

Kantian Approaches to Some Famine Problems

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§22 A Simplified Account of Kant's Ethics

Kant's moral theory has acquired the reputation of being forbiddingly difficult to understand and, once understood, excessively demanding in its requirements. I don't believe that this reputation has been wholly earned, and I am going to try to undermine it. In §§23–26 I shall try to reduce some of the difficulties, and in §§27–[29] I shall try to show the implications of a Kantian moral theory for action toward those who do or may suffer famine. Finally, I shall compare Kantian and utilitarian approaches and assess their strengths and weaknesses.

The main method by which I propose to avoid some of the difficulties of Kant's moral theory is by explaining only one part of the theory. This does not seem to me to be an irresponsible approach in this case. One of the things that makes Kant's moral theory hard to understand is that he gives a number of different versions of the principle that he calls the Supreme Principle of Morality, and these different versions don't look at all like one another. They also don't look at all like the utilitarians' Greatest Happiness Principle. But the Kantian principle is supposed to play a similar role in arguments about what to do.

Kant calls his Supreme Principle the *Categorical Imperative*: its various versions also have sonorous names. One is called the Formula of Universal Law; another is the Formula of the Kingdom of Ends. The

one on which I shall concentrate is known as the *Formula of the End in Itself*. To understand why Kant thinks that these picturesquely named principles are equivalent to one another takes quite a lot of close and detailed analysis of Kant's philosophy. I shall avoid this and concentrate on showing the implications of this version of the Categorical Imperative.

§23 The Formula of the End in Itself

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

To understand this we need to know what it is to treat a person as a means or as an end. According to Kant, each of our acts reflects one or more *maxims*. The maxim of the act is the principle on which one sees oneself as acting. A maxim expresses a person's policy, or if he or she has no settled policy, the principle underlying the particular intention or decision on which he or she acts. Thus, a person who decides "This year I'll give 10 percent of my income to famine relief" has as a maxim the principle of tithing his or her income for famine relief. In practice, the difference between intentions and maxims is of little importance, for given any intention, we can formulate the corresponding maxim by deleting references to particular times, places, and persons. In what

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follows I shall take the terms "maxim" and "intention" as equivalent.

Whenever we act intentionally, we have at least one maxim and can, if we reflect, state what it is. (There is of course room for self-deception here—"I'm only keeping the wolf from the door" we may claim as we wolf down enough to keep ourselves overweight, or, more to the point, enough to feed someone else who hasn't enough food.)

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 and 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. 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.

§24 Using Persons as Mere Means

To use someone as a *mere means* is to involve them in a scheme of action to which they could not in principle consent. Kant does not say that there is anything wrong about using someone as a means. Evidently we have to do so in any cooperative scheme of action. If I cash a check I use the teller as a means, without whom I could not lay my hands on the cash; the teller in turn uses me as a means to earn his or her living. But in this case, each party consents to her or his part in the transaction. 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.

But there are other situations where one person uses another in a way to which the other could not in principle consent. For example, one person may make a promise to another with every intention of breaking it. If the promise is accepted, then the person to whom it was given must be ignorant of what the promisor's intention (maxim) really is. If one knew that the promisor did not intend to do what he or she was promising, one would, after all, not

accept or rely on the promise. It would be as though there had been no promise made. 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. A person who promises falsely treats the acceptor of the promise as a prop or a thing and not as a person. In Kant's view, it is this that makes false promising wrong.

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. Another standard way of using others as mere means is by coercing them. If a rich or powerful person threatens a debtor with bankruptcy unless he or she joins in some scheme, then the creditor's intention is to coerce; and the debtor, if coerced, cannot consent to his or her part in the creditor's scheme. To make the example more specific: If a moneylender in an Indian village threatens not to renew a vital loan unless he is given the debtor's land, then he uses the debtor as a mere means. He coerces the debtor, who cannot truly consent to this "offer he can't refuse." (Of course the outward form of such transactions may look like ordinary commercial dealings, but we know very well that some offers and demands couched in that form are coercive.)

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 (for consent precludes both deception and coercion), 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: such acts wrong the particular others who are deceived or coerced.

