



**Inter-domain problems with internalization costs
in Hooker's rule-consequentialism**

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Introduction

In nowadays more and more technocratic era, utilitarianism is again claiming its place as one of the most discussed moral theories. But deficiencies of crude utilitarianism are polished and developed into more sophisticated theories. Values like fairness and priority to the worse-off are added to pure utilitarian aspects in constructing a better moral theory. More so, the decision-making is transformed from simple individual act scenarios to more sophisticated cooperative rule scenarios. The resulting theory is the rule consequentialism (RC). One of the most important philosophers in this area is Brad Hooker with his specific defence of RC. In this thesis I will try to identify one of the major problems in his theory, the single-domain moral structure, and try to develop a working alternative to this account - the multi-domain system.

The main idea of this project is, firstly, to show that Hooker's type of RC is implausible concerning the existence of multiple moral domains, and secondly, to try to revise his account in order to accommodate a multi-domain structure and thus improving the RC approach. The biggest problems seem to be the difference in internalization costs (IC) between particular domains and the resultant departure from Hooker's 'ideal code'. IC are the transitional and psychological costs associated with the acceptance of some concrete rule. The differences in IC are on both hard-lock as well as soft-lock levels. Hard-lock differences are those that are somehow hard-wired into an agent's brain, whereas soft-lock differences are mainly cultural and learned variances in IC. In other words, if there are, between diverse groups of moral agents, genetic or technological disparities in levels of IC that cannot be overcome, it is a case of a hard-lock difference. For example: aliens and future generations after either genetic or technological advances that allow radical decrease in IC. On the other hand, if the disparities in levels of IC are not hard-wired in agents' brains, but rather resulting from cultural upbringing like education and family ties, it is a case of a soft-lock difference. For instance, the difference between an agent from well-established democratic country and an agent brought up in a caste system.

In the first chapter I would like to sketch Hooker's view in more detail, starting with a general discussion on the RC theory, moving to a Hooker-specific version of RC accommodating intuitions and 90% acceptance condition, then provide some relevant objections to Hooker's account, ending with his view about a single-domain moral account. Hooker heavily depends on IC in order to avoid several objections to his version of RC, but

in the end, the concept of IC turns against his own single-domain account. How exactly, will be the focus of the second and the third chapters.

The second chapter will develop several hard-lock problems, mainly associated with three key troublemakers: irrelevant others, Zargonian triangle, and its offshoot representing the 'overwhelming majority' argument. The part about the irrelevant others considers the problem of additional moral agents (zargonians) that cannot directly influence or be influenced by us. Yet Hooker's insistence on a single moral domain for every moral agent produces implausible consequences - insignificant facts might change our moral perception. Zargonian triangle objection further develops this idea, allowing human-zargonian interaction. The main problem of inter-domain interaction does not fade away. More so, it generates further problem for the single-domain concept on both consequentialist and intuitive levels. Final big difficulty concerning the hard-lock problems is the 'overwhelming majority' argument, which examines problems of disproportionally sized moral groups or groups not having common moral points.

The soft-lock problems will be the main focus of the third chapter. Hooker's RC will be studied in the light of the cultural and learned differences. Two main argument lines will be considered here: education, and the BSG. BSG argument will consider the additional spacio-temporal domains and consequent overdemandingness of a single-domain structure. On the other hand, the education line will explore the question of teaching the rules and the impact of institutions.

And lastly, the fourth chapter will aim to develop an account that defuses these problems in the RC fashion, by developing the proper multi-domain structure. The size, structure and incremental unification of domains are some of the most important topics of this chapter, with the main aim of answering worries raised by preceding parts (mainly on the example of overdemandingness), as well as constructing a richer multi-domain concept of RC.

Chapter 1: Hooker's Account

The aim of this chapter is to develop the aspects of Hooker's RC that will be relevant for the core of this project. I will not try to give the full description of his theory, but only the parts that might be significant for later chapters. I will start with a general sketch of the most distinctive signs of RC, namely: impartiality, universality and utilitarianism. Here I also consider an objection about the collapse to AC. Later I will develop Hooker-specific version of RC, focusing on the specific markers like the role of intuitions, compliance/acceptance distinction, IC and 90% acceptance condition. Then three most relevant objections will be explored, with an aim of providing a more detailed view on Hooker's RC, namely the role of IC. The last section will be dedicated to the introduction of the main problem of Hooker's theory, the single-domain account, which starts the main topic of this work.

a) Rule-Consequentialism

First question one should ask is - why choose RC in the first place? In the following paragraphs I will try to provide several best-known arguments for RC. I will not go into much detail or follow the counter-examples in this section, as these will be dealt with in greater detail in the following parts. This section should be considered only as an introductory part for the more complex RC questions.

One of the basic appeals of RC is its disposition for impartiality.¹ In real life, people tend to look at moral dilemmas from their specific point of view. However, if one wants to find the true and universal moral point of view, he has to look for impartiality and detachment from ordinary biases. RC offers this option through adherence to general rules that will provide maximization of value. In moral decision-making, there is no space for personal bias of the first-order. (The second-order partiality is allowed, for example if parental love maximizes an overall value, but this is a different question.) So when someone asks 'what should I do in case X?', the RC answer is not linked to the individual agent, but to the general framework of rules that would maximize value.

This leads to the second argument for RC, namely the universalization condition. The true moral theory can be distinguished by the fact that it passes the universalization test - what if everyone has done X? For example, if one wants to enforce any contract, he has to observe the terms of contracts himself - if a moral agent does not want to be robbed, he

¹ This and following two paragraphs based on Harsanyi 1977, pp.623-6

should not be a thief himself, else his moral code is not universalizable and consequently it is incoherent. RC makes all its rules applicable to everyone under the same circumstances, thus passing the universalization test. If an agent wants to perform any action, he has to ask himself whether this rule, if followed by everyone, would maximize the value in the society.

As mentioned several times in the preceding paragraphs, maximization of value is also one of the appeals of RC. The alone-standing general value is a better basis for a moral theory than temporary individual biases grounded only in intuitions. Imagine a slaveholding (caste) society endorsing full intuitionism - due to cultural upbringing, there is a little-to-none incentive for a change. However, if such a society adopts some form of utilitarianism, it may keep slaveholding system only as long as it has good consequences (Hare's Juba and Camaica example - if slavery avoids disaster, then it might be permissible to keep that system), which is not very likely under the conditions of the real world.² (But nonetheless, given the internalization and practical costs of transformation of the society, it is possible that changes would be only incremental. More about this later on.) RC is more plausible moral theory than intuitionism because it applies rational and utilitarian criteria rather than contingencies of one's cultural upbringing. And rationality itself is a common human interest.

However, RC is not the only theory promoting rationality. One of the closest allies and the most dangerous enemies is the act-consequentialism (AC). AC is a theory that everyone should be maximizing, an expected value of each moral decision. Therefore, if there is any moral problem, one should choose the solution maximizing general value in that concrete problem. There are several objections to AC, and suggestions why RC is preferable to AC.

First point is that AC value maximization is suboptimal concerning the real-world conditions. For AC, it could be said that the moral duty (sum of requirements of an ideal moral system) is the same as the maximization of an immediate value. But in practical terms, counting all the variables of each simple moral decision is quite demanding. It is not only time-consuming, but also requires certain level of intelligence, information and skill. Many people are incapable of real-time calculations about maximizing the value. And hence, in the real world, this could lead to rationalization and simplification of one's moral duty according to one's own limitations. Consequently, everyone might follow his own version of AC and due to unpredictability of such decisions, it might result in lesser overall value.³ So a crude AC is self-defeating because the moral duty of maximizing the value might, in practice, lead

² Hare 1979, pp.103-21

³ Brandt 1992, pp. 142-3

to worse results concerning the general maximization of the value. To summarize the drawbacks of AC, there are three points: an agent often does not have enough data about actual consequences; even if he had enough data, he would not have enough time to collect and process all of them; and finally, even if he successfully accomplished all the previous steps, he would be still affected by human biases and limitations.⁴ A direct answer to these worries is the need for rules in a consequentialist theory. It has to be impartial to avoid biases, contain the 'rule' aspect to avoid complicated calculations in each individual application, and include the utilitarian feature to understand the consequences better. Thus the moral duty in RC is less strict, it has lower requirements on real-time calculations, and is more easily executable. However, even RC cannot provide an answer for every moral question because sometimes there are too many calculations involved. But it certainly does a better job than AC. For example, RC is both egalitarian (diminishing marginal utility) and anti-egalitarian (incentives and more effective use of resources), and the precise calculation of an ideal code takes some time. But once it is calculated, further operations, except memorizing, are not as demanding as continual calculations in AC. RC can provide better guidance to moral problems: rightness is not the result of good consequences of particular acts as AC claims, but rather a compliance with general rules that most people accept. And acceptance of some broad rules against torture, murder and theft is expected to have much better consequences than rules allowing those acts.⁵ RC can also help by assigning different power to different rules, thus making murder very undesirable, serious injury unwanted, small injury not-so undesirable, and so on. This distinction can provide better guidance for the comparison of available actions during moral decision-making.⁶ Such a code will be very responsive to usual problems, and provide more freedom of choice in rare and unusual cases. There is also no identity between the moral duty and the maximization of value in RC, therefore it could not be self-defeating on those terms. Following RC rules might lead to suboptimal results in individual cases, but this fact does not contradict the theory itself. Once the rule is established, a theory based on such rule will deal with the recurring problems better.

