The Golden Rules of Kant and Mill

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In this essay I intend to compare and contrast the fundamental moral principles of two well-known ethical theories: the "Principle of Utility" of John Stuart Mill's Utilitarianism, and the "Categorical Imperative" of Immanual Kant's deontological theory. I intend to show the very different approaches that the two theories take toward the subject of ethics, and thus how the specific formulations of their fundamental principles sometimes yield different results. But beyond that, I intend to discuss how these two theories, while opposite in their approach to the topic, actually cover complementary aspects of ethics and do not, despite appearances, contradict the spirit of each other. I will then give a brief overview of my own take on ethics, which I feel captures the important points of both utilitarian and deontological theories.

The Principle of Utility states that "[A]ctions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure." (Classics of Moral and Political Theory, 3rd edition p.398). From this it follows that when presented with a choice of actions to take, the choice which morality demands a person make is the one which will produce in its consequences the greatest amount of pleasure and the least amount of pain in the world.

Let us examine three hypothetical situations which would necessitate that such choices be made, and the choices which the above procedure would morally demand that a person make. In the first scenario, the choice is whether to give some of your money to charity, and if so, how much. The outcome seems to depend upon how much money you have, and how badly you need it. If you are yourself in need of charity, then to give away your money would likely decrease

your own happiness more than it would increase the happiness of others. However, if you have some surplus of money, then giving it away to those who need it more would definitely increase the amount of happiness in the world, and the Principle of Utility would demand that you do so.

In the second scenario, the choice is whether or not to lie to a murderer chasing his victim, whose hidden location you know. The Principle of Utility would demand that you not tell the murderer where his victim is; however, it does not necessitate that you lie to him. You could refuse to tell him, although that could endanger your own life, in which case lying would be preferred. You could respond with an answer or counter-question that misleads him into thinking you don't know, such as asking him "Who?", which is not a lie, but avoids the question. The situation could be conceived, however, that the murderer knows that you know who and where his victim is and demands that you tell him or he will kill you too, in which case the Principle of Utility would dictate that you lie to him to maximize the victim's happiness and your own.

In the third scenario, the choice is whether or not to kill a would-be murderer in defense of his victim. The demands of the Principle of Utility seem difficult to discern on the surface of this problem, for if you choose to do so, you are ending the life of the murderer (and thus denying him much pleasure over the long term and causing him much pain in the short term) to save the life of his victim, where if you refrained from doing so the same overall loss of pleasure and increase in pain would occur. But if we consider the consequences not only in the short term but also in the long term, the death of a murderer would likely spare many in the future from pain (and preserve their opportunities for pleasure), and thus the Principle of Utility would demand that you take the murderer's life to spare the lives of his victim and most likely many others.

Let us now examine Kant's Categorical Imperative, the first formulation of which is "Act only according to that maxim by which you can at the same time will that it would become a universal law." (p.851). This is to say that we must not only consider the consequences of our

own choices, but whether such consequences – the ends we aim to accomplish by our actions – would even be possible if everyone were always to make that choice when presented with it. If there is such a contradiction, the Categorical Imperative rules that we have a perfect duty to avoid such actions. But beyond such perfect duties, prohibiting actions which "cannot without contradiction even be thought as a universal law of nature, much less be willed as what should become one" (p. 852), the Categorical Imperative also prohibits actions which violate imperfect duties. Such actions are those such that, while it would be logically conceivable for everyone to act on that maxim, "there is still no possibility of willing that their maxim should be raised to the universality of a law of nature, because such a will would contradict itself" (p. 852). That is to say, if it would be against one's own interest (the general aim of one's will) for everyone to act on some maxim, then one clearly could not will that that maxim be acted on universally, and so it cannot be moral to act on that maxim oneself. Let us look again at our three hypothetical scenarios and see how the Categorical Imperative would dictate that we act.

In the first scenario, whether to give to charity, it seems that many people would likely starve or otherwise suffer unpleasant fates if people were never to give to charity, but none of that would prevent anyone who does have money from not giving to charity, so it seems that it is not a perfect duty, by this account, to give to charity. However, if it would be against one's own interest for the whole world to be so stingy, then one could not will that to be the case, and so one would have an imperfect duty to do otherwise oneself - that is, to give to charity.

