

INTRODUCTION

If the average American has a second moral principle to supplement the Golden Rule, it is probably a principle that says we should respect people. Respecting people is thoroughly interwoven into the fabric of American moral life. There is no one in the business community that has challenged the respect for persons principle as a principle in business ethics the way Albert Carr challenged the application of the Golden Rule in business. Yet, ironically, many of the moral criticisms of business practice are directed against policies that do not respect people, e.g., that business human relations policies often invade privacy or relegate people to dead-end jobs where they cannot grow. In addition, there is considerable controversy, even among ethicists, as to what respect for a person's principle requires. I want to begin with an example which, although oversimplified, represents a standard discussion of the application of Kant's respect for persons principle to business. After presenting the example, I shall provide Kant's justification of the respect for persons principle and, using contemporary scholarship, explain what Kant means by the principle. With that in hand I will be able to apply the principle to more complex business examples. I recall from my undergraduate ethics class more than 30 years ago that we struggled with the issue of whether buying a product, like vegetables in the supermarket, violated the respect for persons requirement of the second formulation of the categorical imperative. In buying our groceries did we merely use the clerk who rang up our purchases on the register? The first issue to be decided was whether we treated the salesperson as a thing. We somewhat naively decided that we did not merely use people in business transactions because we could accomplish our goal—buying carrots or potatoes—but that we could still show respect to those on the other end of the transaction. A casual observer in a supermarket can usually distinguish those patrons who treat the cashiers with respect from those who do not. Our “solution” in this undergraduate class did not address business exchanges that involve tradeoffs between human and nonhuman sources. Any introductory economics text establishes that the efficient producer is instructed always to rearrange capital, land, machines, and workers so that their proportional marginal productivity is equal. The requirement of equal proportional marginal productivity works as follows: If the price of machines rises with respect to labor, substitute labor for machines. If the price of labor rises with respect to machines, substitute machines for labor. Both substitutions are equivalent.¹ At first glance it looks as if a Kantian would say that the two substitutions are not morally equivalent. The first is morally permissible; the second is not morally permissible. It looks as if the employees are used as a means merely for the enhancement of the profits of the stockholders. It is morally permissible to use machines that way, but it is not morally permissible to use people that way. Unlike the grocery-store example, the managers who act on behalf of the stockholders are not in a personal face-to-face relationship with the employees and thus they cannot avoid the charge of merely using the employees by saying that in the transaction they treated the other party to the transaction with respect. It doesn't matter if the manager was nice to the employees when she laid them off—a fact of some importance in contemporary discussions of downsizing because many managers think that when they fire people in a nice way, as opposed to firing them cruelly, they are off the moral hook. It is morally better to be nice than to be cruel, but the real issue is whether the firing can be morally justified. How would a Kantian using the respect for persons principle justify these contentions? To answer that question some explanation of Kant's respect for persons principle is in

order.

THE RESPECT FOR PERSONS PRINCIPLE

Kant's second formulation of the categorical imperative says, "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." Kant did not simply assert that human beings are entitled to respect; he had an elaborate argument for it. Human beings ought to be respected because human beings have dignity. For Kant, an object that has dignity is beyond price. That's what is wrong with the principle that says a manager should adjust the inputs of production to the point where the marginal productivity of each is equal. And further, the denial of dignity is what makes much downsizing unjust. In these cases, that which is without price, human beings, are treated as exchangeable with that which has a price. Human employees have a dignity that machines and capital do not have. Thus, managers cannot manage their corporate resources in the most efficient manner without violating the respect for persons principle—or so it seems. But why do people possess a dignity which is beyond all prices? They have dignity because human beings are capable of autonomy and thus are capable of self-governance. As autonomous beings capable of self-governance they are also responsible beings since autonomy and self-governance are the conditions for responsibility. A person who is not autonomous and who is not capable of self-governance is not responsible. That's why little children or the mentally ill are not considered responsible beings. Thus, there is a conceptual link between being a human being, being an autonomous being, being capable of self-governance, and being a responsible being. Autonomous responsible beings can make and follow their own laws; they are not simply subject to the causal laws of nature. Anyone who recognizes that he or she is autonomous would recognize that he or she is responsible (that he or she is a moral being). As Kant argues, the fact that one is a moral being enables us to say that such a being possesses dignity. Morality is the condition under which alone a rational being can be an end in himself because only through it is it possible to be a law giving member in the realm of ends. Thus morality, and humanity insofar as it is capable of morality, alone have dignity. It is the fact that human beings are moral agents that makes them subjects worthy of respect. As I read Kant this is his argument for the necessity of including other persons within the scope of the respect for persons principle (treating humanity in a person as an end and never as a means merely). It is based on consistency. What we say about one case, namely ourselves, we must say about similar cases, namely about other human beings. Kant begins the third section of the *Foundations* as follows: What else, then, can freedom of the will be but autonomy (the property of the will to be a law to itself)? The proposition that the will is a law to itself in all its actions, however, only expresses the principle that we should act according to no other maxim than that which can also have itself as a universal law for its object. And this is just the formula of the categorical imperative and the principle of morality. Therefore, a free will and a will under moral laws are identical. Freedom and the ability to make laws are necessary and sufficient for moral agency. Moral agency is what gives people dignity. The importance of rationality comes when one explicates the meaning of freedom. Freedom is more than independence from causal laws. This is a negative freedom. Freedom is also the ability to make laws that are universal and to act on those laws in the world. As Kant says: The sole principle of morality consists in independence from all material of the law (i.e., a desired object) and in the

accompanying determination of choice by the mere form of giving universal law which a maxim must be capable of having. That independence, however, is freedom in the negative sense, while this intrinsic legislation of pure and thus practical reason is freedom in the positive sense. Thus, we have shown why Kant believes people have dignity and in this world are the only beings who have dignity. Kant has thus grounded our obligation to treat humanity in a person as an end and never as a means merely.