§25 Treating Persons as Ends in Themselves

Duties of justice are, in Kant's view (as in many others'), the most important of our duties. When we fail in these duties, we have used some other or others as mere means. But there are also cases where, though we do not use others as mere means, still we fail to use them as ends in themselves in the fullest possible way. 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 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 try to achieve what others want. 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.

There is then quite a sharp distinction between the requirements of justice and of beneficence in Kantian ethics. Justice requires that we act on *no* maxims that use others as mere means. Beneficence requires that we act on *some* maxims that foster others' ends, though it is a matter for judgment and discretion which of their ends we foster. Some maxims no doubt ought not to be fostered because it would be unjust to do so. Kantians are not committed to working interminably through a list of happiness-producing and misery-reducing acts; but there are some acts whose obligatoriness utilitarians may need to debate as they try to compare total outcomes of different choices, to which Kantians are stringently bound. Kantians will claim that they have done nothing wrong if none of their acts is unjust, and that their duty is complete if in addition their life plans have in the circumstances been reasonably beneficent.

In making sure that they meet all the demands of justice, Kantians do not 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. Kant's theory has less scope than utilitarianism. Kantians do not claim to discover whether acts whose maxims they don't know fully are just. They may be reluctant to judge others' acts or policies that cannot be regarded as the maxim of any person or institution. They cannot rank acts in order of merit. Yet, the theory offers more precision than utilitarianism when data are scarce. One can usually tell whether one's act would use others as mere means, even when its impact on human happiness is thoroughly obscure.

§26 Kantian Deliberations on Famine Problems

The theory I have just sketched may seem to have little to say about famine problems. For it is a theory that forbids us to use others as mere means but does not require us to direct our benevolence first to those who suffer most. A conscientious Kantian, it seems, has only to avoid being unjust to those who suffer famine and can then be beneficent to those nearer home. He or she would not be obliged to help the starving, even if no others were equally distressed.

Kant's moral theory does make less massive demands on moral agents than utilitarian moral theory. On the other hand, it is somewhat clearer just what the more stringent demands are, and they are not negligible. We have here a contrast between a theory that makes massive but often indeterminate demands and a theory that makes fewer but less unambiguous demands and leaves other questions, in particular the allocation of beneficence, unresolved. We have also a contrast between a theory whose scope is comprehensive and one that is applicable only to persons acting intentionally and to those institutions that adopt policies, and so maxims. Kantian ethics is silent about the moral status of unintentional action; utilitarians seek to assess all consequences regardless of the intentions that led to them.

§27 Kantian Duties of Justice in Times of Famine

In famine situations, Kantian moral theory requires unambiguously that we do no injustice. We should not act on any maxim that uses another as mere

means, so we should neither deceive nor coerce others. Such a requirement can become quite exacting when the means of life are scarce, when persons can more easily be coerced, and when the advantage of gaining more than what is justly due to one is great. I shall give a list of acts that on Kantian principles it would be unjust to do, but that one might be strongly tempted to do in famine conditions.

I will begin with a list of acts that one might be tempted to do as a member of a famine-stricken population. First, where there is a rationing scheme, one ought not to cheat and seek to get more than one's share—any scheme of cheating will use someone as mere means. Nor may one take advantage of others' desperation to profiteer or divert goods onto the black market or to accumulate a fortune out of others' misfortunes. Transactions that are outwardly sales and purchases can be coercive when one party is desperate. All the forms of corruption that deceive or put pressure on others are also wrong: hoarding unallocated food, diverting relief supplies for private use, corruptly using one's influence to others' disadvantage. Such requirements are far from trivial and frequently violated in hard times. In severe famines, refraining from coercing and deceiving may risk one's own life and require the greatest courage.

