

Moral Theory
Epiphany Term 21/22
*Puzzles and Problems in Contemporary Moral
Philosophy*

christopher.d.cowie@durham.ac.uk

www.christophercowie.com

Office Hours: Wednesday 11-2 (drop in)

Moral Theory
Epiphany Term 21/22
Reading and Course Summary

www.christophercowie.com
christopher.d.cowie@durham.ac.uk
Office Hours: Wednesday 11-2 (drop in)

Last term you were thinking about metaethics. Are there any moral facts? Are they our invention? Do they explain anything? How can we know about them? This term, we leave these big questions at the door. We assume that there are some moral facts and that we can know about them. The aim this term is to furnish you with the methods for doing so; for reasoning about which things are right and wrong, good and bad.

To this end we will focus on the two biggest research programs in contemporary moral philosophy. The first – the trolley problem – is a program in *deontology*. That's the view that what one ought to do isn't determined entirely by the consequences or outcomes of one's actions, but is rather dependent, in part at least, on the nature of the acts themselves. The trolley problem is contemporary deontology's attempt to articulate exactly what those principles are; specifically, in the context of helping and harming others (arguably the central concern of ethics). The reading for it is below.

Trolleys

Early Trolleys

The literature on the trolley problem began with an important article by:

- Foot. The Problem of Abortion and the Doctrine of Double-Effect. *Oxford Review* 5. (1967).

Foot's views were criticised and developed by JJ Thomson in:

- JJ Thomson. Killing, Letting Die and the Trolley Problem. *The Monist* (1976).
- JJ Thomson The Trolley Problem. *Yale Law Review*. (1985)

We'll look at these in due course. If you want something a bit easier to get started, try:

- Edmonds. *Would You Kill the Fat Man? The Trolley Problem and What Your Answer Tells Us about Right and Wrong*. (2013).

A great general book about moral philosophy, with relevant material in the early chapters, is:

- Kagan. *Normative Ethics*. (originally 1998, later editions available)

Ok. So having introduced the trolley problem, we will look at some of the deontological principles that have emerged as candidate solutions. The first, which was discussed and rejected by Foot in her early paper is:

Doctrine of Double Effect

The doctrine of double effect isn't really much-discussed these days but Frances Kamm did have a go at reviving a version of it, which she called 'the doctrine of triple effect. There's an article and a bit of a recent book:

- Kamm. The Doctrine of Triple Effect and Why a Rational agent Need Not Intend the Means to His End. *Proceedings of the Aristotelian Society*. (2000).
- Kamm. *Intricate Ethics*. (2008). (See Chapter 5, p. 130-138).

The best secondary literature here is the admittedly difficult:

- Otsuka. Double Effect, Triple Effect and the Trolley Problem. *Utilitas* (2008).

A second principle – which was Foot's favoured solution - concerns the distinction between killing and letting die or 'doing and allowing' (the former being an instance of the latter):

Killing & Letting Die

Despite being initially critical, prior to her recent death, JJ Thomson came to believe this to be the right approach too:

- JJ Thomson. Turning the Trolley. *Philosophy and Public Affairs* (2008).

There's been a lot of work on killing/letting die. The importance of this distinction has been criticised by prominent consequentialists. The most interesting/important are:

- Peter Singer. Famine, Affluence and Morality. *Philosophy and Public Affairs* (1972).
- James Rachels. Active and Passive Euthanasia. *New England Journal of Medicine*. (1975).
- Peter Unger. *Living High and Letting Die*. (1996). (Especially chapter 1).
- Shelly Kagan. *The Limits of Morality*. (1991). (Especially chapter 3).

For the more ambitious among you, a really good contemporary piece – the best by far – on all things doing/allowing related is:

- Fiona Wollard. *Doing and Allowing Harm*. (2015).

Not everyone likes this principle. A third principle, more complex this time, is from Frances Kamm:

Kamm and Permissible Harm

She formulated 'the principle of permissible harm'. This is first set-out and outlined here:

- Kamm. *Morality, Mortality. Vol II*. (1996). Chapters 6 & 7.

If you don't want to bother with the book, the material in the above chapters is pretty much just repeated from this article:

- Kamm. Harming Some to Save Others. *Philosophical Studies*. (1989)

It – along with Kamm's views on trolley cases more generally - is then discussed at much greater length in this later book, of which the chapters worth trying are 1-6:

- Kamm. *Intricate Ethics*. (2008).

This is really, really hard going. You can also try her more recent:

- Kamm. *The Trolley Problem Mysteries*. (2015)

This book also contains some really good critical responses to Kamm, some of which are discussed in the lecture notes:

- JJ Thomson. Kamm on the Trolley Problems. In *The Trolley Problem Mysteries*.
- Hurka. Trolleys and Permissible Harm. In *The Trolley Problem Mysteries*.
- Kagan. Solving the Trolley Problem. In *The Trolley Problem Mysteries*.

In addition to this – as good, general criticisms of Kamm and Kamm-style views, I'd try

- Norcross. Off her Trolley: Frances Kamm and the Metaphysics of Morality. *Utilitas* (2008).
- Otsuka. Kamm on the Morality of Killing. *Ethics*. (1997).

