

Moral Failure
PHIL 605C
Fall 2011

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Texts:

Please decide for yourself which books to buy. All books that contain required or recommended reading are on reserve at the library. Some are also available electronically through the library. The books listed here are the ones of which more than one chapter has been assigned as required reading; these books have been ordered through the bookstore (but you may get a better price ordering them used or new through another seller). All single book chapters and all journal articles (required or recommended) are on electronic reserves. Please always bring a copy of the day's reading with you to class, in whatever form you prefer.

Lawrence Langer, *Holocaust Testimonies*. ISBN#: 978-0300052473.
Primo Levi, *The Drowned and the Saved*. ISBN#: 0-679-72186-X.
Christopher Gowans, *Innocence Lost: An Examination of Inescapable Moral Wrongdoing*. ISBN#: 978-0195085174
David Heyd, *Supererogation: Its Status in Ethical Theory*. ISBN#: 978-0521109666
Liam Murphy, *Moral Demands in Nonideal Theory*. ISBN#: 978-0195171952
Robert Goodin, *Protecting the Vulnerable*. ISBN#: 978-0226302997
Eva Kittay, *Love's Labor*. ISBN#: 978-0415904131

Course Description:

How difficult is moral life? Is moral failure a ubiquitous feature of moral life, at least under some conditions? Can there be moral requirements that are impossible to fulfill, thereby making moral failure unavoidable? Or is it always possible, and usually fairly easy to avoid moral failure, and sometimes even possible to go beyond what is morally required and earn some moral "extra credit"? How demanding can or should moral requirements be? What are the sources of moral requirements, and do moral requirements arising from different sources differ in terms of how demanding they are and whether or not they may be impossible?

We will begin by considering the loss of morality under the extraordinary conditions of the Holocaust and ask how the failures of morality under these conditions differ from more ordinary moral failures. We will look (briefly) at the concept of a moral dilemma and the characterization of dilemmas as situations of unavoidable moral wrongdoing. We will then examine several different moral frameworks to consider whether they cast moral life as relatively easy or relatively difficult (including impossibly difficult). Specifically, we will study 1) supererogationist frameworks that set limits on moral requirements by marking some morally valuable acts as optional; 2) consequentialist theories that must respond to the "demandingness objection"; and 3) vulnerability models (including a feminist version), that posit the vulnerability of others as a source of the moral requirement to protect or care for those who are vulnerable or dependent.

The topics covered in the course loosely follow the chapters of a book manuscript that I am in the process of writing, some drafts of which will be available to students (but not as required reading).

Course Objectives:

- To familiarize students with some contemporary works in ethics.
- To have students develop their own original, critical thinking about the covered topics, including: moral failure, moral dilemmas and unavoidable moral wrongdoing, the principle that “ought implies can,” supererogation, the demandingness of morality, vulnerability as a source of moral requirements.
- To have students learn and practice philosophical skills as part of their training to become professional philosophers; these skills include understanding difficult texts; analyzing, constructing, and responding critically to arguments; engaging in conceptual thinking; developing, articulating, and defending their own positions both verbally and in writing; thinking in complex and original, but still disciplined, ways.
- To advance students in their ability to write papers that will be accepted for philosophical conferences and/or publication. Students in this course will get practice in writing either a conference-length or a publication-length paper.

Course Requirements:

Class preparation and participation: Students are expected to prepare for, attend and participate thoughtfully in ALL seminar meetings. Please avoid scheduling travel, appointments, etc., to conflict with class time. However, IF YOU ARE ILL PLEASE DO NOT COME TO CLASS (or to my office). Do email me before class time if you are ill and will be missing class.

Come to class prepared to:

- 1) explain the day’s required reading; and
- 2) say one original, smart thing that is relevant to the day’s reading.

Each student may have one day on which you come unprepared. Tell me at the beginning of class if it is your unprepared day. You are not allowed to speak in class on your unprepared day, but you may benefit from listening to others. You are required to speak in class on all other days. Obviously, it is much better to *not* come unprepared on any day, but take your one day if you need it. If you are absent, that day counts as your unprepared day.

Readings that are “recommended” rather than “required” will help you particularly if you are planning on writing your seminar paper on the topic. If you do recommended reading and you want to discuss it in class, remember that not everyone will have read it – thus, the burden is on you to explain the author’s point(s) in sufficient detail so that those who have not done that reading can understand your comments about it.

Each student will have one opportunity during the semester to prepare a discussion question for the class. When it is your turn (there will be a sign-up sheet), please explain the question in writing (about 200-300 words) and bring one hard copy of it to class. After presenting the question, expect to facilitate half an hour to an hour of discussion.

