

Vorlesung „Ethische Begründungsansätze“: SoSe 2009 – PD Dr. Dirk Solies

Begleitendes Thesenpapier – nur für Studierende gedacht!

1. Die Opposition gegen den Utilitarismus:

Thomas Carlyle (1795-1881): utilitarianism als "pig philosophy"

Nietzsche (*Götzen-Dämmerung*):

„Der Mensch strebt nicht nach Glück; nur der Engländer thut das.“

Utilitaristen eine „schwerfällige, gründlich mittelmäßige Art Mensch“

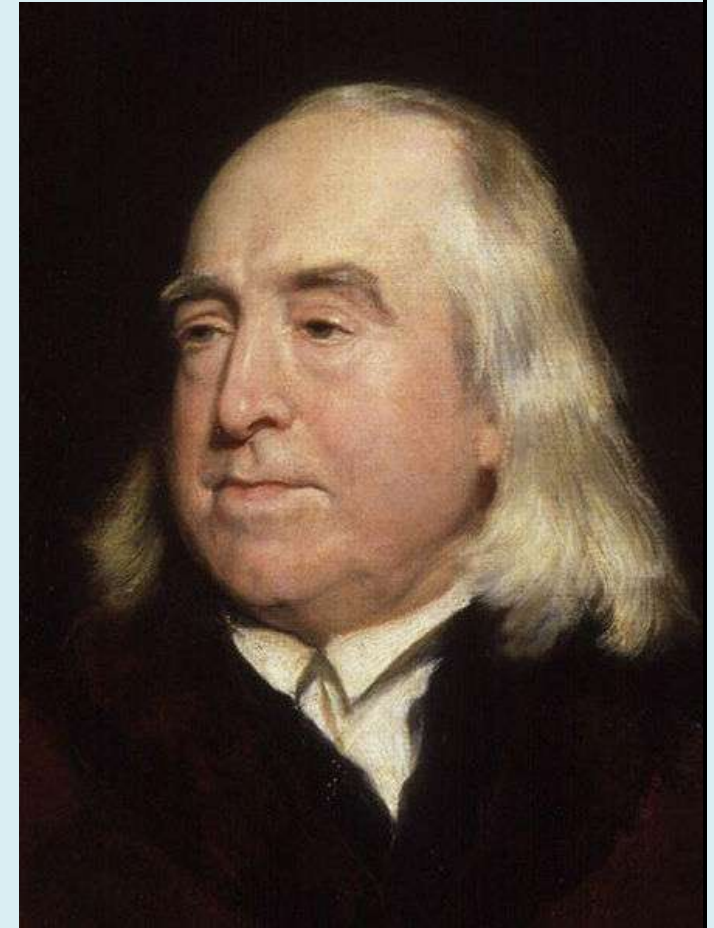
John Stuart Mill ein „typischer Flachkopf“:

»Ob Hedonismus, ob Pessimismus, ob Utilitarismus, ob Eudämonismus: alle diese Denkweisen, welche nach Lust und Leid, d. h. nach Begleitzuständen und Nebensachen den Wert der Dinge messen, sind Vordergrundsdenkweisen und Naivitäten, auf welche ein jeder, der sich gestaltender Kräfte bewußt ist, nicht ohne Spott, auch nicht ohne Mitleid herabblicken wird. –“

Jeremias Bentham (1748 - 1832)

Werke:

- A Fragment on Government (1775, publiziert 1776), in: A Comment on the Commentaries and A Fragment on Government, hrsg. von J.H. Burns/H.L.A. Hart (The Collected Works of Jeremy Bentham), London 1977, S. 391–551.
- Constitutional Code; For the Use of All Nations and All Governments Professing Liberal Opinions Vol. I (1822–30, publiziert 1830), hrsg. von Frederick Rosen/J.H. Burns (The Collected Works of Jeremy Bentham), Oxford 1983.
- **Introduction to the Principles of Morals and Legislation (1780, publiziert 1789), hrsg. von J. H. Burns/H.L.A. Hart (The Collected Works of Jeremy Bentham), 2. Aufl., Oxford 1996.**
- Of Laws in General (1782), hrsg. von H.L.A. Hart (The Collected Works of Jeremy Bentham), London 1970.
- Panopticon; or, The Inspection-House (1787), in: The Panopticon Writings, hrsg. von Miran Božovič, London/New York 1995, S. 31–95.
- The Philosophy of Economic Science, in: Werner Stark (Hrsg.), Jeremy Bentham's Economic Writings, Vol. I, London 1952, S. 79–120.
- Principles of the Civil Code (1786), in: The Works of Jeremy Bentham, hrsg. von John Bowring, Band I, Edinburgh 1838–43, S. 297–364, Neudruck New York 1962.



