

PHI 1500: Major Issues in Philosophy

Session 22

November 23rd, 2015

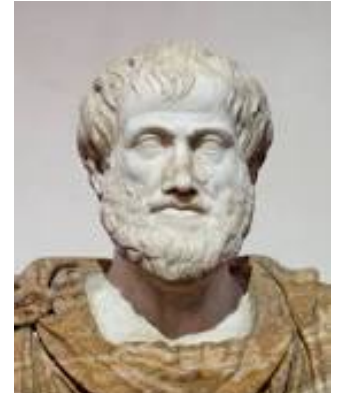


Ethics: O'Neill on Kant

➤ ***Let's recap the two ethical theories we've seen so far:***

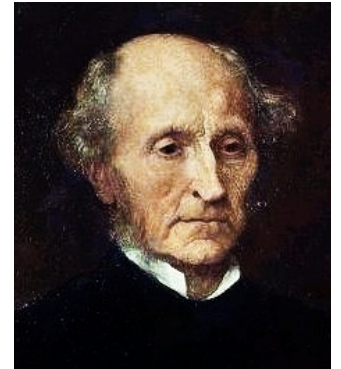
Aristotle's **virtue ethics** emphasized that we become virtuous people by doing right actions until it becomes a habit.

- His *general guideline* for acting rightly was *to aim for the golden mean*, the intermediate between two extremes.



John Stuart Mill's **utilitarianism** suggested one *rule* to guide all our actions: the "*Greatest Happiness Principle*"

- He said right actions increase total pleasure, while wrong actions increase total pain.
 - Utilitarianism is one type of ***consequentialism***,
 - an ethical view where **an action is judged right or wrong on the basis of its *consequences***.



» Consequentialism is *contrasted with* ***deontology***,

- where **an action is judged right or wrong on the basis of the *morality of the rule* one follows by performing that action.**

Immanuel Kant (1724-1804): German (technically, Prussian) philosopher



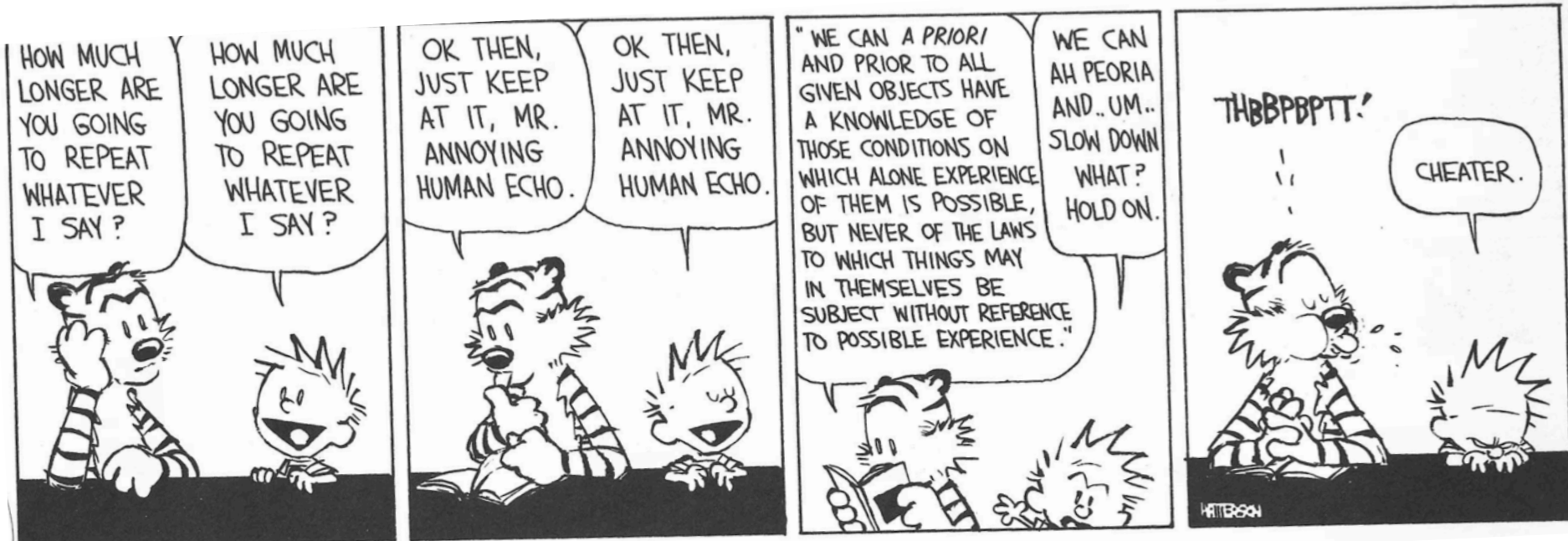
- In *Groundwork on the Metaphysics of Morals*, he defended a **deontological approach to ethics**,
 - which emphasizes **duties to follow moral maxims** as the basis for ethical action.
- He insists that all moral judgments are made by using our reason,
 - and that rational investigation can lead us to discover objective, universal laws of morality
- Wanted a moral theory free from subjective opinion & uncertainty