In a similar vein is the decision-theory objection, which compares the strategies employable in AC and RC. Crude AC considers all others' strategies as constant, and seeks only one's own best strategy. On the other hand, RC is not occupied only with its own strategy, but also with all the others' ones. Therefore, RC is a much better theory for mutual

⁴ Hooker 2000b, pp.187-8

⁵ Hooker 1990, pp.68-70

⁶ Hooker 1996, pp.541-4

cooperation and strategy coordination than AC. This could be shown on the example of promise keeping. Under AC, one has no motivation for keeping his promise - if breaking the promise might yield slightly better consequences in the actual case, then one is allowed to change his strategy. In comparison, RC has to calculate also with possible impacts on others' strategies. One cannot count only with an immediate problem but also with a set of rules for all similar problems. So if one is about to break a promise, he has to check the universalization test about the consequences - what if all people break their promises?⁷ Consequentialist criterion is applied not only to individual acts but mainly to rules governing such acts. This results in much improved cooperative strategies and hence better consequences generally.

To conclude this brief introduction, RC seems as a more convenient moral theory because it combines the advantages of impartiality, universality and utilitarianism with rules. Also some *prima facie* benefits of RC over basic form of AC were considered, although much more could be said on this topic (mainly about more sophisticated versions of the collective AC). However, I will leave such question aside and focus more on the specific aspects of RC theory. The concrete definition of Hooker's version of RC will be provided in the following section.

b) Hooker's Rule-Consequentialism

This part, dedicated to Hooker's version of RC, will be divided into five sub-sections: 1) sketch of Hooker's concept; 2) collapse objection; 3) overdemandingness objection; 4) partial compliance objection; 5) single-domain account. I will start with some more focused remarks on Hooker's theory and his special view on the role of intuitions, IC and the 90% acceptance, and then follow three most relevant objections, ending with the section about how and why he has chosen the single-domain account.

1) Hooker's RC

According to RC, rightness is not the result of good consequences of individual acts, but rather a compliance with general rules most moral agents accept. But there are several versions of RC, most common one being that action is good, iff it follows the code whose consequences have greatest expected value. Others might hold that the action is good iff it follows the code that would turn out to be ideal. However, Hooker's basic version tells that

⁷ Harsanyi 1977, pp.648-52

action is good iff it follows the code whose collective internalization has the best consequences⁸ and that it ties the moral intuitions together. Hooker's RC is trying to become the best strategy in reconciling our deeply held moral intuitions with impartial, rational and utilitarian justification. His aim is to show that the moral perception is not just a bunch of intuitions, but that they are connected by some deeper structure. That is why Hooker spends so much time arguing that his theory is as plausible as Ross-style pluralism, but with an additional bonus of being systematized.⁹ He wants to get best of both worlds - deontology and consequentialism - impartial yet intuitive.

In order to get such hybrid system working and to defend it properly, Hooker invokes the multi-purpose concept of IC. This is the key concept for his theory, used in many arguments Hooker employs, so it should be explained more thoroughly. The idea itself is relatively easy to grasp - each rule does not have only the expected value *per se*, but also some psychological costs for any agent who is learning and adopting it as his own moral code. The general design is that the more strict or complex the rule is, the higher the psychological costs for people to adopt such a rule are. For example, the more complicated the rule X is, the more specific sections about particular cases it has. But with more specific sections included, the number of possible applications of that concrete rule decreases, therefore more rules are needed for each application. And the more (more complicated) rules there are to be learned, the higher the psychological costs on memory, intelligence, time, etc.¹⁰ But these IC are not only the result of too complex or complicated rules, they may have also other background, for example intuitive aversion or personal relationship. If rule X commands torturing for fun, then the repugnance against such act will bear high psychological costs and internalization of the rule will be nigh impossible. It is the same in cases of close personal relationships - if some rule forbids taking care about one's own family, the emotional costs of adopting such rule will be similarly unattainable. To conclude, IC are one of the most important parts of Hooker's RC, usable in a variety of situations as both positive arguments for, and negative arguments against objections to Hooker's theory. They will play a prominent role during the rest of this work.

Very closely related to the concept of IC is the difference between the compliance and the acceptance Hooker invokes. Compliance with the rules is a simple mechanical obedience of these rules. Acceptance, on the other hand, involves the psychological elements of

⁸ Hooker 2000a, pp.1-4

⁹ Hooker 1996, pp.534-48 ; Hooker 2000a, pp.104-11

¹⁰ Hooker 1998, pp.23

adopting the rules. This question is also one of the concepts that are distinctive to Hooker's version of RC. What is generally required in RC is just the compliance with some rule. It is expected that if all relevant moral agents comply with the code, everything else is redundant. However, Hooker insists on moving from compliance to acceptance condition for several reasons. He admits that compliance is important, but that there are also other important questions to consider. For example, it is beneficial for the moral system that people genuinely adopt moral concerns and not only some mechanical action/reaction conformity with rules. Those accepting the rules should feel the need to promote the compliance with it in other moral agents. Also, the moral code should not be only about controlling the external behaviour, but also internal feelings dealing with it. People genuinely accepting some rule would feel the guilt and shame in the case they break it, which is better for the general moral system.¹¹ Hooker also mentions another advantage of acceptance over compliance - the effect of expectation. This effect is much stronger if people are calculating with a psychological acceptance of some rule, rather than with just a simple compliance. More so, if one accepts some rule, he does not have to comply with it in reality. For example, the retaliation concept: if it is well known that one have accepted a very harsh rule about retaliation and he will employ all the means he possesses to strike back, people tend to avoid attacking him and he may never have to comply with this rule.¹² There is one more possibility why Hooker prefers acceptance rather than compliance with rules. On a deeper metaethical level, the acceptance is a more constructivist position, whereas compliance is a more realist one. This is because constructivism keeps very close ties between motivation and content of moral rules, while realism does not depend on such closeness. This could be applied to the aforementioned difference between normal RC, which relies on the consequences (realism), and Hooker's RC, which relies more on the ties between intuitions (constructivism).¹³ This difference between consequentialist RC and more intuitionist RC is going to be developed in the next paragraph.

As previously said, some versions of RC prefer rationality over intuitions, saying that internal coherence and impartiality are more important than the intuitions that could be based on cultural biases. Hooker, however, tries to keep impartiality and coherence conditions intact, claiming that the reason for preferring RC might not be consequentialist itself, that one cannot evaluate a moral code from absolutely non-evaluative point of view. He says that without an initial moral conviction there is no basis for any evaluation, and that some things

¹¹ Hooker 2000a, pp.75-7

¹² Hooker 2000a, pp.77-8 ; Hooker 2000b, pp.189

¹³ Mulgan 2001, pp.61 (comment 13)

are simply given (like the aversion to torturing people for fun) and no rationalizing attempt could change that. Thus RC could allow some intuitions to be the first step in assessing a moral theory.¹⁴ Grounds for choosing one type of RC over another might be intuitions instead of the maximization of value. Thus if an agent is about to choose between two *prima facie* equally good codes, he does not need to thoroughly follow the value maximization procedure, but rather pick the one that is intuitively more plausible.¹⁵ The main objection against this account might, under some circumstances, be the fact that if the closeness to intuitive convention is used as a tie-breaker, then in too many cases it may do the entire job and the resulting moral system collapses into intuitionist morality.¹⁶ After this, the commitment to maximize value ends up as quite an unnecessary burden. If RC prefers actions that are recommended on the basis of intuitions and not grounded in value maximization, then it should admit its close ties with deontology.

The answer to this objection might be that, under normal conditions, the intuitions as a tie-breaker are used quite rarely. And more importantly, the moral progress might be more successful if it compromises with conventions, rather than trying to entirely overturn them. One should stick to the convention until he is sure that different code has a greater expected value. From this point of view, Hooker's RC might be quite conservative - if an agent can expect the code X to have better consequences than code Y, then he should adopt it, else he should stick with the conventional code.¹⁷ This is the Hooker's way of incorporating both the value maximization and the intuitions, without any of them being redundant. To be fair, there are at least two more objections to Hooker's usage of intuitions: a too complex world¹⁸ (departure from conventional morality is never justified because one cannot predict the value outcome of a challenging code) and the tier-coherence theory¹⁹ (moral theory might have several tiers, but they should be based on the same grounds - not intuitions on one level and consequentialism on another). But due to the space restrictions I will not follow these objections, as they are too complex and not directly related to the core of this thesis.

Now, I will try to sketch Hooker's defence of the 90% limit on acceptance of the ideal code. For such an ideal code, Hooker proposes an acceptance of the overwhelming majority of society, because any moral code applicable to the real world must count with situations of only partial acceptance. This general rather than universal acceptance aims at the exclusion of

¹⁴ Hooker 1996, pp.532-8

¹⁵ Hooker 1995, pp.28-9 ; Hooker 2000a, pp.80-2, 173-4 ; Hooker 2000b, pp.195-6

¹⁶ Mulgan 2001, pp.76

¹⁷ Hooker 2000a, pp.113-7

¹⁸ Mulgan 2001, pp.76

¹⁹ Arneson 2005, pp.245

certain groups (children, mentally impaired, etc.) in the first place. But even after getting these groups out of the picture, the theory cannot count with the universal acceptance. There are still many people who are evil, amoral, or confused. And any ideal code must calculate also with these variables. The 100% acceptance is impossible in the world where amoral and imperfect beings exist. And even if the universal acceptance was possible in the real world, there would still be moral agents that accept, but for some reason do not comply, with such code. So, in reality, even 100% acceptance does not have any real advantages over the less-than-universal acceptance. For these reasons, general acceptance is preferable to the universal one. This is not true about the compliance - even in the world with 90% acceptance, all the people have to comply with the rules, no matter whether they have accepted these rules or not. Non-compliance is often punishable under the ideal code. When the overall well-being depends on the level of acceptance in the society, should one calculate the benefit of acceptance for any level of such acceptance? The precise question is - how big is the general acceptance? Hooker proposes the overwhelming majority and the level of 90%. But why 90% and not 51% or 99%, and why not 89% or 91%? The answer is that the best theory must calculate with less-than-100% acceptance in the society, but it should not be very far from the 100% line. Here Hooker becomes stranded and acknowledges that the 90% threshold is indeed arbitrary, but he also adds that it is not a big deal in reality (or that most other theories deal with the same problem).²⁰ There are, however, other opinions about it, for example that RC claims to be the definitive moral principle - an axiom. But with the arbitrariness of the 90% acceptance, it can never reach this status and will remain only a theorem. In other words, out-of-the-blue claim about the 90% acceptance is really a big deal because it lacks an explanatory and philosophical depth RC should provide.²¹ Hooker replies that if such an arbitrary choice does not have any implausible implications, and that in reality it does not, then any such objection is far from persuasive.²² So if the 90% acceptance level possesses no significant problem and has no counter-intuitive outcome, it is as good as any other competing theory.

