally published in 1861), ch. II: “What Utilitarianism Is” (pp. 209–226) (Bb)

study questions:

1. What does Mill say are the two replies that utilitarians can give in order to answer the “doctrine worthy only of swine” objection?
2. What is Mill’s doctrine of the higher and lower pleasures?
3. How, according to Mill, can someone act rightly from a bad motive?
4. How does Mill distinguish good motives from bad ones? What, according to Mill, is the moral significance of the motive from which someone acts?
5. How does Mill respond to the objection that employing utilitarianism as one’s everyday decision procedure would be impractical?
6. How does Mill respond to the objection that employing utilitarianism as one’s everyday decision procedure will lead to abuse and wrongdoing because utilitarianism does not provide exceptionless rules of conduct?

September 15: Sidgwick

Roger Crisp, “Sidgwick and utilitarianism in the late nineteenth century” (*CCU*, ch. 4 [pp. 81–102])

Henry Sidgwick, *The Methods of Ethics*, 7th ed. (Macmillan and Company, 1907), “Concluding Chapter” (pp. 496–509) (Bb)

study questions:

1. What two views or principles does Sidgwick say it would be desirable to demonstrate the harmony of?
2. Why, according to Sidgwick, is this problem not effectively addressed by the project of adjusting laws and other circumstances to make it prudent for every individual to promote the general good as much as possible?
3. Why does Sidgwick doubt that the further development of sympathy, as an aspect of most people’s personalities, will cause a perfect coincidence between morality and self-interest?
4. Why does Sidgwick doubt that religious grounds are sufficient to achieve a perfect coincidence between morality and self-interest?
5. What does Sidgwick say about accepting the reconciliation of morality and self-interest on the grounds that it is “necessary to avoid a fundamental contradiction in one chief department of our thought”? (p. 508.8)

September 22: twentieth-century variants

Kristen Bykvist, “Utilitarianism in the twentieth century” (*CCU*, ch. 5 [pp. 103–124])

Derek Parfit, “Equality and Priority” (*Ratio* new series vol. 10, no. 3 [December 1997], pp. 202–221) (Bb)

study questions:

1. What, according to Parfit, is all that matters for utilitarians?
2. What does Parfit say also matters, according to egalitarians? How is this different from what matters for utilitarians?
3. What two things do the people whom Parfit calls Pluralist Egalitarians regard as good?
4. Consider possibility 4 that Parfit discusses (half at N and half at 200). On what basis might one hold, as Parfit does, that values of N between 120 and 150 make it hard to compare possibility 1 and possibility 4?
5. What is the difference between Telic Egalitarianism and Deontic Egalitarianism?

6. What is the Levelling Down Objection? (What view is it an objection to, and what does it say about that view?)
7. How is the Priority View different from utilitarianism?
8. What is the chief difference between egalitarianism and the Priority View?
9. How does the Priority View avoid the Levelling Down Objection?
10. What is one of Parfit's arguments in support of the Priority View in section 6?
11. What is the Person-affecting View? How does it conflict with Moderate Egalitarianism? Does it also conflict with Strong Egalitarianism?
12. In closing his discussion by comparing the Priority View to the Telic Egalitarian View and the Deontic Egalitarian View, how does Parfit argue that the Priority View is superior to them?

September 29: act utilitarianism

Ben Eggleston, "Act utilitarianism" (*CCU*, ch. 6 [pp. 125–145])

Peter Railton, "Alienation, Consequentialism, and the Demands of Morality" (*Philosophy & Public Affairs* vol. 13, no. 2 [Spring 1984], pp. 134–171), sections I–VII (pp. 134–160) (Bb)

study questions:

1. In what way, according to Railton, does morality, or the moral point of view, seem to run the risk of entailing a certain kind of alienation? What are some of the things Railton mentions that morality, or the moral point of view, might alienate one from?
2. How, according to Railton, can one have a commitment to an end as such without that commitment being overriding?
3. What does Railton mean by subjective hedonism, objective hedonism, and sophisticated hedonism?
4. What is the counterfactual condition that Railton says a sophisticated hedonist's motivational structure should meet?
5. What is the counterfactual condition that Railton suggests Juan's motivational structure meets?
6. What does Railton mean by subjective consequentialism, objective consequentialism, and sophisticated consequentialism?
7. How can the distinction between a theory's truth-conditions and its acceptance-conditions in particular contexts be understood in terms of the distinction between a criterion of rightness and a decision procedure?
8. When Railton discusses act vs. rule consequentialism, does he say that he has been discussing an act-consequentialist form of objective consequentialism, a rule-consequentialist form of objective consequentialism, or a form of objective consequentialism that is neutral between act consequentialism and rule consequentialism?
9. How, according to Railton, can an act consequentialist use the objective/subjective distinction to capture some of the intuitions that have made rule consequentialism compelling?

