

JUSTICE



**What's the right thing to do?
Why is it right?**

AXIOLOGICAL (Value-driven)

TELEOLOGICAL: End; Goal

--Hedonism: maximize pleasure, minimize pain

--Utilitarianism: greatest good for greatest number

--Virtue Ethics: happiness via virtuous action

DEONTOLOGICAL: Duty

--Libertarianism: respect individual freedom

--Egalitarianism: fairness, equalizing opportunities

--Categorical Mandate: act according to universal law

UTILITARIANISM

R v Dudley and Stephens (1884)

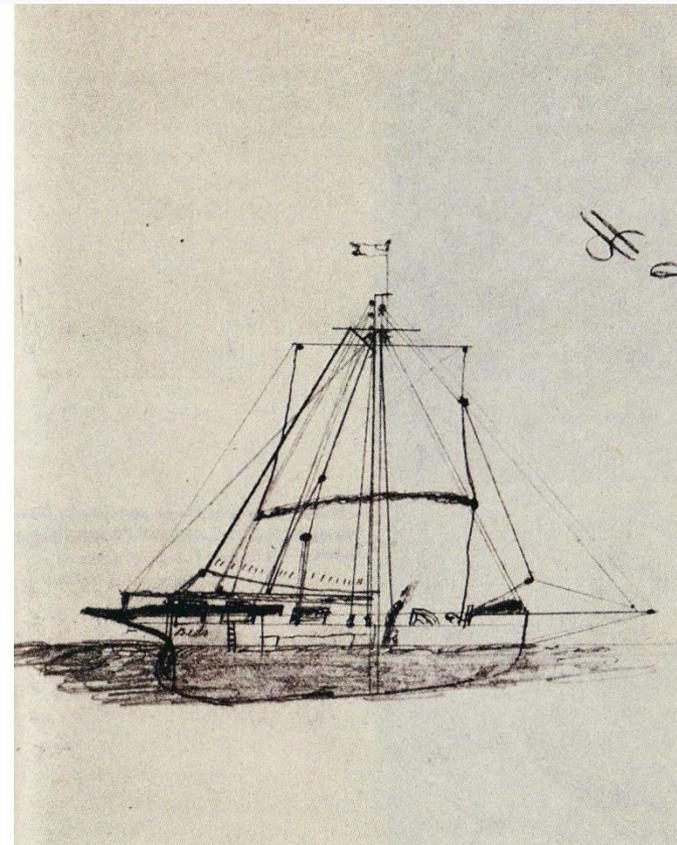
--Dudley and Stephens were shipwrecked along with two other men when the *Mignonette* sank.

--When one of them, the cabin boy Richard Parker, fell into a coma, Dudley and Stephens decided to kill him for food after several days without food or water.

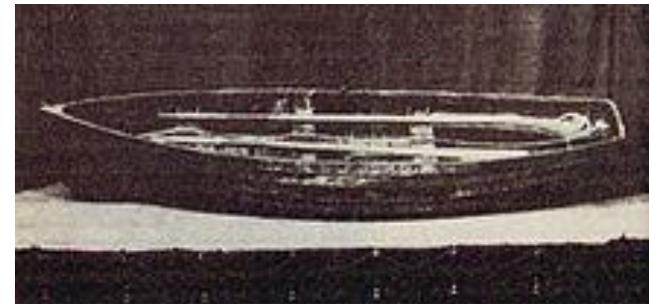
--After a highly publicized trial they were convicted of murder and sentenced to death with a recommendation for clemency.

--The sentence was commuted to six months in prison.

--"*Greatest good for the greatest number*" cannot be applied all the time or in every case.