Second, justice requires that in famine situations one still try to fulfill one's duties to particular others. For example, even in times of famine, a person has duties to try to provide for dependents. These duties may, tragically, be unfulfillable. If they are, Kantian ethical theory would not judge wrong the acts of a person who had done her or his best. There have no doubt been times in human history where there was nothing to be done except abandon the weak and old or to leave children to fend for themselves as best they might. But providing the supporter of dependents acts on maxims of attempting to meet their claims, he or she uses no others as mere means to his or her own survival and is not unjust. A conscientious attempt to meet the particular obligations one has undertaken may also require of one many further maxims of self-restraint and of endeavor—for example, it may require a conscientious attempt to avoid having (further) children; it may require contributing one's time and effort to programs of economic development. Where there is

no other means to fulfill particular obligations, Kantian principles may require a generation of sacrifice. They will not, however, require one to seek to maximize the happiness of later generations but only to establish the modest security and prosperity needed for meeting present obligations.

The obligations of those who live with or near famine are undoubtedly stringent and exacting; for those who live further off it is rather harder to see what a Kantian moral theory demands. Might it not, for example, be permissible to do nothing at all about those suffering famine? Might one not ensure that one does nothing unjust to the victims of famine by adopting no maxims whatsoever that mention them? To do so would, at the least, require one to refrain from certain deceptive and coercive practices frequently employed during the European exploration and economic penetration of the now underdeveloped world and still not unknown. For example, it would be unjust to "purchase" valuable lands and resources from persons who don't understand commercial transactions or exclusive property rights or mineral rights, so do not understand that their acceptance of trinkets destroys their traditional economic pattern and way of life. The old adage "trade follows the flag" reminds us to how great an extent the economic penetration of the less-developed countries involved elements of coercion and deception, so was on Kantian principles unjust (regardless of whether or not the net effect has benefited the citizens of those countries).

Few persons in the developed world today find themselves faced with the possibility of adopting on a grand scale maxims of deceiving or coercing persons living in poverty. But at least some people find that their jobs require them to make decisions about investment and aid policies that enormously affect the lives of those nearest to famine. What does a commitment to Kantian moral theory demand of such persons?

It has become common in writings in ethics and social policy to distinguish between one's *personal responsibilities* and one's *role responsibilities*. So a person may say, "As an individual I sympathize, but in my official capacity I can do nothing"; or we may excuse persons' acts of coercion because they are acting in some particular capacity—e.g., as a soldier or a jailer. On the other hand, this distinction isn't

made or accepted by everyone. At the Nuremberg trials of war criminals, the defense "I was only doing my job" was disallowed, at least for those whose command position meant that they had some discretion in what they did. Kantians generally would play down any distinction between a person's own responsibilities and his or her role responsibilities. They would not deny that in any capacity one is accountable for certain things for which as a private person one is not accountable. For example, the treasurer of an organization is accountable to the board and has to present periodic reports and to keep specified records. But if she fails to do one of these things for which she is held accountable she will be held responsible for that failure—it will be imputable to her as an individual. When we take on positions, we *add* to our responsibilities those that the job requires; but we do not lose those that are already required of us. Our social role or job gives us, on Kant's view, no license to use others as mere means; even business executives and aid officials and social revolutionaries will act unjustly, so wrongly, if they deceive or coerce—however benevolent their motives.

If persons are responsible for all their acts, it follows that it would be unjust for aid officials to coerce persons into accepting sterilization, wrong for them to use coercive power to achieve political advantages (such as military bases) or commercial advantages (such as trade agreements that will harm the other country). It would be wrong for the executives of large corporations to extort too high a price for continued operation employment and normal trading. Where a less-developed country is pushed to exempt a multinational corporation from tax laws, or to construct out of its meager tax revenues the infrastructure of roads, harbors, or airports (not to mention executive mansions) that the corporation—but perhaps not the country—needs, then one suspects that some coercion has been involved.

The problem with such judgments—and it is an immense problem—is that it is hard to identify coercion and deception in complicated institutional settings. It is not hard to understand what is coercive about one person threatening another with serious injury if he won't comply with the first person's suggestion. But it is not at all easy to tell where

the outward forms of political and commercial negotiation—which often involve an element of threat—have become coercive. I can't here explore this fascinating question. But I think it is at least fairly clear that the preservation of the outward forms of negotiation, bargaining, and voluntary consent do *not* demonstrate that there is no coercion, especially when one party is vastly more powerful or the other in dire need. Just as our judiciary has a long tradition of voiding contracts and agreements on grounds of duress or incompetence of one of the parties, so one can imagine a tribunal of an analogous sort rejecting at least some treaties and agreements as coercive, despite the fact that they were negotiated between "sovereign" powers or their representatives. In particular, where such agreements were negotiated with some of the cruder deceptions and coercion of the early days of European economic expansion or the subtler coercions and deceptions of contemporary superpowers, it seems doubtful that the justice of the agreement could be sustained.

