

## **2.8 Rule Utilitarianism**

# Applying Principle of Utility to Rules

- We ought to adopt moral rules which, if followed by everyone, will lead to the greatest increase in total happiness
- Act utilitarianism applies Principle of Utility to individual actions
- Rule utilitarianism applies Principle of Utility to moral rules

# Anti-Worm Scenario

- August 2003: Blaster worm infected thousands of Windows computers
- Soon after, Nachi worm appeared
  - Took control of vulnerable computer
  - Located and destroyed copies of Blaster
  - Downloaded software patch to fix security problem
  - Finally, it used the computer as a launching pad to seek out other Windows PCs with the security hole.

# Evaluation using Rule Utilitarianism

- Proposed rule: If I can write a helpful worm that removes a harmful worm from infected computers and shields them from future attacks, I should do so
- Who would benefit
  - People who do not keep their computers up to date with the latest patches to the operating system.
- Who would be harmed
  - People who use networks
  - People who's computers are invaded by buggy anti-worms
  - System administrators
- Conclusion: Harm outweighs benefits. Releasing anti-worm is wrong.

# Case for Rule Utilitarianism

- Not every moral decision requires performing utilitarian calculus
- Moral rules survive exceptional situations
- Avoids the problem of moral luck
- Reduces the problem of bias
- Appeals to a wide cross-section of society

# Case Against Utilitarianism in General

- All consequences must be measured on a single scale.
  - All units must be the same in order to do the sum
  - In certain circumstances utilitarians must quantify the value of a human life

For example, if we are going to determine the total amount of happiness resulting from the construction of a new highway, many of the costs and benefits (such as construction costs and the gas expenses of car drivers) are easily expressed in dollars. Other costs and benefits are intangible, but we must express them in terms of dollars in order to find the total amount of happiness created or destroyed as a result of the project. Suppose a sociologist informs the state that if it condemns 150 homes, it is likely to cause five divorces among the families being displaced. How do we assign a dollar value to that unfortunate consequence? In certain circumstances utilitarians must quantify the value of a human life. How can the value of a human life be reduced to an amount of money?

# Case Against Utilitarianism in General

- Utilitarianism ignores the problem of an unjust distribution of good consequences.
  - Utilitarianism does **not** mean “the greatest good of the greatest number”
  - That requires a principle of justice
  - What happens when a conflict arises between the Principle of Utility and a principle of justice?

Suppose one course of action results in every member of a society receiving 100 units of good, while another course of action results in half the members of society receiving 201 units of good each, with the other half receiving nothing. According to the calculus of utility, the second course of action is superior because the total amount of good is higher. That doesn't seem right to many people.

# Case Against Utilitarianism in General

- Despite weaknesses, both act utilitarianism and rule utilitarianism are workable ethical theories



## **2.9 Social Contract Theory**

# Basis of Social Contract Theory

- Thomas Hobbes
  - In a “state of nature” our lives would be “solitary, poore, nasty, brutish, and short”
  - We *implicitly* accept a social contract
    - Establishment of moral rules to govern relations among citizens
    - Government capable of enforcing these rules
- Jean-Jacques Rousseau
  - In ideal society, no one above rules
  - That prevents society from enacting bad rules

# James Rachels's Definition

“Morality consists in the set of rules, governing how people are to treat one another, that rational people will agree to accept, for their mutual benefit, on the condition that others follow those rules as well.”

# Kinds of Rights

- Negative right: A right that another can guarantee by leaving you alone
  - For example, the right of free expression is a negative right. In order for you to have that right, all others have to do is not interfere with you when you express yourself.
- Positive right: A right obligating others to do something on your behalf

# Kinds of Rights

- The right to a free education is a positive right. In order for you to have that right, the rest of society must allocate resources so that you may attend school.
- Absolute right: A right guaranteed without exception
  - Negative rights, such as the right to life, are usually considered absolute rights.

# Kinds of Rights

- Limited right: A right that may be restricted based on the circumstances
  - For example, American states guarantee their citizens the right to an education. However, because states do not have unlimited budgets, they typically provide a free education for everyone up through the 12<sup>th</sup> grade but require people to pay for at least some of the costs of their higher education.