Sketch of the *Mignonette*



Photograph of lifeboat

LIBERTARIANISM

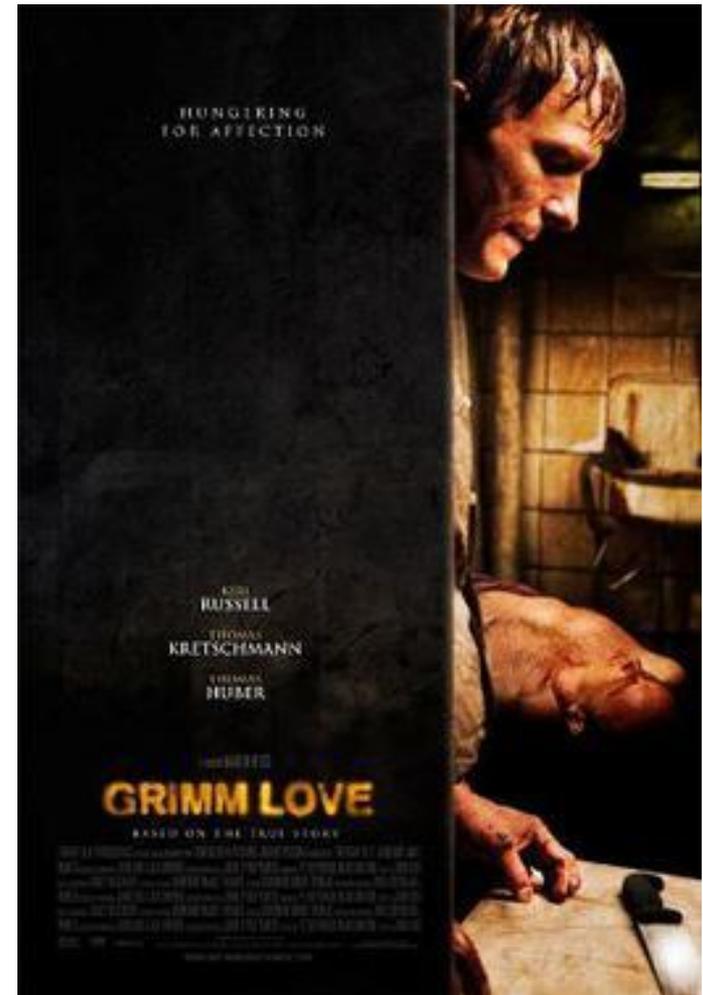
--Armin Meiwes was arrested in December 2002 for killing and eating a voluntary victim whom he had found via the Internet.

--After Meiwes and the victim jointly attempted to eat one of the victim's appendages, Meiwes killed him and ate a large amount of his flesh.

--After a college student alerted authorities to new advertisements for victims online, investigators searched Meiwes' home and found body parts and a videotape of the killing.

--On 30 January 2004, Meiwes was convicted of manslaughter and sentenced to eight years in prison, where he then became a vegetarian.

--Individual freedom (that does not infringe the freedom of another) cannot be accepted as an absolute moral principle.



American Film Based on Meiwes Case

EGALITARIAN FAIRNESS

--Rawls's theory of "justice as fairness" recommends equal basic rights, equality of opportunity, and promoting the interests of the least advantaged members of society.

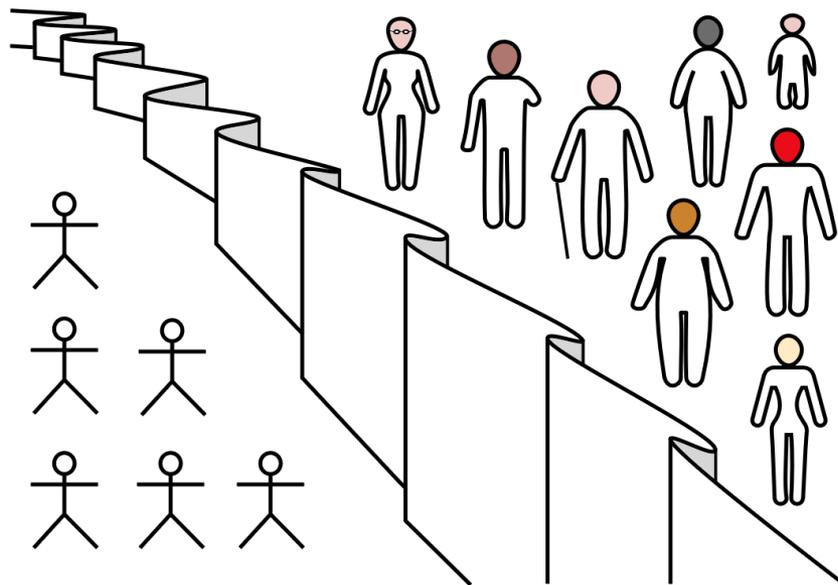
--These principles of social justice spring from an "original position" where people select the society they would want if they did not know the social position they would actually occupy.

--Every feasible effort must be made to achieve equality of opportunity, and unequal results are acceptable only if the least well off would benefit from them, directly or indirectly.

--Behind the veil of ignorance, all individuals are simply specified as rational, free, and morally equal beings.

--They know nothing of themselves or their natural abilities or position in society.

