Lecture 8
# Social Contract Theory, Virtue Ethics

Participation Quiz

Which do you consider a more preferable state of affairs?

a) everyone in the room gets nothing

b) half of you get $5 and half of you have to pay me $1

c) I choose one person at random and give them $100

d) I give $50 to the most engaged student as a reward

e) All of you pay me $0.50, and then I draw 10 names from a hat who all get $20

Social Contract Theory

- ## Thomas Hobbes
  - "State of nature"
  - We implicitly accept a social contract
    - Establishment of moral rules to govern relations among citizens
    - Government capable of enforcing these rules

1588-1679

- ## Jean-Jacques Rousseau
  - In ideal society, no one above rules
  - That prevents society from enacting bad rules
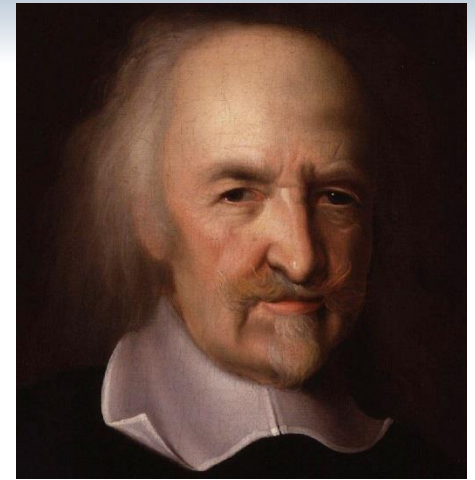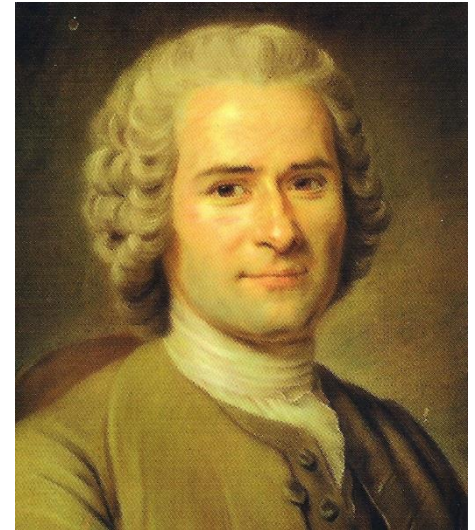
1712-1778

Social Contract Theory Definition of Morality

James Rachels:

"Morality consists in the set of rules, governing how people are to treat one another, that rational people will agree to accept, for their mutual benefit, on the condition that others follow those rules as well."

If you're an econ geek:
"every Nash equilibrium in sets of social rules is morally right."

Kinds of Rights

- Negative right:
  - A right that another can guarantee by leaving you alone
- Positive right:
  - A right obliging others to do something on your behalf
- Absolute right:
  - A right guaranteed without exception
- Limited right:
  - A right that may be restricted based on the circumstances

  Positive rights tend to be more limited

  Negative rights tends to be more absolute

John Rawls's Principles of Justice

- Each person may claim a "fully adequate" number of basic rights and liberties, so long as these claims are consistent with everyone else having a claim to the same rights and liberties

- Any social and economic inequalities must
  - Be associated with positions that everyone has a fair and equal opportunity to achieve
  - Be to the greatest benefit of the least-advantaged members of society (the difference principle)