After having gone through this literature, we will turn to the other major research program in moral philosophy; this time the research program associated with consequentialism: *axiology*. This is the study of what makes one outcome better than another. You might think this is obvious – the more of whatever makes life good the better. But it turns out to be more complicated than this...

Axiology

Introducing Axiology and the Repugnant Conclusion

It all begins with the unbelievably brilliant discussion of axiology and the repugnant conclusion of:

- Derek Parfit. *Reasons and Persons*. PtIV. (1984). (Chs. 17-19).

You could also try:

- Christopher Cowie. *The Repugnant Conclusion: A Philosophical Inquiry*. (2020).

Admittedly less penetrating than Parfit's R&P but at only £45 it makes a great gift for friends and family.

On a more practical note – if you're the kind of philosopher who needs to see how theoretical concerns intersect with 'the real world' - you could have a think about *population ethics* and about the ethics of the distribution of *healthcare resources*. Here are some good sources:

- Partha Dasgupta. Regarding Optimum Population. *Journal of Political Philosophy* (2005).
- Hilary Greaves. Optimum Population Size.
(<https://users.ox.ac.uk/~mert2255/papers/optimum-population.pdf>)
- Bognar and Hirose. *The Ethics of Healthcare Rationing*. (2014).

Alternative Axiologies

Maybe we shouldn't work out what's best by just adding up welfare... See Parfit (Chs. 17, 18) and Cowie (Ch 1).

For something more advanced, try:

- Hilary Greaves. Population Axiology. *Philosophy Compass* (2017).

The RC, Spectrums, Mere-Addition and Contemporary Axiology

i. Psychological and Related Reasons

For general scepticism about over-reacting to the repugnant conclusion see:

- Cowie. Does the Repugnant Conclusion Have Any Probative Force? *Philosophical Studies* (2019).
- Zuber et al. What Should We Agree on about the Repugnant Conclusion? *Utilitas*. (2020).

For discussion based on thinking about what a minimally good life is and our imaginative failings on this see Huemer (above), Cowie 2020, Chs, 3-4) and:

- Torbjorn Tannsjo. Why We Ought to Accept the Repugnant Conclusion. *Utilitas* (2002).
- Gustafsson. Our Intuitive Grasp of the Repugnant Conclusion. (Forthcoming).

ii. Alternative Arguments for the RC: Spectrum/Continuum Arguments and the Mere Addition Paradox

Spectrum/Continuum Arguments for the Repugnant Conclusion are discussed in Parfit and Ch 2 of Cowie (amongst others) but at length in:

- Temkin. A Continuum Argument for Intransitivity *Philosophy & Public Affairs* (1996)

There's also a lot of material in here that you don't need (like the stuff on the denial of transitivity - you can just focus on the presentation of the spectrum argument). You can find sceptical discussion in the very short:

- John Broome. A Comment on Temkin's Tradeoffs. Unpublished, available here: <https://users.ox.ac.uk/~sfop0060/pdf/comment%20on%20temkins%20tradeoffs.pdf>

The Mere Addition Paradox is first presented in Parfit. Also covered in Cowie. But see especially the first few pages of:

- Michael Huemer. In Defence of Repugnance. *Mind* (2008).

Contemporary Axiology

Contemporary axiology has taken Parfit's work in lots of interesting directions. Here are some for those of you who are keen:

The Reverse RC

An interesting variant on the Repugnant Conclusion is the Reverse RC. You can find it here:

- Tim Mulgan. The Reverse Repugnant Conclusion. *Utilitas*. (2002).

The Arrhenius Paradoxes

For those of you who are *really* ambitious, maybe dip in to the very difficult but also very brilliant work of Gustaf Arrhenius. A nice example is:

- Gustaf Arrhenius. *One More Axiological Impossibility Theorem*. (2009)
<https://www.iffs.se/media/2279/one-more-axiological-impossibility-theorem-in-logic-ethics-and-all-that-jazz-2009.pdf>

The best informal summary of Arrhenius's work that I know of is

- Teruji Thomas. *Reconstructing Arrhenius's Impossibility Theorems*.
<https://users.ox.ac.uk/~mert2060/webfiles/Reconstructing-Arrhenius-for-web.pdf>

Denying Transitivity

One option in response to many of the axiological puzzles and paradoxes is to deny the transitivity of 'better than'. This is what Larry Temkin is known for. See for example:

- Intransitivity and the Mere Addition Paradox. *Philosophy and Public Affairs*. (1987).
- Temkin. *A Continuum Argument for Intransitivity* *Philosophy & Public Affairs* (1996)

Biting the Bullet

Alongside Huemer, this piece by Norcross is a fabulous example of how to defend the RC in its fullest (especially the final sections):

- Norcross. *Comparing Harms: Headaches and Human Lives*. *Philosophy and Public Affairs*. (1997).

Methodology

Is the whole business of basing morality on intuitions – which to some extent has characterised both the trolley problems and population axiology - sensible? We'll think about the following influential piece:

- Ethics and Intuitions. *Journal of Ethics* (2003).

A good response is:

- Selim Berker. *The Normative Insignificance of Neuroscience*. *Philosophy and Public Affairs*. (2009).