So after all that was said about Hooker's account in the preceding paragraphs, here is the most relevant definition of his theory:

"An act is wrong if and only if it is forbidden by the code of rules whose internalization by the overwhelming majority of everyone everywhere in each new generation has maximum expected value in terms of well-being (with some priority for the worst off). The calculation of a code's expected

²⁰ Hooker 2000a, pp.80-4

²¹ Ridge 2006, pp.245-7

²² Hooker & Fletcher 2008, pp.345-8

value includes all costs of getting the code internalized. If in terms of expected value two or more codes are better than the rest but equal to one another, the one closest to conventional morality determines what acts are wrong."²³

To conclude, Hooker's distinctive version of RC heavily depends on four concepts: IC, acceptance over compliance, intuitions, and the 90% acceptance. In this section I explored the main aspects of each of these concepts, with the aim of using them later in this thesis. There are other distinctive features of Hooker's RC, but they are not relevant for the scope of this work. In the next three sections, I will raise three main objections to Hooker's theory and observe how they can be avoided in Hookerian fashion. This is done because much of the Hooker's account is in fact based on the counter-arguments to various objections. Therefore, in order to better understand his version of RC, it is appropriate to look also at these objections.

2) Collapse Objection

The first objection to Hooker's RC, or to any version of RC in general, is the collapse objection. It says that RC has to collapse into AC in either of two ways: too complex or too simple rule(s). I will start with the complexity objection which says that in an ideal code, most rules will be tailored to maximize outcome of every potential action, therefore there will be countless specific rules tied only to certain occasions. The example of one of such rules might be: do not lie to your boss, except when such lying will help your co-worker to take a day off, so he could attend his son's violin concert. And similar rules for the boss's secretary, daughter, piano/guitar/drum concert, etc. Such an ideal code would be too long and specific, that in result all the particular rules will lead only to maximization of the value and hence to AC.

Hooker's answer to this objection employs IC - the psychological costs of learning and practically following such set of rules. Memorizing thousands of fractional rules for thousands of possible occasions would take too much time and effort that could be invested elsewhere with a better outcome. Thus the IC puts a limit on a number and complexity of a code. An ideal code will have a reasonably small number of rules at most, and their complexity will be limited to accommodation of intelligence and educational limits of the participants, so the overwhelming majority of moral agents could be capable of internalizing those rules. And even if a too complex code could be learned somehow, it would lack the

²³ Hooker 2000a, pp.32

advantages of predictability and habitual use of moral rights.²⁴ Such overly complex code cannot be internalized without losing its appeal. But what about the other horn of the dilemma?

It is possible that RC might collapse into AC not through too complex and specific set of rules, but on contrary, through an oversimplistic code with only few/one rule(s). The main idea behind this reasoning is that an absolute value-maximizing theory has to follow only one single rule - always maximize expected value. A more sophisticated version states that an ideal code consists of rules like: always tell the truth, except when better consequences will result from lying, etc. But this version effectively collapses into the aforementioned one-rule objection which is only the equivalent of AC.

There are several possible answers to such objection. First one concerns the role of intuitions in the adoption of the single-rule theory. The simplistic account would be prohibitively counter-intuitive and could work only for a version of RC that does not recognize the role of intuitions. Next counter-argument reaps the benefits of the compliance/acceptance distinction. The version of RC that promotes the rules based solely on the benefit from the compliance with them may indeed collapse into a single-rule RC (AC). But in Hooker's version, the overall outcome of the code depends also on the acceptance by the overwhelming majority of moral agents, and therefore the costs associated with acceptance should be counted in. And if one counts with these IC, then Hooker's RC clearly cannot collapse into the AC. The IC involved in the calculation are twofold: closeness and predictability. Closeness objection deals with the IC not from the point of view of memorizing countless number of complex rules, but from the point of view of motivations. The rule 'always maximize expected value' might clash with some permitted partialities like giving preference to own child, etc. And the adoption of the rule effectively prohibiting family ties would have extremely high IC. Similar argument could be applied to the predictability condition. If everyone always followed a single rule, then no one could reasonably rely on promise-keeping, and so on.²⁵ IC of adopting a code that eliminates trust from society are simply too high.

In general, Hooker's RC cannot collapse back to AC, no matter whether through over-complexity or over-simplicity. Hooker's RC keeps the middle ground between the two extremes mainly because of IC of adoption of every individual code. This counter-balance allows neither too complex nor too trivial codes to gain the upper ground.

²⁴ Hooker 1995, pp.27-8 ; Hooker 2000a, pp.95-9

²⁵ Hooker 2000a, pp.93-5

3) *Overdemandingness Objection*

Second objection to Hooker's RC is the assertion that RC is overdemanding and requires immense sacrifices from a moral agent. For example, it is a very plausible theory concerning our duties towards the starving in this world, but what about the possible world with much more starving people in it? Under certain circumstances, Hooker's RC might be too demanding to be plausible. Assume that in a normal world with 50 million starving people it would be enough to donate 10% of one's income to some food relief program. Now imagine a world in which there are 500 million starving people. Does it mean that one should donate all his resources except those needed for a bare subsistence?²⁶ Depending on empirical contingencies of how much starving people there are, RC could be beyond the acceptable level of plausibility.

The initial counter-example to this argument is, again, employing the IC on several levels. Such a demanding code might be internalized and followed only at the great cost, therefore an overall value would be maximized if people followed less strict code but with much lower IC.²⁷ Also, it is in a human nature that one could care either strongly or equally about someone, but he could not care about the others strongly and equally at the same time. Therefore, a normal moral agent could give a strong priority for some (who are close to him), or a weak priority to everyone else. But the overdemanding code expects people to take care strongly and equally for each anonymous man in the world, which is very improbable and counter-intuitive. It is also nigh impossible to imagine a society without any partial relationships, a society based purely on altruism.²⁸ Even if global impartiality was somehow internalized in everyone, the results would be disastrous as this would rule out all the forms of deep commitments, close relationships, love, etc. At some point, IC of more impartial system are higher than possible benefits. Also, one should not forget that IC are not only the one-off costs, but have to be repeated in each new generation, since the morality is hardly genetically transferable and children are born without any code their parents might have internalized during their lives.²⁹ Over time, this condition raises IC of such overdemanding code further and makes it even less appealing.

Nevertheless, someone can still say that the essential material subsistence (or even life) of starving men is preferable to some psychological costs borne by a few rich ones. In

²⁶ Carson 1991, pp.119 ; Mulgan 1994, pp.188-91 ; Mulgan 2001, pp.91-5

²⁷ Hooker 1990, pp.77 ; Hooker 2000a, pp.164-8

²⁸ Hooker 1995, pp.22 (comment 10) ; Hooker 2000a, pp.141, 155

²⁹ Hooker 2000b, pp.190-1

other words, if some rich people suffered several sleepless nights because they had to sell their second car to donate money to the food aid, it would be a very small cost to pay for the lives of several hungry people.³⁰ However, this argument is flawed on so many levels, I will not explore all of them at this place. I will focus only on Hooker's replies to this objection. First one is that IC should not be counted only for the rich, but for everyone, poor ones included. Therefore, the more starving men there are, the higher the overall IC are, and the less plausible such overdemanding code is. Even not-so-rich or quite poor people (in some countries) are still better off than the starving ones. Therefore, the stricter the code is, the more of them are required to donate money. And their IC should be counted as well. More so, an ideal code is certainly quite flexible concerning the group movement - any poor man could make a fortune, and after that, he would be forced to give it up for the food aid.³¹ As a result, the IC of the starving people are also nonzero and it contributes to the general implausibility of an overdemanding code. The second reply to the objection follows the role of intuitions in Hooker's RC. It states that even the cases of possible worlds, which force enormously demanding codes onto the population, are not lethal objections to RC if such codes follow our intuitions about the moral obligations in these possible worlds.³² I will explore some aspects of the overdemandingness objection in the chapters below. But for now, what is important is that Hooker again heavily employs IC and widening the scope of a moral domain as a solution for this important objection to RC.

4) Partial Compliance Objection

The last of the relevant arguments against Hooker's RC is the partial compliance objection. In general, it states that some not very desirable results may occur if not everybody follows the code. The main question is whether to stick to the ideal code even if others refuse to do so and ignore reality, or whether to follow reality and break away from the ideal code. The best example of this dilemma is the war desertion scenario: if every (or almost every) soldier defending some position keeps his post, their army wins a battle; but if a significant number of soldiers defect, the battle is lost. Considering the latter, all the fellow soldiers escaped. Imagine the moral decision-making of the last remaining soldier - he could either follow the ideal code, stay on his position, try to fight and eventually die for no good reason,

³⁰ Carson 1991, pp.119

³¹ Hooker 1991, pp.272 ; Hooker 2000a, pp.171-4

³² Hooker 1991, pp.273

or he could disobey the ideal code, desert, and survive (to fight another battle).³³ At the first sight it might appear that the RC favours the first option, because one has to stick with the code which: will have the lowest IC; the general compliance with will lead to maximizing of value; and it will be closest to the conventional morality. All these conditions are met by the rule 'during a war, keep your defensive position'. Even if it has a slightly worse outcome sometimes, it usually leads to better consequences in general, and therefore one should follow it no matter what.

