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## Training Exercises E4 (Deontology)

### with Example Solutions

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Much on this exercise sheet will look familiar. This is not because of mere convenience but because it is actually easier to understand the differences between theories if you exercise them on the same examples.

*Remember: The solutions are only suggestions. If your solution is different to ours, then yours might be correct, too. Discuss your solutions in your discussion group, or come to the office hours if you are unsure about your solutions!*

#### Issue 1: *Scheduling Problems again*

It is Tuesday. You are a student assistant and it is part of your job to scan documents. Your professor said that you are to scan a certain book until Wednesday. In addition, you have an exam on that day you need to study for and also your sister asked you to help her move today. You only have time to do one of those. You know that your sister has plenty of friends who can help her move and you are sure that enough of them will show up. Your parents, though, won't like it much if you don't help your sister. You and your sister do not get along too well, so both of you actually would prefer if you did not help with the move. The exam tomorrow is very important for your studies and if you fail it now, the only possibility is to retake the exam later, which will delay your studies by one more semester. This would mean a lot inconvenience for you, as you cannot proceed with your life plan without having finished your degree. You think that there are good chances to pass the exam if you study today, but that you will most likely fail if you don't. Your professor will be a little angry with you if you do not hand in the scan in time, because he always gets angry about students who do not do their jobs properly. This will make you feel moderately embarrassed. Apart from this you cannot see any negative impacts, as you know that the scan is supposed to be for a seminar that only starts in a month time. You are reasonably sure that a few days of delay won't make any difference. You only have enough time to do one of those things: scan the documents in time, help your sister move, or study for the exam.

- (a) What is the right thing to do according to Scanlons contractualism?
- (b) What is the right thing to do according to the Categorical Imperative?
- (c) What would have been the right thing to do one week ago, when you had enough time to do all three things? Answer this question from the perspective of Kant, of Scanlon, of different forms of consequentialism, and of your own intuition.

#### Sketch of a Solution 1:

- (a) Assume that there was a set of principles S that allows scanning the document, a set of principles T that allows studying for the exam and a set of principles U that allows helping with the move.

I assume that

- you have a burden if you cannot study and therefore fail. But this is not clear, because, after all, you could have started studying in time and one could argue that it is your own fault and that you thereby do not have a claim on your burden anymore.
- your parents are not disrespected if you do not help your sister move.
- it is slightly disrespectful towards your professor to not scan the documents.
- the burden on you is greater than the burden on other family members if you fail the exam.
- it is no burden on your sister if you fail the exam.

The burden look like follows. (The highest burden of each row is set in italics.)

	<b>you</b>	<b>professor</b>	<b>sister</b>	<b>another family member</b>	<b>others?</b>
burden from set S ('scan')	<i>very large</i> (possibly fail exam)	none	none	somewhat large (you possibly fail the exam and do not help move)	none
burden from rejection of S	slight (embarrassment)	<i>moderate</i> (not having scans, anger, disrespect)	none	none	none
burden from set T ('study')	slight (embarrassment for not scanning)	<i>moderate</i> (not having scans, anger, disrespect)	none	slight (you do not help move)	none
burden from rejection of T	<i>very large</i> (possibly fail exam)	none	none	somewhat large (you possibly fail the exam and do not help move)	none
burden from set U ('move')	<i>very large</i> (possibly fail exam, embarrassment, help move)	<i>moderate</i> (not having scans, anger, disrespect)	slight (you help move)	still somewhat large (you possibly fail the exam)	none
burden from rejection of U	none	none	none	<i>slight</i> (you do not help move)	none

You can reasonably reject S, because your burden if you cannot study is much larger than your professor's burden if you reject S. Nobody can reasonably reject T, because your burden if someone rejected T is larger than anyone's burden from T. Both you and your professor can reasonably reject U, since both your and her burden are greater with U than anyone's burden is when U is rejected. So, both S and U can be reasonably rejected, while T cannot be reasonably rejected. Thus, the only right thing for you to do is to study for your exam.

- (b) **Assume that you do not scan the documents:**

Using the universality formula, we can work analogously to the lying-promise case:

1. A maxime M could be: "I neglect my job."
2. The corresponding law L: "Everybody always neglects their job."
3. This maxime is not consistently conceivable in a world where everybody always follows the law, because in order to neglect my job, I need a job. But in a world where everybody would always neglect their job, nobody would have any incentive to ever give someone a job. So, there would be no jobs at all in such a world. Hence, the presupposition of M, that I have a job, is always violated in such a world. Therefore, M is not consistently conceivable in a world where everybody always follows L.

4. Therefore, not acting on M is a perfect duty and not scanning the documents is forbidden.

(Using the humanity formula, we can argue that you use the professor only as a means and not as an end, because you disregard her orders (that she was entitled to give) and do something else instead.)