In the second scenario, whether to lie to a murderer about the location of his victim, the famous conclusion Kant draws from the Categorical Imperative is that one has a perfect duty never to lie, even in such a situation. Let us look at how he might do so. Kant's rationale is that if everyone were to lie in an attempt to achieve some desirable result, even one so noble as saving a life, language would quickly lose all coherent meaning, as people would lie in many circumstances to achieve what they felt were good ends – perhaps even justifying those ends all the way to

contributing to some future preservation of life, in case we thought we could specify the maxim such that the lying is only done to save a life. Soon, we could no longer be sure who was telling the truth and who was lying. All speech would become untrustworthy and it would become impossible to communicate at all, and thus impossible to lie. Thus in this case, the Categorical Imperative demands that we refrain from lying, even if doing so seems like it will bring about undesirable results. However, this still does not require that we tell the truth; we can simply refrain from speaking if telling the truth would somehow violate another, imperfect duty. And it seems that it would, for it is against one's own interest for murderers to have accurate information with which to track their victims, which they would have if everyone were to tell them the truth when questioned. So while it is a perfect duty never to lie, it is an imperfect duty not to tell the truth in such a situation, so the Categorical Imperative seems to demand that one avoid the question any way possible, or flat out refuse to answer it.

In the third scenario, whether to kill a murderer to save his victim, it seems that the same line of reasoning applies as with the second scenario: to allow kill ing to achieve some ostensibly good end would lead to much killing all around, likely resulting in one's own death, and thus making it inconceivable for one to act at all; and even if not conceptually contradictory, it seems at least that no one could will such anarchy to take place. Again, we could attempt to specify the maxim such that the killing is only to prevent another death, but it seems to me that most if not all ends sought after are ultimately tied somehow to the preservation of life, and so as with the lying case, many people could, acting by such a maxim, feel themselves justified in killing others to achieve many various ends, resulting in the undesirable anarchy described above, and so we have at least an imperfect duty, if not a perfect duty, not to kill, even in defense.

Kant's second formulation of the Categorical Imperative is: "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." (p.855). This is an imperative to treat people's ability to exercise their free will as an objective of one's actions, and not simply to treat rational agents (people) as some means to another end. Let us examine our three scenarios again, against this second formulation of the Categorical Imperative.

Our first scenario, again, is whether to give to charity or not. If nobody gave to charity, that would not be explicitly using other people as means to some end, as it would be simply ignoring them, not using them at all. Thus it is not a perfect duty to give to charity. However failure to give to charity is a failure to completely account for other people as ends themselves. People need resources in order to be able to exercise their will, and so limited resources leave people limited ability to exercise their will. Thus, if denying people charity would so deprive them of resources, it would be a failure to account for those people's ability to act freely as an end of one's own actions, and so it is an imperfect duty to give to charity.

In the second scenario, whether to lie to a murderer about the location of his victim, there is a similar consideration here regarding information as there is above regarding resources. For an individual to act freely, he must have accurate information. Thus, to lie to someone – to give them inaccurate information – is not only to deprive them of what they need to act freely, but to actively impede that ability, diminishing their power to exercise their will. Thus to lie, even toward some noble end such as to save someone from a murderer, is to treat the person lied to as merely a means to that end, disrespecting their own rational agency. There is thus a perfect duty not to lie. However, there may also be an imperfect duty not to tell a murderer where his victim is, even under threat of violence, for to do so would be a failure to fully consider the other person (the victim) as an end in themselves, as death would certainly impede their ability to exercise their free will. So it seems that the most correct choice in this situation, according to this formulation of the Categorical Imperative as well as the first, would be to avoid the question or refuse to answer it, even if it brings undesirable consequences upon oneself.

In the third scenario, it seems clear that to kill another person, even a murderer, is most certainly to neglect their ability to exercise their own will, and so the second formulation of the Categorical Imperative would demand, as the requirement of a perfect duty, that a bystander not shoot a murderer, even to save another life.

So the results of the Principle of Utility are clearly different from the results of the Categorical Imperative, in either formulation. In our first scenario, whether to give to charity, the results are similar: both declare giving to charity the right choice to make. But in the second and third scenarios they diverge, as the Principle of Utility allows certain actions such as lying and even killing in the pursuit of greater consequences, while the Categorical Imperative insists that to refrain from such acts is a perfect duty in all cases.