# Correlation between Types of Rights

- Positive rights tend to be more limited
- Negative rights tends to be more absolute

# John Rawls's Theory of Justice

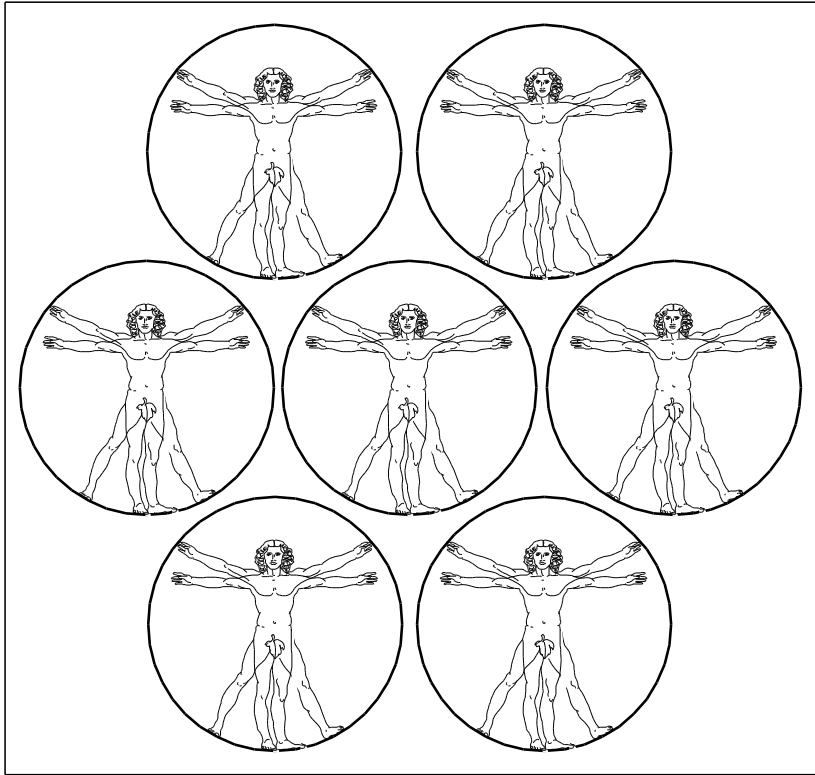
- Each person may claim a “fully adequate” number of basic rights and liberties such as freedom of thought and speech, freedom of association, the right to be safe from harm, and the right to own property,, so long as these claims are consistent with everyone else having a claim to the same rights and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



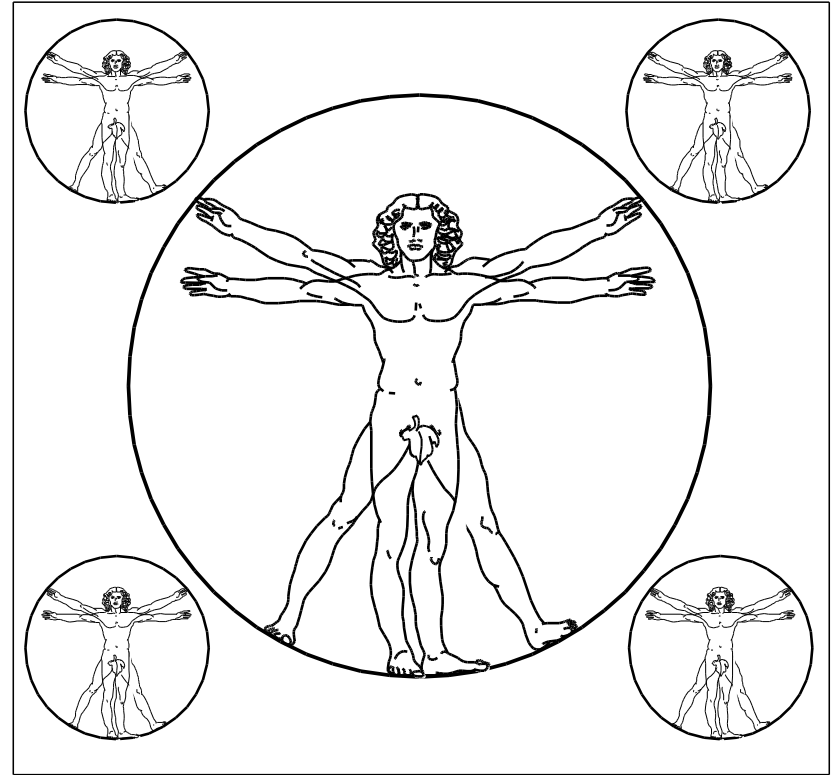
# John Rawls's Theory of Justice

- Any social and economic inequalities must
  - Be associated with positions that everyone has a fair and equal opportunity to achieve
  - Be to the greatest benefit of the least-advantaged members of society (the difference principle)

