

Kantian Ethics (and more on famine)

So far we've looked at egoist and utilitarian approaches to ethics. The main objection we considered to **egoism** was that it failed to accommodate the common sense idea that morality involves a kind of impartiality, at the very least it seems that we should not be morally *prohibited* from taking an impartial stance; yet egoism requires that you count yourself as more important than anyone else in your deliberation, so seems to *require* a deep and systematic partiality towards oneself.

Utilitarianism, however, took the opposite extreme: on a utilitarian view your happiness counts for no more or less than anyone else's. What matters is producing through your action as much (average) happiness as possible; there is no moral basis for partiality towards or against anyone capable of happiness. Each of us are to be counted exactly the same. We've also seen how a modified version of utilitarianism (in Singer) might have us respond to the plight of others who are suffering grave misfortune (e.g., famine). To some minds, utilitarianism (and views like it) go too far in valuing impartiality.

The question now is whether there are further approaches to morality that might have different results, in particular, ones less extreme on the partiality/impartiality spectrum. The answer (of course) is "yes".

The most important alternative, historically speaking, derives from the work of Immanuel Kant (1724-1804), and so predictably is called a **Kantian** approach, or sometimes a *deontological* approach. At the core of Kant's ethics is a principle known as the *Categorical Imperative* (CI). Kant articulates the CI in a variety of different forms, but the details of these forms and their interrelations will not be our concern in this course. For our purposes, it will be enough to reflect briefly on two basic Kantian ideas that correspond to two formulations of the CI:

Act only in accordance with that maxim through which you can at the same time will that it become universal law. (RR, p. 689)

So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means. (RR, p. 693)

Feldman suggests that these two principles correspond roughly to two further deeply held ideas about morality (Feldman, p. 133):

You are No Exception Principle: "If you wouldn't want everyone else to act in a certain way, then you shouldn't act in that way yourself." (Feldman, p. 98)

and

Respect for Persons Principle: In all action one should respect the intrinsic value of human life. (Feldman, p. 121, 133)

The "You are No Exception Principle" does seem to be ubiquitous in moral life. We often criticize others for being "hypocrites" for doing exactly what they object to in others; but more importantly, we generally think it is wrong to do something that we know would be problematic if everyone else did it too, e.g., cheating on an exam, removing a pollution

control device from a car, stealing a book from the bookstore. In each of these cases the agent's goals could not be achieved if everyone else did the same thing, so the success of the action depends on making a distinction between what the agent does and what others do. But making oneself an exception this way seems wrong. Kant thought that in cases like this there was even a sort of inconsistency.

The idea is that in any intentional action, I am implicitly or explicitly acting on a principle of some kind. Feldman considers the example of two shopkeepers, both of whom are committed to giving correct change to their customers. They act, however, on different principles, or what Kant called "maxims":

Mr. Grimbley: When I can gain a good business reputation by giving correct change, I shall give correct change.

Mr. Hughes: When I can perform a morally right act by giving correct change, I shall give correct change.

In each case there is a generalized form of the maxim of the form:

General Form: Whenever one is _____, he/she shall _____.

On Kant's view, what matters in evaluating an action is not the consequences, but the principle that is employed in intending or willing. Two individuals can do the same thing, but one of them do wrong and the other right, depending on what they will. Another example, I might loan my car to my neighbor in a manipulative spirit, e.g., with the thought that she will then feel indebted to me and will then agree to babysit my kids on Saturday; or I might loan my car to my neighbor in a generous spirit, e.g., with the thought that it will enable her to accomplish something that she wouldn't otherwise be able to, at little cost to me. Our evaluation of my action, on Kant's view, will depend on the maxim of the action.

So in determining what's right we should put our maxims to the test. Here's an interpretation of the CI based on Feldman (Feldman, p. 104):

CI₁: An act is morally right iff the agent of the act can consistently will that the generalized form of the maxim of the act be universally acted upon.

Some maxims fail the test, so the corresponding action is immoral, e.g., (in generalized form):

Whenever one has an exam and doesn't feel like studying, she shall copy off of her neighbor's work.

Presumably we could not all act on this maxim, for if we are all planning to copy off each other, there will be no work to copy! The underlying rationale for an approach such as this is to show that the source of morality is in *reason* or *rationality*; those who are immoral are in some important sense acting *irrationally*. On this view, we don't ground morality in God's will, or in the seemingly arbitrary moral codes of particular cultures. Morality is grounded in reason itself, and the demands of morality can be discovered through rational reflection.

Feldman notes two criticisms of this approach, at least as articulated in CI₁:

i) It appears in many cases that one can adjust the statement of the maxim so that the problem disappears, e.g.,

Whenever one has an exam and doesn't feel like studying, and everyone else is well-prepared, and she can do it without being caught, she shall copy off her neighbor's work.

ii) In some cases a maxim cannot be generalized, but its failure is not due to moral factors. (Bank example, Feldman, p. 116.)

