

# Sidgwick's Critique of Deontology: Scrupulous Fairness or Serpent-Windings?

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## I. Introduction

- A. A recent wave of critiques calls Sidgwick's reputation for fairness and objectivity into question.
  - 1. Thomas Hurka (2014) claims that Sidgwick's biases prevented him from appreciating important features of non-consequentialist ethics, and that his argument for consequentialism is based on an equivocation.
  - 2. Even contemporary Sidgwickians, such as David Phillips (2011) and Roger Crisp (2015), acknowledge that Sidgwick applied a double standard in his rejection of deontology.
- B. I propose and defend an alternative reading of Sidgwick's key principle that blocks the equivocation charge. Additionally, I argue that the unfairness objection is based on a misunderstanding of Sidgwick's moral epistemology and his overall case for the superiority of consequentialism.

## II. Sidgwick's Epistemic Criteria

- A. Sidgwick posits four criteria that must be "approximately realized" by the premises of our reasoning if we are to reach "trustworthy conclusions" (ME 338-41).
  - 1. The terms of the proposition must be clear and precise.
  - 2. The self-evidence of the proposition must be ascertained by careful reflection.
  - 3. The proposition must not conflict with other self-evident propositions.
  - 4. The proposition must not be denied by an epistemic peer.
- B. When Sidgwick applies his criteria to the deontological principles of common-sense morality, he finds that none of them fare well enough to yield trustworthy conclusions.
- C. In many instances, a principle that is widely accepted and seemingly self-evident becomes dubious and controversial once we attempt to eliminate vagueness and ambiguity.
  - 1. Example: One ought to keep one's promises.
  - 2. What if material circumstances have changed such that fulfilling the promise will either be harmful to the promisee or inflict a disproportionate sacrifice on the promiser? What if the promisee has died or cannot be communicated with? (ME 304-311)

## III. 'Rational Benevolence' and the Equivocation Charge

- A. Following his critique of common-sense duties, Sidgwick presents a set of ethical axioms, "the truth of which, when they are explicitly stated, is manifest..." (ME 379).
  - 1. "The good of any one individual is of no more importance, from the point of view (if I may say so) of the Universe, than the good of any other."
  - 2. "As a rational being I am bound to aim at good generally, --so far as it is attainable by my efforts, --not merely at a particular part of it."

- B. Sidgwick claims that from these two principles, “we may deduce, as a necessary inference, the maxim of Benevolence in an abstract form...”

Rational Benevolence: “Each one is morally bound to regard the good of any other individual as much as his own, except in so far as he judges it to be less, when impartially viewed, or less certainly knowable or attainable by him” (ME 382).

- C. Hurka (2014: 148-149) claims that the only way for RB to serve all of Sidgwick’s needs is if it is given different readings in different contexts. In order to yield determinate guidance, RB must be given an all-things-considered reading. But in order to appear intuitive and widely accepted, RB must be given an other-things-equal reading.

RB All-Things-Considered (ATC): One ought always to do whatever has the best consequences for all.

RB Other-Things-Equal (OTE): One ought to do what has the best consequences for all whenever a competing consideration does not take precedence.

- D. Given the various implications Sidgwick draws from RB, such an equivocation would have been either an audacious attempt to deceive or an extraordinary blunder.

1. Shortly after the initial presentation of RB, Sidgwick claims that the principle is accepted by Kant (ME 385-386). This is obviously false of the ATC formulation.
2. In a later discussion of RB, Sidgwick explicitly claims that the reasoning leading to the principle does not show that it is *sole* or *supreme* (ME 421). This would not be true of the ATC formulation.
3. Sidgwick frequently alludes to a requirement of self-sacrifice as the controversial and problematic implication of RB (ME xx, 498). The OTE principle does not require self-sacrifice because the fact that one’s own welfare is at stake might be among the considerations that takes precedence.