There are two defences against this objection invoked by Hooker – the reciprocal fairness and the disaster avoidance. The main idea behind the disaster avoidance condition is the thought that all the rules that could be reasonably chosen by RC must have one more condition added to them - 'do X, except when not doing X results in a disaster being avoided'. So the RC is sensitive to individual external situations to some extent, because it is not only blindly following some rule, but it always has to check the conditions for the possible disaster and avoid it. In the case of some partial compliance one has to check whether his suspension of the ideal code might prevent some disaster from happening. So if the last soldier has to decide whether to stay or flee, he needs to check the real situation and decide whether some disaster could be avoided if he departs from the ideal code. Unless there are any stronger considerations (him defending the position will provide a critical advantage in a war), and the only significant result will be his death, then he is allowed to trigger a disaster prevention clause on a personal level. His death would certainly count as a disaster concerning the circumstances. Some people might reply to the personal-disaster argument with the statement that disaster could be counted only on a larger scale and that in this case the death of one man is insignificant concerning other conditions. But this does not refute disaster avoidance on the global level, and even on the local level it depends more on the calculations of the value theory. Nonetheless, for those that are not satisfied with the disaster prevention condition, another trick could be played.

It is in a general benefit of any RC ideal code that the free-riding should be avoided. Therefore the rules should be formulated in a way that 'one should do X, unless his disobedience would harm himself and benefit only those that are not complying with that rule'. Hence the decisions in a partial compliance scenario should give some weight also to the calculations about who will reap the benefits of an adherence to the code. In the case of war desertion, there is virtually no one profiting from one's futile actions of defending the

³³ Arneson 2005, pp.239

post, except for his fellow soldiers who gain a little more time to escape to safety. Those soldiers are thus profiting from breaking the rules of the ideal code on someone else's expense. Consequentialism has one big advantage over utilitarianism - it can count with some non-utilitarian values, like fairness. And so, the advantages resulting from breaking the ideal code should be repudiated because they are not fair. The free-riding that may follow would lower the expected value in a society, therefore people should not make sacrifices for the benefit of those who are capable of following the same rules, but refrain from doing so.³⁴ To conclude this section, in the situations of partial compliance one should follow an ideal code unless, by breaking it, he could either prevent some disaster, or discourage free-riding in a society.

5) Single-Domain Account

So far, the most relevant points of Hooker's RC were elaborated, and three most significant objections raised. But there is one more thing that was not mentioned until now - Hooker's single-domain account. Because it is the core of the thesis, I had to sketch the rest of Hooker's theory first. In short, it says that all the moral agents are the members of the same moral domain. How and why Hooker established this condition is the topic of the following paragraphs.

At first, there was a theory concerning the 'government house RC' claiming that it is possible to divide society into two domains - an educated elite and the rest. The main idea is that the elite follows strict RC and provides all the RC calculations, whereas the others adopt the code the elite provides to them, which is not necessarily the RC (might be deontology). This relativization to groups seems as a very implausible theory for Hooker and, as an objection against such notion, he develops the aforementioned single-domain account. More so, it should be noted that the single-domain account is very useful for answering variety of other problems of Hooker's theory, namely the overdemandingness objection.

He insists on the fact that there should be the same rules to be internalized by at least 90% of all moral agents (including future generations), no matter their differences in social status, nationality, geographic location, etc. Social elite should follow the same rules as everyone else, hence there is no need for any 'noble' deception of the people. Quite the opposite, all the rules should be made public in order to secure their better internalization, and, as a result, also better consequences. There are also other advantages of the single-

³⁴ Hooker 1995, pp.25-6 ; Hooker 2000a, pp.125 ; Hooker 2005, pp.270-5

domain account, namely the convenience of having just one set of rules internalized by all moral agents. More so, one code for a society would have much lower IC than IC of internalizing several moral codes by various groups.³⁵ However, this may lead to the comparison of individual codes based solely on their consequences, and thus in some possible world, the multi-domain structure might have better aggregate consequences than the single-domain theory, even if the higher IC of internalization of several codes are counted in. Some remedy could be provided by Hooker's insistence on the intuition condition (closest to the conventional morality) as a tie-breaker, but it is only a temporary escape because it is not unimaginable to construct an example in which it would be intuitive to prefer a multi-domain theory. As a result, Hooker insists on the claim that licensing diverse rules for different domains would lead to the relativization of further rules to sub-groups, and finally to the relativization to individuals. And this collapse to individual morality is against the idea that the concept of morality is a collective practice, a common shared code.³⁶ In order to have any morality at all, a common set of rules is needed to be accepted by most of the moral agents. If relativization to individuals is allowed, then morality has no meaning at all.

However, what I see as the main weakness of Hooker's version of RC is the single-domain theory. First of all, publicity condition has no intrinsic value in itself. The ideal code might not require general knowledge of its rules among all the moral agents. But this statement will not be followed in this writing. What seems to be more important is the line of reasoning saying that Hooker's 'relativization to individuals' objection fails on the same grounds he builds his theory. The main idea, which also keeps his RC very plausible, is that he sticks to some reasonable middle grounds in most instances, as an opposition to radicalism of both AC and deontology. His account is in between diminishing marginal utility and an effective conversion (and the need for incentives); the 90% acceptance is neither absolute nor insignificant, IC keep many problems at bay because they require neither too complex nor too strict rules, he keeps the aggregate sacrifice between too low and too high levels, and so on. In other words, he tries to develop a fine-grained, extremes-avoiding, intuitively plausible theory. But on the other hand, he insists on keeping just one absolute moral domain for every single moral agent. On these grounds, such an account does not seem very plausible and its defence is not satisfactory in terms of Hooker's own RC. In the next chapters I try to show as many weaknesses as this single-domain theory has, in order to improve Hookerian RC.

³⁵ Hooker 2000a, pp.85-8, 173

³⁶ Hooker 2000a, pp.1, 87-8 ; Hooker 2005, pp.267

Chapter 2: Hard-Lock Inter-Domain Problems

This chapter will focus on a special kind of objections to single-domain concept in Hooker's RC, namely the hard-lock problems. These are the problems between the domains in which the agents have different levels of IC due to genetic or technological differences. The example of such diverse agents could be either the aliens or future generations that master some technological implants, so they are capable of learning either much more complex or much stricter code. This drastically lowers their overall IC and consequently, when their moral domain is compared to the contemporary earthlings' domain, they might have to accept different set of rules than the earthlings. This chapter will deal with three main troubles of this inter-domain problem. In the first section I will explore the objection about the irrelevant others who supposedly should have impact upon our perception of morality. The second section will develop general background of the 'irrelevant others' into more detail, allowing mutual interactions in the B5 argument. And finally, the problem primarily of the 'overwhelming majority', secondarily of 'no majority', will be examined.

a) Irrelevant Others

This section will begin the series of somehow connected hard-lock problems Hooker's version of RC has to face. This first objection will explore the claim that, according to Hooker's RC, the sole fact that some other beings exist in the universe should change our moral perception. Such a conclusion is highly implausible and therefore might pose a big restriction on Hooker's account. Therefore, it should be examined in more detail.

Imagine there are several possible worlds, the first one is a rather boring universe with only earthlings in existence, call it W1. On the contrary, there is also a more interesting world with aliens called zargonians, call it W2. Imagine further that in the latter there are 50% earthlings and 50% zargonians, but they live on opposite sides of the universe and could never meet or interact with each other. However, there is one difference in their epistemic groundings – the earthlings have information about the Zargon, but zargonians have no clue about the existence of the Earth. (For example, there is some special one-way worm-hole that transports zargonian broadcasting to the Earth, but not vice versa.) The earthlings and the zargonians are exactly the same concerning the living conditions, average intelligence, etc., except for one detail - the IC for zargonians are much lower. It does not really matter whether they could memorize more complex rules or whether they have much higher threshold on

aggregate sacrifice. The important part is that they are capable of adopting a code that is closer to the 'ideal', and thus more demanding one, call it code Z. This code consequently brings higher benefits, it has better consequences and high expected value (200). The earthlings follow the normal, intuitive, and average-demanding code, call it code X, which has normal consequences and an expected value (100). The IC of code X for earthlings are -10, and for zargonians also -10. Because such a code is easily internalizable, there are minimal IC of adoption by the majority of population. The significant difference between IC is in the code Z. As already said, the zargonians have much lower IC associated with the adoption of some more demanding rules, therefore their IC for the code Z is only -30. However, the earthlings are not capable of internalizing such a demanding code, and therefore very harsh methods are necessary for the adoption of the code Z. The IC of the code Z for the earthlings are thus as high (low) as -150. For a better perspective I include the following summary:

World	Code	Domain	Code Value	IC Value	Code + IC Value
W1	X	Earthlings	100	-10	90
	Z	Earthlings	200	-150	50
W2	X	Earthlings	100	-10	180/2=90
	X	Zargonians	100	-10	
	Z	Earthlings	200	-150	220/2= 110
	Z	Zargonians	200	-30	

Table 1. Code + IC value for the earthlings and the zargonians.

However, if Hooker's version of RC was applied to this situation and insisted on the single-domain structure, some highly questionable results would occur. If the zargonians existed, then the one preferable code for both the earthlings and the zargonians, in their common single domain, would be the code Z. After the IC are included, the average value of the code Z is 110, while the average value of the code X is only 90. Hence the single fact that some distant and inaccessible planet exists is supposed to change the earthlings' moral perceptions and their moral code. It is very counterintuitive to allow the contingent and morally insignificant facts change the set of rules one has to follow on the Earth at the present time. It is strange to admit that one should adopt some code based on accidents such as

existence and capabilities of aliens one could never reach, contact, or otherwise influence.³⁷ This problem is indeed very hard to solve if one has to stick to the single-domain account for such qualitatively different moral agents. In the next paragraph I will look at some strategies that are available in Hooker's defence.

