

1 (A and B): What does Kant mean by the “good will”? [3 Marks]

AO1 = 3

Marks	Levels of response mark scheme
3	A full and correct answer, given precisely, with little or no redundancy.
2	The substantive content of the answer is correct, but there may be some redundancy or minor imprecision.
1	Relevant, but fragmented, points.
0	Nothing written worthy of credit.

Indicative content:

- Two claims:
 - The ‘good will’ is the only thing that is **morally good without qualification** (student could briefly compare to other ‘goods’ eg happiness, which is usually a good thing but can be morally bad depending on where the happiness derives from)
 - The ‘good will’ is **good ‘in itself’** – in other words it is not good because of what it achieves (consequence) but simply trying to do the right thing for the right reasons is good (even if the person fails to do the good thing they intended to do).
- Only the good will is good without qualification and to have a good will is to do your duty because it is your duty (other motivations are morally irrelevant) eg, Kant’s ‘shopkeepers’ example about overcharging his inexperienced customers.

2 (A): Explain Kant’s second formulation of the categorical imperative [5 Marks]

AO1 = 5

Marks	Levels of response mark scheme
5	A full, clear and precise explanation. The student makes logical links between precisely identified points, with no redundancy.
4	A clear explanation, with logical links, but some imprecision/redundancy.
3	The substantive content of the explanation is present and there is an attempt at logical linking. But the explanation is not full and/or precise.
2	One or two relevant points made, but not precisely. The logic is unclear.
1	Fragmented points, with no logical structure.
0	Nothing written worthy of credit.

Indicative content:

- Students may explain more generally what a ‘categorical imperative’ is
- The second formulation of the Categorical Imperative (the Formula of Humanity): “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end” (Groundwork, 4:429). For example, to lie to someone is to treat them merely as a means to your own ends. It is to undermine their power of making a rational choice themselves.
- Kant says people have ‘intrinsic worth’, which Kant defines as ‘dignity’. What gives people this dignity is their rational will. The will has unconditional value as the thing which gives value to everything else. So in the formulation, by ‘humanity’, Kant means our ability to rationally determine which ends to adopt and pursue.
- A moral problem arises when one doesn’t have a chance to consent so autonomy/rationality is undermined. When this happens a person is being treated *merely* as a means to an end.
 - This could be contrasted with acceptable times one is treated as a means (eg a taxi driver consents to be a means used to get us to a desired destination)

- They may discuss how not following any perfect duty breaches this formulation – breaching an imperfect duty does not, but is not in harmony with the formulation (as breaking imperfect duties, such as not helping others, does not promote humanity in others)

2 (B): Explain Kant's first formulation of the categorical imperative [5 Marks]

AO1 = 5

Marks	Levels of response mark scheme
5	A full, clear and precise explanation. The student makes logical links between precisely identified points, with no redundancy.
4	A clear explanation, with logical links, but some imprecision/redundancy.
3	The substantive content of the explanation is present and there is an attempt at logical linking. But the explanation is not full and/or precise.
2	One or two relevant points made, but not precisely. The logic is unclear.
1	Fragmented points, with no logical structure.
0	Nothing written worthy of credit.

Indicative content:

- Students may explain more generally what a 'categorical imperative' is
- The first formulation of the Categorical Imperative is used as a way of deriving more specific duties and is stated thus: "Act only according to that maxim by which you can at the same time will that it should become a universal law" (Groundwork of the Metaphysics of Morals, 1785, 4:421).
- Acting on a maxim which does not pass this test (ie cannot be so willed) is morally wrong.
- Maxims that pass this test (ie can be so willed) are morally permissible (NB: they are not morally obligatory).
- A maxim fails the test of the Categorical Imperative if universalising it leads to a contradiction.
- There are two types of contradictions that Kant discusses:
 - a contradiction in conception (a logical contradiction) which leads to perfect duties (which are duties to never to X)
 - a contradiction in the will (ie they contradict something that we rationally must will) which leads to imperfect duties (which are duties to do Y to at least some extent).
- It is likely that they may have more of a focus on contradictions in conception, and this is fine.
- Students are likely to use examples. The following table shows the examples he gives of each kind of contradiction:

	...to oneself	...to others
Perfect duty...	...not to commit suicide	...not to make false promises
Imperfect duties...	...to develop one's talents	...to help others

3 (A): Explain Kant's distinction between acting 'out of duty' and acting 'in accordance with duty'. [5 marks]

AO1 = 5

Marks	Levels of response mark scheme
5	A full, clear and precise explanation. The student makes logical links between precisely identified points, with no redundancy.
4	A clear explanation, with logical links, but some imprecision/redundancy.
3	The substantive content of the explanation is present and there is an attempt at logical linking. But the explanation is not full and/or precise.
2	One or two relevant points made, but not precisely. The logic is unclear.
1	Fragmented points, with no logical structure.
0	Nothing written worthy of credit.