- E. I propose a reading of RB that is weaker than ATC but stronger than OTE. According to this reading, RB is not a distinctively consequentialist principle but rather a principle addressing the question of whether there are fundamental (i.e. non-derivative) reasons of partiality.

1. RB Basic Interpersonal Neutrality (BIN): One ought to promote the good with basic interpersonal neutrality.
2. Since BIN does not require maximizing the impartial good by any available means, it is in one sense an other-things-equal principle. However, it is stronger than Hurka’s OTE because it disqualifies basic relational facts (e.g. the fact that it’s *my* welfare at stake) from being among the considerations that might justify non-optimific acts.

- F. BIN is strongly suggested by Sidgwick’s own presentation of the principle.

1. BIN reveals the structural parallel with Sidgwick’s principle of Prudence (requiring temporal neutrality in promoting one’s own good), which is said to be derived from a similar line of reasoning (ME 381-382).
2. BIN explains how Sidgwick could plausibly claim agreement from Kant.
3. BIN has the implication that self-sacrifice is sometimes required (assuming that self-interest sometimes conflicts with the general good).

- G. BIN does not avoid all apparent problems concerning RB and the epistemic criteria.

1. Sidgwick accepts a principle stating that self-sacrifice is irrational (ME 498; FEC 43). This principle seems to yield practical conflicts with BIN, which is problematic by the third criterion.
2. While BIN is stronger than a basic OTE formulation, it does not provide comprehensive guidance.

#### IV. The Unfairness Objection Part 1: Application of the Four Criteria

- A. While Sidgwick downgrades deontological principles for failing to meet the four criteria, RB also fails to meet them insofar as it conflicts with an apparently self-evident principle prohibiting self-sacrifice.
- B. If Sidgwick's preference for consequentialism were predicated on the deontological principles failing to perfectly meet each of the four criteria, then he would be guilty of unfairness.
- C. The fact that RB struggles against the third criterion suggests that their application is not all or nothing. This is also made evident by the claim that trustworthy conclusions can be reached by premises that "approximately realize" the four criteria (ME 338).
- D. Sidgwick finds the greatest discrepancy between RB and the deontological principles when applying the second criterion.
  1. It is plausible that the initial appeal of common-sense deontological principles could merely be a product of social customs, the influence of positive law, non-rational impulses, etc. (ME 339-41).
  2. When Sidgwick reflects on propositions such as 'I ought to speak the truth' and 'I ought to keep my promises', they present themselves as requiring some more fundamental rational justification for their acceptance (ME 383).
  3. In contrast, Sidgwick reports experiencing an "immediate and certain cognition" of RB, and it does not seem to him to require any more basic justification (PC 25; ME 383).

#### V. The Unfairness Objection Part 2: Determinate Guidance

- A. While Sidgwick acknowledges that his own axioms do not yield determinate guidance, they are intended to serve as a foundation for a theory that does (i.e. utilitarianism).
- B. However, utilitarianism contains its own indeterminacies (e.g. total good vs. average good).
- C. Sidgwick is not committed to rejecting every theory that lacks complete determinacy. There is less ethical indeterminacy in utilitarianism than pluralistic deontology.
- D. The primary grounds for preferring consequentialism is that the deontological principles of common-sense morality are subordinate to the principle of utility (ME 102, 421-422).
  1. When particular maxims of duty come into conflict with one another, there does not appear to be a principled way of adjudicating the conflict other than appealing to considerations of utility.
  2. Common-sense morality needs to appeal to utilitarianism in order to provide a deep unifying explanation for the various purported duties.

"Even granting that these rules can be so defined as perfectly to fit together and cover the whole field of human conduct, without coming into conflict and without leaving any practical questions unanswered, --still the resulting code seems to be an accidental aggregate of precepts, which stands in need of rational synthesis." (ME 102)

"For my own part I am disposed to think that to a philosophical mind it is only a 'systematic' manner of thought on such a subject that can approve itself as a 'right manner'." (GU 173)