- *Rawls is saying more than just that every Nash equilibrium is moral.*
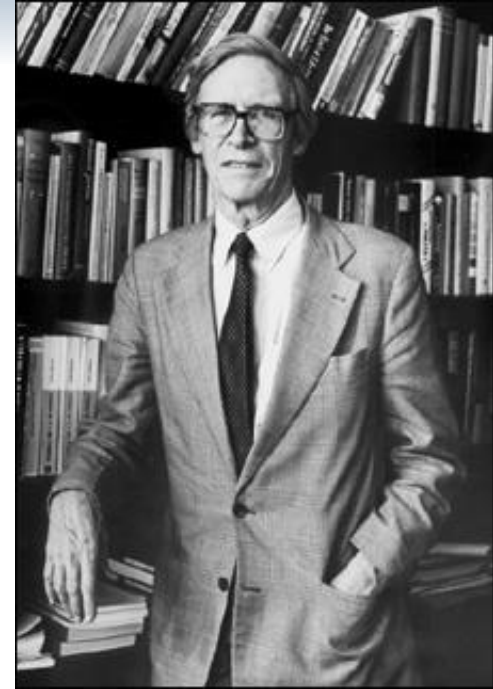
Thought experiment
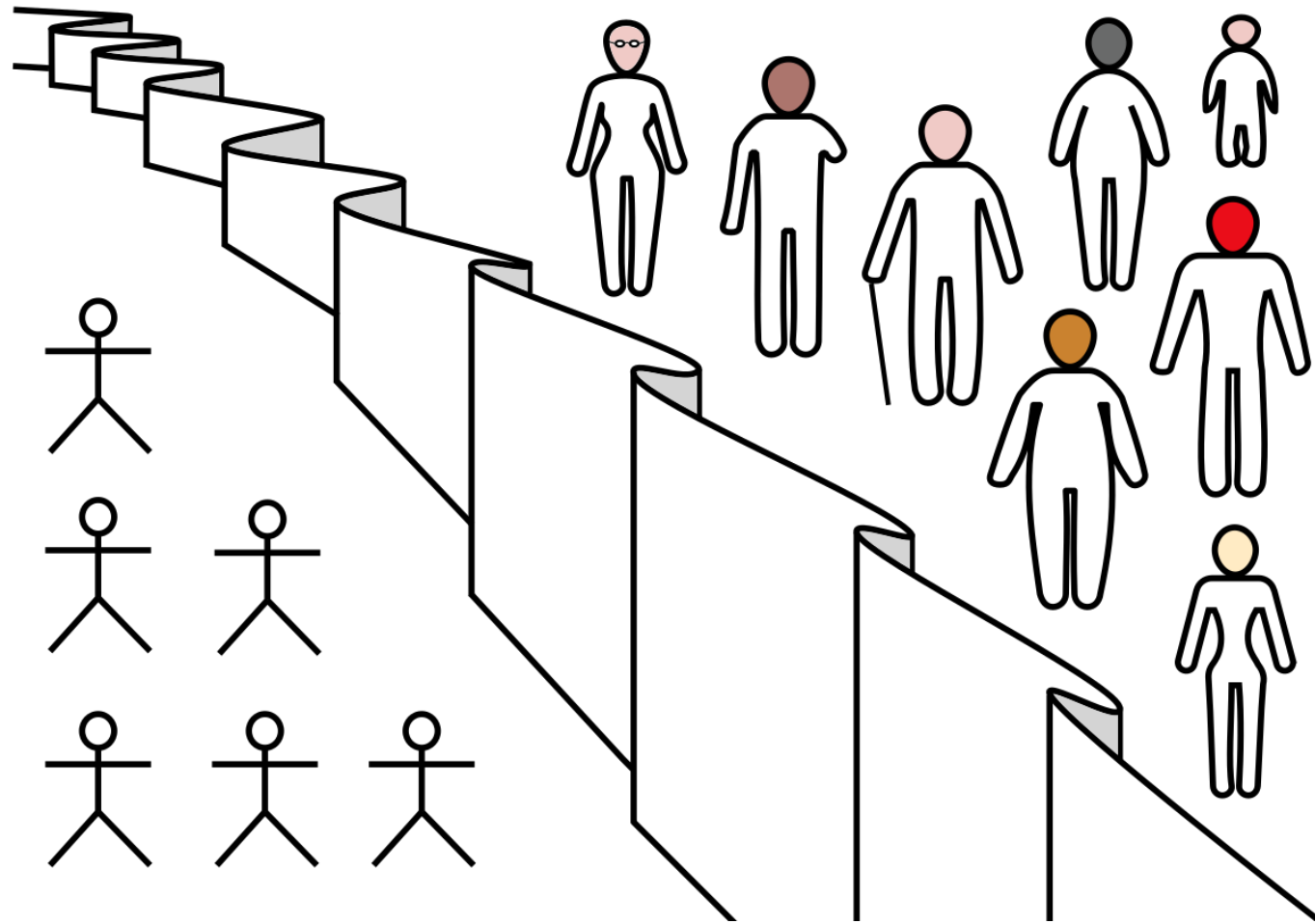
Rawls's Difference Principle
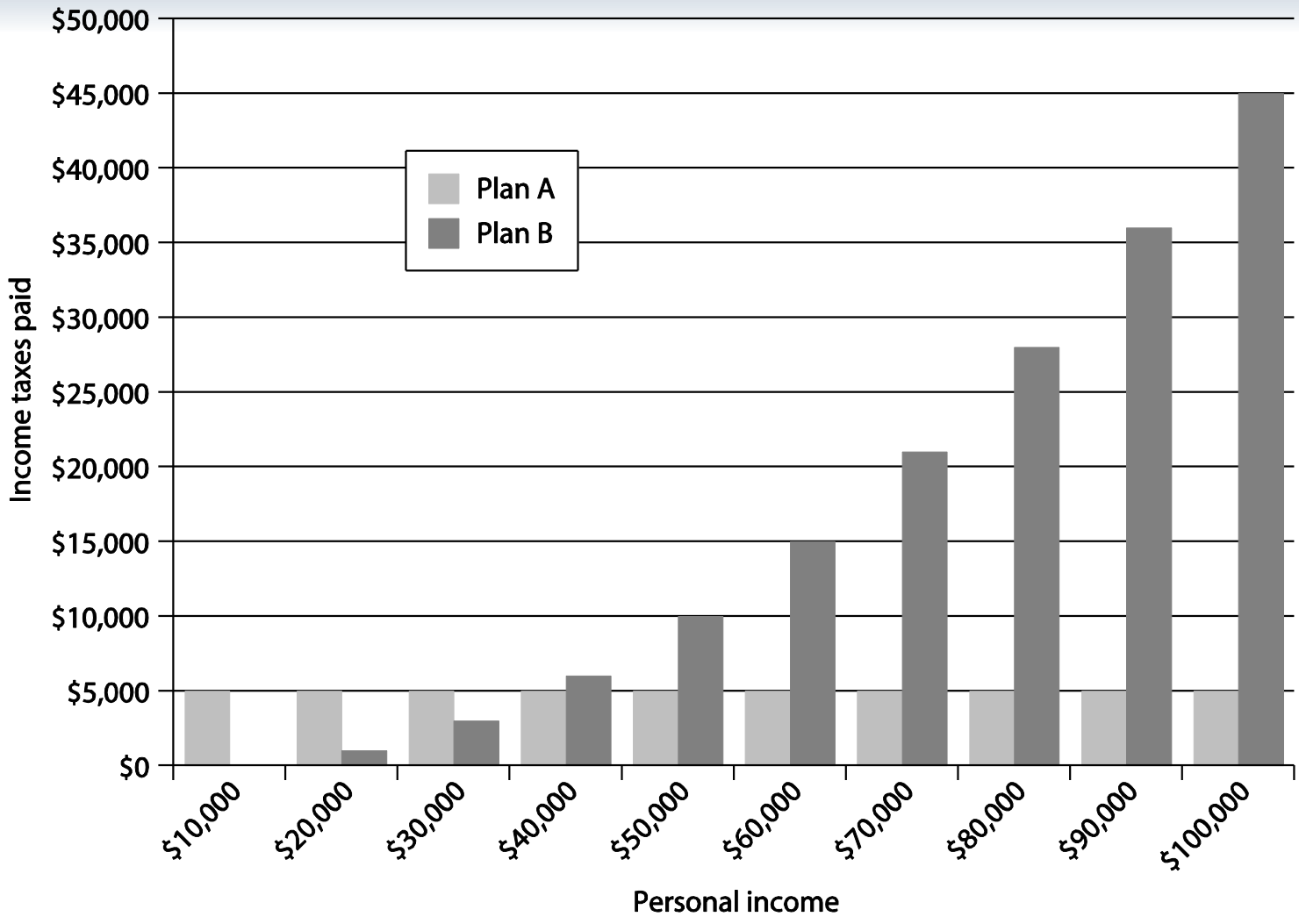
Movie Download Scenario