Onora O'Neill (1941 – present):

British philosopher and politician (chair of the UK's Equality and Human Rights Commission)

- » Interprets and defends Kantian ethics
- » Highlights some important differences between deontology & utilitarianism



There's a reason we aren't reading Kant first-hand, by the way...



O'Neill explains the role of *maxims* (rules, principles) in Kant's deontology:

- “According to Kant, **each of our acts reflects one or more maxims.**

- The maxim of the act is *the principle [according to] which one sees oneself as acting.*

- A maxim expresses a person's policy...*the principle underlying the particular intention or decision* on which he or she acts.

- ...Whenever we act intentionally, we have at least one maxim and can, if we reflect, state what it is.” (1-2)

- » E.g., when I give a lecture, I follow maxims like “Do your job” & “Share knowledge with others”

- *What maxims do you follow by coming to class?*

➤ **“When we want to work out whether an act we propose to do is right or wrong, according to Kant,**

➤ **we should look at our *maxims***

- ...*not* at how much misery or happiness the act is likely to produce, and whether it does better at increasing happiness than other available acts.”

- » (Doing the latter would follow the Greatest Happiness Principle.)



Kant believes that he has derived *three maxims* which our actions *absolutely must* follow at all times.



➤ Collectively, he calls these the “*Categorical Imperative*”:

» *categorical* = absolute, unconditional, without exception

» *imperative* = a command, requirement, obligation

– This is Kant’s “*Supreme Principle of Morality*”.

• Each of its three formulas expresses one of the maxims we must obey.

– *Formula of Universal Law*:

» “Act as if the maxim of your action were to secure through your will a universal law of nature”

– *Formula of Kingdom of Ends*

» “Act as if you were through your maxims a law-making member of a kingdom of ends”

– *Formula of the End in Itself*

➤ Following O’Neill’s lead, we will focus on this formula.

• But to get an idea of the others, **video**: bit.ly/1r6y1tX

LIVE YOUR LIFE
AS THOUGH
YOUR EVERY ACT
WERE TO
BECOME A
UNIVERSAL LAW.

- IMMANUEL KANT

O'Neill explains,

- “Kant states *the Formula of the End in Itself* as follows:

- Act in such a way that you *always treat humanity, whether in your own person or in the person of any other,*
 - *never simply as a means*
 - *but always at the same time as an end.”* (1)



» In order to figure out the right thing to do,

- **“We just have to check that the act we have in mind will not use anyone as a mere means,**
 - and, if possible, that it will treat other persons as ends in themselves.” (2)

» But **“to understand this we need to know what it is to treat a person as a means or as an end.”** (1)

“To use someone as a *mere means*

- is to involve them in a scheme of action to which they could not in principle consent.” (2)

– Using someone as a mere means is

like **treating them like a tool, pawn, or instrument,**

- disregarding their freedom to a) rationally set their own goals, & b) choose their own course of actions to achieve those goals.

➤ Another word for this is ***instrumentalization***.

O’Neill explains that *we often use people as means to ends*:

- “we have to do so in any cooperative scheme of action”

– E.g. if I ask a friend to proofread my paper, I plan to use him/her as a means to eliminate typos.

- But “in this case, **each party consents to her or his part in the transaction,**” so this way of using of a person as a means is ***acceptable***.

– “Kant would say that though they use one another as means, they do not use one another as *mere means*.

» Each person assumes that the other has maxims of his or her own and is not just a thing or a prop to be manipulated.” (2)



So **using someone as a means is not wrong in itself**, *as long as* the person in question knows what action they are participating in & consents to participating.

➤ **What is wrong**, Kant believes, **is forcing someone to carry out an action**

1. *without giving them all the information necessary for them to decide whether or not they want to participate,*
2. *and/or without confirming that they agree to participate.*

– “For example, one person may make a promise to another with every intention of breaking it.