# Rawls's First Principle of Justice



Just

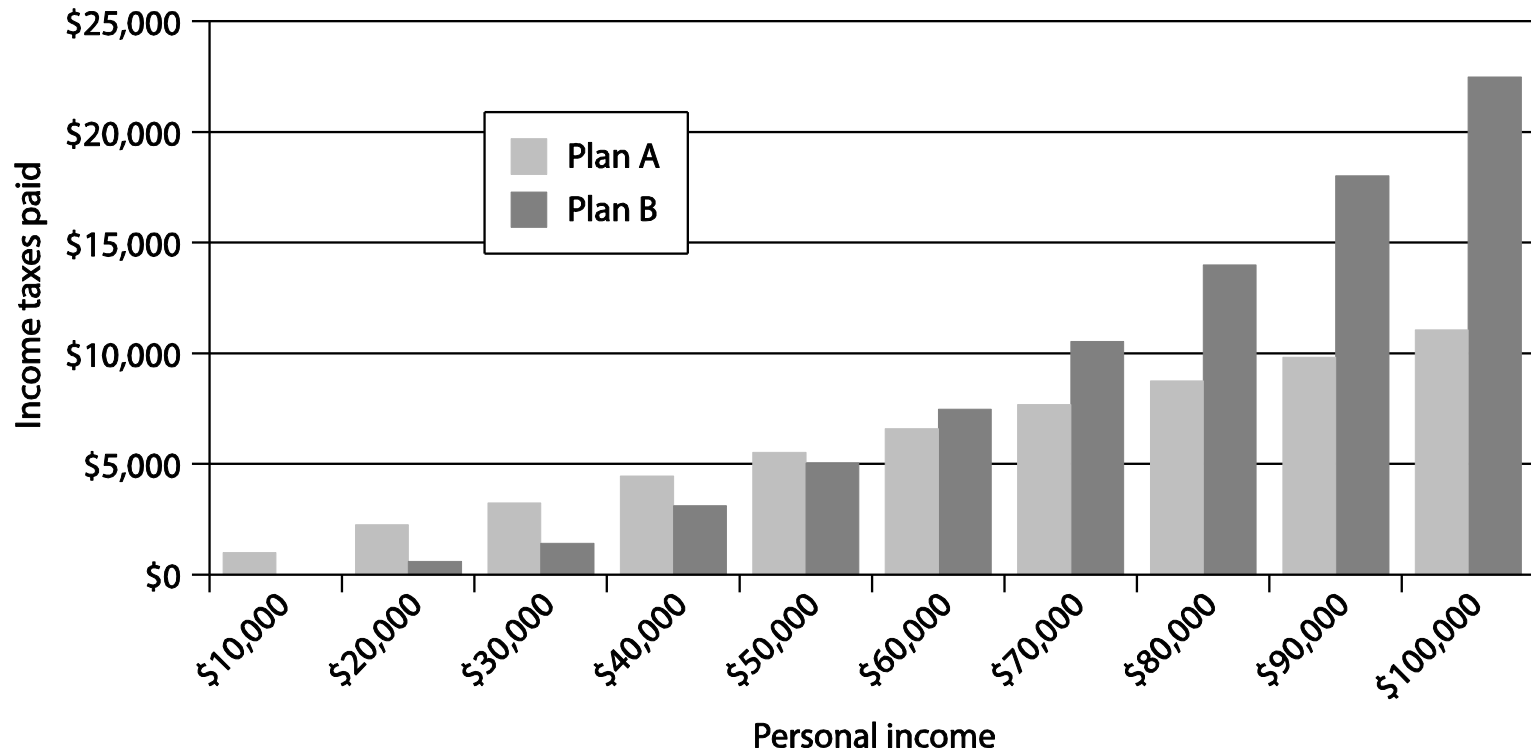


Unjust

# John Rawls's the difference principle

- Suppose both of these income tax structures will produce the same income to the government. Plan A is a flat tax in which every citizen pays the same percentage of his or her income; plan B is a progressive tax in which the income tax rate gradually rises as a citizen's income increases.
- Plan B does not treat every citizen equally, but the inequality is justified under Rawls's difference principle because it is of greatest benefit to the most disadvantaged.

# Rawls's Difference Principle



# DVD Rental Scenario

- Bill owns chain of DVD rental stores
- Uses a computer to keep track of the DVDs rented by each customer.
- Constructs profiles of customers
- Sells profiles to direct marketing firms
- Some customers happy to receive more mail order catalogs; others unhappy at increase in “junk mail”

# Evaluation (Social Contract Theory)

- Consider rights of Bill, customers, and mail order companies.
- Does customer have right to expect name, address to be kept confidential?
- If customer rents DVD from bill, who owns information about transaction?
- If Bill and customer have equal rights to information, Bill did nothing wrong to sell information.
- If customers have right to expect name and address or transaction to be confidential without giving permission, then Bill was wrong to sell information without asking for permission.