**Assume that you do not study:**

Using the universality formula, we can work analogously to the neglected-talent case:

1. A maxime M could be: "I do not study hard enough for my exam."
2. The corresponding law L: "Everybody never studies hard enough for their exams."
3. This maxime is consistently conceivable in a world where everybody always follows the law.
4. But you cannot rationally will a world in which everybody follows L, because studying for exams is an integral part of your studies, which is a prime example of the promotion of your talents (assuming that you are talented in your subject). As you rationally will to promote all of your talents (according to Kant), you do not rationally will to live in such a world.
5. Therefore, not acting on M is an imperfect duty and even though it is not always forbidden to act on it, you should have a habit of studying for your exams.

(Using the humanity formula, Kant would probably argue that you use yourself as a means without using yourself as an end if you do not study hard enough for your exams.)

**Assume that you do not help with moving:**

The case of not helping to move is especially tricky. Using the universality formula, we could argue as follows:

1. A maxime M could be: "I do not help those who do not actually want my help."
2. The corresponding law L: "Everybody never helps those who do not actually want their help."
3. This maxime is consistently conceivable in a world where everybody always follows L.
4. I can rationally will to live in a world where everybody always follows L.
5. It is allowed to not help your sister move.

(Using the humanity formula, you could argue that you do not treat anyone as a means, but not as an end if you do not come and help. In the case if you came and helped you could even argue that you are using your sister as a means to fulfil your parents wish without using her as an end, too. Using the maxime "I disrespect people's personal freedom in order to fulfil the desires of third parties" you could probably also reason with the universality principle that helping with moving is actually not allowed.)

**Overall**, we can say that not helping with moving is allowed, that not scanning the documents is forbidden because of a perfect duty and that not studying for the exam is against an imperfect duty. So, according to Kant you arguably should scan the documents.

- (c) All agree that you should scan the documents and that you should study for your exam. With the above reasoning, we can argue with the categorical imperative that you should not help moving. If either the burden on you or your sister (that a set of principles that allows helping to move imposes on you or her) is greater than the burden either of your parents (that the rejection of such a principle poses on them), then helping to move is wrong. If the aggregated harm (in whatever axiology is evaluated=) of you and your sister is greater if you help moving than the aggregated harm of your parents when you do not move, then maximizing forms of consequentialism say that you ought not to help with moving.

## Issue 2: *Bad Things?*

We likely (hopefully!) share the intuition that certain things are wrong most of the time (or even all of the time), including

- (i) murder
- (ii) stealing
- (iii) cruelty towards animals

Answer the following questions for each of the above:

- (a) Use Scanlons contractualism to explain that, for most situations, actions of this type are wrong. Can you do that for all of the above items? If no, is this a problem?
- (b) Can you come up with a (probably counterfactual) scenario, where Scanlons contractualism would allow the action? If yes, present such a scenario. If no, why not?
- (c) Use the Categorical Imperative to explain that, for most situations, actions of this type are wrong. Can you do that for all of the above items? If no, is this a problem?
- (d) Can you come up with a (probably counterfactual) scenario, where the Categorical Imperative would allow the action? If yes, present such a scenario. If no, why not?

## Sketch of a Solution 2:

- (a) In the case of murder, the murdered has a burden, that is a lot greater than the burden of anybody else. Thus, the murdered can usually can reject every principle that allows to murder him. So, murdering him is disallowed by any set of principles that cannot be reasonably rejected. Thus, it is wrong. The same holds for stealing (as seen in the lecture video). Scanlon has some troubles with cruelty against animals, though, because animals lack the cognitive capacity to reasonably reject anything.
- (b) A scenario, where the murdered could not reasonably reject a principle that allows to kill him, could potentially be a situation in which he would die anyway. An example of when stealing is allowed was seen in the lecture video.
- (c) A maxime that allows to murder is not consistently conceivable in a world where everyone follows the corresponding law. So, it is a perfect duty not to kill. The same holds for stealing. Kant has some problems with cruelty against animals. He roughly says that it corrupts your character and that you thus cannot rationally will to live in a world where everybody follows a law that results from the maxime “I am cruel to animals”. But this sounds, at least to me, rather ad hoc.
- (d) For perfect duties, there can never be exceptions, so no matter what, you must never lie, or steal, or kill etc.

### Issue 3: *Williams*

Recall the second example from Bernard Williams, which we had paraphrased:

(2) Jim accidentally comes into a situation in which armed mobsters have tied twenty people up against a wall who failed to comply with the mob's unjust demands. The boss of the mob steps forward and announces that he will have all twenty people killed to incentivise others to comply with the criminal practices of the mob. The boss likes Jim for some reason. He offers Jim to shoot one of the twenty people himself. If Jim complies, the other nineteen will be spared and are free to go. If Jim does not comply, all twenty will be killed. Jim has no way to save all twenty and he knows that. The twenty people beg Jim to kill one of them, such that the others can live. Even though this is hard to believe, Jim has no reason to believe that the mobster boss is lying about his offer.<sup>1</sup>

- (a) What ought Jim to do according to Scanlon?
- (b) What ought Jim to do according to Kant?

