8 What are Singer's two most important practical suggestions about how we ought to treat animals?

## For further study

This selection has excerpts, sometimes simplified in wording, from Peter Singer's *Animal Liberation* (New York: Avon Books, 1990), new revised edition, pages 1–23; the first edition came out in 1975. For further study, see his *Practical Ethics* (Cambridge: Cambridge University Press, 1993); his *Ethics into Action: Henry Spira and the Animal Rights Movement* (Lanham, MD: Rowman & Littlefield, 1999); and *Singer and His Critics* (Oxford: Blackwell publishers, 1999), edited by Dale Jamieson.

Related readings in this anthology include Mill and Smart (who share Singer's utilitarianism); Nagel and Slote (who criticize the equality of consideration principle); Callahan, Finnis, and O'Neill (who support the sanctity of human life); Benedict, Gensler and Tokmenko, Hare, and King (who also discuss racism); and Callicott (who wants to extend our moral concern beyond humans and animals to the wider ecosystem).

## Notes

1 Singer, a utilitarian, holds that we ought to do whatever is most likely to maximize the sum total of the interests of every sentient being. What does Singer mean by "interests"? When discussing animals (as in this selection from *Animal Liberation*), he tends to interpret "interests" in terms of pleasure and the absence of pain. When discussing our treatment of humans (as in *Practical Ethics*, second edition, pages 13–14 and 94–5), he defines "interests" sometimes in terms of satisfying actual desires and sometimes in terms of satisfying what we would prefer "after reflection on all the relevant facts." This latter notion is difficult to apply to animals; does it make sense to ask what a goldfish would prefer if it reflected on all the relevant facts?

2 In a footnote, Singer refers to Hare and Rawls; both are in this anthology.

3 I am here putting aside religious views, for example the doctrine that all and only human beings have immortal souls, or are made in the image of God. Historically these have been very important, and no doubt are partly responsible for the idea that human life has a special sanctity. In any case, defenders of the "sanctity of life" view are generally reluctant to base their position on religious doctrines, since these are no longer as widely accepted as they once were. [Note from Singer]

# ONORA O'NEILL

# A Kantian Approach to Famine Relief

Onora O'Neill, an Irish philosopher born in 1941, teaches in England at the University of Essex. She has made important contributions to the study of Kant, ethics, and social-political philosophy. She is author of *Acting on Principle: An Essay on Kantian Ethics* and *Faces of Hunger: An Essay on Poverty, Justice, and Development*.

O'Neill applies Kantian ethical theory to the problem of famine relief. She examines the demands that Kantian theory makes on us toward starving people in other countries and compares those demands with the demands of utilitarianism. She also compares how the two theories regard the value of human life.

As you read the selection, think about the distinction between treating persons as means and treating them as *mere* means. How does the Kantian prohibition against treating persons as mere means apply to famine relief? What obligations do we have to help those starving in other countries and how do they differ from those prescribed by utilitarianism?

## 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.

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.

Whenever we act intentionally, we have at least one maxim and can, if we reflect, state what it is. 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. 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.

## 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. 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. In Kant's view, it is this that makes false promising wrong.

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: such acts wrong the particular others who are deceived or coerced.

## Treating persons as ends 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 act beneficently is to seek others' happiness, therefore to intend to achieve some of the things that those others aim at with their maxims. 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 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. 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 been reasonably beneficent.

## 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.

## 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.

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. 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.

The obligations of those who live with or near famine are undoubtedly stringent and exacting; for those who live further off it is 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, and 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.

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). 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.

## Kantian duties of beneficence in times of famine

The grounds of duties of beneficence are that such acts develop or promote others' ends and, 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.

## 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 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 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.

## Utilitarianism and respect for life

Utilitarians value happiness and the absence or reduction of misery. As a utilitarian one ought (if conscientious) to devote one's life to achieving the best possible balance of happiness over misery. If one's life plan remains in doubt, this will be because the means to this end are often unclear. But whenever the causal tendency of acts is clear, utilitarians will be able to discern the acts they should successively do in order to improve the world's balance of happiness over unhappiness.

This task is not one for the faint-hearted. First, it is dauntingly long, indeed interminable. Second, it may at times require the sacrifice of happiness, and even of lives, for the sake of a greater happiness. As our control over the means of ending and preserving human life has increased, analogous dilemmas have arisen in many areas for utilitarians. Should life be preserved at the cost of pain when modern medicine makes this possible? Should life be preserved without hope of consciousness? Should triage policies, because they may maximize the number of survivors, be used to determine who should be left to starve? All these questions can be fitted into utilitarian frameworks and answered *if* we have the relevant information. And sometimes the answer will be that human happiness demands 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. Utilitarians do not deny these possibilities, though the imprecision of our knowledge of consequences often blurs the implications of the theory. If we peer through the blur, we see that the utilitarian view is that lives may indeed be sacrificed for the sake of a greater good even when the persons are not willing. 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. In utilitarian thought, persons are not ends in themselves. Their special moral status derives from their being means to the production of happiness. Human life has therefore a high though derivative value, and one life may be taken for the sake of greater happiness in other lives, or for ending of misery in that life. Nor is there any deep difference between ending a life for the sake of others' happiness by not helping (e.g., by triaging) and doing so by harming.

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.

## Kant and respect for persons

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. Humans are able to choose and to plan. This capacity and 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. 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 and 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.

## Study questions

1 What is the formula of the end in itself?
2 What is the difference between treating a person as a means and treating a person as a *mere* means? Construct a simple example that illustrates the difference.
3 Explain the difference between the requirements of justice and beneficence in Kantian ethics.
4 Discuss some of the specific requirements that Kantian duties of justice place on us in times of famine. Explain why these requirements are clearer in the cases of those who live with or near famine than in the cases of those who live far from famine.
5 Why does a Kantian give famine relief "high standing" among our duties of beneficence?
6 What is the difference between Kantian theory and utilitarian theory regarding the evaluation of intentions and results?
7 Contrast utilitarianism and Kantian views about the value of human life. Construct an example that illustrates the difference.

## For further study

This selection has excerpts, sometimes simplified in wording, from Onora O'Neill's "The Moral Perplexities of Famine Relief" in *Matters of Life and Death*, edited by Tom Regan (Philadelphia: Temple University Press, 1980), pages 260–98. For more on her approach, see her "Lifeboat Earth," in *Philosophy and Public Affairs* 4 (1975): 273–92; her *Faces of Hunger: An Essay on Poverty, Justice, and Development* (London: G. Allen and Unwin, 1986); and her *Acting on Principle: An Essay on Kantian Ethics* (New York: Columbia University Press, 1975). For the view that O'Neill rejects, see Peter Singer's "Famine, Affluence, and Morality" (*Philosophy and Public Affairs* 1 (1972): 229–43).

Related readings in this anthology include Kant (whose theory O'Neill supports); Brandt, Mill, Singer, and Smart (who defend utilitarianism, which O'Neill rejects); and Rawls, Ross, Slote, and Williams (who attack utilitarianism).