Indicative content:

Acting (merely) in accordance with duty	Acting out of (i.e. from/because of) duty
Both involve a person carrying out exactly the same action (as far as the external/bodily facts are concerned (i.e. they may both say the words "That is £5 please").	
What the person does is what duty commands that they do, but s/he has not carried out this action because s/he has recognised this as his/her duty...	What the person does is what duty commands that s/he does, and s/he has carried out this action because s/he has recognised this as his/her duty...
...and rather has done it for some other reason.	...and not for some other reason.
S/he does not have (and has not acted out of) a good will.	S/he has (and has acted out of) a good will.
His/her action does not have moral worth.	His/her action has moral worth.
Kant gives the example of someone who deals honestly with an inexperienced customer only because they don't want to lose customers...	...versus someone who is honest because they have recognised that it is their moral duty to do so.
He also gives the example of someone who stays alive because they enjoy life...	...versus someone who does not commit suicide despite the fact that they hate life
S/he has acted according to a hypothetical imperative: "Do X if you will Y".	S/he has acted according to a categorical imperative: "Do X (regardless of what you will)"
S/he is acting heteronomously (s/he is driven by (and is a slave to) an unchosen feeling).	S/he is acting autonomously (s/he is acting according to a chosen moral law).

- The indicative content above is very full – students are not expected to discuss all/most of these to have a top level answer. Rather, the indicative content suggests relevant material students could draw upon to explain the distinction.
- However, in a response that scores 5 marks (a full answer), it is likely that students will employ some key concepts relating to Kantian Deontology (such as those contained in indicative content) in their explanation of the distinction. Examples include but are not limited to: reason, duty, hypothetical vs categorical imperatives, universal/unconditional commands, the good will, motivation)

3 (B): Explain Kant's distinction between perfect duties and imperfect duties [5 marks]

AO1 = 5

Marks	Levels of response mark scheme
5	A full, clear and precise explanation. The student makes logical links between precisely identified points, with no redundancy.
4	A clear explanation, with logical links, but some imprecision/redundancy.
3	The substantive content of the explanation is present and there is an attempt at logical linking. But the explanation is not full and/or precise.
2	One or two relevant points made, but not precisely. The logic is unclear.
1	Fragmented points, with no logical structure.
0	Nothing written worthy of credit.

Indicative content:

- perfect duties: these are duties to never do X, and they arise from a contradiction in conception (a logical contradiction);
- imperfect duties: these are duties to do Y to (at least sometimes / to some extent), and they arise from a contradiction in the will (ie they contradict something that we rationally must will).
- This distinction could be developed in more detail (possibly using Kant's examples) and distinguished in terms of application (eg we can't help all others or develop all talents).
- The following table shows the examples he gives of each kind of contradiction:

	...to oneself	...to others
Perfect duty...	...not to commit suicide	...not to make false promises
Imperfect duties...	...to develop one's talents	...to help others

Here is the example of false promises developed in more detail: for example, in the case of making false promises to get what you want, Kant would argue that your maxim would be 'I can make a false promise, if it gets me what I want.' If, however, you universalised this, then you would have to say 'all rational agents must, by a law of nature, make false promises, when it gets them what they want.' However, successfully making a false promise to someone presupposes them taking you at your word, but, in this world, no one would do so. So my maxim cannot exist with itself as a universal law.

4 (A): Explain how Kantian deontology might be applied to the issue of stealing. [12 marks]

AO1= 12

Marks	Levels of response mark scheme
10–12	The answer is set out in a precise, fully-integrated and logical form. The content is correct and demonstrates detailed understanding. Points are made clearly and precisely. Relevance is sustained, with very little or no redundancy. Philosophical language is used precisely throughout.
7–9	The answer is set out in a clear, integrated and logical form. The content of the answer is correct and demonstrates detailed understanding. The content is clearly relevant and points are made clearly and precisely. Any lack of clarity with respect to particular points is not sufficient to detract from the answer. Relevance is largely sustained. There may be some redundancy, though not sufficient to detract from the answer. Philosophical language is used correctly throughout.
4–6	The answer is clear and set out in a coherent form, with logical/causal links identified. The content of the answer is largely correct and most points are made clearly. Relevance is not always sustained and there is some redundancy. Philosophical language is used correctly, with any minor errors not detracting from the response.
1–3	There are some relevant points made, but no integration. Some points are clear, but there is a lack of precision – with possibly insufficient material that is relevant or too much that is irrelevant. Philosophical language is used, though not always consistently or appropriately.
0	Nothing written worthy of credit.