- InterMovies is a site that streams movies for a flat monthly fee

- Collects information about movie choices from customers

- Constructs profiles of customers

- Sells profiles to direct marketing firms

- Some customers happy to receive more emails; others unhappy at increase in "junk mail"

Evaluation (Social Contract Theory)

- Consider rights of InterMovies, customers, and other companies

- Does customer have right to expect name, address to be kept confidential?

- If customer watches movies using InterMovies, who owns information about transaction?

- If InterMovies and customer have equal rights to information, InterMovies did nothing wrong to sell information.

- If customers have right to expect name and address or transaction to be confidential without giving permission, then InterMovies was wrong to sell information without asking for permission.

What do you think about InterMovies?

Now, let's explore both scenarios. Working in groups 2-4 to consider one of the following scenarios can be justified using social contract theory.

GROUP A: Customer doesn't have the right to privacy

- Try to construct a system of rules that rational people would accept as beneficial, given that others would accept these ideas as well.
- Does this system of rules meet Rawls' conditions?

GROUP B: Customer does have the right to privacy

- Try to construct a system of rules that rational people would accept as beneficial, given that others would accept these ideas as well.
- Does this system of rules meet Rawls' conditions?

Let's vote:

- We can justify the no-privacy scenario (A=Yes; B=No)
- We can justify the privacy scenario (A=Yes; B=No)
- Which social contract would you prefer (A=No privacy; B=privacy)

"The Massive Facebook Hack May Have Spread Further Than Facebook: The social network's Single Sign-On feature was easily exploited"

Did we have a right to expect security?

From a social contract perspective, what should now happen? What government 'rules' might/should follow?

Case for Social Contract Theory

- Framed in language of rights
  - Intuitive and natural
- Explains why people act in self-interest without common agreement
  - Logically, it's the best thing to do (prisoner's dilemma)
- Provides clear analysis of certain citizen/government problems
  - Why is it right to punish someone for a crime?
 - Why is civil disobedience justifiable?

Case Against Social Contract Theory

- No one signed contract

- Some actions have multiple characterizations. In such cases, we don't learn how to make trade-offs between these conflicting rights.

  - Same problem we saw with Kantianism, though phrased in terms of duties instead of rights.

- May unjustly treat people who cannot uphold contract

  - In principle, we should distinguish between people who *can't* follow the contract, and those who *choose not to.*

  - In practice, this can be hard to do.

Virtue Ethics

Aristotle: true happiness and human flourishing lies in living a life of virtue.

- you develop virtues (e.g., honesty) by habitually repeating the relevant virtuous actions (e.g., telling the truth)
- virtues are not just dispositions towards action, but towards feeling
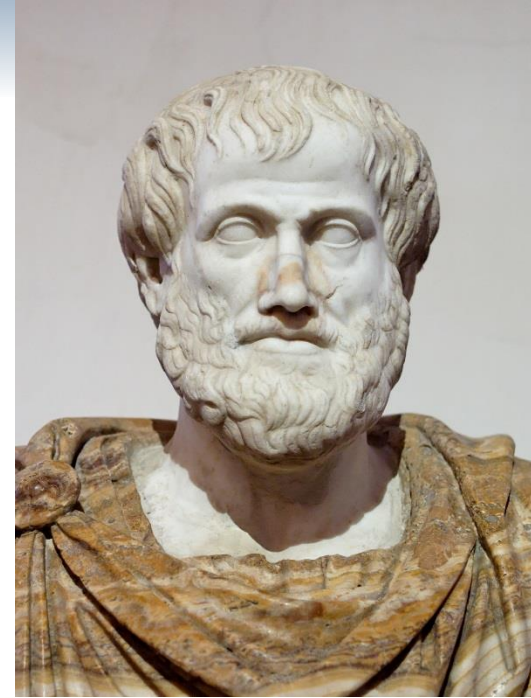
"A right action is an action that a virtuous person, acting in character, would do in the same circumstances. A virtuous person is a person who possesses and lives out the virtues. The virtues are those character traits human beings need in order to flourish and be truly happy."

What are the virtues?

- Different virtues are emphasized in different cultures, but most cultures seem to prize the same things.

- Vices are the opposites of virtues
    - often there are two vices associated with the same virtue
    - e.g., courage lies between cowardice (too much fear) and rashness (too little fear)

Case for Virtue Ethics

- Reasoning from virtue may be more intuitive
  - e.g., stealing is bad because it is dishonest, not because it decreases utility

- We don't have to treat all other people equally
  - we can be partial towards our friends, family

- Recognizes that we mature morally over time

- "There are no irresolvable moral dilemmas"
  - not entirely clear how we're supposed to resolve everything
  - we're told "the right action can always be determined by a person with sufficient moral wisdom"

- Recognizes the importance of emotion

Case Against Virtue Ethics

- Disagreement over the virtues
  - our other workable theories are universal
  - virtue ethics can only be applied given a set of virtues—and reasonable people disagree

- Cannot be used to guide government policy
  - focus on moral actors, not on making good decisions
  - e.g., should we build a highway?

- Undermines attempts to hold people responsible
  - we develop over time, and we're the product of our environments
  - how can we say someone's responsible for acquiring vices instead of virtues?

Exercise

The British government has placed hundreds of thousands of cameras in public places and runs face recognition software that allows the tracking of individuals across cities. The resulting data is used by police to deter and prosecute crimes, and also by the intelligence services for purposes that are not disclosed publicly. The British public is broadly supportive of this initiative, but a substantial minority disagrees.

Is this initiative ethical from the following perspective:

- act utilitiarian
- rule utilitarian
- social contract theory
- virtue ethics

https://www.theguardian.com/uk-news/2017/mar/14/public-faces-mass-invasion-of-privacy-as-big-data-and-surveillance-merge