October 6: rule utilitarianism

Dale E. Miller, "Rule utilitarianism" (*CCU*, ch. 7 [pp. 146–165])

Brad Hooker, "Rule-Consequentialism" (in Hugh LaFollette and Ingmar Persson [eds.], *The Blackwell Guide to Ethical Theory*, 2nd ed. [Wiley-Blackwell, 2013], pp. 238–260) (Bb)

study questions:

1. Does Hooker advocate a particular theory of what is good for people?
2. Why does Hooker advocate a non-utilitarian form of consequentialism?

3. According to Hooker, do rule-consequentialists and act-consequentialists disagree about what decision procedures people should follow? According to Hooker, do they disagree about what the correct criterion of rightness is?
4. What does Hooker mean when he says that the acceptance of some rule can have consequences that other than the consequences of compliance with that rule?
5. What is the collapse objection, and how does rule-consequentialism (formulated, as by Hooker, in terms of acceptance rather than compliance) avoid this objection?
6. Why, according to Hooker, should rule-consequentialism evaluate rules in terms of internalization by less than 100 percent of the population?
7. Does Hooker affirm an overarching commitment to maximizing the good? If not, on what basis does he believe rule-consequentialism can best be defended?
8. Why, according to Hooker, is rule-consequentialism able to affirm intuitively plausible (though not absolute) prohibitions on such acts as murder and torture?
9. Why, according to Hooker, is rule-consequentialism less demanding than act-consequentialism is?

October 13: no class (fall break)

October 19: first due date for papers

If you are writing 3,000-word papers, the first one is due by the end of Sunday, October 19.

October 20: global utilitarianism

Julia Driver, “Global utilitarianism” (*CCU*, ch. 8 [pp. 166–176])

Philip Pettit and Michael Smith, “Global Consequentialism” (in Brad Hooker, Elinor Mason, and Dale E. Miller [eds.], *Morality, Rules, and Consequences: A Critical Reader* [Rowman & Littlefield Publishers, Inc., 2000], pp. 121–133) (Bb)

study questions:

1. What is the difference between global consequentialism and local consequentialism? Are there more forms of local consequentialism than there are of global consequentialism?
2. How does global consequentialism’s evaluation of such evaluands as motive-sets and rules differ from local act consequentialism’s evaluation of such evaluands?
3. Why are rule utilitarianism and conscience utilitarianism local rather than global?
4. What are Pettit and Smith’s two objections to the view that the right acts are those which are caused by the right motives?
5. What is Pettit and Smith’s main objection to the second and third versions of local motive consequentialism that they consider?
6. To what form of local consequentialism do Pettit and Smith say their critique of local motive consequentialism can be extended?

October 27: actual vs. expected consequences

Elinor Mason, “Objectivism, subjectivism, and prospectivism” (*CCU*, ch. 9 [pp. 177–198])

Frances Howard-Snyder, “The Rejection of Objective Consequentialism” (*Utilitas* vol. 9, no. 2 [July 1997], pp. 241–248) (Bb)

study questions:

1. What is the view that Howard-Snyder refers to as ‘objective consequentialism’?
2. What does Howard-Snyder state will be the main point of her paper?
3. Why, according to Howard-Snyder, is she unable to beat Karpov at chess, despite being “physically (and intellectually) able to make each of the moves that would jointly amount to beating him”?

4. What does beating Karpov have to do with objective consequentialism, in Howard-Snyder's view?
5. To respond to the objection that her beating Karpov is not impossible, Howard-Snyder considers which 'can' is the 'can' of ability. She first considers the 'can' of metaphysical impossibility. Why does she reject this?
6. Why does she reject the 'can' of physical possibility (i.e., "given the past and the laws of nature")?
7. What necessary condition of being able to do something does Howard-Snyder argue for? What are some of the phrases Howard-Snyder uses to state this condition?
8. How does Howard-Snyder respond to the objection that objective consequentialism does not violate the principle of 'ought' implies 'can' because it just tells us "to perform that action, of those *we can* perform, which will have the best consequences"?
9. How does Howard-Snyder respond to the objection that if "x is the action, of those you can perform, which will have the best consequences," then "Surely you can obey the instruction "Perform x!"?"?