--*Agents that are conscious and aware but have no self-identity are too "ghostly" to provide models for moral decision-making.*



Symbolic depiction of Rawls's **veil of ignorance**. The citizens making the choices about their society make them from an "original position" of equality and ignorance (*left*), without knowing what gender, race, abilities, tastes, wealth, or position in society they will have (*right*).

CATEGORICAL MANDATE

--Sentient beings have a special place in the scheme of things, and morality is based on an ultimate commandment of reason, from which all duties and obligations derive.

--This categorical imperative is an absolute, unconditional requirement that must be obeyed in all circumstances.

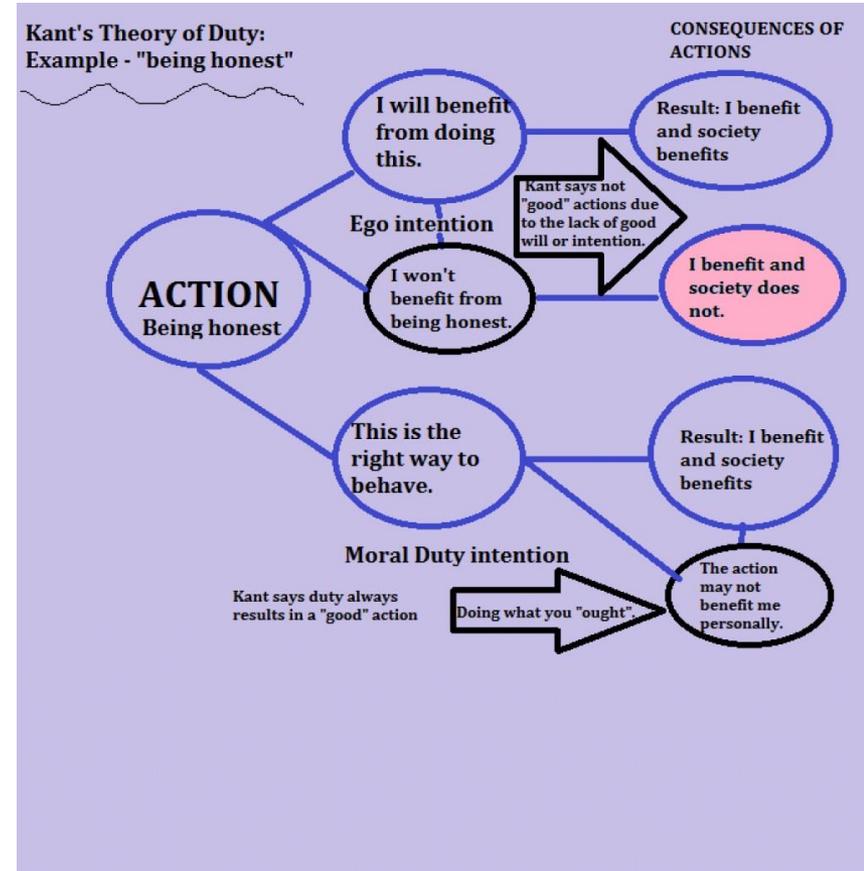
--**“Act only according to that maxim whereby you can, at the same time, will that it should become a universal law.”**

--Lying, for example, is always wrong because if it were a universal practice, it would be impossible – nobody would believe anyone.

--One consequence is that since truth telling must be universal, one must (if asked) tell a known murderer the location of his prey.

--Refusing to answer the murderer's question is consistent with the categorical imperative, but this might put the refuser's own life at risk.