Indicative content

- Kant argues that we have duties not to do certain things which are wrong in themselves and stealing is one such thing.
- Moral duties are categorical and not hypothetical, because they are your duty regardless of what you want and are not a means to a further end. This means that it is never morally permissible to steal, regardless of circumstances. Students may make reference to an example of stealing with a virtuous aim such as Robin Hood stealing from the rich to give to the poor.
- Kant argues that moral duties, including this one, are discoverable by reason.
- Only the good will is good without qualification and to have a good will is to do your duty because it is your duty (other motivations are irrelevant): eg, Kant’s ‘shopkeepers’ example about overcharging his inexperienced customers.
- Application of the 1st formulation of the Categorical Imperative to stealing:
 - ‘Act only according to that maxim by which you can at the same time will that it should become a universal law.’
 - A universalised maxim of stealing is incoherent/inconceivable since if everyone had a right to take anyone else’s property, then no one could possibly take anything they had no right to so there could not (in fact) be stealing.
 - It leads to a contradiction in conception, and so not stealing is a perfect (absolute) duty.
 - It shows that when we steal, we in fact want to make an exception of ourselves (because that is the only way that it is possible to steal).
- Application of 2nd formulation of Categorical Imperative to stealing:
 - ‘Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end’.
 - Stealing from someone uses them merely as a means to an end, since it is not treating them with respect given that it undermines their power of making a rational choice to do with the item as they wish.
 - People cannot consent to a way of acting when they are given no chance to do so. The victim of a stealing cannot consent to being stolen from because if he consented it would not, by definition be stealing
 - It is a use of someone as a mere means to get an item rather than a treatment of them as a rational subject.

4 (B): Explain how Kantian deontology might be applied to the issue of telling lies [12 marks]

AO1= 12

Marks	Levels of response mark scheme
10–12	The answer is set out in a precise, fully-integrated and logical form. The content is correct and demonstrates detailed understanding. Points are made clearly and precisely. Relevance is sustained, with very little or no redundancy. Philosophical language is used precisely throughout.
7–9	The answer is set out in a clear, integrated and logical form. The content of the answer is correct and demonstrates detailed understanding. The content is clearly relevant and points are made clearly and precisely. Any lack of clarity with respect to particular points is not sufficient to detract from the answer. Relevance is largely sustained. There may be some redundancy, though not sufficient to detract from the answer. Philosophical language is used correctly throughout.
4–6	The answer is clear and set out in a coherent form, with logical/causal links identified. The content of the answer is largely correct and most points are made clearly. Relevance is not always sustained and there is some redundancy. Philosophical language is used correctly, with any minor errors not detracting from the response.
1–3	There are some relevant points made, but no integration. Some points are clear, but there is a lack of precision – with possibly insufficient material that is relevant or too much that is irrelevant. Philosophical language is used, though not always consistently or appropriately.
0	Nothing written worthy of credit.

Indicative content

- General points:
 - Students may begin by placing the issue of lying within the context of Kant’s (act centred) deontological ethics: the motive of duty is the defining character of moral conduct, and we determine our duties through the exercise of reason.
 - Kant’s view may be distinguished from other moral theories: he does not base morality on consequences (unlike utilitarianism) and does not base morality on dispositions/character/nature (unlike virtue ethics).
 - Kant argues that we have a categorical/absolute/perfect duty not to lie. If, for example, there is an axe-murderer at the door, given that you can never lie, you cannot even lie in order to save lives or protect the innocent.
 - Only the good will is good without qualification, and to have a good will is to do your duty because it is your duty (other motivations are morally irrelevant). Therefore, one ought to tell the truth out of duty alone rather than for some other reason.
 - Kant argues that our moral duties are discoverable by reason and so that only those who possess adequate rational capacities have a duty not to lie
- Kant’s view on lying in terms of the first formulation of the Categorical Imperative (the Formula of Universal Law): “Act only according to that maxim by which you can at the same time will that it should become a universal law [or “universal law of nature”]” (Foundations of the Metaphysics of Morals):
 - Acting on a maxim which does not pass this test is morally wrong.
 - A maxim fails the test of the Categorical Imperative if it cannot be consistently universalised, so it would be impossible for everyone to act on it. This may be referred to as a ‘contradiction in conception’.
 - In the case of lying to get what you want, Kant would argue that your maxim would be ‘I can tell a lie, if it gets me what I want.’ If, however, you universalised this, then you would
 - have to say, ‘All rational agents must, by a universal law of nature, lie when it gets them what they want.’ Lying presupposes people taking you at your word, but, in this world, the practice of giving your word doesn’t exist. So my maxim cannot exist with itself as a universal law.
 - Thus, we have a (perfect) duty not to lie.