Justice, of course, is not everything, even for Kantians. But its demands are ones that they can reasonably strive to fulfill. They may have some uncertain moments—for example, does advocating cheap raw materials mean advocating an international trade system in which the less developed will continue to suffer the pressures of the developed world—or is it a benevolent policy that will maximize world trade and benefit all parties, while doing no one an injustice? But for Kantians, the important moral choices are above all those in which one acts directly, not those in which one decides which patterns of actions to encourage in others or in those institutions that one can influence. And such moral decisions include decisions about the benevolent acts that one will or will not do.

§28 Kantian Duties of Beneficence in Times of Famine

The grounds of duties of beneficence are that such acts not merely don't use others as mere means but are acts that develop or promote others' ends and that, in particular, foster others' capacities to pursue ends, to be autonomous beings.

Clearly there are many opportunities for beneficence. But one area in which the *primary* task of developing others' capacity to pursue their own ends is particularly needed is in the parts of the world where extreme poverty and hunger leave people unable to pursue *any* of their other ends. Beneficence directed at putting people in a position to pursue whatever ends they may have has, for Kant, a stronger claim on us than beneficence directed at sharing ends with those who are already in a position to pursue varieties of ends. It would be nice if I bought a tennis racquet to play with my friend who is tennis mad and never has enough partners; but it is more important to make people able to plan their own lives to a minimal extent. It is nice to walk a second mile with someone who requests one's company; better to share a cloak with someone who may otherwise be too cold to make any journey. Though these suggestions are not a detailed set of instructions for the allocation of beneficence by Kantians, they show that relief of famine must stand very high among duties of beneficence.

§29 The Limits of Kantian Ethics: Intentions and Results

Kantian ethics differs from utilitarian ethics both in its scope and in the precision with which it guides action. Every action, whether of a person or of an agency, can be assessed by utilitarian methods, provided only that information is available about all the consequences of the act. The theory has unlimited scope, but, owing to a lack of data, often lacks precision. Kantian ethics has a more restricted scope. Since it assesses actions by looking at the maxims of agents, it can only assess intentional acts. This means that it is most at home in assessing individuals' acts; but it can be extended to assess acts of agencies that (like corporations and governments and student unions) have decision-making procedures. It 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.

It may seem a great limitation of Kantian ethics that it concentrates on intentions to the neglect of

results. It might seem that all conscientious Kantians have to do is to make sure that they never intend to use others as mere means, and that they sometimes intend to foster others' ends. And, as we all know, good intentions sometimes lead to bad results, and correspondingly, bad intentions sometimes do no harm, or even produce good. If Hardin is right, the good intentions of those who feed the starving lead to dreadful results in the long run. If some traditional arguments in favor of capitalism are right, the greed and selfishness of the profit motive have produced unparalleled prosperity for many.

But such discrepancies between intentions and results are the exception and not the rule. For we cannot just *claim* that our intentions are good and do what we will. Our intentions reflect what we expect the immediate results of our action to be. Nobody credits the "intentions" of a couple who practice neither celibacy nor contraception but still insist "we never meant to have (more) children." Conception is likely (and known to be likely) in such cases. Where people's expressed intentions ignore the normal and predictable results of what they do, we infer that (if they are not amazingly ignorant) their words do not express their true intentions. The Formula of the End in Itself applies to the intentions on which one acts—not to some prettified version that one may avow. Provided this intention—the agent's real intention—uses no other as mere means, he or she does nothing unjust. If some of his or her intentions foster others' ends, then he or she is sometimes beneficent. It is therefore 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.

NOTE

1. I. Kant, *Groundwork of the Metaphysic of Morals*, trans. H. J. Paton (New York: Harper Torchbooks, 1964), p. 96.