Seminar paper: Seminar papers are expected to draw on both required and recommended reading. If you would like to also draw on material not assigned in the class, please check with me first; in any case, the primary focus must be on assigned material. Please choose to write *either* a short paper with a 3,000 word limit intended for conference presentation (i.e. with a 20-minute reading time), or a 6,000-8,000 word paper aimed at publication. If you choose to write a conference-length paper, it is due on the last day of class, and you will be expected to present your paper to the class on that day. If you write a longer paper, please turn it in by Dec. 12th. The word counts are strict; please include a word count at the top of the first page. I encourage each of you to meet with me several weeks before the paper is due to start

discussing your paper topic, and to continue to consult with me throughout the writing process, to whatever extent this is helpful to you. I am not available for meetings after the last day of classes.

Grading: The grade is based primarily on the quality of the seminar paper; please consult with me throughout the process of completing this assignment, so that you may receive feedback that will enable you to do first rate work. Class participation (quality, not quantity) and your prepared discussion question can also make a difference to your grade. Do give serious attention to the quality of your participation in discussions; high quality participation (and/or a high level of improvement in participation) can raise the final grade, and inadequate (or inadequate effort at improving) participation can lower the final grade.

NO INCOMPLETES WILL BE GIVEN UNDER NORMAL CIRCUMSTANCES

Schedule

Mon., Aug. 29

Introductions

Part I. Witnessing moral failure (without evasion)

When I speak of preempting the holocaust, I mean using—and perhaps abusing—its grim details to fortify a prior commitment to an ideal of moral reality, community responsibility, or religious belief that leaves us with space to retain faith in their pristine value in a post-Holocaust world.

–Lawrence Langer, *Preempting the Holocaust* (p. 1).

[Tessman’s chapter draft for Part I: “Witnessing Moral Failure”]

Mon., Sept. 12

Required reading:

Lawrence Langer, *Holocaust Testimonies: the ruins of memory*.

Recommended reading:

Primo Levi, *Survival in Auschwitz*.

Mon., Sept. 19

Required reading:

Primo Levi, *The Drowned and the Saved*, preface & chapters 1-3.

Lawrence Langer, “Legacy in Gray: The Ordeal of Primo Levi” (ch 2, pgs 23-42, & 199-200) in *Preempting the Holocaust*.

Claudia Card, “Gray Zones: Diabolical Evil Revisited” (ch 10, pgs 211-234, & 260-264) in *The Atrocity Paradigm*.

Recommended reading:

Bat-Ami Bar On, “Teaching (About) Genocide.” In *Twenty-First Century Feminist Classrooms: Pedagogies of Identity and Difference*, ed. Amie Macdonald and Susan Sanchez Casal (New York: Simon and Schuster, 2002): 233-250.

Part II. Impossible moral requirements & unavoidable moral failure in non-ideal worlds (questioning “ought implies can”)

How is a moral dilemma like a chess game? There are two rules in chess, one stating that the king must always move out of check, another stating that he cannot move into it; and in every chess game that does not end in early retirement, these two rules eventually entail a sort of contradiction. But, of course, this is not so. A king who is in check, and unable to extricate himself legally, is checkmated. The reader will guess the intended analogy: Agamemnon is in moral checkmate.

–John Holbo, “Moral Dilemmas and the Logic of Obligation” (p 265).

[Tessman’s chapter draft for Part II: “Idealizing Morality”]

Mon., Sept. 26

Required reading:

Bernard Williams, “Moral Luck” (ch 2, pgs 20-39) in *Moral Luck*.

Bernard Williams, “Ethical Consistency” (ch 11, pgs 166-186) in *Problems of the Self*.

Michael Stocker, “Moral Conflicts: What They Are and What They Show” (ch 4, pgs 85-126) in *Plural and Conflicting Values*.

Recommended reading:

Margaret Urban Walker, “Moral Luck and the Virtues of Impure Agency” (ch 2, pgs 21-34) in *Moral Contexts*.

John Holbo, "Moral Dilemmas and the Logic of Obligation," *American Philosophical Quarterly* 39 (3) (2002): 259-274.

Mon., Oct. 3

Required reading:

Christopher Gowans, chapters 3-5 (pgs 46-116) of *Innocence Lost: An Examination of Inescapable Moral Wrongdoing*.

Robert Goodin, "Political Ideals and Political Practice." *Political Studies* 25 (1995): 37-56.

Martha Nussbaum, "The Costs of Tragedy: Some Moral Limits of Cost-Benefit Analysis." *Journal of Legal Studies* 29 (2) (2000): 1005-1036.

Recommended reading:

The rest of *Innocence Lost*.

Amartya Sen, "What Do We Want from a Theory of Justice?" *The Journal of Philosophy* 103(5) (2006): 215-28.

Colin Farrelly, "Justice in Ideal Theory: A Refutation." *Political Studies* 55 (2007): 844-864.

Part III. Protection against moral failure: the supererogationist model

I am tired of faintheartedness,
Their having to be *exceptional*

To do what an ordinary woman
Does in the course of things

—Adrienne Rich, from "Natural Resources" (1978)

[Tessman's chapter draft for Part III: "Minimizing Morality"]

Mon., Oct. 10

Required reading:

J.O. Urmson, "Saints and Heroes." In *Essays in Moral Philosophy*, ed. A. I. Melden. Seattle: University of Washington Press, 1958: 198-216.