Introduction to the Principles of Morals and Legislation, Chapter 1: Of the Principle of Utility

I. Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them alone to point out **what we ought to do**, as well as to **determine what we shall do**. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. **They govern us in all we do**, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: **but in reality he will remain subject to it all the while**.

Anspruch auf “realistische” Ethik: Nicht nur ethische Normen, sondern Determination realer Handlungsperspektiven

principle of utility: “*greatest happiness or greatest felicity principle*”

principle which states the greatest happiness of all those whose interest is in question

- Problem des *Interesses*
- Problem der Zahl
- Adressatenkreis?
- weiterhin Ablehnung von Metapher und “Deklamation” – hiermit sei keine Ethik zu machen!

Problem der *utility*:

The word *utility* does not so clearly point to the ideas of *pleasure* and *pain* as the words *happiness* and *felicity* do: nor does it lead us to the consideration of the *number*, of the interests affected; to the *number*, as being the circumstance, which contributes, in the largest proportion, to the formation of the standard here in question; the *standard of right and wrong*, by which alone the propriety of human conduct, in every situation, can with propriety be tried. **This want of a sufficiently manifest connexion between the ideas of *happiness* and *pleasure* on the one hand, and the idea of *utility* on the other, I have every now and then found operating**, and with but too much efficiency, as a bar to the acceptance, that might otherwise have been given, to this principle.

- *utility* nicht deckungsgleich mit „Nützlichkeit“ i. S. v. Zweckmäßigkeit
- lange Tradition der Utilitarismuskritik in der dt. Philosophie

V. It is in vain to talk of the interest of the community, without understanding what is the interest of the individual. A thing is said to promote the interest, or to be *for* the interest, of an individual, when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains.

- **Benthams Kritik des Asketismus: Abzielen auf Verringerung der eigenen Lustgefühle**
- **Ungewissheit einer Belohnung im Leben nach dem Tode (Agnostizismus)**
- **Ablehnung von *sympathy* als ethischer Kategorie**

Das Interesse der Gemeinschaft als »the sum of the interest of the several members who compose it« (l. c. p. 4 ff.)

- **relevant für Rechts- und Staatsphilosophie:**
- **Gemeinschaftswillen als *Summe* der Individualwillen**
- **Problem: Ist das Gemeinschaftsinteresse jederzeit identisch mit diesem?**

CHAPTER III: OF THE **FOUR SANCTIONS** OR SOURCES OF PAIN AND PLEASURE

- I Connexion of this chapter with the preceding
 - II Four *sanctions* or sources of pleasure and pain
 - III The *physical* sanction
 - IV The *political*
 - V The *moral or popular*
 - VI The *religious*
 - VII The pleasures and pains which belong to the religious sanction, may regard either the present life or a future
 - VIII Those which regard the present life, from which soever source they flow, differ only in the circumstances of their production
 - IX Example
 - X Those which regard a future life are not specifically known
 - XI The physical sanction included in each of the other three
 - XII Use of this chapter
-
- *sanction* nicht als „Sanktion“ i. S. v. , sondern als Kraft und Gültigkeit eines Gesetzes
 - moralischer Agnostizismus

CHAPTER VIII: OF INTENTIONALITY

XIII. *Goodness and badness of intention dismissed;*

A man's intention then on any occasion may be styled good or bad, **with reference either to the consequences of the act, or with reference to his motives**. If it be deemed good or bad in any sense, it must be either because it is deemed to be productive of good or of bad consequences, or because it is deemed to originate from a good or from a bad motive. But the goodness or badness of the consequences depend upon the circumstances. Now the circumstances are no objects of the intention. A man intends the act: and by his intention produces the act: but as to the circumstances, he does not intend *them*: he does not, inasmuch as they are circumstances of it, produce them.

