# Ethical Impact Framing

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## Consequentialism

### Consequences Good

#### Public officials have a responsibility to evaluate consequences

**Goodin 95** – professor of government at the University of Essex, and professor of philosophy and social and political theory at Australian National University (Robert E., “Utilitarianism as a Public Philosophy,” Cambridge University Press, Print)BC

As, an Account of the peculiar role responsibilities of public officials (and, by extension, of ordinary individuals in their public capacities as citizens) that vice becomes a virtue, though. Those agents, too, have to come from somewhere, bringing with them a whole raft of baggage of personal attachments, commitments, principles and prejudices. In their public capacities, however, we think it only right and proper that they should stow that baggage as best they can. Complete neutrality might be an impossible ideal. That is another matter." But it seems indisputable that that is an ideal which people in their public capacities should strive to realize as best they are able. That is part (indeed, a central part) of what it is to be a public official ,it all. It is the essence of public service as such that public servants should serve the public at large. Public servants must not play favor­ites. Or consider, again, criticisms revolving around the theme that util­itarianism is a coldly calculating doctrine.23 In personal affairs that is an unattractive feature. There, we would like to suppose that certain sorts of actions proceed immediately from the heart, without much reflection much less any real calculation of consequences. Among in­timates it would be extremely hurtful to think of every kind gesture as being contrived to produce some particular effect. The case of public officials is, once again, precisely the opposite. There, it is the height of irresponsibility to proceed careless of the consequences. Public officials are, above all else, obliged to take care: not to go off half cocked, not to let their hearts rule their heads. In Hare's telling example, the very worst thing that might be said of the Suez misadventure was not that the British and French did some per­fectly awful things (which is true, too) but that they did so utterly unthinkingly.24 Related to the critique of utilitarianism as a calculating doctrine is the critique of utilitarianism as a consequentialist doctrine. According to utilitarianism, the effects of an action are everything. There are no actions which are, in and of themselves, morally right or wrong, good or bad. The only things that are good or bad are the effects that actions produce.25 That proposition runs counter to certain ethical intuitions which, at least in certain quarters, are rooted deeply. Those who harbor a Ten Commandments view of the nature of morality see a moral code as being essentially a list of "thou shalts" and "thou shall nots" a list of things that are right or wrong in and of themselves, quite regardless of any consequences that might come from doing them.2" That may or may not be a good way to run one's private affairs.[[1]](#footnote-1)Even those who think it is, however, tend to concede that it is no way to run public affairs. It is in the nature of public officials' role respon­sibilities that they are morally obliged to "dirty their hands" - make hard choices, do things that are wrong (or would ordinarily be wrong, or would be wrong for ordinary private individuals) in the service of some greater public good.[[2]](#footnote-2) It would be simply irresponsible of public officials (in any broadly secular society, at least) to adhere mindlessly to moral precepts read off some sacred list, literally "whatever the consequences."[[3]](#footnote-3) Doing right though the heavens may fall is not (now­adays, anyway) a particularly attractive posture for public officials to adopt.

#### Consequentialism is simpler and more plausible than non-consequentialist theories

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Our key proposition motivates an argument for consequentialism because it shows that the non-consequentialist is committed to a theory which is seriously defective in regard to the methodological virtue of sim­plicity. It is common practice in the sciences and in intellectual disciplines generally to prefer the more simple hypothesis to the less, when other­wise they are equally satisfactory. Consequentialism, it turns out, is indis­putably a simpler hypothesis than any form of non-consequentialism and that means that, failing objections such as those rejected in the last section it ought to be preferred to it. If non-consequentialists have not seen how much their view loses on the side of simplicity, that may be because they do not generally assent to our key proposition. They imagine that there are certain values which are susceptible only to being promoted, others that are susceptible only to being honoured. There are at least three respects in which consequentialism scores or simplicity. The first is that whereas consequentialists endorse only one way of responding to values, non-consequentialists endorse two. Non- consequentialists all commit themselves to the view that certain values should be honoured rather than promoted: say, values like those associ­ated with loyalty and respect. But they all agree, whether or not in their role as moral theorists, that certain other values should be promoted: values as various as economic prosperity, personal hygiene, and the safety of nuclear installations. Thus where consequentialists introduce a single axiom on how values justify choices, non-consequentialists must intro­duce two. But not only is non-consequentialism less simple for losing the numbers game. It is also less simple for playing the game in an ad hoc way. Non-consequentialists all identify certain values as suitable for honour­ing rather than promoting. But they do not generally explain what it is about the values identified which means that justification comes from their being honoured rather than promoted. And indeed it is not clear what satisfactory explanation can be provided. It is one thing to make a list of the values which allegedly require honouring: values, say, like per­sonal loyalty, respect for others, and punishment for wrongdoing. It is another to say why these values are so very different from the ordinary run of desirable properties. There may be features that mark them off from other values, but why do those features matter so much? That question typically goes unconsidered by non-consequentialists. Not only do they have a duality then where consequentialists have a unity; they also have an unexplained duality. The third respect in which consequentialism scores on the simplicity count is that it fits nicely with our standard views of what rationality requires, whereas non-consequentialism is in tension with such views. The agent concerned with a value is in a parallel position to that of an agent concerned with some personal good: say, health or income or status. In thinking about how an agent should act on the concern for a personal good, we unhesitatingly say that of course the rational thing to do, the rationally justified action, is to act so that the good is promoted. That means then that whereas the consequentialist line on how values justify choices is continuous with the standard line on rationality in the pursuit of personal goods, the non-consequentialist line is not. The non- consequentialist has the embarrassment of having to defend a position on what certain values require which is without analogue in the non-moral area of practical rationality. If these considerations of simplicity are not sufficient to motivate a con­sequentialist outlook, the only recourse for a consequentialist is probably to draw attention to the detail of what the non-consequentialist says, inviting reflection on whether this really is plausible. In the second section above we saw that non-consequentialists have to deny either that the values they espouse determine values for the prognoses of an option or that the value of an option is a function of the values associated with those different prognoses. The consequentialist can reasonably argue that either claim is implausible. If one prognosis realizes my values more than another then that surely fixes its value. And if one option has prognoses such that it represents a better gamble than another with those values, then that surely suggests that it is the best option for me to take. So how can the non-consequentialist think otherwise?

### Consequences Bad

#### Overwhelming public commitment to consequentialist ethics necessities that you err towards deontology – structural contradictions about the role of the person within consequentialism means that it tears itself apart.

Hurley 11 [Paul, Professor of Philosophy at Claremont McKenna College, “Beyond Consequentialism”, Oxford University Press, 6-10-11, Pg. 1-3]

Morality requires agents to perform the act that promotes the best overall state of affairs—it never permits us to bring about a worse state of affairs when a better one is available. To endorse this claim is to be committed to the paradigmatic version of consequentialism. upon which an action is morally right just in case its performance leads to the best state of affairs.1 Such moral theories, and variations upon them, can with some plausibility claim a status as the default alternative in contemporary moral philosophy.2 All roads to a systematic theoretical understanding of our moral practices can seem to lead down slippery slopes to consequentialism. Other approaches can appear upon reflection to smack of post hoc intuition mongering, or to run afoul of Occam's razor. Beyond philosophy consequentialism is rarely mentioned but widely used. Its pervasive deployment in spheres such as economics, public policy, and jurisprudence is one of the more striking developments of the last century and a half. In public policy, for example, it is now commonplace to rank policies in terms of the better or worse consequences that will result overall from their implementation, often measured in monetary terms of benefits vs. costs.\* In economics the rational course of action by an agent is taken to be the one that maximizes that agent's own welfare, utility\*, or preference satisfaction, but the moral course of action is often taken to be that of maximizing overall social welfare, utility, or preference satisfaction.4 In many areas of contemporary jurisprudence, particularly in the United States, the right strategy is taken to be that which maximizes overall benefit. Markets are taken to be the most effective tools for implementing this consequential strategy, hence the role of the laws and the courts is taken to be that of mimicking the market (hence maximizing benefit) in areas in which markets (due to externalities, etc.) fail.5 Even most of its advocates readily concede that the theory has a host of counter-intuitive implications and conflicts with many of our deeply held moral judgments. Yet efforts to supply such judgments with an underlying rationale can seem to lead ineluctably away from such intuitions and particular judgments and back towards consequentialism.