# Case for Social Contract Theory

- Framed in language of rights
- Explains why people act in self-interest in absence of common agreement
- Provides clear analysis of certain citizen/government problems
  - Why okay for government to deprive criminals of certain rights
  - Why civil obedience can be morally right action
- Workable ethical theory

# Case Against Social Contract Theory

- No one signed social contract
- Some actions can be characterized in multiple ways
- Conflicting rights problem
- May unjustly treat people incapable of upholding contract
  - Social contract theory provides every person with certain rights in return for that person bearing certain burdens. When a person does not follow the moral rules, he or she is punished. What about human beings who, through no fault of their own, are unable to follow the moral rules?
- Despite weaknesses, a workable theory



## **2.10 Virtue Ethics**

# Critique of Enlightenment Theories

- Kantianism, utilitarianism, social contract theory ignore important moral considerations
  - moral education
  - moral wisdom
  - family and social relationships
  - role of emotions
- Virtue ethics
  - *arete*, virtue, excellence: reaching highest potential
  - Aristotle's *Nicomachean Ethics* (4<sup>th</sup> century BC)
    - In this book Aristotle expresses the opinion that the path to true happiness and genuine flourishing as a human being lies in living a life of virtue.

# Virtues and Vices

- Two types of virtue
  - intellectual virtues: virtues associated with reasoning and truth
  - moral virtues: virtues of character (e.g., honesty)
- A moral virtue becomes an intellectual virtue once our intellectual reasoning and learning confirm the virtue. For instance, we may have believed avoidance of greed as a moral virtue as a result of parental and school and also religious teachings but once we understand through our own experiences and learning that greed harbors selfishness and harms the society, it becomes an intellectual virtue.

# Virtues and Vices

- Moral virtues
  - developed by habitually performing right action
  - deep-seated character traits
  - disposition to act in a certain way *and* feel in a certain way

# Aristotle: Happiness derives from living a life of virtue.



# Summary of Virtue Ethics

A right action is an action that a virtuous person, acting in character, would do in the same circumstances.

A virtuous person is a person who possesses and lives out the virtues.

The virtues are those character traits human beings need in order to flourish and be truly happy.

# Vices

- Vices are opposite of virtues
- Vice: a character trait that prevents a human being from flourishing or being truly happy
- Often, a virtue situated between two vices
  - Courage between cowardliness(having an excess of fear) and rashness (having a deficiency of fear).
  - Generosity between stinginess and prodigality

# Case for Virtue Ethics

- It often makes more sense to focus on virtues than obligations, rights, or consequences
- Personal relationships can be morally relevant to decision making
- Our moral decision-making skills develop over time
- With this theory there are no irresolvable moral dilemmas
- Emotions play an important role in living a moral life



# Case Against Virtue Ethics

- Reasonable people may disagree on character traits needed for human flourishing
- Cannot use virtue ethics to guide government policy
- Virtue ethics undermines attempts to hold people responsible for their bad actions
- Despite weaknesses, virtue ethics a workable theory