» ...Successful false promising depends on deceiving the person to whom the promise is made about what one's real maxim is.



- And since the person who is deceived doesn't know that real maxim, he or she can't in principle consent to his or her part in the proposed scheme of action.
 - The person who is deceived is, as it were, a prop or a tool – a mere means – in the false promisor's scheme.”

– Hence, “A **person who promises falsely treats the acceptor of the promise as a prop or a thing [a mere means] and not as a person.**

» In Kant's view, **it is this that makes false promising wrong.**” (2)

“One standard way of using others as mere means is *by deceiving them.*”

- By getting someone involved in a business scheme or a criminal activity on false pretenses, or by giving a misleading account of what one is about, or by making a false promise or a fraudulent contract,
 - one involves another in something to which he or she in principle cannot consent, since the scheme requires that he or she doesn't know what is going on.” (2)



- » E.g., the fast-food restaurant managers who were tricked by the strip-search phone scammer into violating an employee's rights were used as a mere means by the scammer,
 - because they were deceived into believing that they were carrying out a police officer's orders to help catch a criminal

“Another standard way of using others as mere means is *by coercing them.*” (2)

- Anytime you force someone to do something against their will
 - even if it would lead to good consequences for them –
 - you use them as a mere means.



“In Kant's view,

- **acts that are done on maxims that require deception or coercion of others, and so cannot have the consent of those others...are wrong.**
 - When we act on such maxims, we treat others as mere means, as things rather than as ends in themselves.
 - If we act on such maxims, our acts are not only wrong but unjust.” (3)
 - This means that ***it is always wrong to lie*** (video: bit.ly/1tpdXCS)
 - **In contrast,**
 - » **Aristotle** agreed that honesty is a virtue, but would allow that *there are surely some situations in which it is ok to lie.*
 - » **Mill** would say that *it's ok to lie when it has good consequences, and only wrong to lie when it increases total harm.*



One practical application of the Formula of the End in Itself is the issue of ***objectification***,

» i.e., *treating a human being like an object or thing, instead of as a subject with thoughts & feelings.*

➤ **Kant thinks that “sexual desire is a very powerful force that conduces to the thinglike treatment of persons[:]**

- **...the treatment of persons not as ends in themselves, – but as [mere] means or tool for the satisfaction of one’s own desires.”** (Martha Nussbaum, *Objectification*)

– He says:

- “...as soon as anyone becomes an object of the other’s sexual] appetite, all motives of moral relationship fall away;
 - as an object of the other’s appetite, that person is in fact a thing, whereby the other’s appetite is sated, and can be misused as such a thing by anybody.
 - As soon as the person is possessed, and the appetite sated, they are thrown away, *as one throws away a lemon after sucking the juice from it.*” (Lectures on Ethics, 156).



Why is objectification *wrong*, on a Kantian view of ethics?

➤ *It instrumentalizes people as things to be enjoyed,*

- instead of respecting that they are rational human beings, who are imbued with reason and **autonomy**,
 - » *i.e., the power to rationally determine one's own ends & choose the means to those ends*
- As philosopher Catherine MacKinnon explained,
 - » objectification “cuts women off from full self-expression & self-determination – from, in effect, their humanity” (paraphrased by Nussbaum)



Kant thinks *marriage* is the only solution to the problem of objectification.

- “Objectification can be rendered harmless only if sexual relations are restricted to a relationship that is structured institutionally in ways that promote and, at least legally if not morally, guarantee mutual respect and regard.” (Nussbaum 268-9)
 - *Is this an acceptable solution?*
 - *What else could be done to remedy the problem?*



O'Neill elaborates on what it means to treat someone as *an end in themselves*:

- “To treat someone as an end in him or herself requires
 - in the first place that one *not use him or her as mere means*,
 - that one respect each as a rational person with his or her own maxims.
- **But beyond that, one may also seek to foster others' plans and maxims by sharing some of their ends”: to be *beneficent*.**
 - “To act beneficently is to seek others' happiness,
 - therefore to intend to achieve some of the things that those others aim at with their maxims.
 - If I want to make others happy, I will adopt maxims that not merely do not manipulate them but that foster some of their plans and activities.



– **Beneficent acts aim to satisfy other people's desires.**

» **However, 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.**” (3)



According to O'Neill,

- “There is then quite a **sharp distinction between the requirements of justice and [the requirements] of beneficence in Kantian ethics.**



- **Justice requires that we act on *no* maxims that use others as mere means.”**

- The Formula of the End in Itself says we are *absolutely obligated to never instrumentalize other people.*

- **“Beneficence requires that we act on *some* maxims that foster others' ends,**

- though it is a matter for judgment & discretion which of their ends we foster.” (4)

- The Formula says *we ought to sometimes help other people*
 - but doesn't specify when or how often.