Much recent work in ethics has consisted of efforts either to mitigate the counter-intuitiveness of generally consequentialist approaches to ethics, or to strike against the fundamental theoretical challenge that consequentialism is taken to provide to considered moral judgments and alternative moral theories. It is the thesis of this book that these discussions of the challenge of consequentialism tend to overlook a fundamental challenge to consequentialism. an unresolved tension between the theory and many of its most fundamental presuppositions. My project is to demonstrate that the traditional considerations that are taken to drive the challenge of consequentialism collapse in the face of this challenge to consequentialism. Many others have raised objections to consequentialism. but itis often open to the consequentialist to respond that such criticisms beg certain of the crucial questions at issue. Critics argue that consequentialists cannot take persons or rights seriously, for example, but consequentialists respond that it is precisely their view that treats each and every person with full and equal seriousness. If rights are to be taken seriously, isn't the right approach to maximize the extent to which they are upheld overall?7 My approach, by contrast, identifies certain tensions within the consequentialist approach itself. An appreciation of the nature of these tensions grounds the articulation of a fundamental challenge to the theory from within. Plausible steps for meeting this challenge, 1 will argue, lead us naturally beyond consequentialism; indeed, lead us to certain distinctly non-consequentialist commitments.

#### Consequentialism is void of morality because it is overly concerned with state of affairs at the expense of evaluating ethics – prefer deontological methods.

Hurley 11 [Paul, Professor of Philosophy at Claremont McKenna College, “Beyond Consequentialism”, Oxford University Press, 6-10-11, Pg. 3-6]

The fundamental challenge to consequentialism can be introduced by way of two claims. These claims are typically endorsed not only by advocates of consequentially moral theories, but by defenders of the standard Aristotelian. Hobbesian and Kantian alternatives to consequentialism as well. The first claim is that there are some acts that morality prohibits, and others that it requires of us. The second is that we should do what morality requires; we typically have decisive reasons to act in accordance with such moral requirements and prohibitions.8 The standard alternatives to consequentialism are theories both of the standards set by morality and of the decisive reasons that we have to conform to such standards. In particular, each is a theory of the relationship between reasons and rightness (or “moral" virtues) upon which we have decisive reasons to do what the correct standards for right or virtuous action require of us and to avoid doing what they prohibit. None of these traditional approaches challenges these claims that morality establishes contentful standards of conduct (that morality is contentful) and that we have decisive reasons to do what such standards require (that morality’ is in this sense rationally authoritative). Rather, they are attempts to provide theories of the relationship between what we have reasons to do and what it is right or virtuous to do that supply rationales for both the content that they take moral standards to have and the rational authority of such standards.

Consequentialism is often presented as an alternative in kind to such theories. But this is misleading. Like advocates of these other approaches, standard act consequentialists often appeal to both the claim that morality is contentful and the claim that morality is authoritative. But, unlike these alternatives, consequentialist moral theories are not in the first instance theories of the relationship between reasons to act and right actions. They are instead theories of the relationship between right actions and good overall states of affairs, upon which an action is morally right just in case its performance leads to the best state of affairs. The traditional alternatives are fundamentally theories of the relationship between reasons to act and right (or virtuous) action; consequentialism is fundamentally a theory of the relationship between right action and good states of affairs. Consequentialism thus provide a rationale for the content of morality, but such a rationale can be embraced without taking up any position at all concerning the authoritativeness of such moral standards. Unlike the alternatives, such a theory can be embraced by someone who rejects the claim that moral standards are authoritative. Do the ends justify the means? The consequentialist answer can be deceptively nuanced: their moral standards for right action are only satisfied if an agent acts to promote the best overall state of affairs, but this consequentialist theory' of the content of moral standards is agnostic as to whether agents ever have even sufficient (much less decisive) reasons to do what is morally right.

This contrast between consequentialism and the other traditional approaches can be brought into focus with the example of Carl the card-carrying consequentialist. Let us assume that Carl accepts one from among the accounts of practical reason that can be and frequently are espoused by consequentialists, for example that the rational agent has decisive reasons to pursue her own happiness, or the maximal satisfaction of her preferences, or her own well-being, or the effective satisfaction of her plans, projects, and commitments. As a card-carrying consequentialist, he also accepts that the morally right action for him to perform is the action that brings about the best overall state of affairs, for example that maximizes overall happiness or maximizes the overall satisfaction of people's projects and commitments. Carl farther accepts the plausible claim that what furthers his own happiness or individual preference satisfaction or the satisfaction of his plans and projects often diverges from what maximizes overall happiness or aggregate preference satisfaction. Carl, while continuing to lx\* a card-carrying consequential, draws the obvious conclusion from these commitments: he clearly has decisive reasons not to do the right thing in such routine cases. Carl is crystal clear about the action on his part that would be necessary’ to conform to what he as a card-carrying consequential, recognizes as the correct moral standards. It is equally clear that he routinely has decisive reasons to do what such standards identify as wrong, and should not perform the right action in such cases. Because Harry\* the Hobbesian and Kate the Kantian espouse theories of the relationship between reasons to act and right actions, theories that purport to provide a rationale for both claims, such a result—that agents routinely have decisive reasons not to do what their theories identify as right—would constitute a devastating objection to their theories. By contrast, Carl can proceed blithely on as a card-carrying consequentialist while embracing such a result. Indeed, he can cite whatever grounds he takes there to be for the truth of his theory of the content of moral standards as providing grounds for rejection of the claim that morality is rationally authoritative. Carl might even conclude that the only reason the authoritativeness of morality has seemed plausible is that we have not recognized the full implications of the truth of consequentialism, and the stark contrast that in fact routinely obtains between what is morally right and wrong (properly, consequentially understood) and what we have decisive or sufficient reasons to do or not to do.9 This consequence that is blithely accepted by Carl would of course be rejected by virtually all actual consequentialists. To surrender the rational authority of their moral standards as the price for the vindication of their account of the content of such standards would be for them a pyrrhic victory, losing the war as a cost of winning one battle. I will argue in what follows that consequentialism loses both the battle and the war.