## **2.11 Comparing Workable Ethical Theories**

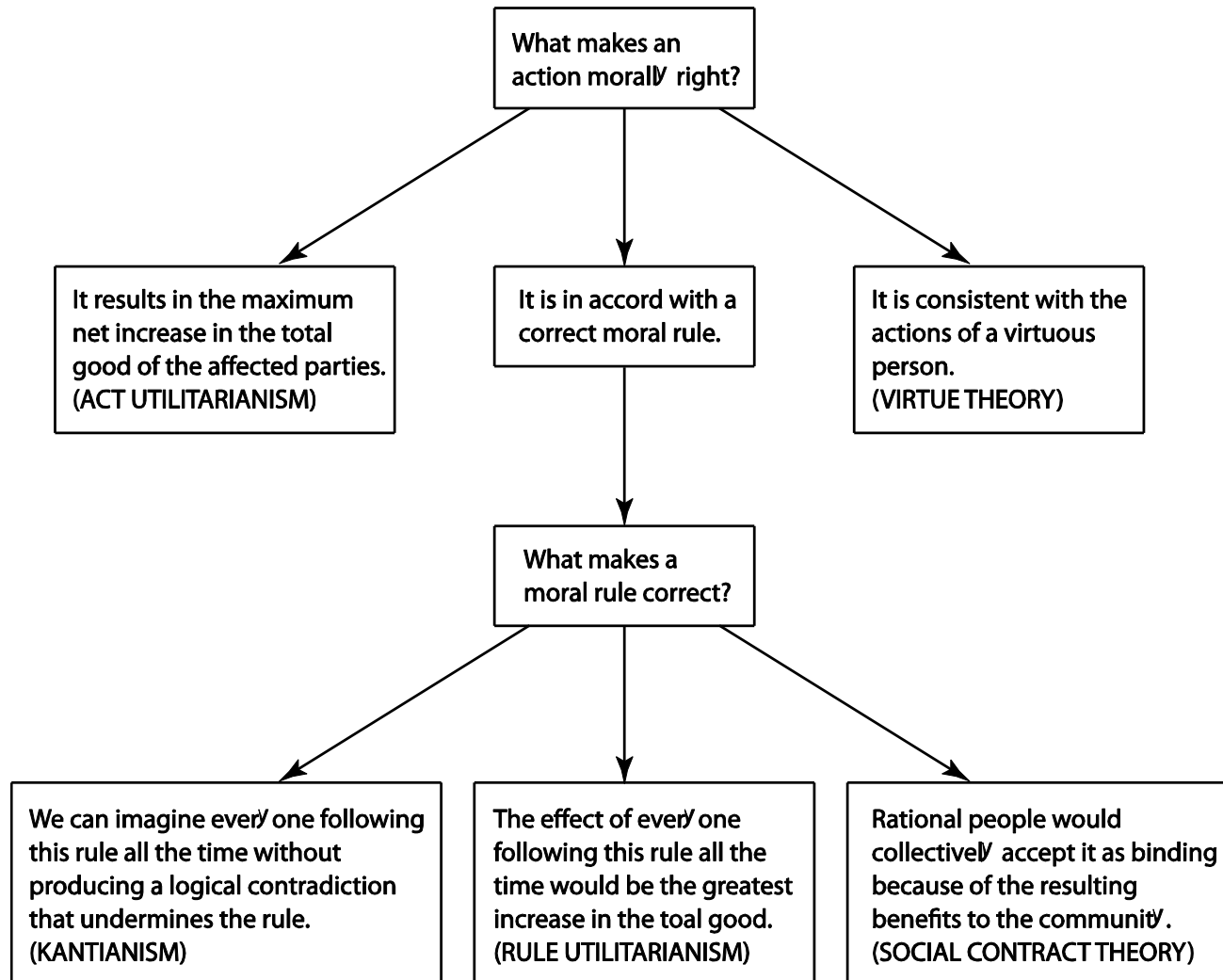
# Objectivism vs. Relativism

- Objectivism: Morality has an existence outside the human mind
- Relativism: Morality is a human invention
- Divine command theory, ethical egoism, Kantianism, utilitarianism, social contract theory, and virtue ethics examples of objectivism

# Workable Ethical Theories

- We seek theories with these characteristics:
  - Based on the ethical point of view
  - Objective moral principles developed using logical reasoning based on facts and commonly held values
- Workable ethical theories
  - Kantianism
  - Act and rule utilitarianism
  - Social contract theory
  - Virtue ethics

# Comparing Workable Ethical Theories



## **2.12 Morality of Breaking the Law**

# Social Contract Theory Perspective

- Everyone in society bears certain burdens in order to receive certain benefits
- Legal system supposed to guarantee people's rights are protected
- Everything else being equal, we should be law-abiding
- Should only break law if compelled to follow a higher-order moral obligation

# Social Contract: A Prima Facie Obligation to Obey the Law





# Kantian Perspective

- Everyone wants to be treated justly
- Imagine rule: “I may break a law I believe to be unjust”
- If everyone acted according to this rule, then laws would be subverted
- Contradiction: Cannot both wish to be treated justly and allow laws to be subverted

# Assignment 1

A 2 to 3 pages paper is required for each unit. The main idea of this essay is to apply what you have learned in class to discuss ethical issues associated to computer technologies.

I would like you to take a specific topic, present why it is important (20 pts), discuss other opinions (10 pts), discuss the pros and cons of each argument (20 pts), analyze this topic ethical theories I have presented in class (30 pts), and then present your own arguments (20 pts). Possible topics are:

1. Ethics of the link between war and computer technologies
2. Ethics of computers and democracy
3. Ethics of computer mediated whistleblowers (Wikileaks)
4. Ethics of open source movement
5. Ethics of privacy and security
6. Ethics of Video Games
7. Ethics of government and corporate control of the internet
8. Etc.