Firstly, he could protest that the application should be tied to one planetary system. That one code ought to be followed only by people living on the same planet. But this depends on many contingencies, for example, what if there is some barrier that allows only one-way information transfer existing on the same planet? People on one side could perceive the other, utterly irrelevant group, but not vice versa. It might lead to the same problems as the original zargonian objection. Also, it does not resolve a slightly modified problem of a technological breakthrough. Imagine that, in 200 years, there will be some great technological advance on Earth, and that it radically lowers the earthlings' IC, so afterwards the humans will be capable of adopting much stricter set of rules (Z) without increased psychological costs. Therefore the ideal code should be a compromise between the current code X and the future code Z.³⁸ It is happening on the same planet, so the planetary objection is dismissed. But still, according to Hooker's RC, one should count with everyone, everywhere, future generations included. Hooker replies with a slightly modified definition of his RC that acknowledges future technological advances. Originally, he incorporated future generations only for IC purposes, so now he has to add a condition eliminating future technological progress from the equation. This is done in slightly arbitrary way of allowing limited degree of relativization if new technology emerges. To his original definition, he simply adds the following: "...not including generations after any new development that significantly reduces the costs of internalising more complex or demanding codes."³⁹ However, this seems to be only another *ad hoc* solution to the problem that does not take additional modifications into account. I will further develop some of those modifications in the following sections. Nonetheless, another strategy is available to Hooker, namely the 'mutual' influence condition. This tries to restrict the application of the single-domain code only to moral agents that are capable of affecting each other. This might resolve the original problem, although there is a small hitch concerning the fact that the capability of affecting someone is intransitive on the first level. Agent A could influence agent B; agent B could

³⁷ Portmore 2009, pp.369-71

³⁸ Arneson 2005, pp.248-9

³⁹ Hooker 2005, pp.268-9

influence agent C; but agent A could not influence agent C.⁴⁰ (What is the exact domain and in which domain is agent B?) But what is more important is that it is again only a contingent reply that cannot save Hooker from the inter-domain differences in IC, in some modified examples. I will explore some of them in the next section.

To conclude the problem of the irrelevant others, it is only the basic counter-example to Hooker's single-domain RC. In the following parts I will develop more sophisticated arguments originated from this inter-domain problem. But even the replies available to Hooker at this stage do not seem entirely satisfactory. And more so, it is on the way to some sort of relativization. The single-domain account is so fiercely defended right because any (even mild) relativization is the first step to the relativization to individuals. If Hooker had to allow some kind of relativization at this level, he would be pushed to even more compromises later on, when stronger objections arise.

b) Zargonian Triangle (B5)

The current section will continue where the problem of irrelevant others left off. I will explore the impacts of cohabitation of groups with different IC. How could Hooker's account cope with the situations in which the beings with completely different ideal codes could interact between each other? I will start with more complex version of the irrelevant others objection, by introducing the zargonian triangle problem. This one will be later transformed into B5 argument which is only a continual transition from non-interacting to interacting system.

In previous section, only two possible codes were introduced: X and Z. For the earthlings alone, code X was preferable. For the zargonians, code Z was preferable. And when deciding which code would be the best for a common single domain, code Z was again preferable. But because of different epistemic positions of the earthlings and the zargonians, it is possible to construct even more interesting situation. If there was some middle code (Y) that would have the best overall consequences in the single domain with both the earthlings and the zargonians present, then it should (but would not) be adopted by every moral agent.⁴¹ In other words, the best code in the single domain for the earthlings would be Y, because it has the best overall consequences. But because the zargonians would not know about the earthlings or their code, (much less that code Y is the best code in a common, single domain)

⁴⁰ Portmore 2009, pp.373

⁴¹ Portmore 2005, pp.373-4 (comment 14)

they would still prefer their code Z. They simply would not know any other code. For a better illustration I enclose the following table:

Code	Domain	Code Value	IC Value	Code+IC Value	Code+IC Value (avg)
X	Earthlings	100	-10	90	180/2=90
X	Zargonians	100	-10	90	
Y	Earthlings	180	-100	80	240/2= 120
Y	Zargonians	180	-20	160	
Z	Earthlings	200	-150	50	220/2=110
Z	Zargonians	200	-30	170	

Table 2. The zargonian Triangle

From this table it can be clearly seen that for the zargonians, who do not know about, and hence cannot count with the earthlings, the ideal code is Z, with the total value of 170. However, for the earthlings, who know about the zargonians, and hence should count with them in their single-domain structure, the ideal code is Y, with the average value of 120. Therefore, there is a relativization to groups one way or another. And why is this argument called the zargonian triangle? In the world without the zargonians, or if the multi-domain structures were allowed, the best code for the earthlings would be X; if the zargonians existed and only a single domain was allowed, the best code for the earthlings would be Y; and finally, the best code for the zargonians would be Z. Neither way is the existence of just one code in a single-domain structure possible. Hooker would have to add some other contingent conditions and allow for further relativization in this case. One of the answers might be, as in the case of future technological breakthrough, the cases where the groups are in different epistemic positions should not be counted with. But this only leads to further objection that will be explored in the following paragraph.

Suppose that some new portal was opened and the earthlings can now easily interact with the zargonians, they establish colonies on some uninhabited planets in the zargonian space and the zargonians do the same in our galaxy. Now, all the moral agents should be on the same epistemic level, know each other, and interact with each other if it is mutually beneficial. However, this still leads to the same, or at least similar, problems than before. Suppose that there is a couple of purely zargonian planets, couple of purely earthlings' planets, and some common space (B5), where both of them cohabit. Hooker's version of RC insists on the single moral domain for all these places. In reality though, the ideal code

for each of these domains is different. For example, purely zargonian planets would be much better if they adopted code Z and earthlings would be much better if they adopted code X on their planets. Finally, on the B5, the ideal code would be Y, because it provides more benefits for mutual interaction than any other code. The main trouble is that, according to Hooker's theory, even if an overwhelming majority of the moral agents lived on separate planets with their own folks around them, they should still adopt some possibly-ideal universal code. Everyone should suddenly start to act as if only a single moral domain existed. Hooker's RC is clearly anti-consequentialist because it would bring less overall value than the three-domain structure. More so, it is not only anti-consequentialist but also counter-intuitive, since it overthrows most of the conventional morality that the earthling and zargonian moral agents hold near and dear. Assume that the zargonians have a rule of 'never help your own drowning child', and it is proved to have great consequences because all the zargonians teach their children how to swim perfectly, and almost no one ever drowned, being a skilful swimmer in adulthood. For them, the IC of such a rule are insignificant, benefits are appropriate. But if there was just one single moral domain and this rule passed the test, then all the earthlings would be forced to internalize the same rule only because it helps the zargonians to save lives. It does not help the earthlings much and it has only high IC for them, but they should adopt it anyway because in the single domain it is the rule with the highest combined value. And similarly, some earthlings' rule might have lesser value and be counter-intuitive for the zargonians. The only place where such code might be applied with success is B5.

To conclude, adopting only a single moral domain for RC might be counter-productive for all sides on both the consequentialist and the intuitive level. At this stage, the only defence that remains is another *ad hoc* solution – restriction of the domain to only one species. Thus, all the earthlings are in one single-domain system, while all the zargonians are in their own single moral domain. However, this does not solve the case of B5. Which code should be followed by the earthlings on B5 and which one by the zargonians? Here is the dilemma: if each of them stick to the rules from their moral domain, then total chaos could follow; but if they construct another moral code just for the purposes of cohabitation on B5, then they would not follow the codes of their respective species. Either way, the plausibility of Hooker's version of RC is diminishing. Even if he restricted the moral domain only to species, it would result in either worse consequences (value and intuitions) or an adoption of multi-domain system.

This part further developed the inter-domain problems that were started in the previous section about the irrelevant others. I have first sketched the zargonian triangle

problem in a non-interactive world and then converted it into the B5 cohabitation problem. Those two are closely related concepts and both forcefully challenge the Hooker's single-domain account. However, there is still much to say about the inter-domain interaction that could be used against Hooker's version of RC. It is the task of the following part, which will take a look primarily at the problem of the 'overwhelming majority'.

c) 'Overwhelming Majority'

This section will deal mainly with the inter-domain problems of the 90% threshold for the acceptance of an ideal code. I will start with the problem of no rules, stating that in some hypothetical scenarios the ideal code in a single moral domain might be no code at all. Then I will move to the 'overwhelmed minority' argument, which deals with the dictatorship of the ideal code, ending with the emphasized contingency of the 90% threshold of an ideal acceptance.

In the previous section, one specific aspect of the cohabitation problem was only briefly outlined - the common ideal code for cohabitation on B5. It was assumed that 90% of all moral agents somehow manage to find common grounds, that the ideal code for the earthlings and the zargonians simply pop into existence. But it is as well imaginable that there is no, or only irrelevant, overlap between the earthlings' and zargonian codes. Assume that the zargonians are nothing like us, that they have either too low or too high moral concerns. In the first case they are the zergonians and have some sort of swarm mentality hard-wired into their brains. For them, the ideal code is only one: 'always obey the queen of the hive'. And because the queen of the hive is randomizing all her decisions, there is no other moral law. Or on the contrary, there are beings called the zorgonians, ultimate entities made of pure energy, whose only moral concerns are about the fundamentals of universe and nothing else is important for them. The Earthlings will not accept neither swarm nor fundamentally esoteric morality, because both are completely detached from their comprehension. On the contrary, both the zergonian and the zorgonian systems have no understanding or use for the earthlings' morality. If there should be some common ideal code for either the earthling/zergonian or the earthling/zorgonian single moral domain, it might consist of only very few vague rules, if any. And therefore, if the 90% acceptance is a prerequisite of the ideal code, then all moral agents might end up with no or only some irrelevant code in Hookerian single-domain system. What is needed is either a multi-domain structure allowing each species to follow their own code, or reducing the 90% acceptance level to the lowest possible figure. However,

the latter raises other problems about the exact level that is necessary (e.g. the 51% acceptance level), troubles with thousands of completely different species negotiating the exact rule (e.g. the 0.5% acceptance level if each of the 500 different species has its own unique morality), and last but not least, the enforcement of the ideal code onto unbelievers. All of these objections seem to be quite problematic for Hooker's account, but in the next paragraph I will focus only on the latter one.