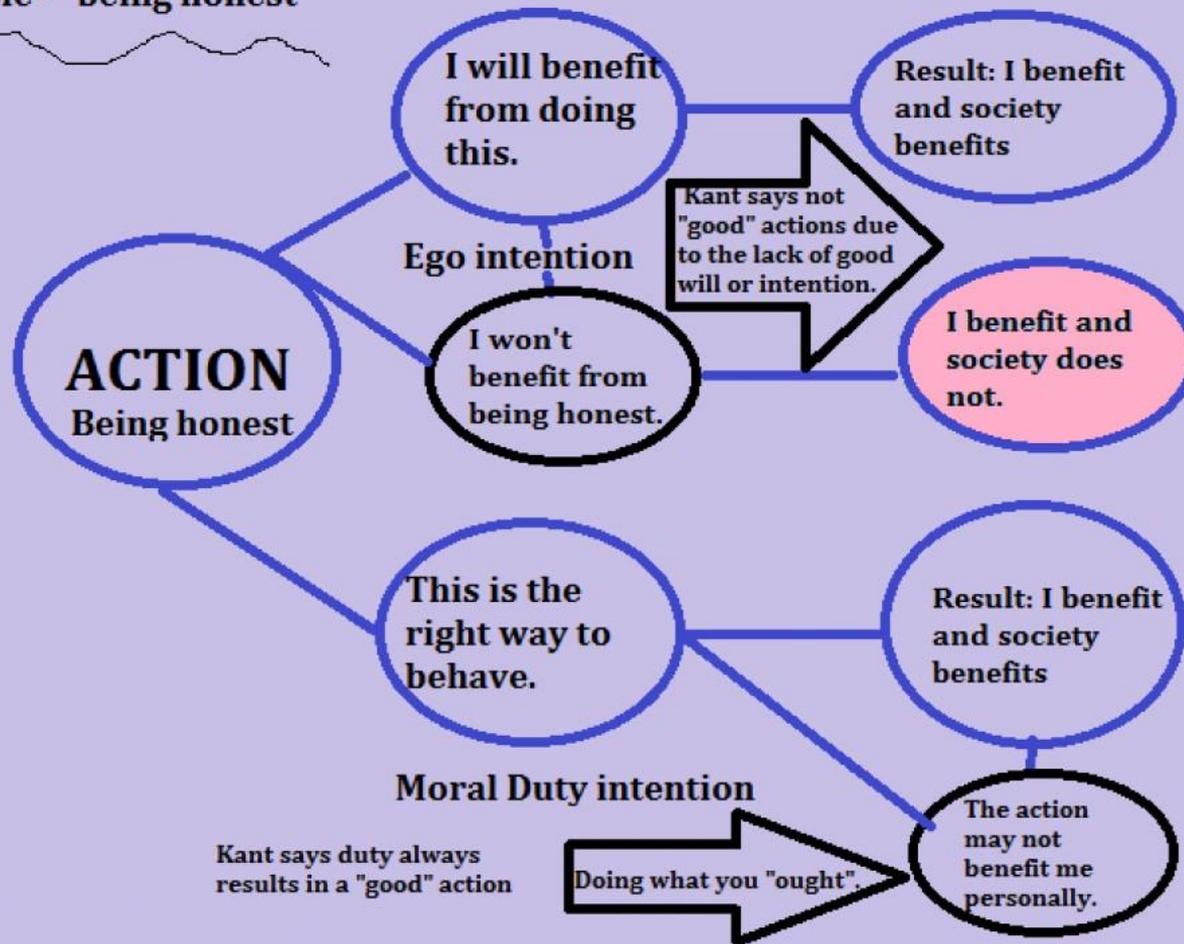
--*This seems to be inconsistent with the high value of human life that is required by the categorical imperative.*



Doing your duty doesn't always mean you will benefit or be happy.

**Kant's Theory of Duty:
Example - "being honest"**

**CONSEQUENCES OF
ACTIONS**



ETHICS OF VIRTUE

--*Eudaimonia* (*happiness, fulfillment*), the goal of human life, is achieved by developing excellence in action.

--Excellence is not a singular act, but a habit.

--Cultivating good habits, or virtues, is the heart of morality.

--Different human powers are perfected by various virtues:

- **Speculative intellect: knowledge, understanding, wisdom**
- **Practical intellect: art, prudence**
- **Will: justice**
- **Driving appetites: fortitude**
- **Simple appetites: temperance**

--Steps to excellence:

- **Know yourself: identify your capabilities.**
- **Be true to yourself: develop your capabilities.**
- **Know where you stand: form your views.**
- **Take that stand: express your views.**
- **Stand and deliver: defend your views.**