#### Consequentialism ignores the lives of the moral agents

**Mulgan 1** – Professor of Moral and Political Philosophy at the University of St. Andrews (Tim, “The Demands of Consequentialism,” Oxford: Clarendon Press, 2001, http://www.thedivineconspiracy.org/Z5280V.pdf)BC

1.3. Related Objections to Consequentialism

The Demandingness Objection is often linked to several other common objections to Consequentialism. In this section I distinguish these objections and explore their interconnections. 1.3.1. The Integrity Objection Another common objection to Consequentialism is the ‘integrity’ or ‘alienation’ objection. The classic formulation is due to Bernard Williams: ‘how can a man, as a utilitarian agent, come to regard as one satisfaction among others, and a dispensable one, a project or attitude round which he has built his life. . .’33 Williams suggests that, by requiring every agent to take no more account of her own welfare than of the welfare of others, Consequentialism undermines the integrity of the agent’s life. The Consequentialist agent must view every life from the outside, seeing it only in terms of the value it adds to the overall value of the universe. We might refer to this as the impersonal value of a life. The charge is that Consequentialism requires us to view our lives only from the impersonal perspective. Williams suggests that no agent can view her own life in this way and flourish. Peter Railton expresses a similar objection in terms of alienation, which ‘can be characterized . . . as a kind of estrangement . . . resulting in some sort of loss’.34 By requiring us always to adopt the impersonal perspective, Utilitarianism threatens to alienate us from our own lives. If, following Susan Wolf, we define a meaningful life as a life ‘of active engagement in projects of worth’,35 then we might object that no agent who followed Consequentialist moral theory could live a meaningful life, as she would be unable to identify with her own projects. It is important not to be misled by the term ‘integrity’. This does not refer to a separable valuable component of a good life, or to moral uprightness. Rather, Williams speaks of the integrity of a human life in the same way that we might speak of the integrity of a work of art.36 The integrity of a life is its wholeness, unity, or shape. The Integrity Objection is logically distinct from the Demandingness Objection. A moral theory could violate integrity without making any strong demands in the ordinary sense. For instance, we might imagine a theory, let us call it Impartial Spectatorism, requiring agents to view the world from the impersonal perspective at all times, but with no obligation to act in the world. Alternatively, a moral theory could be very demanding without violating anyone’s integrity. For instance, a theory telling agents to devote their lives to a religious vocation might foster highly unified integral lives, while making great demands on each agent’s resources (although this degree of religious devotion might itself become alienating). Despite their distinctness, however, the two objections are closely related. In the first place, the violation of integrity is a striking example of the unreasonable demands of Consequentialism. A naive Consequentialist might argue that his theory only requires Affluent to give up money, which is not a vital component of human flourishing. A Marxian Consequentialist might even suggest that Affluent is better off without the distractions of consumer society. Opponents of Consequentialism will reply that Consequentialism not only requires Affluent to sacrifice resources she could have devoted to her own projects, it also requires her to be prepared to abandon those projects immediately should they cease to be her most effective way of maximizing the impersonal good. This is a very significant point. The force of the Demandingness Objection is a function, not only of the number of demands a given theory makes, but also of the moral significance of each demand to the individual agent. Some components or aspects of well-being may be more significant than others. For instance, we may judge the demand that I give up my freedom more harshly than the demand that I relinquish most of my worldly possessions, even though the latter leaves me worse off than the former. (I explore such possibilities at some length in the final part of this book.) Alternatively, the notion of integrity might provide not only an example of the unreasonableness of Consequentialism, but also an explanation of that unreasonableness. Why does Consequentialism make such demands? Because it ignores the moral significance of integrity. Consequentialism makes extreme demands because it requires us always to view the world from the impersonal perspective, and ignore our own personal point of view. This is unreasonable because, unless we are allowed to view the world from a perspective granting special weight to our own concerns, we cannot live recognizably human lives.

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## Util

### Util Good

#### Utilitarianism is the only ethical way to evaluate action because it is indifferent to temporal distance.

Davidson 15 (Marc D. Davidson, researcher and lecturer, University of Amsterdam environmental ethics and economics “Climate change and the ethics of discounting” WIREs Clim Change 2015, 6:401–412. doi: 10.1002/wcc.347 *.nt)*

Welfarist Consequentialism Utilitarianism The most common approach to discounting in the climate debate is (classical) utilitarianism. According to utilitarianism, the right act is the one that maximizes utility (or happiness, well-being, or some other comparable measure) for all concerned. The utilitarian approach has two consequences for discounting. The first of these is that time as such is irrelevant. Sidgwick,61 one of the founding fathers of utilitarianism, already observed that ‘the interests of posterity must concern a Utilitarian as much as those of his [their] contemporaries.’ In other words: changes in future utility count as much as changes in present utility.c The second consequence is that, given the diminishing marginal utility of consumption, discounting is indeed required if future generations are expected to be wealthier than we are today.d According to Marshall,64 ‘a pound’s worth of satisfaction to an ordinary poor man is a much greater thing than a pound’s worth of satisfaction to an ordinary rich man.’ According to utilitarianism, we should therefore discount future climate damage at a rate equal to the expected growth rate of consumption times the absolute value of the elasticity of marginal utility: the Ramsey formula with the pure rate of time preference set to zero. This is the approach followed by e.g., Ramsey,20 Pigou,56, and Harrod65 in the general discounting debate and by e.g., Cline,32 Schelling,53 Azar & Sterner,66 Broome,67,68, and Stern6 in the climate debate.

#### Utilitarianism should be applied to politics

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Utilitarianism is an ethical theory with political consequences. It is an ethical theory, in the sense that it tells us what is right and wrong, good and bad. It is political, in that some of its most central pro­nouncements touch upon the conduct of public life. Indeed, it pur­ports to provide a complete political theory, a complete normative guide for the conduct of public affairs. An "ethic" is, strictly speaking, a theory of the good and bad, right and wrong quite generally. The term has, however, come primarily to connote more narrowly a theory of right conduct at the level of per­sonal conduct. Ethics has come to be seen, quintessentially, as an an­swer to the question of "what should I do?" What is central to ethics thus understood is our intimate, individual affairs. What it is that is right for us to do jointly, in the conduct of our public lives, is seen to be basically derivative from that. Of course this line of thought is quite right, in one sense. From most modern perspectives, if not from certain more ancient ones, The Politics always has to be parasitic upon The Ethics. Any political the­ory that purports to tell us what we should do (in more than a crassly prudential or pragmatic sense of "should") needs an ethical theory of some sort or another to provide its normative bite. What I shall here be disputing is whether that normative theory necessarily has to be parasitic upon - to be rooted in, to have its primary application to, to be tested first and foremost against its implications for - personal conduct. ''The thesis of this book is that at least one normative theory, utili­tarianism, can be a good normative guide to public affairs without its necessarily being the best practical guide to personal conduct. It is right there, too, after a fashion. But special circumstances confound the direct application of utilitarianism to personal affairs, and in such circumstances utilitarianism itself recommends that people's conduct be guided by more indirectly utilitarian mechanisms - obeying rules of conduct or developing traits of character, themselves chosen on utilitarian bases, rather than trying to apply the utilitarian calculus directly in each instance. There are special circumstances governing public life, too, however, just as the special circumstances of private life are such as to drive us away from utilitarianism in any direct form, so too are the special circumstances of public life such as to drive us toward it. Those special circumstances make public life particularly conducive to the forthright application of utilitarian doctrine. Indeed, in my view, they make it almost indecent to apply any other.

#### Utilitarianism is the best framework for formulistic approaches to policy

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Intemperate though his language may be, Macaulay clearly has a point. One of the great advantages of utilitarianism has always been that it promises to yield determinate, no-nonsense advice on practical matters of what one should do. One of its great disadvantages has always been that it has a tendency to do so (at least in the hands of its most brusque, no-nonsense practitioners) in a singularly formulistic way. List the alternatives, list the consequences, attach utility numbers to each and crank the adding machine's handle. Nothing could be easier. But, critics say (with some considerable justification), nothing quite so easy could possibly be right.[[4]](#footnote-4)

There is no denying that many of the applications of utilitarianism to problems of public policy are just as rote as that. In a way, though, it is a virtue of utilitarianism that it is an ethic which admits of rote learning of that sort. Better that an ethic be applied by rote than not at all, if (or where) those are the only options - as often they are, given the limits to policy-makers' time, attention and talents.