Assume there is a world in which there are 90% zargonians and 10% earthlings, or a world after some technological breakthrough where 90% of humans are capable of accepting much more demanding code than before, but the other 10% physically cannot. Will it then be conceivable that an ideal code accepted by the zargonians/progressives should be enforced onto the remaining 10% of moral agents? This is the reverse of the 'one genius, million imbeciles' example given by Hooker. He says that in such situation, the genius ought to follow ultra-simple rules made for the moral domain of imbeciles, even if he could do better creating his own code.⁴² According to this logic, the 10% people in our example should follow a hugely overdemanding code even if the overall result (with their IC included) would be much worse. For example, somehow the ideal code for the world where 90% zargonians and 10% earthlings exist is following: kill everyone except the zargonians and do not protect oneself against attacks. Suppose also that the earthlings could easily stop their extermination if they follow their own code: protect oneself. But this is forbidden by Hooker's RC. The 'overwhelmed minority' should always comply with the ideal code, even if they do not accept it. This is another highly counter-productive result of Hooker's insistence on the single-domain moral system. The dilemma whether to allow radical 'dictatorship of an ideal code' or abandon the single-domain account, which Hooker is promoting, arises. But there is at least one more short objection to Hookerian RC that should also be addressed.

It was mentioned before that the 90% acceptance level is highly arbitrary and Hooker does not provide any strong reasons for keeping it. This level seems arbitrary not only inside the earthlings' domain, but more so in the inter-domain comparison. Imagine that there are the zirgonians, almost perfect beings that usually do not deny any law (over 99% acceptance level). Now, there is a general postulate that the higher the acceptance of some rule in a society, the better consequences it has. Therefore, in the zirgonian domain, the ideal code should be accepted not by 90% of all moral agents, but by 99%, because this level itself is the

⁴² Hooker 2000a, pp.86

subject of the ideal code.⁴³ There are obvious restrictions with finding ideal code for a common earthling/zirgonian domain. If one code has an acceptance level set on 90% and the other on 99%, should their common ideal code have acceptance level of 94.5% $([90+99]/2)$? It seems as a plausible answer, but it again goes contra the Hookerian type of RC, which arbitrarily states that the acceptance level is simply 90%. Therefore, it goes back to the usual dilemma: either to allow multiple moral domains with separate acceptance levels, or to abandon some part of the definition, in this case the 90% acceptance level.

To conclude this chapter, it could be said that Hookerian RC sinks deeper into the problems built by the various hard-lock objections to the single-domain account. In the first part, the problem of irrelevant others was established as a core-argument for all the following hard-lock problems. It dealt with the dilemma that was repeated throughout the whole chapter - either to keep the single-domain structure, or to allow some implausible consequences to occur. In this section the outcome was that the moral agents, who have no relevant impact upon us, might change our moral perceptions. The lesson of the second part, which developed the zargonian triangle/B5 argument, was that the single-domain system suffers from very negative consequences, in both the value maximization and the intuitions, if the cohabitation and the interaction of groups with different IC are allowed. And lastly, the third section pointed out that 90% acceptance level had to be traded in exchange for the single domain. Single-domain account is simply not very viable option as a global moral theory for every moral agent, everywhere, in each new generation.

⁴³ Ridge 2006, pp.246-8

Chapter 3: Soft-Lock Inter-Domain Problems

The hard-lock problems represent a huge challenge to Hooker's account, he has to either discard the single-domain condition, or allow the series of *ad hoc* revisions that makes his code less plausible. But there is a third option, to refuse hard-lock option as such and focus only on the morality for humans. It will certainly lose the universal appeal it aspired to, but it might still be the best moral theory for human interaction. However, even this expectation may prove to be too high. In this chapter, I will take a closer look on the soft-lock problems for the single moral domain in Hooker's RC. There are two main objections concerning the inter-domain differences. First one is the BSG argument, which says that even in the realm with the same IC for every moral agent there might be differences between various domains similar to the B5 case. The second one is the educational objection, which develops actual teaching of some ideal code in the situation where people should theoretically have the same IC, but these still depend on their educational and cultural background. It follows that there are no teachers who do not have their respective cultural biases and that the introduction of the ideal code should acknowledge the real options.

a) BSG argument

Imagine there is a human colony outside the Earth, call it BSG, which consist of only few thousand people. They have the same moral code and IC as the people on the Earth. Now, all the communication with the Earth is suddenly stopped and the last information they have is that the Earth was destroyed. Assume further that on the Earth one of the ideal rules was that abortion is permitted, because it maximizes the overall value through expanding the freedom of choice. However, if people on BSG think that they are the last humans in the universe, they might want to avoid dying out and want to expand their number as fast as possible. If there are hundreds of thousands people, the rule X might increase the overall value, but if there are only several thousand left and the extinction is nearby, the rule X might have some highly negative impacts. Therefore, people on BSG adopt a new ideal code for their situation, call it Y, which is more demanding on personal level and has higher IC, but the combined consequences in that situation richly compensate for such drawback. Therefore the abortion on BSG is forbidden, even if it restricts personal freedom to some extent.

So far, there is no problem at all, it is only a different domain, but it is still the single-domain system (people on BSG think they are the only people left in space). But what if the

Earth had in fact survived and the message was just a hoax before all means of communication were somehow destroyed? The people on the Earth would still follow the code X, while those on BSG are following the code Y. They are the same moral agents with the same IC, without any hard-lock technological advances, and yet they are following different codes. It is very unlikely to have two distinct set of rules in one single moral domain. One possible reply is that the two sets of the rules are in fact just one moral code: if there are more than 100k people, do X; if there are less than 100k people, do Y. But such code should have been agreed upon beforehand, so it should have taken the possibility of some disaster into consideration. But what if there were several levels of disaster - should the code take all of them into consideration? ('If there are more than 1M/10M/100M/500M/etc. people, do A/B/C/D...') But then the ideal code should count with too many rules for every possible situation and every possible number of moral agents. This code would be too complex and hence the IC would be too high to be generally accepted to be still effective. The multi-domain system would not have similar problems. The Earth domain will follow the code X, while the BSG domain will follow the code Y. X and Y are hardly just different rules of the same code.

The Hookerian reply might be in line with the epistemic equality that was mentioned before (the Zargonian triangle). Therefore, the single moral domain should contain only the agents with the same epistemic knowledge. If people on the BSG think that the Earth is destroyed, then they have different knowledge than the earthlings. Hence, if communication was re-established and all people were epistemically equal, there would be only a single moral domain again. But what if this was done only after several hundred (thousand) years after both groups developed radically different institutions? Assume that, due to harsh conditions and overpopulation, the Earth's government subsidized abortions of every sub-optimal foetus, while the BSG administration strictly forbade any abortion because it wanted to colonize more space and achieve higher effectiveness. Even if they can communicate later and thus were on the same epistemic level, would it necessarily mean that they have to accept only one common code in both domains? If it is advantageous to accept diverse codes for different societies that vary in their historical, economical and social conditions, then there is only a negligible motivation for the obedience of just one common code. There is simply no tangible advantage in doing that. Why should both earthlings and people from BSG follow the same general set of rules if it might lead to much worse consequences in their respective

societies?⁴⁴ Hooker might want to restrict his domain by some further contingent conditions, like the same external circumstances, but this will effectively mean that there should be different moral domains under different conditions. The multi-domain account is much more feasible and more intuitive in this case. But there is also one more thing that should be taken into account before making final conclusion - the role of institutions.

In a cost/benefit equation, one should not count only with the 'neutral' external conditions like the number of people in a society, but also with the role of established institutions that exist in a given society, even if such institutions are not essentially rational. For example, people on BSG are used to more military-style chain of command, which have ceased to be that useful in the passage of time. But if one simply discards this strict hierarchy and suddenly replaces it with more direct-democratic regime, then the chaos may be a result and consequences would be even worse than before. Such institutions might be questioned, of course, but they must be followed as a part of the moral background at the same time.⁴⁵ I'm not saying that one should stick to some institution no matter what, but that the transitional costs should be counted in. The compliance with institutions is expected from the people, therefore it should be also taken into consideration. When one institution is reconsidered, the other unchallenged institutions should be counted with. Hooker himself has somehow similar account about this. He firstly says that the institutions should not be considered according to their historical source, but according to their usability and value.⁴⁶ And secondly, that if two codes have similar overall value, one should start with what he already knows/accepts. This is a mildly conservative account based on epistemological modesty, when the code closest to conventional morality should be preferred. However, Hooker explicitly refuses to count with IC and institutional value of the already internalized codes, because it might lead to too much conservatism.⁴⁷ And in his opinion, the unrestricted conventionalism might result in quite unpleasant consequences (racism, sexism, etc.) and therefore it should be avoided at all costs. But this move only further detaches his theory from reality. If one wants to improve the conditions in the real world, he simply has to count with the role and value of institutions.

To conclude the BSG argument - when deciding about the ideal RC moral theory, one needs to compare composite values of different codes for different situations. This should be done on both direct consequentialist levels by comparing the overall value of different codes in different circumstances, and on less direct institutional level comparing the role of current

⁴⁴ Carson 1991, pp.119-21

⁴⁵ Brandt 1992, pp.147-8

⁴⁶ Hooker 1996, pp.546-7

⁴⁷ Hooker 2000a, pp.113-7

institutions and the costs of their transformation. Both these points highly limit the appeal of the single-domain structure Hooker is proposing. Ideal RC code should be realistic and incrementalist - improving possible conditions of an existing society, not designing hypothetical rules for some hypothetical non-existent world. This question will be further explored in the following part.

b) Education

The second problem with Hooker's account is that he counts with the IC of each new generation as a given constant, and at the same time defends the internalization of rules not through some enlightened entity or specialized educational system, but through the normal public institutions like family, clubs, general education, etc. However, so far there is no absolutely impartial, rational RC family (club, school...) that could raise children in such manner. Therefore, each new generation is raised in some cultural bias and because there is no general way of avoiding it, one would do better accepting these institutions as they are, and count with them. Hooker is ambiguous about this topic, because on one hand he endorses the importance of institutions and accepts that the idea of the existence of some enlightened teacher is unrealistic⁴⁸, but on the other hand, he does not allow this institutional bias to have any impact on the universality of his code and still insists on the single-domain structure.

