

Chapter 4

In the last chapter I tried to get you familiar with the approach to ethics that says, "We determine how right or wrong an action is by finding out how much actual good or harm it produces." And the two men we looked at, Jeremy Bentham and John Stuart Mill, define human good and harm (or human happiness and unhappiness) in terms of pleasure and pain. There are some problems with this approach if we talk about just the quantity of pleasure produced, but as long as we factor in the quality of the pleasures and pains and make sure we look at long term as well as short term consequences, this looks like a fairly reasonable system. It may take time, patience, research and speculation. It may depend on certain assumptions. But you really can systematically analyze and measure the consequences of an action.

Nonetheless, a teleological or results-oriented approach has some important drawbacks. In theory, it's still possible to say that as long as the pain or unhappiness of some people is offset by the high quality pleasure it produces for others, there's nothing morally wrong going on. For example, what if the Nazis' medical experiments on Jewish prisoners had actually led to great discoveries that benefited the whole world? Would that have justified the forced experiments? Of course not!

Or take an example closer to home. Imagine that your search for a job after you graduate has come down to two possibilities. One job is with a fledgling record company; the other is with a major corporation. The record company is small and financially precarious, but the people are young and interesting; and you're excited about seeing what the music world is like. The other company is large and financially strong with a lot of possibility for advancement; but it's pretty stodgy and conservative. Both companies have advantages and disadvantages, but you're hankering after a taste of "life in the fast lane." And you figure that the record industry is going to be pretty glamorous. You and your mother don't see eye to eye on this, however. Your mother, who is a vice-president of an important corporation, warns you that the record company will be out of business in six months. Furthermore, she says that she knows you really well and has heard a lot about the music industry, and as a result she's sure that you'll actually hate the job.

Let's say you've left your mother's number with the two companies for when they want to contact you. Suppose the record company calls and asks your mother to have you get in touch with them; she figures it's a job offer. What would you think if she deliberately didn't give you the message believing that she's doing this for your own good? She waits until the other company calls with an offer, and then says, "If I were you, I'd take this job because it's a good opportunity and it looks like your only option. After all, that record company never even called you after your last interview. They're obviously a sloppy, fly-by-night operation." So you take the job and it works out really well.

What do you think of what she did? Was it right? I've presented this case to lots of my students and virtually all of them think that what the mother did was wrong, even though she was motivated by love for you and even though her judgment that you'd be happier at the corporation was probably right (given what she knew about you and the record industry). That is, they think that even if her action produces good consequences, she still didn't have the right to interfere with your life like that.

And if you agree with that, then you can see why a results-oriented approach is still missing something.

Furthermore, sometimes all of us say things like, "I don't care about the

consequences. I've just got to do what's right and tell the truth," or "I don't care if I can get away with it. It's the principle of the thing. Cheating on an exam is simply wrong and I'm not going to do it." Sometimes we're more concerned with the deed we're thinking about doing, rather than the outcome.

A results-oriented approach, then, can't be all there is to ethics.

Remember that I mentioned in an earlier chapter that the U.N.'s Universal Declaration of Human Rights says not only that people need to live under certain material conditions, but also that we need to be treated in certain ways? Accordingly, the more we treat someone in line with these guidelines, the better her life will be. The more we depart from them, the worse it will be. If you and I aren't treated with simple fairness, equality and respect, our lives are missing something and we won't feel really satisfied or content with life. Even if your mother the VP is right, how would you feel if you found out what she did?

This way of looking at things is the basis of the second major approach we find in philosophical ethics--determining the moral character of an action by examining the action itself. This approach says that human beings are special things, different from chairs, tables, rocks, trees, cows and dogs. There's an appropriate way to treat people and an inappropriate way. Appropriate treatment will make someone's life happier or more fundamentally satisfying; inappropriate treatment will make it worse. And because of this connection with the notion of human happiness or human well-being, this way of looking at things then says that certain ways of treating people are worse--morally wrong--and others better--morally right--in and of themselves.

This type of ethical thinking says that whenever we deal with another human being we have a duty or obligation to treat him or her in a particular way just because they're human. We have a duty to respect people's rights, dignity and the like. Because of this, such theories are called deontological, a word that comes from the Greek word deontos, which means "duty." A deontological theory examines how we are obligated to treat other people, what duties we have to them just because they're fellow humans.