In any case, utilitarianism of the most formulistic sort is sometimes transparently the right way to approach a policy problem. Suppose we are trying to assess the economic effects of income transfer pro­grams, for example. Then balance-sheet thinking is precisely what we need. The traditional complaint against generous income support pro­grams is that if people can get something for nothing then they will not bother working for a living in the present or saving for the future. But the magnitudes here clearly matter. American evidence suggests, for example, that in exchange for a 4.8 percent reduction of labor sup­ply (and a reduction in private savings of between o and 20 percent) we get a 75 percent reduction in poverty and a 19 percent increase in equality (measured by the Gini coefficient).70 Whether we think on balance the gains are worth the costs is an open question. That de­pends on the relative weights we attach to each of those factors. But whichever way we go on that concrete case, listing the various effects and weighing them against one another surely is the right way to go about making that an economic assessment of that sort.

**Utilitarianism can function as a framework for creative policies – empirics prove**

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Transparently right though such formulistic approaches to policy puzzles sometimes are, however, it would be wrong to judge utilitarianism wholly in light of them. In coming to an overall assessment of utilitarianism as a public philosophy, it would be wrong to fixate ex­clusively upon the most formulistic derivations of its least imaginative practitioners. We should attend at least as much to the more creative uses that can be made of the tools with which utilitarianism provides us, to possibilities that arise from working "in the shadows of utili­tarianism," in Hart's phrase.71 In the examples that follow, I attempt time and again to show how utilitarianism's central concepts might, given certain features of the problem at hand, yield determinate policy advice - without resorting to simpleminded, and often simply impossible, cranking through the formula to reach a direct determination of what is likely to maximize sum-total utility.

Thus, in the example of Chapter 17, it is possible to say in the spirit of utilitarianism that unilateral nuclear disarmament would have been a good policy in an essentially bipolar world - not because that would maximize utility (absent probability numbers, that is a sum that can­not be done), but rather because it would make a modal change in the possibility of truly awful outcomes. It is possible to say, in the example of Chapter 14, that an unconditional income guarantee (neg­ative income tax, basic income, call it what you will) is a good thing not because that would necessarily maximize overall social utility in the presently prevailing circumstances, but rather because that pol­ity would be minimally sensitive to shifts in prevailing social circum­stances which always change far more rapidly than social policy. For that reason, unconditional income guarantees would be more likely to maximize utility across that wide range of changing circumstances. Or, in the examples running through Chapters 10 to 13, policies to buffer people against radical changes to the course of their lives would be a good thing - not because those are the most satisfying lives that people might live, but rather because the chopping and changing re­quired to get to something else would be profoundly disruptive of what people find ultimately satisfying in their lives.

Of course, the bottom line in all those cases is that the policies are justified because ultimately they are utility-maximizing in some sense or another. Mine would hardly be a utilitarian theory at all, were it otherwise. Invariably, though, those are judgments made employing the apparatus of utilitarianism but without having recourse to fine­grained calculations of sums. The considerations that are deemed decisive there for policy questions are indisputably utilitarian- style considerations, bearing directly upon the preference satisfaction (somehow conceived) of people (somehow specified). The point just is that those considerations can indeed prove determinative as regards utilitarians' policy recommendations, well ahead of doing a full-dress utility count.

#### Individuals act in their self-interest – this makes utilitarian policy-making necessary

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Utilitarians, and consequentialists more generally, are outcome- oriented. In sharp contrast to Ten Commandment-style deontological approaches, which specify certain actions to be done as a matter of duty, utilitarian theories assign people responsibility for producing certain results, leaving the individuals concerned broad discretion in how to achieve those results. The same basic difference in the two theories' approaches to assigning moral jobs reappears across all levels of moral agency, from private individuals to collective (especially state) actors.

The distinctively utilitarian approach, thus conceived, to international protection of the ozone layer is to assign states respon­sibilities for producing certain effects, leaving them broad discretion in how they accomplish it (Chapter 18). The distinctively utilitarian approach, thus conceived, to the ethical defense of nationalism is couched in terms of delimiting state boundaries in such a way as to assign particular responsibility for every particular person to some particular organization (Chapter 16). And, at a more domestic level of analysis, the distinctively utilitarian approach to the allocation of legal liabilities is to assign them to whomsoever can best discharge them (Chapters 5 through 7).

The great advantage of utilitarianism as a guide to public conduct is that it avoids gratuitous sacrifices, it ensures as best we are able to ensure in the uncertain world of public policy-making that policies are sensitive to people's interests or desires or preferences. The great failing of more deontological theories, applied to those realms, is that they fixate upon duties done for the sake of duty rather than for the sake of any good that is done by doing one's duty. Perhaps it is per­missible (perhaps it is even proper) for private individuals in the course of their personal affairs to fetishize duties done for their own sake. It would be a mistake for public officials to do likewise, not least because it is impossible. The fixation on motives makes absolutely no sense in the public realm, and might make precious little sense in the private one even, as Chapter 3 shows.

The reason public action is required at all arises from the inability of uncoordinated Individual action to achieve certain morally desir­able ends. Individuals are rightly excused from pursuing those ends. The inability is real; the excuses, perfectly valid. But libertarians are right in their diagnosis, wrong in their prescription. That is the mes­sage of Chapter 2. The same thing that makes those excuses valid at the individual level - the same thing that relieves individuals of re­sponsibility - makes it morally incumbent upon individuals to organ­ize themselves into collective units that are capable of acting where they as isolated individuals are not.

When they organize themselves into these collective units, those collective deliberations inevitably take place under very different cir­cumstances, and their conclusions inevitably take very different forms. Individuals are morally required to operate in that collective manner, in certain crucial respects. But they are practically circumscribed in how they can operate, in their collective mode. And those special con­straints characterizing the public sphere of decision-making give rise to the special circumstances that make utilitarianism peculiarly apt for public policy-making, in ways set out more fully in Chapter 4. Government house utilitarianism thus understood is, I would argue, a uniquely defensible public philosophy.72

#### Criticisms of utilitarianism apply to personal conduct not public policy

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That, I submit, is a fallacy. It does matter who is using the utilitar­ian calculus, in what circumstances and for what purposes. Using the felicific calculus for micro-level purposes of guiding individuals' choices of personal conduct is altogether different from using it for macro-level purposes of guiding public officials' choices of general social policy. A different menu of options - in some respects greater, in others, less, but in any case different - is available to public and private choosers.

Those differences are such as to neutralize, in the public sphere, most of the objections standardly lodged against utilitarianism in the private sphere. True though such complaints may be as applied to utilitarianism as a standard of personal conduct, they are irrelevant (or anyway much less problematic) as applied to utilitarianism as a standard of public policy. Or so I shall argue.

### Util Bad

#### Utilitarian value judgments are not neutral – overwhelmingly used by the social elite and those with weak moral intuition.

Côté, Piff and Willer 13 [Stéphane, Paul and Robb, Joseph L. Rotman School of Management and Department of Psychology, University of Toronto, Department of Sociology, University of California, Berkeley, Department of Sociology, University of California, Berkeley, “For Whom Do the Ends Justify the Means? Social Class and Utilitarian Moral Judgment”, Journal of Personality and Social Psychology, Vol 104(3), Mar, 2013. pp. 490-503.]