There are given limits on what could be taught at some concrete level: the code that the generation1 could teach the generation2 might not be as demanding as the code that the generation2 might teach the generation3, and so on. The long-term teachability is very incremental - every generation might improve the next generation only within their institutional structure.⁴⁹ And by doing so, they also slightly change the institutional structure of the following generation. The optimal set of rules is the result of the prolonged incremental changes. New rule is adopted only if it improves the overall value, including IC associated with the particular institutional changes. To follow the BSG example, even if people from the Earth and the BSG could suddenly travel between their domains and external contingencies were equalized, it would not immediately lead to the unified moral code. The earthlings would have different IC concerning some rules because they were brought up under different institutions. Forcing BSG rules onto earthling and vice versa may be highly counter-productive. Teachers of morality on the Earth and on BSG have different starting lines

⁴⁸ Hooker 2000a, pp.79

⁴⁹ Mulgan 2000, pp.216-7

themselves and therefore they cannot immediately teach the same moral code. However, it is highly probable that the Earth's and the BSG's moral domains would get closer to each other in some time. But under normal circumstances it cannot be an abrupt change. If a stricter code was accepted in one domain and it proved to be beneficial, there is high probability that similar code would be accepted in other domains.⁵⁰ For example, the last canton in Switzerland allowed women to vote only in 1991, but it clearly cannot be said that Switzerland was some oppressive undemocratic country before. It only took longer to break that particular institution in the general framework. It had to prove to have better consequences and compensate the transitional costs from one institution to another. It might have been done several decades before, but it may have caused great unrests in the society, which would have worse consequences overall. Imagine what would be done if some important institution was broken before its time, for example, what if the universal suffrage was adopted in 15th century, when an overwhelming majority of people were uneducated and potentially very angry about aristocrats. Many small incremental steps were needed before the universal franchise could be adopted without significant costs to the society.

I am not saying that all institutions are good, almost all of them certainly are not. What I am trying to say is that one should also count with the transitional costs from one institutional system to another under given circumstances. And each theory that does not count with these costs lacks some important depth. Also, teachers (families, clubs, etc.) are institutions themselves. They cannot be suddenly enlightened and teach an ideal code for an ideal world. They have to follow an incremental progress starting with what there really is. A family could only teach code X to its children, but when those children have their own family, they could teach a X+1 code, children's children could teach a X+2 code and so on. If some model counts with neither the transitional costs nor the role of teaching the rules, it is not a fully fledged theory and does not describe the world as it is. Hooker's theory tries to mimic these concepts by the 'closest to conventional morality' clause, but in critical situations he backs out due to the reluctance to allow an unrestricted conventionalism.

On the one hand, the soft-lock problems in inter-domain relations might not be as fierce as the hard-lock ones, because they obviously lack the sting of hard-wired differences between the moral agents, but on the other hand, they are much better describing possible situations in human inter-domain interactions. Therefore, what they lack in pure force of the argument, they compensate on the level of depth and relevance for human morality. In this

⁵⁰ Carson 1991, pp.120 (comment3)

chapter I developed two soft-lock arguments against single-domain structure. In case of the BSG argument, the impact of contingent external conditions as well as institutions on choice about the ideal code was shown. It was stated that under Hookerian code, the same rule should be chosen under every condition, even if it is counter-intuitive and does not maximize an overall value. This result is far from plausible, and therefore this theory should be revised. The second argument referred to the role of education in the moral structure. It follows the problem between the adherence to traditional teaching of rules by non-perfect educators, and the reluctance to accept the impact these teachers could have on the moral system. If a moral theory does not count with the role of teachers and other institutions, it cannot describe the real world. To conclude, Hookerian moral theory wants to allow some aspects of the soft-lock diversity, but at the same time it has to remain stuck to the single-domain account in order to avoid certain objections like overdemandingness, partial compliance, or unrestricted conventionality. Whether there are other solutions to such problems, which are based on RC theory but avoid shortcomings of the single-domain concept, will be explored in the following chapter.

Chapter 4: Multiple Domains - Revised Account

Hooker establishes his single-domain account in order to fight on several fronts: to avoid the classic overdemandingness objections and also to stay away from unrestricted conventionalism. In the preceding two chapters two major ways of argumentation, which significantly threatens the plausibility of the single-domain structure, were developed. Hard-lock problems show that in the situation where there are significant differences in IC between the moral agents, it is doubtful that one common domain for everyone might have better consequences than a multi-domain account. In the chapter dealing with the soft-lock problems it was then shown that different levels of IC might develop even between the agents with the same initial level of IC, even without any technological breakthrough. A single-domain account is thus not well-suited for the world as it is, but rather for some ideal, hypothetical world. A multi-domain structure was suggested several times throughout this writing, but it was not really tested against the objections single moral domain was supposed to answer. Among others, this will be one of the tasks of this chapter. I will go through some important arguments for the single-domain account, demonstrate that they are not that persuasive in themselves, and try to show that the multi-domain structure could answer the same problems without resorting to a single moral domain. This will be shown mainly on the example of overdemandingness objection. Later on, also some positive aspects of the multi-domain account will be established.

a) Overdemandingness Revisited

The first problem, where the single domain was perceived as a perfect cure, is the overdemandingness objection saying that under particular circumstances RC might be too demanding to be of any real use. As was mentioned before, in the world with a few rich and millions of starving, the rich should sacrifice most of their possessions in order to save the lives of the starving ones.⁵¹ This is even more exaggerated by Hooker's disaster prevention clause. Hooker replies by incorporating the IC of the poor into the final calculations, so that too demanding rules could be accepted only if 90% of all moral agents, including the poor, genuinely internalize those rules.⁵² In Hooker's opinion, the inclusion of poor's IC into the equation is sufficient to disable the overdemandingness objection. However, this might not be

⁵¹ Carson 1991, pp.119 ; Mulgan 1994, pp.188-91 ; Mulgan 2001, pp.91-5

⁵² Hooker 1991, pp.272-3 ; Hooker 2000a, pp.85-8, 171-4

necessarily true. For example, the internalization of the rule that 'any luxuries should be sold and money donated to the poor', might not have any significant IC among the poor people. And therefore the overdemandingness objection is still valid. The inclusion of poor into the domain might not be significant enough to avoid too high personal aggregate sacrifices. What seems as a too costly solution for rich is unlikely to be perceived as very costly by the poor.⁵³ For instance, a second car in the family is a normal standard for the rich, but unnecessary luxury for the poor. Hence the poor people's IC of the rule of 'sell the second car and donate money to the poor' might have no real impact on Hookerian defence. All in all, single moral domain does not solve the overdemandingness issue and could have only negligible contribution to the plausibility of Hooker's defence of RC.

There is also one more point to the discussion about the overdemandingness and the single-domain account. Even if a single domain for a particular society might be useful in avoiding overdemandingness, it does not automatically mean that it has to be applied across all societies. Rich ones on the BSG, where almost no poor people are present, do not need to donate the same amounts as rich people on the Earth where the numbers of poor people are significant. Hooker's account could be applied only to one part of a society based on territory. In other words, Hooker's single-domain account might help in a particular society, but that single moral domain does not need to be applicable to every existing society. For example, code X is the best for all humans on the Earth, but it does not mean that it is the best one for all humans everywhere. The code accepted by 90% of people on the Earth, poor included, might avoid the overdemandingness objection slightly better than different code for rich earthlings, and different code for poor earthlings. But this does not mean that such code should be adopted by everyone, everywhere, in each new generation. One code for all could hardly be the best code for all, as was shown in the preceding chapters. The intersection of these sets is possible, but it is far from the best possible option. Of course, Hooker might reply that this step allows further relativization of the codes: what is the best single-domain code for the Earth is not the best single-domain code for Africa, what is the best single-domain code for Africa is not the best single-domain code for Ghana, what is the best single-domain code for Ghana is not the best single-domain code for Accra, and so on. However, the size of a domain might itself be the part of an initial RC calculation and it is hard to imagine that too many or too few domains would have better overall consequences. Hooker's only reply is that the fact that one version of RC might be better than another one does not

⁵³ Mulgan 2001, pp.81-2

necessarily have to be grounded in consequentialism. There might be also some deeper intuitionist moral convictions that tie the code together.⁵⁴ But the single moral domain is implausible even on the level of intuitions, so they are only a temporary refuge. It is hardly intuitive that there should be either exclusively one single-domain structure, or billions of individualized domains. All in all, only a reasonable number of domains would be allowed in a real world on both consequentialist and intuitive levels.

So far, it was shown that a single-domain account does not really solve the overdemandingness objection, and more so, that it is implausible on the global scale. Multi-domain structure should be a generally preferable RC account. But the question now is - how could a multi-domain account deal with the overdemandingness condition itself? Firstly, there are the second-order consequences against overdemandingness. An action does not have only the immediate consequences, but also the consequences that follow from the secondary impact upon broader societal framework. For example, if everyone donates as much money as he could spare for the food aid, first-order consequences would be that all the starving people receive some food. But the second-order consequences would imply that all the money that went to food relief are missing elsewhere in the economy. Resources that were supposed to be spent on ordinary things like cars, TV sets, broadband, etc. are not available anymore, and whole economy is ailing and might collapse. And consequently, there would be less money to donate to the poor. Thus the disadvantages of the second-order consequences might be even worse than the immediate benefits of the first-order consequences. Of course, this is only a contingent counter-argument and it is easily refuted in some possible world. But as a supporting argument in the real world it might cover many cases.