- Kant's view on lying in relation to the second formulation of the Categorical Imperative (the Formula of Humanity): "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end"
(Foundations):
 - In the case of lying, to lie to someone is to treat them merely as a means to your own ends, rather than as an end.
 - Lying to someone uses them merely as a means to an end, since it is not treating them with respect given that it undermines their power of making a rational choice themselves.
 - People cannot consent to a way of acting when they are given no chance to do so. The victim of a lie cannot consent to being lied to because he doesn't know he is being lied to.
 - It is a manipulation of someone (and their trusting nature) rather than a treatment of them as a rational subject.)

5 (A and B): Are utilitarians right to say it is morally right to maximise utility? [25 marks]

AO1 = 5, AO2 = 20

Marks	Levels of response mark scheme
21–25	<p>The student argues with clear intent throughout and the logic of the argument is sustained.</p> <p>The student demonstrates detailed and precise understanding throughout.</p> <p>The conclusion is clear, with the arguments in support of it stated precisely, integrated coherently and robustly defended.</p> <p>Arguments and counter-arguments are stated in their strongest forms. Reasoned judgements are made, on an ongoing basis and overall, about the weight to be given to each argument. Crucial arguments are clearly identified against less crucial ones.</p> <p>Philosophical language is used precisely throughout.</p>
16–20	<p>The student argues with clear intent throughout and the logic of the argument is largely sustained.</p> <p>The content is correct and detailed – though not always consistently.</p> <p>The conclusion is clear, with a range of appropriate arguments supporting it.</p> <p>Arguments are generally stated in their strongest forms. There is a balancing of arguments, with weight being given to each – so crucial arguments are noted against less crucial ones. Arguments and counter-arguments are stated clearly, integrated coherently and defended.</p> <p>There may be trivial mistakes, as long as they do not detract from the argument.</p> <p>Philosophical language is used correctly throughout.</p>
11–15	<p>A clear response to the question, in the form of an argument, demonstrating intent.</p> <p>The content is detailed and correct and most of it is integrated.</p> <p>A conclusion and reasons are given and those reasons clearly support the conclusion. There might be a lack of clarity/precision about the logic of the argument as a whole.</p> <p>Arguments and counter-arguments are given, but there may be a lack of balance. Not all arguments are stated in their strongest forms. Stronger and weaker arguments are noted and there are attempts to identify the weight to be given to different arguments, but not necessarily those which are crucial to the conclusion.</p> <p>Philosophical language is used correctly, with any minor errors not detracting from the argument.</p>
6–10	<p>The response to the question is given in the form of an argument, but not fully coherently.</p> <p>The content is largely correct, though there are some gaps and a lack of detail. Relevant points are recognised/identified, but not integrated.</p> <p>Alternative positions are identified, but not precisely. Counter-arguments might be stated in weak forms or even slightly misrepresented. Arguments and counter-arguments are juxtaposed, so similarities and contrasts identified, rather than their impact being clear.</p> <p>Philosophical language is used throughout, though not always fully correctly and/or consistently.</p>
1–5	<p>There is little evidence of an argument.</p> <p>There may be missing content, substantial gaps in the content or the content may be one-sided.</p> <p>There may be a conclusion and several reasonable points may be made. There may be some connections between the points, but there is no clear relationship between the points and the conclusion.</p> <p>There is some basic use of philosophical language.</p>
0	<p>Nothing written worthy of credit.</p>

Indicative content:

- Credit can be given for responses which consider (a) utilitarianism in general, (b) focus on one particular version of utilitarianism, or (c) consider two or more versions in the course of the essay.

General points:

- utilitarians (as consequentialists) decide whether actions are morally right or wrong based on their effects
- the best decision is the decision that maximises utility (creates the greatest net utility) (NB: utility can be understood in different ways (see below))
- a utilitarian would consider the effects on happiness of all those affected; no-one would be ignored during the calculating process (impartiality: “every man to count for one, nobody for more than one” (Bentham)).

Credit can be given for consideration of one or more versions of utilitarianism (made complicated by the fact that utilitarians differ in their answers to various questions, forming a complex matrix of possible positions).

Which consequences matter?/What is meant by ‘utility’?