Utilitarian judgment maximizes the greatest good for the greatest number on the basis of “cost–benefit” analysis (Baron, 1993; Baron & Ritov, 2009; Bentham, 1948; Cushman & Greene, 2012). Examples of utilitarian judgments include decisions to donate resources to cure several sick children rather than a single sick child (Loewenstein & Small, 2007) and demote an employee whose performance is damaging to his or her team so that the team can attain better performance (Margolis & Molinsky, 2008). Utilitarian judgment often conflicts with deontological judgment, which gives priority to rights and duties (Kant, 1785/1959). Under a deontological approach, individuals make moral judgments on the basis of rules and what seems fair to the people involved, even when those judgments do not provide the greatest value for the most people.

Utilitarian judgment also differs in meaningful ways from prosocial behavior—actions that benefit others (Dovidio, Piliavin, Schroeder, & Penner, 2006). Although prosocial behavior and utilitarian judgment both relate to enhancing others' welfare, prosocial acts differ from utilitarian judgments in that the former does not necessarily provide the greatest good for the greatest number. For example, participation in intergroup conflict or acts of parochial altruism could be viewed as prosocial by fellow group members, but neither provides the greatest good for the largest number of people. Conversely, utilitarian acts do not necessarily benefit the target of the act. Incarcerating a criminal to prevent him or her from recidivating maximizes the greatest good by protecting society, but reduces the criminal's welfare. In support of the distinction between prosocial behavior and utilitarian judgment, past research finds that they have distinct correlates. For example, the personality trait of Machiavellianism is negatively associated with prosocial behavior (Wilson, Near, & Miller, 1996) but positively associated with utilitarian judgment (Bartels & Pizarro, 2011). These different associations likely owe to the fact that utilitarian judgment is more clearly based in calculation and consideration of different outcomes. Consistent with this notion, past research finds that cognitive load interferes with the formation of utilitarian judgments (Greene, Morelli, Lowenberg, Nystrom, & Cohen, 2008) but increases the likelihood of prosocial behavior (Rand, Greene, & Nowak, 2012).

Among the factors that influence the likelihood of forming utilitarian judgments is the presence of visceral moral intuitions—quick, automatic, evaluative feelings of what is right or wrong (Haidt, 2001; Zhong, 2011). In high-conflict moral dilemmas, in which individuals decide whether to cause harm to certain others to benefit the greater good (Greene, Nystrom, Engell, Darley, & Cohen, 2004; Koenigs et al., 2007), contemplating the utilitarian option typically elicits strong, aversive moral intuitions. In neural imaging studies, regions of the brain involved in emotion (e.g., the ventral medial prefrontal cortex and the amygdala) became activated when individuals formed decisions in high-conflict moral dilemmas (Greene, Sommerville, Nystrom, Darley, & Cohen, 2001; Greene et al., 2004). This pattern of findings suggests that visceral moral intuitions may shape whether an individual will make a utilitarian judgment or not.

Along these lines, research finds that the more strongly individuals experience visceral moral intuitions in high-conflict moral dilemmas, the less likely they are to make utilitarian judgments (Loewenstein & Small, 2007; Slovic, 2007). In one study, higher levels of distress led participants to donate more money to help a single identified sick child (the least utilitarian option) than a group of sick children (the most utilitarian option; Kogut & Ritov, 2005, Study 3). In another study, encouraging participants to adopt a feelings-based approach (by asking them to answer some unrelated questions on the basis of how they felt) decreased utilitarian decisions about who should receive monetary donations, compared with encouraging participants to adopt a calculative approach (by asking them to work carefully and deliberatively to answer mathematical questions; Small et al., 2007, Study 4). In addition, manipulations that suppress or override moral intuitions, such as inductions of mirth (the emotion associated with humor; Strohminger, Lewis, & Meyer, 2011; Valdesolo & DeSteno, 2006) and cognitive reappraisal (Feinberg, Willer, Antonenko, & John, 2012) increased utilitarian judgments. Other studies found that patients with emotional deficits due to ventromedial prefrontal lesions (Ciaramelli, Muccioli, Lavadas, & di Pellegrino, 2007; Koenigs et al., 2007) or frontotemporal dementia (Mendez, Anderson, & Shapira, 2005) also favor utilitarian options. These findings suggest that factors that reduce the strength of moral intuitions, such as higher social class, as we argue below, should increase utilitarian judgment in high-conflict moral dilemmas.

By contrast, in low-conflict moral dilemmas—in which a person decides whether to cause harm to others to benefit the greater good, but the harm is less direct and often caused by deflecting an existing threat to a third party (Greene et al., 2004)—considering the utilitarian option typically elicits relatively weak moral intuitions. In past research, areas of the brain involved in emotion showed relatively weak activation when individuals formed decisions in low-conflict moral dilemmas (Greene et al., 2004, 2001). As a result, moral intuitions do not play a pivotal role in moral judgments in these types of dilemmas (Koenigs et al., 2007). Thus, factors that systematically influence the strength of moral intuitions should have weaker influences on utilitarian judgment in low-conflict moral dilemmas that do not strongly engage such intuitions.

#### Utilitarian calculations are fundamentally immoral – murder, even to save a life, is an unethical and justifies mass violence.

Kramer 11 [Nicholas Kramer, former associate investigator for an oversight & investigations committee in the United States Senate, “Murdering Some to Save Others”, <http://original.antiwar.com/nkramer/2011/04/12/murdering-some-to-save-others/>, 4-12-11]

In my ongoing quest to understand how morality and justice apply in a complex society, I have recently been watching a series of lectures on these topics available online from Harvard University’s Michael Sandel. Professor Sandel begins the series by posing two scenarios to his audience of Harvard undergraduates. In the first, Sandel suggests that a surgeon has a choice between saving five moderately injured patients at the cost of not saving one severely wounded patient, or saving the one at the cost of the five. When asked which choice they would make, by a show of hands the students almost unanimously indicate their preference for saving the most people possible. In Sandel’s second scenario, the choice is the same, but the surgeon must actually kill the one patient in order to save the rest (in this case, to harvest the vital organs necessary to keep the others alive). This time, not a single student supports the principle of saving the many at the cost of the one. Sandel then asks members of his audience to explain the apparent inconsistency in their collective logic; although these future leaders of our political and economic systems seem to have a very difficult time articulating their rationales, the difference between the scenarios is obvious, and the implications should be heartening to us all.

Murdering some people to save others is fundamentally immoral. When this principle is put before us in a hypothetical example such as Professor Sandel’s, it is easy to understand, even instinctual. I believe that, with the possible exceptions of serial killers, psychopaths, narcissists, and other outliers, the vast majority of people left to their own devices would not follow the cold calculations of utilitarianism to the extreme of murdering another person even if that action would benefit many others. I will leave it to the philosophers to determine why this is so, but most of us know such murders to be wrong and would not participate in them.

If that is the case, what then explains the recent line of “moral” reasoning expressed by liberals and neoconservatives alike in favor of the “humanitarian” bombing of Libya? There are only two explanations I can imagine: either the interventionists are among the outliers mentioned above, or there is something about murder by the state that allows people to circumvent their own innate moral instincts. During a recent discussion I had with a favorite college professor, he wondered how different our moral view of war would be if we had not developed the technology and mindset that allows for mass murder from afar. For instance, he asked rhetorically, “Would we really have gone into Hiroshima with broadswords and hacked to death 100,000 people of all ages, sizes, and shapes? Yet we dropped a single bomb on them, and those who lose sleep over that fact are considered so far out of the mainstream as to not be taken seriously.”