- *If we have to be selective about which of others' ends to foster, how do we know whose ends to prioritize?*

- At least Mill supplied a method of determining which pleasures are superior & more worth promoting.

➤ Let's do a **comparative analysis of Kantian ethics & utilitarianism.**

- Unlike utilitarians, “Kantians are *not* committed to working interminably through a list of happiness-producing & misery-reducing acts.”



- **Kantians don't have to weigh every option for their actions,** in terms of total happiness caused / total misery reduced.

- » Nor do they “try to compare *all* available acts and see which has the best effects.

- **They consider only the proposals for action that occur to them and check that these proposals use no other as mere means.**



- » If they do not, the act is permissible;
- » if omitting the act would use another as mere means, the act is obligatory.” (4)

➤ So, as O'Neill sees it, Kantian ethic requires less deliberation, and hence is simpler to follow.

- ...Kant's ethics does leave a lot of grey area when it comes to acting beneficently, though.

- **Kantian ethics makes some actions obligatory which are merely recommended by utilitarians.**
 - *A Kantian would have to tell the axe murderer where his friend was, even though it would probably lead to the greatest total happiness to lie to the murderer and protect his friend.*
 - In contrast, a utilitarian allows that there are situations where lying to someone or tricking them are acceptable.



- O'Neill notes that **"Kant's theory has less scope than utilitarianism"** – it cannot weigh in on as many issues.
 - **"Kantians...may be reluctant to judge others' acts or policies that cannot be regarded as the maxim of any person or institution."**

- "...Since it assesses actions by looking at the maxims of *agents*,
 - it can only assess intentional acts," and not unintentional consequences of actions.



» E.g., *if a corporation adopts a policy which leads them to perform actions harmful to the environment,*

- utilitarians can deem the corporation's action unethical because of its bad consequences,
 - *but Kantians can only judge the policy,*
 - *and might determine the actions totally acceptable despite the harm they produce.*
- **Kantian ethics "can do nothing to assess patterns of action that reflect no intention or policy,**
 - *hence it cannot assess the acts of groups lacking decision-making procedures, such as the student movement, the women's movement, or the consumer movement."* (4)

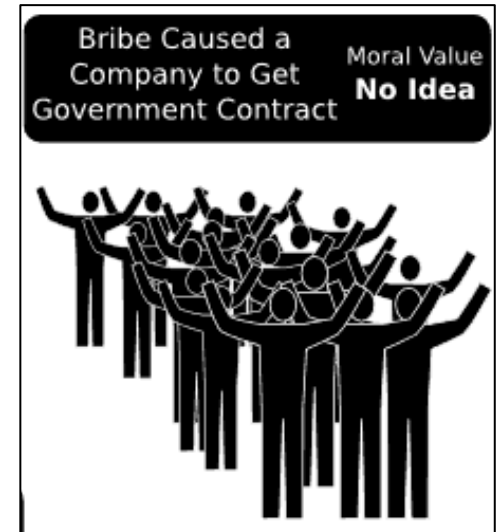
A common objection to utilitarianism is that

- **it is impossible for anyone to know in advance exactly what the consequences of their actions will be,**
 - so they can't use knowledge of the outcomes of an action to determine whether it is right or wrong.

Utilitarianism, n. - An ethical philosophy where one's lack of complete knowledge makes it impossible to ever know if one's actions are moral.

O'Neill believes that

- **"...[Kant's] theory offers more precision than utilitarianism when data are scarce.**
 - One can usually tell whether one's act would use others mere means, even when its impact on human happiness is thoroughly obscure." (4)
- She highlights that it is usually "possible for people to test their proposals by Kantian arguments even when they lack the comprehensive causal knowledge that utilitarianism requires."
 - **Conscientious Kantians can work out whether they will be doing wrong by some act even though they know that their foresight is limited** and that they may cause some harm or fail to cause some benefit.
 - But they will not cause harms that they can foresee without this being reflected in their intentions." (5)



But perhaps the greatest point of contrast between Kantian ethics & utilitarianism are their **“sharply contrasting views of the value of human life”**.