David Heyd, *Supererogation: Its Status in Ethical Theory*, Introduction & Part I (though chapters 1 & 2 are optional).

Recommended reading:

Roderick M. Chisholm, 1963. "Supererogation and Offense: A Conceptual Scheme for Ethics." *Ratio* 5 (1963): 1-14.

Mon., Oct. 17

Required reading:

David Heyd, *Supererogation: Its Status in Ethical Theory*, Part II (though ch 7 is optional).

Gregory Trianosky, "Supererogation, Wrongdoing, and Vice: On the Autonomy of the Ethics of Virtue," *Journal of Philosophy* 83 (1) (1986): 26-40.

Susan Hale, "Against Supererogation," *American Philosophical Quarterly* 28 (4) (1991): 273-285.

Terry Horgan and Mark Timmons. 2010. "Untying a Knot from the Inside Out: Reflections on the 'Paradox' of Supererogation," *Social Philosophy and Policy* 27 (2) (2010): 29-63.

Recommended reading:

Andrew Michael Flescher, *Heroes, Saints & Ordinary Morality*.

**Part IV. Maximizing morality:
consequentialism and the charge of over-demandingness**

I am on my way to see the film 'The World's Fastest Indian'. I think of the neediness of others and of the problem of demandingness. Reluctantly I go to the bank and give my picture money to famine relief. I try again the next day to see the picture. Same outcome. I start to get desperate. I have been wanting to see this film for ages. I am a New Zealander. The hero is an iconic New Zealander manifesting classic New Zealand traits. I am restoring an old Vauxhall, and there is great footage of old Vauxhalls which I am dying to see. But, I reason: no one said morality was easy. I think further about demandingness. I realize that restoring an old Vauxhall is costing money, quite a lot of money. I sell the Vauxhall and give the money to famine relief. I am also a gardener. It is an outlet for creativity, and I love being outdoors. But it too costs money. I give up gardening, except for growing vegetables. But I realize a poorer person down the road is trying to sell vegetables, so I give up that too. I become gradually more miserable.

–Christine Swanton, "Virtue Ethics and the Problem of Demandingness" in Timothy Chappell, ed., *The Problem of Moral Demandingness* (p. 111).

[Tessman's chapter draft for Part IV: ??? (not written yet)]

Mon., Oct. 24

Required reading:

Peter Singer, "Famine, Affluence and Morality," *Philosophy and Public Affairs* 1 (3) (1972): 229-243.

Peter Unger, "Illusions of Innocence: an Introduction" (ch 1, pgs 3-23) in *Living High and Letting Die*.

Shelley Kagan, "Against Ordinary Morality" in *The Limits of Morality*, chapter 1 (pgs 1-46).

Mon., Oct. 31

Required reading:

Samuel Scheffler, *Human Morality* (if necessary, skip or skim chapters 3 & 4).

Garrett Cullity, "Demandingness and Arguments from Presupposition" in Timothy Chappell, ed., *The Problem of Moral Demandingness*, pgs. 8-34.

Recommended reading:

Alan Carter, "Is Utilitarian Morality Necessarily too Demanding?" in Timothy Chappell, ed., *The Problem of Moral Demandingness*, pgs. 163-184.

Paul Hurley, "Does Consequentialism Make Too Many Demands or None at All?" *Ethics* 116 (2006): 680-706.

Garrett Cullity, *The Moral Demands of Affluence*.

Mon., Nov. 7

Required reading:

Liam Murphy, *Moral Demands in Nonideal Theory*.

Mon., Nov. 14

Required reading:

Jos Philips, "A Critique of Three Recent Studies on Morality's Demands: Murphy, Mulgan, Cullity and the Issue of Cost" *Ethic@: An International Journal for Moral Philosophy* 7 (1) (2008): 1-13.

CATCH-UP DAY

Part V. A bottomless source of moral failure: the vulnerability model

..An individual has an unqualified obligation to assume the responsibilities of dependency work when the following conditions are met: 1) the needs are basic; 2) the vulnerability is extensive; and 3) the prior relation, which puts a particular individual into position of having to assume such a vulnerability-responsive obligation, has a moral warrant. Furthermore, this obligation has to be assumed even when there is a substantial cost to the dependency worker's own interests and projects. This is what every mother and every father who gets up a four o'clock in the morning to tend to a sick child knows so well.

--Eva Kittay, *Love's Labor* (p. 65)

[Tessman's chapter draft for Part V: "On Having a Bottomless Source of Moral Failure"]

Mon., Nov. 21

Required reading:

Robert Goodin, *Protecting the Vulnerable* (skip chapter 4).

Mon., Nov. 28

Required reading:

Eva Kittay, *Love's Labor*, Introduction and Part I (chapters 1 & 2).

Mon., Dec. 5

Writing workshop/presentations.