The simple and uncomfortable truth is that murder is murder, regardless of whether we do it with a 1,000-lb. explosive delivered via cruise missile or with a broadsword. As much as I would like to blame the pro-war liberals and neoconservatives for the horrors they support, the reality is that it is the state that allows and perpetuates the limitless destruction brought about by war in our name. The appeal of this destruction is so powerful that even people (such as Nicholas Kristof) who generally seem not to be mass murderers or overall “bad” folks can be seduced into blind support of absolutely immoral actions. If we accept that otherwise “good” people cannot be relied upon to maintain their moral principles when it comes to the actions of the state, the only way we can hope to inoculate ourselves against the temptations of state violence for “humanitarian” causes is to adopt a strictly non-interventionist foreign policy. I would not want to live in a society that condoned surgeons actively murdering some patients in order to save others; likewise, I despise and regret my implicit support for a government that murders Libyans to theoretically prevent the deaths of other Libyans. As heart-breaking as it is when people on the other side of the world kill each other, it is indeed better to save no one if that is the only way to avoid committing murder.

#### Utilitarianism can’t coherently guide action – too many competing risks.

Read 9 [Rupert, Reader in Philosophy at the University of East Anglia, “The difference principle is not action-guiding”, http://www.rupertread.fastmail.co.uk/The%20difference%20principle%20is%20not%20action%20guiding.doc]

There is a flaw in Utilitarianism that is one step beyond the problem mentioned above. It is a deeper, more ‘constitutive’ version of the ‘no stable rules’ problem. It is one of the most widely-touted serious flaws in Utilitarianism (at least, in Act Utilitarianism ) that it is ultimately not merely liable to defy our moral intuitions and produce social uncertainty, but is not action-guiding at all. Any course of action can be justified, given uncertainties about others’ reactions, other’s expectations, and so forth, with a good enough story to tell, and a long enough view of the consequences. Utilitarianism, in other words, never rules out any choice since it makes permissibility always depend on consequences in a manner that is in-terminable. When agents are act-utilitarians, they need to undertake an endlessly iterable process of trying to determine how they will react to one another’s actions.

This is a particular, very damaging version of the ‘calculation problem’ in Utilitarianism. How can we really calculate utility, when it depends upon the consequences of our actions, and these depend upon other people’s reactions to those? Gigantic, impenetrable co-ordination problems result.

#### Util is void of empathy

Côté, Piff and Willer 13 [Stéphane, Paul and Robb, Joseph L. Rotman School of Management and Department of Psychology, University of Toronto, Department of Sociology, University of California, Berkeley, Department of Sociology, University of California, Berkeley, “For Whom Do the Ends Justify the Means? Social Class and Utilitarian Moral Judgment”, Journal of Personality and Social Psychology, Vol 104(3), Mar, 2013. pp. 490-503.]

Past theory and research on the psychological manifestations of social class suggest that higher-class standing could reduce visceral moral intuitions and, in turn, increase utilitarian judgment in high-conflict moral dilemmas. Psychologists view social class as a relatively stable individual-level characteristic that is rooted in objective, socially valued resources (e.g., income, education, and occupational prestige) and corresponding subjective perceptions of rank vis-à-vis others (Kraus, Piff, Mendoza-Denton, Rheinschmidt, & Keltner, 2012; Snibbe & Markus, 2005; Stephens, Markus, & Townsend, 2007). Differences between lower- and upper-class individuals in the environments that they inhabit and in the resources that they possess lead them to develop unique mindsets and to perceive, interpret, and react to various situations differently (Côté, 2011; Kraus et al., 2012). Past theory and evidence suggest that lower-class individuals exhibit different patterns of emotional reactivity than their upper-class counterparts. In particular, lower-class individuals are exposed to more of the sort of threats to health and well-being that are common in resource-poor environments (e.g., poorly funded schools, a higher incidence of crime), threats that upper-class individuals are typically more insulated from (Chen & Matthews, 2001; Kraus et al., 2012; Stellar et al., 2012). Furthermore, lower-class individuals possess fewer resources (e.g., money, insurance) to cope with these threats. Given their more threatening environments and relative lack of material resources, lower-class individuals engage in a variety of adaptive social-cognitive processes. One such process is heightened vigilance, which can cause lower-class individuals to have stronger negative emotional reactions to stressors than their upper-class counterparts. In past studies, lower-class respondents reacted more strongly to stressors such as threatening and ambiguous written social scenarios (Chen & Matthews, 2001) and undesirable life events and health problems (Kessler & Cleary, 1980), compared with upper-class respondents. Lower-class individuals also respond adaptively to threats in their environments by building supportive, interdependent networks that they can draw on to confront threats when they arise (Stellar et al., 2012). In support of this reasoning, in one investigation, lower-class individuals described a larger proportion of their relationships as close and performed better on a Stroop test of sensitivity to socioemotional cues than upper-class individuals (Na et al., 2010). In another investigation, lower-class students endorsed more interdependent motives (e.g., helping their families, giving back to their communities) for attending university than upper-class students (Stephens, Fryberg, Markus, Johnson, & Covarrubias, 2012). Sociological research has found spontaneous resource sharing among the urban poor as a collectivistic strategy to manage unemployment (e.g., Uehara, 1990). To facilitate the development of supportive, interdependent bonds, lower-class individuals exhibit stronger empathic responses to others in the social environment. By contrast, greater independence and reduced reliance on others lead upper-class individuals to feel relatively lower levels of empathy, defined as “a set of congruent vicarious emotions… that are more other-focused than self-focused, including feelings of sympathy, compassion, tenderness, and the like” (Batson, 1991, p. 86). In one investigation, lower-class individuals reported feeling more compassion and exhibited stronger physiological signs of compassion after watching a video of a child suffering from cancer, relative to upper-class participants (Stellar et al., 2012). In another study, upper-class participants were less likely to help a stranger in need relative to lower-class participants, and this tendency was driven by lower levels of compassion (Piff et al., 2010, Study 4). In sum, past theory and evidence suggest that upper-class individuals feel less empathy for others than their lower-class counterparts and also that empathy reduces utilitarian judgment. Thus, we hypothesize that upper-class individuals should be more likely to choose utilitarian options that maximize the greatest good for the greatest number in high-conflict moral dilemmas that pit moral intuitions against consequentialist calculations, relative to lower-class individuals. We further hypothesize that this association is driven, in part, by reduced empathy for those harmed by utilitarian judgments.

#### Utilitarianism is trapped in self-referential ethics – justifies apartheid.

Velasquez et al 12 [Manuel Velasquez, Claire Andre Thomas Shanks Michael J. Meyer, Charles J. Dirksen Professor of Management at Santa Clara University , Applied Ethics Associate Director at Santa Clara University , Senior Associate Dean of Arts and Sciences at Santa Clara University, Professor of Philosophy at Santa Clara University , <http://www.scu.edu/ethics/practicing/decision/calculating.html>, 2012]

While utilitarianism is currently a very popular ethical theory, there are some difficulties in relying on it as a sole method for moral decision-making. First, the utilitarian calculation requires that we assign values to the benefits and harms resulting from our actions and compare them with the benefits and harms that might result from other actions. But it's often difficult, if not impossible, to measure and compare the values of certain benefits and costs. How do we go about assigning a value to life or to art? And how do we go about comparing the value of money with, for example, the value of life, the value of time, or the value of human dignity? Moreover, can we ever be really certain about all of the consequences of our actions? Our ability to measure and to predict the benefits and harms resulting from a course of action or a moral rule is dubious, to say the least. Perhaps the greatest difficulty with utilitarianism is that it fails to take into account considerations of justice. We can imagine instances where a certain course of action would produce great benefits for society, but they would be clearly unjust. During the apartheid regime in South Africa in the last century, South African whites, for example, sometimes claimed that all South Africans—including blacks—were better off under white rule. These whites claimed that in those African nations that have traded a whites-only government for a black or mixed one, social conditions have rapidly deteriorated. Civil wars, economic decline, famine, and unrest, they predicted, will be the result of allowing the black majority of South Africa to run the government. If such a prediction were true—and the end of apartheid has shown that the prediction was false—then the white government of South Africa would have been morally justified by utilitarianism, in spite of its injustice. If our moral decisions are to take into account considerations of justice, then apparently utilitarianism cannot be the sole principle guiding our decisions. It can, however, play a role in these decisions. The principle of utilitarianism invites us to consider the immediate and the less immediate consequences of our actions. Given its insistence on summing the benefits and harms of all people, utilitarianism asks us to look beyond self-interest to consider impartially the interests of all persons affected by our actions. As John Stuart Mill once wrote: The happiness which forms the utilitarian standard of what is right in conduct, is not...(one's) own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. In an era today that some have characterized as "the age of self-interest," utilitarianism is a powerful reminder that morality calls us to look beyond the self to the good of all.