### Sketch of a Solution 3:

We omit the reasoning here (but you should always give reasons!)

- (a) He should do a lottery.
- (b) He should do nothing, i.e. he should not kill any of the twenty people.

### Issue 4: *Formalizing Scanlon*

Recall that Scanlon's contractualism looks like follows:

An act is wrong if[f] its performance under the circumstances would be disallowed by [...all sets] of principles for the general regulation of behaviour that no one could reasonably reject as a basis for informed, unforced, general agreement.

- (a) Take a look at the following four candidates of formalizations of the above. Which are adequate, which not, and why?

$$(I) \quad \forall \phi. \text{wrong}(\phi) \leftrightarrow (\forall S. (\nexists A. \text{canResReject}(A, S)) \rightarrow \text{disallows}(S, \phi))$$

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<sup>1</sup>inspired by *Utilitarianism: For and Against*, with J.J.C. Smart, Cambridge: Cambridge University Press, 1973, pp. 93ff.

- (II)  $\forall \phi. \text{wrong}(\phi) \leftrightarrow (\exists S. (\nexists A. \text{canResReject}(A, S)) \rightarrow \text{disallows}(S, \phi))$   
 (III)  $\forall \phi. \text{wrong}(\phi) \leftrightarrow (\forall S. (\nexists A. \text{canResReject}(A, S)) \leftrightarrow \text{disallows}(S, \phi))$   
 (IV)  $\forall \phi. \text{wrong}(\phi) \leftrightarrow (\exists S. (\nexists A. \text{canResReject}(A, S)) \leftrightarrow \text{disallows}(S, \phi))$

$\text{wrong}(\phi)$  means that the performance of  $\phi$  is wrong under the given circumstances,  $\text{canResReject}(A, S)$  that agent  $A$  can reasonably reject the set of principles  $S$  for the general regulation of behaviour as a basis for informed, unforced, general agreement, and  $\text{disallows}(S, \phi)$  means that a principle in  $S$  disallows  $\phi$ -ing.

- (b) A friend of yours works for Gauss, an automotive company that is known for their semi-autonomous cars. They are a big fan of what you told them about Scanlon and they wrote the following pseudo code that tries to implement our simplified version of Scanlons contractualism:

```

Input:    act a,
          set of sets of principles SetsOfPrinciples,
          set of persons Persons
Output:   bool allowed

for(s in SetsOfPrinciples)
  for(princ in s)
    rejectable = false
    for(pers in Persons)
      if(pers can reasonably reject princ)
        rejectable = true
    else
      continue
  if(not rejectable and princ allows a)
    return true
  else
    continue
return false

```

Your friend wants to pitch this at Gauss but they are quite unsure about their result and asks you on your opinion.

What do you think about this code and what could go wrong with it if your friend tried to implement it in the next Gauss model, and why? There are multiple problems here. Try to find as many as possible.

Your friend also tells you that they used a lot of abbreviations and omitted some things that are more specific in the original. They, for example, wrote “set of sets of principles” in the code instead of “sets of principles for the general regulation of behaviour” for better readability. Please do not use these omissions as the target of you critique.

#### Sketch of a Solution 4:

- (a) (I) is the correct representation. We need a universal quantification over all sets – like in (I) and (III) – because an action has to be disallowed by *all* relevant sets to be wrong, and not only by some of them. We need an implication – like in (I) and (II) – and not an equivalence, because there still may be sets that disallow  $\phi$ -ing, but that can be reasonably rejected by someone for other reasons.

(b) You could object that

- it is not only about rejecting a principle, but about rejecting sets of principles!
- we may have termination issues: there might be infinitely many sets of principles and each set could possibly contain infinitely many principles (we don't know that, but we also have no evidence that this is not the case)
- the strength of the theory as a decision method is that we do not need to handle any concrete principles – but the code does exactly that. And even if you decide to throw this advantage away, where would you reasonably get `SetsOfPrinciples` from?
- you could do some run time optimization (if we grant that the algorithm miraculously terminates and gives us some at least remotely correct output): first check if `princ allows a` and then find out whether or not it is reasonably rejectable

### Issue 5: *Gamification – revisited again*

On previous exercise sheets, you saw the following case:

Tim is the manager of a supermarket. He ponders on introducing a gamification system in order to increase customer satisfaction. The system is supposed to work as follows: Every customer is asked to rate their cashier on a scale from 1 to 5 after checkout by pressing one of five buttons. The average of those ratings is calculated for every cashier and the employee with the highest rating gets a week of extra holiday as a bonus, while everybody else gets just their regular holidays. This results in them being a little less happy with their own number of days off than they otherwise would have been. Cashiers can always see their own average rating as well as the currently highest average, but not whom it belongs to.

1. Under which circumstances is Tim morally allowed to introduce the system according to Scanlon?
2. Does your moral intuition that you had on the first exercise sheet have deontological elements? Which elements from your intuition are not deontological?