

ETHICS: Social Contract Theory

Lecture 25

Phil 1000, Fall 2008
Prof. Bryan Benham

Is objective morality possible?

- Survival: Rachels' Minimum Rules
 - Problems: Very minimal moral code
- God: Divine Command Theory
 - Problems: Skepticism, Euthyphro, Karamazov, Motivation
- Happiness: Utilitarianism
 - Problems: Justice and Integrity
- NEXT: Fairness & Social Contract Theory

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Social Contract Theory

- Unlike utilitarianism, the guiding idea behind social contract theory is the notion of **justice** or fairness.
 - Thus, social contract theory is usually considered a version of deontology: moral value is determined not by consequences, but by the applicability of appropriate moral rules or principles.
- Long history
 - Thomas Hobbes, John Locke, Jean-Jacque Rousseau, and more recently John Rawls.
 - Influential in the writing of the Declaration of independence and the framing of the US Constitution: “inalienable rights” and ideals of justice derived from democratic principles.

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Social Contract Theory

- Defines the general social principles of justice that rational persons would agree to under ideal situations, rather than on an authoritative individual or supra-personal decision process; think democracy, where everyone decides and everyone is the source of the resulting principles
 - Bottom-up vs. top-down process
- **State of Nature:**
 - Imagine what it would be like without laws, social conventions, or a political structure (state of nature).
 - In this state of nature what moral principles would rational people agree to in order to govern society.
 - Presumably the result would be principles of fairness or justice.

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Rawls: Original Position

- Rawls revived the social contract tradition by modifying the thought experiment:
 - Imagine people are in the “Original Position” and are deciding the principles of justice that should govern society.
- **Original Position has two essential components**
 - **Equality of Moral Persons:** everyone is a rational, self-interested decision maker aware of various liberties (freedoms/rights), social and economic goods, and human psychology/sociology.
 - **Veil of Ignorance:** people will not know what type of person, gender, social status, economic status, political position they will hold in that society.

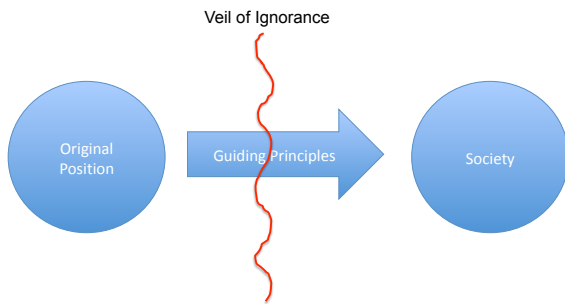
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How should we divide the cake fairly?



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Theory of Justice



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Two Principles of Justice

1. **Principle of Equal Liberty**
 - Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others; e.g., freedom of speech, voting, ownership, etc..
 - Fundamental equality among people that can't be sacrificed
2. **Principle of Just Inequalities**
 - Social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to opportunities open to everyone
 - inequalities should be to everyone's advantage so that no one will be sacrificed for the good of another, least of all the worst-off in society.

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Some Problems

- Rationality of Principles of Justice?
 - Might it be rational to accept some risk so that from the original position it is rational to, say, allow some slavery if one's individual chance of being a slave were small?
 - Also, actual relations and commitments are important for moral decision, but the original position puts these behind the veil of ignorance; is this rational?
 - How would Rawls defend against these objections?

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Some Problems

- Just Desserts?
 - The second principle suggests one should not reap the full benefits of one's efforts. Is this fair? Does it amount to an unfair social redistribution of wealth from "advantaged" to "disadvantaged"?
 - Once ownership of the fruits of one's labors is permitted, why think it is fair to then further limit the benefit one receives from the fruits of one's labor.
 - How would Rawls defend against this objection?

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- Happiness: Utilitarianism
 - Problems: Justice and Integrity
- Fairness: Social Contract Theory
 - Problems: Rationality and Desserts

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Next Time

Final
December 17, Wednesday
1:00-3:00PM

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