##

## Deontology

### Deon Good

#### The source of value comes from the way we spend our lives rather than their continuation – utilitarian focus on death impact obscures the ability to construct meaningful existences through an irrational fear of death.

--- Death can only be evil if it deprives us of the good things about life

--- Utilitarian calculations that require a sacrifice about the positive things about life therefore are counterintuitive

Nagel 12 [Thomas, University Professor of Philosophy and Law at New York University, “Mortal Questions”, Cambridge University Press, Mar 26, 2012, Pg.1-3]

If death is the unequivocal and permanent end of our existence, the question arises whether it is a bad thing to die.

There is conspicuous disagreement about the matter: some people think death is dreadful; others have no objection to death per se, though they hope their own will be neither premature nor painful. Those in the former category tend to think those in the latter are ~~blind~~ [not privy] to the obvious, while the latter suppose the former to be prey to some sort of confusion. On the one hand it can be said that life is all we have and the loss of it is the greatest loss we can sustain. On the other hand it may be objected that death deprives this supposed loss of its subject, and that if we realize that death is not an unimaginable condition of the persisting person, but a mere blank, we will see that it can have no value whatever, positive or negative.

Since I want to leave aside the question whether we are, or might be, immortal in some form, I shall simply use the word ‘death’ and its cognates in this discussion to mean permanent death, unsupplemented by any form of conscious survival. I want to ask whether death is in itself an evil; and how great an evil, and of what kind, it might be. The question should be of interest even to those who believe in some form of immortality, for one’s attitude toward immortality must depend in part on one’s attitude toward death.

If death is an evil at all, it cannot be because of its positive features, but only because of what it deprives us of. I shall try to deal with the difficulties surrounding the natural view that death is an evil because it brings to an end all the goods that life contains. We need no: give an account of these goods here, except to observe that some of them, like perception, desire, activity, and thought, are so general as to be constitutive of human life. They are widely regarded as formidable benefits in themselves, despite the fact that they are conditions of misery as well as of happiness, and that a sufficient quantity of more particular evils can perhaps outweigh them. That is what is meant, I think, by the allegation that it is good simply to be alive, even if one is undergoing terrible experiences. The situation is roughly this: There are elements which, if added to one’s experience, make life better; there are other elements which, if added to one’s experience, make life worse. But what remains when these are set aside is not merely neutral: it is emphatically positive. Therefore life is worth living even when the bad elements of experience are plentiful, and the good ones too meager to outweigh the bad ones on their own. The additional positive weight is supplied by experience itself, rather than by any of its contents.

I shall not discuss the value that one person’s life or death may have for others, or its objective value, but only the value it has for the person who is its subject. That seems to me the primary case, and the case which presents the greatest difficulties. Let me add only two observations. First, the value of life and its contents does not attach to mere organic survival: almost everyone would be indifferent (other things equal) between immediate death and immediate coma followed by death twenty years later without reawakening. And second, like most goods, this can be multiplied by time: more is better than less. The added quantities need not be temporally continuous (though continuity has its social advantages). People are attracted to the possibility of long-term suspended animation or freezing, followed by the resumption of conscious life, because they can regard it from within simply as continuation of their present life. If these techniques are ever perfected, what from outside appeared as a dormant interval of three hundred years could be experienced by the subject as nothing more than a sharp discontinuity in the character of his experiences. I do not deny, of course, that this has its own disadvantages. Family and friends may have died in the meantime; the language may have changed; the comforts of social, geographical, and cultural familiarity would be lacking. Nevertheless these inconveniences would not obliterate the basic advantage of continued, though discontinuous, existence.

If we turn from what is good about life to what is bad about death, the case is completely different. Essentially, though there may be problems about their specification, what we find desirable in life are certain states, conditions, or types of activity. It is being alive, doing certain things, having certain experiences that we consider good. But if death is an evil, it is the loss of life, rather than the state of being dead, or nonexistent, or unconscious, that is objectionable.1 This asymmetry is important. If it is good to be alive, that advantage can be attributed to a person at each point of his life. It is a good of which Bach had more than Schubert, simply because he lived longer. Death, however, is not an evil of which Shakespeare has so far received a larger portion than Proust. If death is a disadvantage, it is not easy to say when a man suffers it.

Equality is a side constraint – regardless of consequences – we cannot take any action that is unjust

**Rawls 1971** (John, philosopher, A Theory of Justice, p. 3-4)

Justice is the first virtue of social institutions as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust. Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override. For this reason justice denies that the loss of freedom for some is made right by a greater good shared by others. It does not allow that the sacrifices imposed on a few are outweighed by the larger sum of advantages enjoyed by the many. Therefore in a just society the liberties of equal citizenship are taken as settled; the rights secured by justice are not subject to political bargaining or to the calculus of social interests. The only thing that permits us to acquiesce in an erroneous theory is the lack of a better one; analogously, an injustice is tolerable only when it is necessary to avoid an even greater injustice. Being first virtues of human activities, truth and justice are uncompromising.

#### The threat of extinction cannot outweigh morality – survival

**Callahan 1973** (Daniel, institute of Society and Ethics, The Tyranny of Survival, p. 91-3)

The value of survival could not be so readily abused were it not for its evocative power. But abused it has been. In the name of survival, all manner of social and political evils have been committed against the rights of individuals, including the right to life. The purported threat of Communist domination has for over two decades fueled the drive of militarists for ever-larger defense budgets, no matter what the cost to other social needs. During World War II, native Japanese-Americans were herded, without due process of law, to detention camps. This policy was later upheld by the Supreme Court in Korematsu v. United States (1944) in the general context that a threat to national security can justify acts otherwise blatantly unjustifiable. The survival of the Aryan race was one of the official legitimations of Nazism. Under the banner of survival, the government of South Africa imposes a ruthless apartheid, heedless of the most elementary human rights. The Vietnamese war has seen one of the greatest of the many absurdities tolerated in the name of survival: the destruction of villages in order to save them. But it is not only in a political setting that survival has been evoked as a final and unarguable value. The main rationale B. F. Skinner offers in Beyond Freedom and Dignity for the controlled and conditioned society is the need for survival. For Jacques Monod, in Chance and Necessity, survival requires that we overthrow almost every known religious, ethical and political system. In genetics, the survival of the gene pool has been put forward as sufficient grounds for a forceful prohibition of bearers of offensive genetic traits from marrying and bearing children. Some have even suggested that we do the cause of survival no good by our misguided medical efforts to find means by which those suffering from such common genetically based diseases as diabetes can live a normal life, and thus procreate even more diabetics. In the field of population and environment, one can do no better than to cite Paul Ehrlich, whose works have shown a high dedication to survival, and in its holy name a willingness to contemplate governmentally enforced abortions and a denial of food to surviving populations of nations which have not enacted population-control policies. For all these reasons it is possible to counterpoise over against the need for survival a "tyranny of survival." There seems to be no imaginable evil which some group is not willing to inflict on another for sake of survival, no rights, liberties or dignities which it is not ready to suppress. It is easy, of course, to recognize the danger when survival is falsely and manipulatively invoked. Dictators never talk about their aggressions, but only about the need to defend the fatherland to save it from destruction at the hands of its enemies. But my point goes deeper than that. It is directed even at a legitimate concern for survival, when that concern is allowed to reach an intensity which would ignore, suppress or destroy other fundamental human rights and values. The potential tyranny survival as value is that it is capable, if not treated sanely, of wiping out all other values. Survival can become an obsession and a disease, provoking a destructive singlemindedness that will stop at nothing. We come here to the fundamental moral dilemma. If, both biologically and psychologically, the need for survival is basic to man, and if survival is the precondition for any and all human achievements, and if no other rights make much sense without the premise of a right to life—then how will it be possible to honor and act upon the need for survival without, in the process, destroying everything in human beings which makes them worthy of survival. To put it more strongly, if the price of survival is human degradation, then there is no moral reason why an effort should be made to ensure that survival. It would be the Pyrrhic victory to end all Pyrrhic victories.