- Nur die Handlung selbst, nicht die Intention steht
- abhängig von Umständen (circumstances)
- Intention nicht isoliert bewertbar!

Bentham und die Tierrechte:

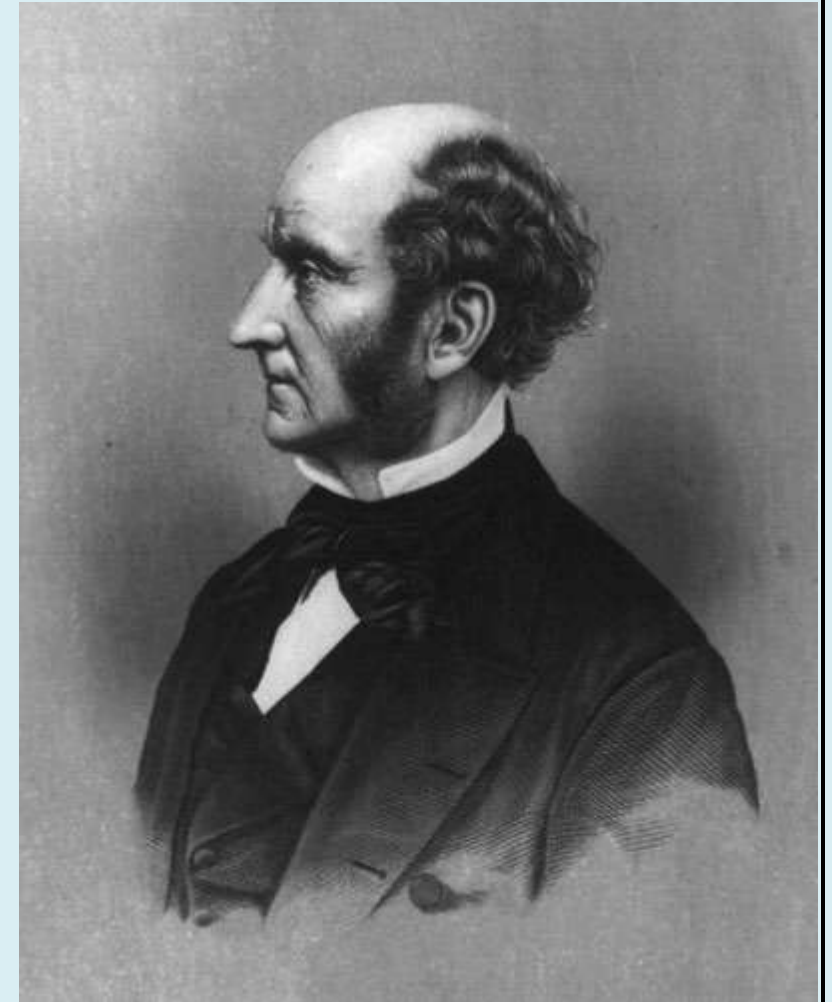
“It may one day come to be recognised that the number of the legs, the villosity of the skin, or the termination of the os sacrum are reasons equally insufficient for abandoning a sensitive being to the same fate. What else is it that should trace the insuperable line? Is it the faculty of reason or perhaps the faculty of discourse? But **a full-grown horse or dog is beyond comparison a more rational, as well as more conversable animal, than an infant of a day or a week or even a month old.** But suppose they were otherwise, what would it avail? **The question is not, Can they reason?, nor Can they talk? but, Can they suffer?** Why should the law refuse its protection to any sensitive being? The time will come when humanity will extend its mantle over everything which breathes ...”¹

- Frage nach *moralrelevanten Unterschieden* zwischen Spezies:
- nicht an sekundären körperlichen Merkmalen festzumachen, sondern:
- Leidensfähigkeit
- Interesse!
- Problem: Wer / was kann Interessen haben?

¹ Introduction to the Principles of Morals and Legislation.