Another option that does not need invocation of the single moral domain is emphasis on the procedural utility. It might be said that the procedural utility is the value of a free will. Overdemandingness draws most of the power from examples like the 'many poor', where one should help each poor individual if it is according to the rules maximizing overall value. Thus one should have almost no free time, but rather devote every minute to help the worse-off. However, this is not a human but rather inhuman (robotic) code. In humans, one should count also with the value of the free will, hence if an ideal code demands sacrifices beyond some level, sacrifices that deprive moral agents of the free will, it effectively deprives people of their humanity.⁵⁵ And if everyone follows such a strict code, there will be no free will at all. The value of the procedural utility is therefore relatively high in RC, and most of the

⁵⁴ Hooker 1998, pp.28 ; Hooker 2000a, pp.10-22, 104-7

⁵⁵ Harsanyi 1977, pp.653-4

overdemanding cases could be diffused through it. In its extreme position, the procedural utility might be considered as Hooker's most feared relativization to individuals - each moral agent has the right to refuse some moral actions if they cross the line. But it is only the proof that humans are not one monolithic, programmed herd, but distinct individuals where everyone is capable of choosing his own slightly different version of morality. I think that overwhelming majority of people would choose a society with reasonably lower overall utility and value, if they were allowed to follow their own free will to some extent. Therefore, procedural utility argument is also intuitively plausible.

Last relevant line of argumentation against the overdemandingness is the general aggregate sacrifice scenario. If one should intuitively choose some moral theory, that theory should not ask for an unlimited number of sacrifices, because, as was also shown in the previous paragraph, it is highly implausible on the intuitive level. If a moral theory provides no benefits and requires only continual sacrifices, what is the appeal of adopting such moral system? If the primary aim of a society is to promote welfare and cooperation between the people involved, how could constantly suffering members be asked for further sacrifices and still keep their loyalty to the moral system?⁵⁶ There should be some concrete threshold for the aggregate sacrifice, so even the people who are required to suffer for the sake of others are not required to suffer endlessly. People should do some sacrifices in exchange for the benefits of living in a well-organized society, but when the sacrifices exceed certain level, people might want to abandon such moral system. And the overall consequences would be lower than if each member was asked only for a limited amount of sacrifice. Again, this condition might not cover all the cases of overdemandingness, but it strengthens the position of RC even without the single-domain account.

To conclude this part, it was firstly shown that the single-domain structure does not provide irrefutable answer to the overdemandingness objection. It counters only some examples of overdemandingness. But there are certainly some cases that escape its force, for instance the rules about luxuries and so on. Then it was continued that even if it has some force in certain cases, it is not applicable on the global level. The single global moral domain is, if not unimaginable then at least implausible on the consequentialist and intuitive levels. After that, three defences against overdemandingness objection, which do not depend on the single-domain structure, were developed. Namely the second-order consequences, procedural utility, and aggregate sacrifice. However, even those arguments do not cover all possible

⁵⁶ Hooker 2007, pp.515-8

cases of overdemandingness. Nonetheless, after these objections are accommodated, the cases that might still demand too much sacrifice are scarce and hardly relevant for this world. And even if they were applicable, it would in some cases be duly justified and reasonable, therefore there would not be the case of overdemandingness anymore. Hence a single-domain account is not really necessary for avoiding the overdemandingness objection and it could be answered by other means, even under the multi-domain structure.

b) Multi-Domain Account

In the previous section it was shown that the single-domain account is not the only way to avoid certain objections. This part will further develop the multi-domain structure and sum up the advantages that were explored during this writing. The hard-lock problems are quite easily solved through the use of additional domains for each group with different aggregate level of IC. For example, the IC of rule Z for one zargonian is -10, while the IC of the same rule for one earthling is -100. Therefore, in each relevant territory, the ideal code should count with an approximate aggregate IC. If there are only the zargonians, then the ideal code should calculate with IC -10, if there are only humans, then with IC -100; and in a mixed domain, there should be also mixed IC counted under the ideal code. So on B5, where there are 40% of the zargonians and 60% of the earthlings, the ideal code should calculate with the IC of 64 ($[400+6000]/100$). Hence, if the potential value of the rule after the internalization is more than 64, then it should be adopted. Otherwise the overall value of a code, including IC, is negative and it is not meaningful to adopt it. In the case of the 'overwhelming majority' objection, it could be said that if there is almost no mutual moral interaction between the species, then each one is best in his own moral domain. For example, if zargonians/zorgonians have no common interests with the earthlings, then there is no ground for them having just one common single moral domain. If there are some fringe common interests, then some B5-like code might be accepted in those cases. Therefore, under the multi-domain structure there are no *ad hoc* answers to various hard-lock objections and one underlying principle for all domains might be established.

Much more interesting is the multi-domain account on the soft-lock level. The early BSG arguments (different epistemic position, non-interaction) are again much easier to be answered under the multi-domain rather than under the single-domain account. Different external and epistemic conditions naturally create separate domains, which should be acknowledged accordingly. All these are simple examples of territorially-based moral

domains without proper interaction. They might be interesting as hypothetical questions, but lack the direct relevance for contemporary human morality. Hooker might still hold that all people on the Earth should follow just one single-domain code. It would lack the rigour of a global moral theory applicable to everyone everywhere, but it could be still a viable moral theory for humans on the Earth now.

This could be countered by the incorporation of the role of institutions into the equation. Even on today's Earth various institutions, which slowly developed throughout the centuries, exist. The transitional costs from one institution to another should be counted into IC, or else the resulting moral theory lacks the vigour and relevance for an existing society. But if one allows a nonzero value for the institutional transition costs, then several domains emerge in the real world automatically. To counter this objection, Hooker insists on identical IC in new-born babies. This is correct, all small children have relatively similar IC. But things get complicated if education is counted in. Every single teacher is embedded in some institutional framework. He cannot simply discard all those institutions and suddenly start to teach an ideal code. So even if IC of new-born children are the same, as they grow up they are taught by some teachers (family/school/clubs - institutions) and once matured, they could hardly reject all those institutions at once. Thus, various moral domains emerge, and any believable moral theory should calculate with these domains as real facts.

It was mentioned earlier that most of the defining attributes of Hooker's RC were chosen more-or-less in the reasonable middle grounds (neither universal nor irrelevant acceptance level; neither too complex nor too strict rules; neither too high nor too low aggregate sacrifice, etc.) And this path could be followed also in the case of multiple domains. It is hardly natural to have only one single moral domain for every moral agent, but it is also highly implausible and costly to have too many moral domains. Why should the domains of application of certain code not be chosen on the consequentialist grounds? One single heterogeneous domain for all people with great differences in IC (transitional costs between institutions included) would be as implausible as vast homogeneity of billions of individual moral domains. Some 'Huntingtonian' middle ground based on civilizational distinctions would probably be chosen under consequentialist terms (about dozen civilizational units). In the long run, it is feasible to have just one moral domain for everyone. But it should be only through the incremental change in each new generation. People might continually converge towards more common set of rules through increased mutual interaction and gradual transition away from obsolete institutions. If one code proves better in one domain, other domains may also want to adopt it. A single-domain account might be

preferable as a final point of moral evolution under certain circumstances. But it is neither globally preferable, nor well-adapted for the real conditions on the local level. On the one hand, a single-domain account cannot deal with hypothetical cases of radical hard-lock differences in IC, and on the other hand it does not describe real world very well. On a different occasion, Hooker once said that RC is like a map to a big city, that one does not need to remember precise instructions for every single crossroad, he only needs to know general directions and the major landmarks. However, his single-domain version of RC counts with the possibility of neither a different city nor a different transportation system. If there are different outside conditions and institutional transition costs, it is like a completely different city, and one should not follow the same directions. And if some moral agents have radically different hard-lock levels of IC, it is for them like travelling by a helicopter, and they need not to follow directions made for surface transports. Hooker's version of RC thus seems to be applicable only as an ideal code, and only for humans. Because of its insistence on the single-domain system, it is hardly applicable in real-world local conditions, neither in possible ideal global situations.

Conclusion

This thesis showed that one specific aspect of Hooker's RC theory, the single-domain account, is far from being a plausible concept. Firstly, some important features of Hooker's RC were sketched, and then various objections were raised against it. The result is that if Hooker wants to defend the single-domain structure, he has to make many partial compromises and contingent amendments. And even that does not really save this account in every single case. In a world where the moral agents with different IC exist, it is very hard to keep just one single moral domain for everyone. There are different objections according to the nature of differences in IC, so the hard-lock genetic or technological differences in IC contest the single-domain account on distinct grounds than the soft-lock institutional and cultural differences. Both, however, render the single moral domain as not a very satisfactory solution. More so, even if it might help on certain occasions, (in this thesis mainly the example of overdemandingness objection, but applicable also to other objections) it is neither decisive, nor the only solution. As a result, the RC could be modified, so that it does not need the insistence on the single-domain account and multiple moral domains could be accepted.

Nonetheless, there are at least two interesting issues with the multi-domain structure that could be explored further. First one is the case of inter-domain interactions between multiple (mainly soft-lock) domains. For example, what if an agent goes from one moral domain to another, or similarly, the export/import mechanism of some cultural institutions from one domain to another. The (im)possibility of transformation of some specific institutions and their impact on the inter-domain relationships (for instance the international law). The second concern was about the intra-territorial moral domains. During the text I primarily focused on moral domains along some territorial boundaries (Zargon, B5, BSG, etc.), but what about the multiple moral domains inside one region? In principle, it is possible to have various domains on the same territory, if it is in compliance with agents' intuitions and if it produces higher overall value. Even though such conditions are hardly imaginable (Hare's Juba and Camaica example), this question is not uninteresting in itself and could be further developed.

In this writing I tried to pinpoint the weakest spots in the single-domain account and propose solutions according the lines of the multi-domain system. All in all, Hooker's concept of RC is very appealing, and if some changes were executed, the overall plausibility would only increase.

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