- O’Neill explains, **“In utilitarian thought persons are not ends in themselves.**
 - **Their special moral status derives from their being means to the production of happiness.”** (6)
- O’Neill thinks a utilitarian doesn’t do good for others on the grounds that their lives are inherently valuable, but only because their happiness matters.
 - Moreover, **utilitarianism sees nothing inherently wrong with instrumentalizing other people:**
 - » **it is only wrong if it leads to bad consequences.**



- “There is nothing wrong with using another as a mere means,
 - provided that the end for which the person is so used is a happier result than could have been achieved any other way, taking into account the misery the means have caused.” (6)
- A utilitarian might deem it acceptable to exploit workers in order to produce something that improves many people’s lives (like The Panama Canal).

According to O'Neill, the trouble with utilitarianism is that:

- “...sometimes...human happiness demands the sacrifice of lives, including the sacrifice of unwilling lives.”
 - Further, for most utilitarians, it makes no difference if the unwilling sacrifices involve acts of injustice to those whose lives are to be lost.” (6)

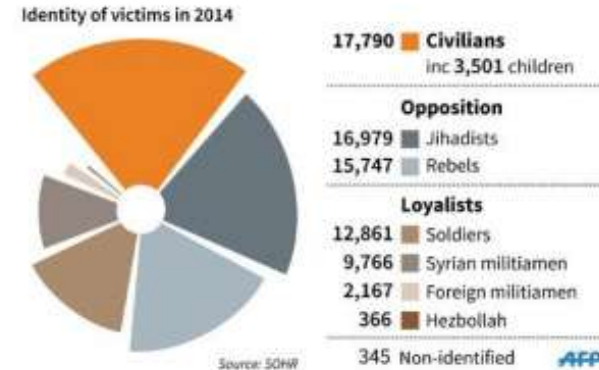
- **She believes that “Utilitarian moral theory has then a rather paradoxical view of the value of human life.**

- Living, conscious humans are (along with other sentient beings) necessary for the existence of everything utilitarians value.
 - *But it is not their being alive but the state of their consciousness that is of value.*
- Hence, the best results may require certain lives to be lost --by whatever means--for the sake of the total happiness and absence of misery that can be produced.” (6)

➤ **But on the other hand,**

- some utilitarians (like Peter Singer) believe we all are obligated to *save lives*. (video: bit.ly/1MZjV7b)

2014: Syria's bloodiest year yet



Around the world, a billion people struggle to live each day on less than the cost of a bottle of water...What if I told you that you can save a life, even many lives?

PETER SINGER
THE LIFE YOU CAN SAVE

Acting now to end world poverty

O'Neill says:

- **“Kantians reach different conclusions** about human life.
 - **Human life is valuable because humans** (and conceivably other beings, e.g., angels or apes) **are the bearers of rational life.**
 - ...This capacity & its exercise are of such value that they ought not to be sacrificed for anything of lesser value.
 - Therefore, **no one rational or autonomous creature should be treated as mere means for the enjoyment or even the happiness of another.”** (6)

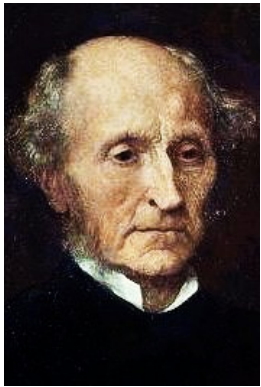


➤ *Note, though* – Kant does *not* believe that we have *any* moral obligations to promote the well-being of animals, the environment, or anything else that *doesn't* qualify as a 'rational agent' (*which might include some humans*).

- **“We may in Kant's view justifiably--even nobly--risk or sacrifice our lives for others,**
- ...for in doing so *we follow our own maxim & nobody uses us as mere means.*
 - **But no others may use either our lives or our bodies for a scheme that they have either coerced or deceived us into joining.**
 - For in doing so they would fail to treat us as rational beings;
 - they would use us as mere means and not as ends in ourselves.” (6)

O'Neill concludes:

- **“It is conceivable that a society of Kantians,** all of whom took pains to use no other as mere means,
- **would end up with less happiness or with fewer persons alive than would some societies of complying utilitarians.**
 - For since the Kantians would be strictly bound only to justice,
 - they might without wrongdoing be quite selective in their beneficence & fail to maximize either survival rates or happiness” (7)
- On the other hand, **nobody will have been made an instrument of others' survival or happiness in the society of complying Kantians.”** (7)



➤ **Would you rather have:**

- » *Greater total happiness, but at the expense of potentially sacrificing/instrumentalizing some people?*
- » *OR less total happiness, but absolutely no sacrifice of lives or instrumentalization for the greater good?*