Although there seems to be *something* right about the "You are No Exception Principle" it isn't clear that the first version of the CI has captured it. (Can you figure out a better version that gets at the intuition better?) So let's turn to another formulation of the CI drawing on the "Respect for Persons Principle". O'Neill interprets the principle this way (see *RR* p. 717):

CI₂: Right actions are those that are guided by intentions to treat persons as far as possible as ends in themselves, and never as a mere means, i.e., one must not undertake to involve others in a scheme of action to which they could not in principle (rationally?) consent.

This allows that we can use others as a means to accomplish our own ends; after all, we rely crucially on others all the time. You rely on the cashier at the store to transact your business; you rely on your professors to teach you things—we serve as a means to your ends of gaining knowledge. But these are cases in which there is consent—your professors aren't deceived or coerced into serving your needs. According to CI₂, cheating on your final would be wrong because you would be using me (or your TA) as a mere means to a good grade: you would be involving us in a scheme whereby you would get a good grade, but it would be a scheme that we would not—or better: could not reasonably—consent to.

So according to O'Neill, the Kantian picture has a strong negative component comprising the *duty of justice*:

Don't treat others as a mere means.

And a positive component comprising the *duty of beneficence*:

As far as possible treat others as ends in themselves, i.e., as a rational person with his or her own aims, objectives, goals, conceptions of the good, etc.

So, we must never use, exploit, deceive, or coerce others; but it is a more difficult and complicated matter to figure out how to help others achieve their own ends, "...we cannot seek everything that others want; their wants are too numerous and diverse, and, of course, sometimes incompatible. It follows that beneficence has to be selective." (718) According to O'Neill, in deliberation we need only consider the possible actions that occur to us and determine whether or not they involve treating another as a mere means. An act is permissible if it does not use another as a mere means; impermissible if it does. Beyond avoiding injustice, our "duty is complete if in addition [our] life plans have in the circumstances been reasonably beneficent." (*RR*, p. 718)

Moreover, on the Kantian view (in contrast to utilitarianism):

i The focus of moral evaluation is the maxim or principle implicit in the act, not the results. A good action might have bad results and vv. E.g., I might attempt to save a drowning child and cause his death instead. My action has bad results, but my intention/maxim respected the child as an end in himself. Or, a burglar might enter a house with the intention of stealing property and in doing so prevent a murder; but the good results don't make the action good.

i Acts can't be ranked on an order of merit.

i The theory works well when information is scarce. Utilitarian calculations require a lot of data in order to make plausible predictions about consequences. But because it is usually clear when an action would use another as a mere means (in

contrast to what would promote human happiness overall), a Kantian view doesn't require that we have as much knowledge in order to determine what is right or wrong.

But what is required in order to be "reasonably beneficent"? What is our duty to those who suffer? How should we respond to famine, etc? O'Neill argues as follows:

For those who are present during/at the famine:

- ï No cheating in a rationing scheme;
- ï One must fulfill one's duties towards particular others (e.g., dependents).

For those afar:

- ï No exploiting, deceiving, or coercing those in dire circumstances;
- ï Avoid participation in institutions that exploit, deceive, or coerce others. (This may be difficult to confirm.)
- ï Duties of beneficence are strong in times of famine and extreme suffering because there are significant opportunities to make the pursuit of *any* ends possible for those who are severely disadvantaged. But one must be selective, and may choose to benefit others closer to home.

Questions

1. Is O'Neill's construal of what it is to treat someone as a "mere means" adequate? Aren't there cases in which someone could or would consent, but it still involves exploitation? Can people consent to being exploited? Can people consent to being treated as a mere means? If so, in these cases, is it wrong to use them as a mere means? What might Kant say? What might O'Neill say?

2. Consider again the Kantian principle: **Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.** O'Neill suggests that the duty of beneficence must inevitably be selective, and that we cannot treat *everyone* as an end. Is this right? If we opted for Singer's program of giving, would that better achieve treating humanity "always as an end"?

3. Are there considerations that stem from the first formulation of the CI that have consequences for famine relief? Consider again: **Act only according to that maxim by which you can at the same time will that it should become a universal law.** Is there some inconsistency in willing: When I can enjoy myself through excessive and luxurious consumption, I shall excessively consume (even when many are dying of starvation). Feldman suggests that an "inconsistency" may result, on Kant's view, when it is a matter of fact that one's maxim cannot be generalized (see Feldman, p. 103). In fact because of scarcity and inequitable distribution of resources not everyone could excessively consume. Does this suggest the maxim is not morally acceptable? If not, is there a related maxim that whose generalization is inconsistent (can you formulate one)? Could a Kantian support the idea that a more equitable distribution of resources is a duty of justice?