November 3: theories of well-being

Chris Heathwood, "Subjective theories of well-being" (*CCU*, ch. 10 [pp. 199–219])

Ben Bradley, "Objective theories of well-being" (*CCU*, ch. 11 [pp. 220–238])

November 10: Kantian ethics, virtue ethics, and fairness

Jens Timmermann, "Kantian ethics and utilitarianism" (*CCU*, ch. 12 [pp. 239–257])

Daniel C. Russell, "What virtue ethics can learn from utilitarianism" (*CCU*, ch. 13 [pp. 258–279])

Brad Hooker, "Utilitarianism and fairness" (*CCU*, ch. 14 [pp. 280–302])

November 17: utilitarianism and war

William H. Shaw, "Utilitarianism and the ethics of war" (*CCU*, ch. 15 [pp. 303–324])

F. M. Kamm, *Ethics for Enemies: Terror, Torture, and War* (Oxford University Press, 2011), ch. 3: "Reasons for Starting War: Goals, Conditions, and Proportionality," section I: "Right Reasons or Not" (pp. 119–130) (Bb)

study questions:

- A. Goals and Conditions for Starting War
 1. What is the difference between intending to act *for the sake of some factor* and acting *on condition* that the factor will be present?
 2. What point does Kamm use the Weden Oil Case to make?
 3. What point does Kamm use Weden Oil Variant 3 to make?
 4. How does Kamm's view differ from the Doctrine of Double Effect?
- B. Intentions, Conditions, and Means
 5. On what grounds does Kamm criticize the traditional Counterfactual Test for determining the presence of an intention?
 6. What does Kamm mean when she says that a condition of action can provide "a nongoal reason to act"?
 7. Consider the last two complete sentences on p. 127. What cases presented by Kamm illustrate these two claims?
- C. Intention and Permissibility
 8. When is a right intention not necessary to the permissibility of starting war?

9. In the penultimate paragraph of section C, Kamm gives an explanation of why intention sometimes does not matter to permissibility. What is this explanation?
10. In the last paragraph of section C, Kamm briefly describes the kind of agent with which she is concerned. What is this kind of agent?

November 24: utilitarianism and future people

Tim Mulgan, “Utilitarianism and our obligations to future people” (*CCU*, ch. 16 [pp. 325–347])

John Broome, *Climate Matters: Ethics in a Warming World*, (W. W. Norton & Company, 2012), ch. 10: “Population” (pp. 169–186) (Bb)

study questions:

1. What is the claim that Broome calls “the intuition of neutrality”?
2. How does Broome narrow his formulation of the intuition of neutrality to accommodate the fact that many people it would be bad to bring an extremely unfortunate person into existence, and good to bring an extremely fortunate person into existence?
3. Why is the intuition of neutrality inconsistent with total utilitarianism?
4. Why is the intuition of neutrality inconsistent with average utilitarianism?
5. Broome’s proof that the intuition of neutrality is false relies on the claim that state of affairs C is worse than state of affairs A. What is the basis for this claim?
6. What aspects of how state of affairs C is depicted enable Broome to claim that C is better than B?
7. How many people does Broome estimate will fail to exist if climate change causes the extinction of the human race 100,000 years before the human species would otherwise cease to exist?

December 1: in-class presentations

December 8: in-class presentations

December 14: second due date for papers

If you are writing 3,000-word papers, the second one is due by the end of Sunday, December 14. This is also the due date for 6,000-word papers.

end-of-semester information:

The papers due on December 14 are the last assignments of the course. There is no final exam.

If you have any work that is not returned to you within a reasonable interval of the end of the semester, please retrieve it by December 31, 2015. After that date, I may discard unclaimed work from this semester.

Additional Resources:

Philip Pettit, “Consequentialism” (Peter Singer [ed.], *A Companion to Ethics* [Blackwell Publishing, 1991], pp. 230–240) (This paper is reprinted in Darwall [ed.], *Consequentialism* [see below].)

Walter Sinnott-Armstrong, “Consequentialism” (*Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/consequentialism>)

Stephen Darwall (ed.), *Consequentialism* (Blackwell Publishing, 2003)

Samuel Scheffler (ed.), *Consequentialism and Its Critics* (Oxford University Press, 1988)