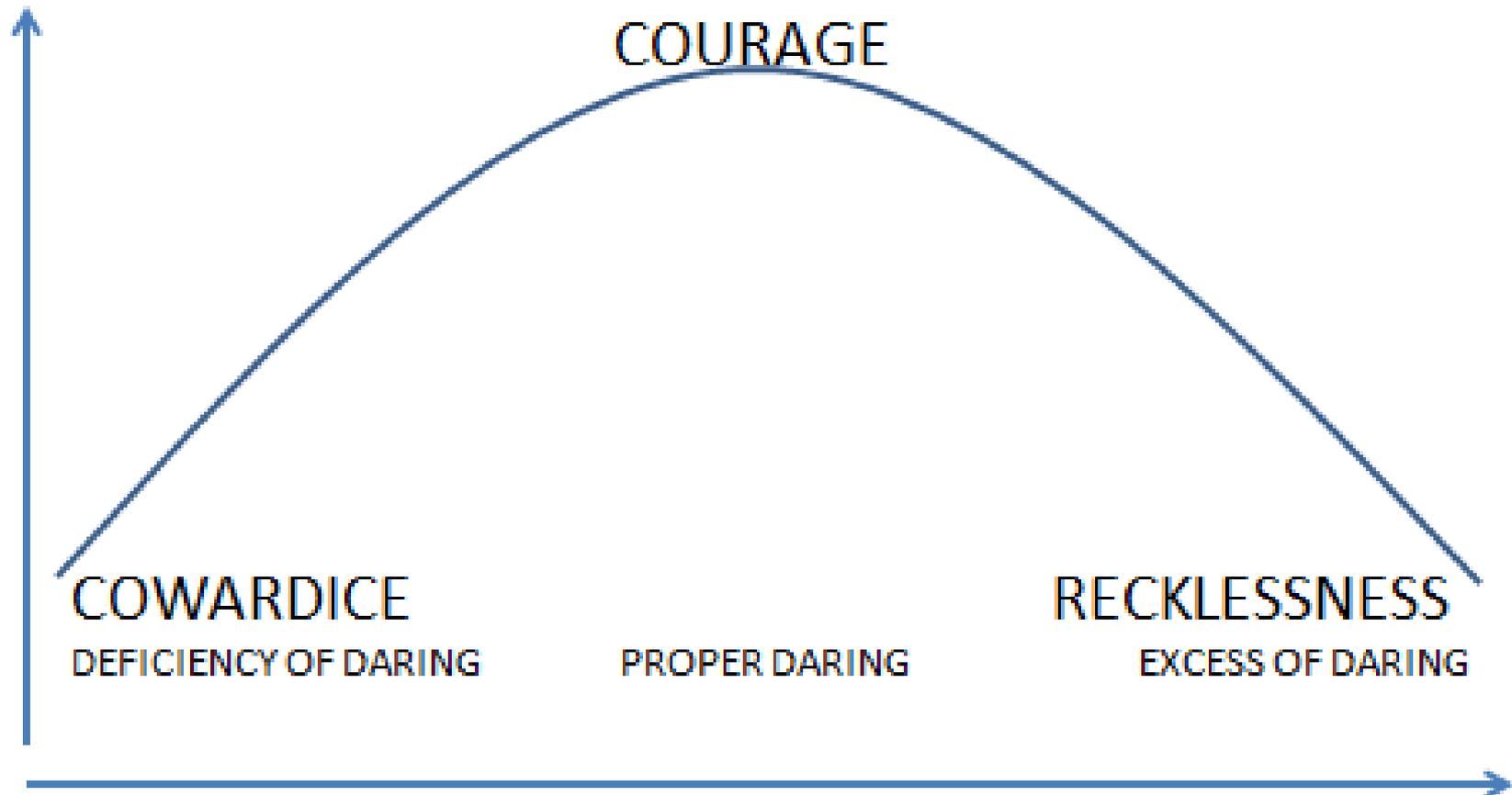


Arete - Excellence

The Structure of Virtue

Virtue is a kind of mean between emotional extremes

LEVEL (HEIGHT) OF EXCELLENCE OR VIRTUE VS. INTENSITY OF EMOTION



TELOS OF CHEERLEADING

In West Texas, girls long to be high school cheerleaders, and Callie Smartt was one of them, though she was born with cerebral palsy and moved about in a wheelchair.

One year, at Andrews High School, her dream came true: She was an honorary freshman cheerleader. The fans seemed to delight in her. The football players said they loved to see her dazzling smile. And then the next spring, at the end of the school sports season, Smartt was abruptly kicked off the squad. Safety reasons, she was told.

"I hate people treating me like I'm a baby," Smartt said, making a face. "No one makes fun of me at school or on the field. They always yell, Go, Callie!" "

Smartt was relegated to honorary cheerleader on the junior varsity team, no longer allowed to cheer at away games, no longer allowed to wheel her chair up and down the sidelines at games.

She was also told that the honorary cheerleading position was being abolished, and that if she wanted to continue, she would have to try out just like anyone else -- a rigorous routine involving splits and tumbles that she could never master.