- The quantity of pleasurable sensations (Jeremy Bentham's quantitative hedonistic utilitarianism (his utility calculus)).
- The quality of pleasure (John Stuart Mill's qualitative hedonistic utilitarianism (higher and lower pleasures)).
- The satisfaction of preferences (preference utilitarianism – Hare and Singer).
- Various ‘ideals’/values (ideal utilitarianism – Moore).

The consequences of what?

- Particular acts (act utilitarianism).
- Rules (rule utilitarianism).

The consequences for whom?

- Do animals count?
- Do all human beings count, and if not, what are the criteria?

Possible lines of argument:

NO: Utilitarianism is not correct: arguments/points against (‘external’ criticism/debates)

Problems with calculation:

- difficulties with predicting/knowing the relevant consequences
- difficulties with measuring utility (e.g. for Mill, is any amount of ‘higher’ pleasure of more value than an infinite amount of ‘lower’ pleasure?)
- utilitarianism has the strange result that we cannot know whether we have done the right thing until after we have done it (and we may never know) – a related point: is it actual or expected consequences that matter in terms of the rightness of the decision made?
- how much of the future can, or ought, the calculation take into account?
- difficulties with making calculations quickly and accurately enough for the right decision to be made in time (and rule utilitarianism as a possible response to this concern).

Issues that utilitarianism presents regarding fairness and individual liberty/rights (including the risk of the ‘tyranny of the majority’):

- it risks a majority tyrannising over a minority (if that maximises utility) • it fails to take seriously the distinctness of persons (Rawls)

- it treats people only as a means to an end, violating the Kantian principle— so Kant may be used to make this point
- the point about fairness may be put in economic terms, i.e. as an argument that a utilitarian distribution of wealth would not be a fair distribution (which might be argued on various grounds)
- rights/liberties are a way of avoiding the issues above (('negative') rights to non-interference and/or ('positive') rights of provision)
- rule utilitarianism might be brought in and evaluated as a response to this concern.

Utilitarianism ignores both the moral integrity and the intentions of the individual (e.g. the desire to do good):

- Virtue ethics may be discussed in this context as the right (and a better) account (the morally right thing to do is that which is the expression of virtue and virtuous character)
- Utilitarians may respond by arguing that they are able to morally evaluate motive and character so long as this is itself done on utilitarian grounds.

Issues around partiality: utilitarianism ignores the possible moral status of particular relationships (family/friendship) we may have with others, and indeed ignores the special duty we may have to ourselves.

- Singer's example of the drowning child and donations to charity might be discussed in this context (he, as a utilitarian, argues that nationality and distance are not in themselves morally relevant factors).
- This point may be linked to the following point.

Utilitarianism is too demanding on us – it requires us to do 'supererogatory' acts (acts which are normally seen as praiseworthy but not obligatory).

Certain versions of utilitarianism take sensations of pleasure too seriously:

- Aristotelian critiques: pleasure, though important, is not the highest good for humans, since it is what we share with animals
- Kantian critiques: we should act out of duty rather than to attain/maximise happiness – it is God who will ensure that the 'highest good' (including happiness) will be achieved for those who do the right thing
- Nozick's experience machine: pleasure is not all we care about since we would not plug into a pleasure-machine; we also care about our experiences being 'real' and our desires really being realised/coming true. (This, for many, is a point in favour of preference utilitarianism.)

Counter-intuitive results: utilitarianism might ask us to do things which we intuitively think are wrong (eg removing the organs of a healthy person to save five lives, torturing the innocent child of a terrorist to obtain information about a bomb threatening thousands of people).

YES: Utilitarianism is correct:

- Mill's 'proof' of the greatest happiness principle (which may then be assessed)
- the importance of consequences: if something (e.g. murder, lying) is bad and we are faced with the choice of acting in such a way that something bad will happen either way, consequences will then determine the morally proper act (e.g. in the trolley problem.)
- common sense: it is evident/obvious that everyone's ultimate concern is to maximise happiness/pleasure and minimise unhappiness/pain – i.e. one can ask "Why do X?" and eventually one will get to "Because it brings happiness" but one can't pursue it by then asking "Why seek happiness?"
- universality: takes into account all agents/all those capable of feeling pain/pleasure happiness/unhappiness, thus bringing animals into the moral sphere.
- practicality/ease: we can work out what to do using a clear 'decision procedure'

- objectivity: the calculation above is objective and would give the same results for anyone
- egalitarian: each agent / relevant being counts as equal in the calculation (in the sense that one starts by treating each person as equal before calculations)
- focuses on human wellbeing and promotes benevolence towards others: we should each seek to maximise happiness of the greatest number
- provides a secular framework for ethics.

DEPENDS:

- Students may conclude that whether utilitarianism is correct depends on which version you take and dismiss/defend certain versions