### Deon Bad

#### Deontologists have a misunderstanding of intrinsic properties – this undermines deontological theory

**Spielthenner 5** – University of Dar es Salaam, Department of Philosophy and Religious Studies (Georg, “Consequentialism or Deontology?” Philosophia, December 2005, Vol. 33, Issue 1-4, p.217-235, Springer)BC

For the reasons given above, deontological theories seem to me preferable to narrow consequentialist views. The problem, however, is that their proponents do not clarify what properties make actions right or wrong. Deontologists tend to claim that these properties are not only the causal consequences of actions but also (or only) their intrinsic properties. This, however, raises two problems. First, the notion of intrinsic properties is quite unclear. I think it is fair to say that when deontologists hold that the right-making property can be intrinsic, they mean that the action has this property by virtue of itself, depending on no other thing. But this is not much more than a platitude. The distinction between intrinsic and extrinsic properties, even though it is popular in ethics, becomes quite unclear when we look more closely at it. For example, deontologists hardly ever make the distinction between whether a property is intrinsic or whether an action that has a property has it intrinsically, which are different issues. A thing can have an extrinsic property intrinsically. Some deontoiogists seem to have used 'intrinsic' to mean 'essential' which is a misuse of the term; others tend to use 'intrinsic' as the opposite of 'relational', which is also incorrect. Properties can be both, relational and intrinsic. The second problem is that even if we concede that deontologists can sufficiently clarify the notion of an intrinsic property, what they claim to be intrinsic properties, are often clearly extrinsic qualities. W. Frankena (1973), for instance, holds that the fact that I keep a promise or that an action is commanded by God are intrinsic properties. But on any reasonable account of 'intrinsic', they are not. In what follows, I will attempt to show that deontologists do not need the elusive notion of intrinsic properties by arguing that what they mean by this concept are implications of actions.

#### Paradoxes undermine deontology – consequences will inevitably be considered

**Brook 7** – Emeritus Professor Department of Philosophy at Bloomsburg University of Pennsylvania (Richard, “Deontology, Paradox, and Moral Evil,” *Social Theory and Practice*, Vol. 33, No. 3, July 2007, p.431-440, JSTOR)BC

Although this paper isn't a defense of deontology, I have argued the following: If deontology contains a special paradox, one distinct from prohibiting some optimific actions, then preventing moral evil would be a proper goal of action in addition to preventing harm. That may well be true, and if so, would be an important result. In fact, such a result would undermine deontology itself, since general commitments to constraints would entail permission to violate them simply to minimize the number of identical violations. However, if, to get a total measure of an act's badness, we must sum the moral evil and harm of constraint violations, then there should be some account of how to do that. Why again shouldn't the badness of one murder equal the badness of ten or fifteen accidental deaths? Why not save one triplet from murder rather than her two sisters threatened by an avalanche? We wish to know, even roughly, how much moral evil trumps prospective harm in rescue decisions.24

#### The deontological focus on motivation undermines deontology

**Goodin 95** – professor of government at the University of Essex, and professor of philosophy and social and political theory at Australian National University (Robert E., “Utilitarianism as a Public Philosophy,” Cambridge University Press, Print)BC

Chapter 3 Do motives matter?

Utilitarian schemes for state intervention to promote the common good are opposed not only by libertarians opposed to state interven­tion as a matter of principle but also by deontologists opposed to the utilitarian fixation with good outcomes. What matters much more to them are individuals' motives and intentions. It is not enough, for them, that the right thing be done. They also insist that it be done, and be seen to be done, for the right reasons.

Thus, for example, deontological moralists and social critics under I their sway are anxious to know whether we are sending food to starv­ing Africans out of genuinely altruistic concern or merely to clear domestic commodity markets, for one particularly topical example. Or, for another example, critics of the Brandt Commission's plea for increased foreign aid more generally say, in stinging rebuke: "Many of those who support the proposal. ...do so out of genuine humanitarian concern about... poverty. But it is doubtful whether this is the main concern of its authors, and it certainly is not their only concern.

They are, instead, primarily concerned with the preservation of the existing world economic order."2

What is common to all such cases is an attempt at motive differ­entiation. Any particular piece of behavior might have sprung from any of a number of different underlying motives; commentators (mor­alists, social critics) want to know which was the real motive. Here I shall show that this characteristic quest for motive differentiation is misguided. In most of the standard social situations, it makes no ma­terial difference to agents' actions whether they act from one sort of motive or another. And in such circumstances, pressing the motivational issue will usually lead only to mischief, of both a pragmatic and a moral sort. ons confirm previous reports about a comprehensive domestic surveillance program that seeks to provide government agents with contemporary and perpetual access to details about everywhere we go and everything we do, say, or write, particularly when using or in the company of networked technologies networked communications, however. Consider aerial drones. No longer just a feature of modern warfare, unmanned aerial drones now populate domestic airspace. Military-style drones operate along the United States border with Mexico. Farther inland, law enforcement agencies are starting to use a variety of drones during their routine police operations. Many of these drones are hardly visible, and some are as small as in- sects. Among the primary advantages of these drone surveillance systems is that they are “covert.” As one operator reported: “You don’t hear it, and unless you know what you’re looking for, you can’t see it.” Drones are also increasingly inexpensive, with some costing just a few hundred dollars. Given the diversity, power, secrecy, and increasingly modest cost of aerial drones, we should expect them to become a more and more common presence in our skies.

We are also increasingly subject to surveillance by systems capable of aggregating and analyzing large quantities of information from a variety of sources. Take, for example, New York’s “Domain Awareness System” (DAS), which was unveiled by Mayor Michael Bloomberg and Police Commissioner Raymond Kelly in August 2012. Developed in conjunction with Microsoft, DAS aggregates and analyzes video streams from 3,000 public and private security cameras, images from license- plate readers and traffic cameras, and data from government and private databases. DAS will ensure the surveillance of New Yorkers and the city as a whole, twenty-four hours a day, seven days a week. Confronted with comparisons to George Orwell’s “Big Brother,” Bloomberg replied, “What you’re seeing is what the private sector has used for a long time. If you walk around with a cell phone, the cell phone company knows where you are . . . . We’re not your mom and pop’s police department anymore.

1. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)