John Stuart Mill (1806-1873):

- *A System of Logic, Ratiocinative and Inductive, Being a Connected View of the Principles of Evidence, and the Methods of Scientific Investigation, 1843*
- *Essays on some Unsettled Questions of Political Economy, 1844*
- *Principles of Political Economy, 1848*
- ***Utilitarianism, 1863***
- *Considerations on Representative Government, 1861*
- *Auguste Comte and Positivism, 1865*
- *Examination of Sir William Hamilton's Philosophy, 1865*
- *Subjection of Women, 1869*
- *Autobiography, 1873 ([E-Text](#))*
- *Three Essays on Religion, postum 1874*
- *On Liberty – deutsch: Über die Freiheit*



Utilitarianism:

Utility als Greatest Happiness Principle:

The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.

- **Positiver Bezug auf Bentham**
- **Hedonismus?!**
- **Problem der *happiness* – was ist “*happiness*”?**
- **Verteidigung des Utilitarismus gegen kritische Einwände**

Ethische Anwendung des *Greatest Happiness Principle*:

According to the Greatest Happiness Principle, as above explained, the ultimate end, with reference to and for the sake of which all other things are desirable (whether we are considering our own good or that of other people), is **an existence exempt as far as possible from pain, and as rich as possible in enjoyments, both in point of quantity and quality**; the test of quality, and the rule for measuring it against quantity, being the preference felt by those who, in their opportunities of experience, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison. This, being, according to the utilitarian opinion, the end of human action, is necessarily also the **standard of morality**; [...]

- Ziel: schmerzfreie Existenz
- Maximierung der “Lustmomente”
- Kriterium der *Vergleichbarkeit*
- intersubjektive Überprüfbarkeit?!
- Problem der Interessen / *preferences*!

Wichtige konkurrente Formen des Utilitarismus

1. Regelutilitarismus (rule utilitarianism) vs. "klassischer" Handlungsutilitarismus (act-utilitarianism)

Herr Müller hat dem 12jährigen Fritz versprochen, 10 Euro zu geben, wenn er seinen Rasen mäht. Nachdem der Rasen gemäht ist, fragt sich Herr Müller als guter Utilitarist, ob es denn der Maximierung des allgemeinen Glücks entspricht, wenn er Fritz das versprochene Geld gibt. Vielleicht sollte er das Geld der Hilfsorganisation "Brot für die Welt" spenden ...

- Richard B. Brandt: *Some Merits of One Form of Rule-Utilitarianism*, in: University of Colorado Studies in Philosophy 1967, 39-65, auch in: ders.: *Morality, Utilitarianism, and Rights*, Cambridge University Press, New York 1992, 111–36, dt. Übers. in: Otfried Höffe (Hg.): *Einführung in die utilitaristische Ethik*, München: C. H. Beck 1975, 2. A. UTB 1992, 121-132.
- Richard B. Brandt: *A Theory of the Good and the Right*, Oxford 1979

2. Durchschnittsnutzenutilitarismus (u. a. John C. Harsanyi):

(i. Ggs. zu Nutzsummenutilitarismus):

Zielt nicht auf maximale Steigerung des Gesamtnutzens (Nutzsummenutilitarismus) ab, sondern auf Steigerung des Nutzens pro Kopf.

Kritische Konsequenzen:

- **Fortpflanzungspflicht bei zu erwartendem Glückskalkül**
- **Epidemie unter Benachteiligten begrüßenswert (!)**
- **kontraintuitive Konsequenzen**

Peter Singers Präferenzutilitarismus

- **Singer, Peter: *Animal Liberation: A New Ethics for our Treatment of Animals*, New York Review/Random House, New York, 1975**
- **Singer, Peter: *Practical Ethics*, Cambridge University Press, Cambridge, 1979
(deutsche Übers., 2. Aufl., Reclam Stuttgart 1994)**

Problem:

- **Ungleichbehandlung von Mensch und Tier**
- **Speziesismus-Vorwurf**
- **„Alle sind gleich“ Aber: *Wer sind alle?***

Das Problem der Gleichheit: „Untersuchung der moralischen Grundlagen des Gleichheitsprinzips“

Moralische Fortschritte der Menschheit bezügl. der *Gleichheit* und *Gleichbehandlung*:

➤ **Rassismus**

➤ **Sexismus**

Was bedeutet Gleichheit angesichts individueller Unterschiede von Menschen?

Das Problem der Diskriminierung!