

Phil 104, February 8, 2007
Evaluating the Formula of Universal Law

Evaluating the contradiction in conception test:

1. Works best when the maxim is, in effect, *to exploit a social practice unfairly*. This involves:
 - (i) benefiting from a social practice
 - (ii) that would not exist if no one contributed to it,
 - (iii) without contributing to it oneself.E.g. unfairly exploiting the practice of lending money.

False negatives: No duty where there should be one

2. Some maxims *could* be universal laws, even though there are narrow, perfect duties *not* to act on them.
 - “Cause gratuitous, but not incapacitating pain to others.”

False positives: A duty where there shouldn't be one

3. Some maxims could *not* be universal laws, even though there is *no* duty not to act on them.
 - “Do not have children, in order to devote oneself to posterity.” (Parfit)
4. Some maxims could *not* be universal laws, *because they depend on the existence of social practices*, and even so, there is *no* duty not to act on them.
 - “Lie to bounty hunters to let slaves escape.”
The practice of telling the truth to bounty hunters is *not valuable*.
 - “Buy only used cars.”
The practice of reselling cars is *valuable*, but one isn't *exploiting it unfairly*.

Evaluating the contradiction in the will test:

1. What is it that we can *rationally* will?
2. False positives are still a problem. And the contradiction in the will test leads to new false positives.
 - “Don't be a farmer.”
Although we can *conceive* such a world, we cannot rationally *will* such a world.
3. Handles false negatives that the contradiction in conception test could not.
 - “Cause gratuitous, but not incapacitating pain to others.”
Even if we can *conceive* such a world, we cannot rationally *will* such a world.
4. Also handles some false negatives in ordinary thought.
 - Individually, we think: “What difference does *my* act make?”
 - But if all of us think this way, the consequences are disastrous.
 - The contradiction in the will test forces us to consider the larger patterns of group behavior of which our individual actions are parts. (E.g. climate change.)
5. But still produces some false negatives:
 - “Don't use violence—unless others are, in which case kill as many people as you can.”
 - “Serve only white people at your lunch counter.”