But despite these differences, I feel that both the Categorical Imperative and the Principle of Utility are correct in spirit, and that a moral theory can be formulated which draws from the approaches of both. Regarding the Principle of Utility, I must agree that the determining factor of what makes a deed good is the consequences of that deed. If acting by some deontological standard of law was to consistently result in atrocious consequences, I could not imagine calling such a standard moral or ethical. However, the Principle of Utility seems truly useful to me only looking at deeds in retrospect, once all their consequences are known, and thus a Utilitarian evaluation of a deed's morality could only be made with perfect accuracy from an omniscient viewpoint beyond the end of history. To judge a deed as good by Utilitarian standards at any moment in time is necessarily to make that judgment on incomplete information, as further future consequences of that deed may show it to have been rather worse than one presently thought.

Likewise, when contemplating what action to perform, a Utilitarian decision-making procedure can do nothing better than make educated guesses about which action will cause the greatest consequences. Good consequences cannot simply be willed into being; actors must

attempt to cause them to be by way of some action. Thus looking forward, considering what sorts of choices ought to be prescribed for present and future actions, a deontological standard seems to be called for. We need some well-reasoned set of moral principles to constrain our actions, which when adhered to will always produce the greatest consequences in the long run – or perhaps better, always prevent the most harm – even if it seems sometimes that, in the short term at least, they produce consequences which are not as good as other acts which violate that standard. Furthermore, as the first formulation of the Categorical Imperative implies, a moral standard is only truly a moral standard if it is to be applied to all people universally. So considering what standard of duties ought to be adhered to, one must consider the broadest and longest-term consequences of everyone adhering to such a standard.

The Categorical Imperative may itself be a very good standard of behavior from such a consequentialist viewpoint as I have just described. However, I am not particularly fond of Kant's foundations for the Categorical Imperative, as he grounds it on the notion of a "truly", metaphysically free will, which as a compatibleist (or "soft determinist") I do not fully accept; but that is a long metaphysical tangent which I do not have room to go into here. Furthermore, I believe that the Categorical Imperative's absolute prohibition on coercion (as one cannot even lie to save a life, much less kill to do so) leaves it a sub-optimal solution for the maximization of happiness within an already flawed society. That is to say, unless everyone were to suddenly start obeying the Categorical Imperative, it seems it would grant great leeway to anyone who did not, as those who did obey it would feel unjustified in enforcing obedience upon others. For a standard to produce the most good in an imperfect society, it must be able to account for and counter the immoral actions of people who do not adhere to that standard.

So for these reasons, the standard which I advocate is a simple pair of duties which somewhat resemble Kant's second formulation of the Categorical Imperative, but with a significant difference. The first duty is the most similar part. It states that one must respect other

people's actions and their possessions, which thus grants those other people rights to liberty and property. Put another way, the duty of respect is a duty not to interfere with individuals' personal or economic autonomy. But the second duty is where my theory diverges significantly from Kant's. It is a duty to defend other people's abilities to act freely and to possess property, which grants those others the right to security and the right to charity. This second duty is more than simply a requirement to enforce other people's duties to respect each other (though it is that as well), but also an imperative to support ventures which promote collective well-being: helping those in danger (defending them personally), and giving to those in need (defending them economically). I believe that if these two duties were adhered to by all unwaveringly, that the result would be the greatest aggregate happiness achievable in the long run, leaving people free to pursue the satisfaction of their own desires, and thus their own happiness, not only without interference, but with the support of their whole society.

But beyond that, even if only some subset of a population were to adhere to these duties, they would not be so easily thwarted by others who did not, for the duty to defend implies that force or coercion is always and only justified against force or coercion. A person adhering to these duties would be allowed to match force for force in the defense of themselves or another. So if one were to witness a murder about to take place, some sort of action would be required, even so slight as seeking someone else to help; and any action up to and including killing the murderer would be permissible, although from a utilitarian standpoint, if less force would work, it would be preferable. Thus we see how under my theory, the deontological and utilitarian considerations interact. The deontological principles of this theory set certain constraints on what actions are permissible and obligatory, certain things that one must do or may not do. Within those constraints, simple utilitarian concern takes over to say which of those remaining options would be preferable, with some of them being supererogatory. Together, acting according to these principles ought to bring the most happiness to the most people for the longest time possible.