When an act-oriented or deontological theorist goes to measure or evaluate human behavior, he holds his "ethical yardstick" solely against the action itself. He doesn't even look at the results. He is looking for the intrinsic worth or value of an action. He is looking to discover how good an action is in and of itself.

This is very different from a results-oriented or teleological approach. In essence, a teleological thinker says that there's nothing right or wrong in any deed by itself; an action is made right or wrong by good or harm that's external or extrinsic to the act. A deontological thinker claims just the opposite. Actions are intrinsically right or wrong.

The easiest way of getting in to "act-oriented" ethical theory might actually be to cheat a little and start with something that combines that approach with a "results-oriented" one. In a way, we could say that the reason an action is morally better or worse is that it produces so much high quality pleasure (or pain) that there's no way that any positive results could offset it. It's like assigning a virtually infinite value to someone's pleasure or pain in a numerical calculation of the consequences.

Take the example of the forced medical experiments I mentioned at the beginning of this chapter, or recall from chapter 2 the question of forcing the Andes villagers to move for their own good. We could say that freedom is such a high quality commodity that no matter how much good is produced from

coercion, it can't outweigh the extraordinarily high quality harm that it depends on.

We might even put it this way. In discovering that some things have such high values, we've found a way to cut down the time of analyzing consequences. After all, if we can see from the outset that something like slavery is going to produce such incredibly high negative values, there's little point to bother going through the whole analysis to figure out the other consequences. It would be virtually impossible that there'd be enough good to outweigh the harm. Looking at the action first--especially in light of the quality of pleasure or pain involved--is at the very least a more efficient and economical use of time.

From this point of view, liberty, equality, fairness, justice, various freedoms and the like are so essential to human happiness that anything fostering them produces human good of an almost infinite value and anything preventing them results in pain of an almost infinite value. So there's much merit in analyzing the action itself.

But even if that process makes sense, it isn't a purely act-oriented or deontological approach. It's still making a decision according to the good or harm some deed produces. An action is evaluated according to its extrinsic or instrumental value. And to someone with a teleological orientation, looking at the outcome might tempt us to fudge on an ethical decision because we can see what will advance our own interest. The worst version of this is giving in to the temptation of saying "the ends justify the means" (the results justify the actions). So the best thing from this point of view is to examine nothing but the actions at stake.

In addition to the problem of peeking at the outcome, don't you think something would be really amiss if we sincerely believed that stealing things, enslaving people, manipulating or breaking promises to our friends are all perfectly o.k., just so long as they produce enough pleasure or happiness? The process of resolving moral dilemmas in your own life, then, wouldn't be like what most of us experience now. Instead, it would look like logical, dispassionate comparison shopping for a rock video, VCR, personal computer or car (depending on the severity of the ethical problem). Don't we mix apples and oranges when we talk about, weigh, measure, and balance the joys and pains felt by our sisters and brothers as though they're nothing more than material commodities?

Or maybe it's more serious than mixing apples and oranges. Perhaps it doesn't even make sense to treat human good or harm as though it can be weighed and measured. Maybe human good is less tangible than that.

Immanuel Kant, a great German moral philosopher whose ideas we're going to look at shortly, wrote that "everything has either a price or a dignity. Whatever has a price can be replaced by something else as its equivalent; on the other hand, whatever is above all price, and therefore admits of no equivalent, has a dignity. . . . Skill and diligence in work have a market value; . . . but fidelity in promises and benevolence on principle . . . have intrinsic worth." This is ultimately the most basic idea of "act-oriented" or "deontological" ethics--the real stuff of human happiness can't be quantified, assigned a value, weighed and measured. You can do that with material objects but not with people. Your car may have a price, but you don't. You have such intrinsic worth as a human being that it doesn't even make sense to assign a material value to you.

To a deontological thinker, trying to quantify what Mill calls the high quality pleasures is a project doomed to fail. It's trying to quantify the unquantifiable. It can't be done. It's like trying to figure out how important a mate, lover or parent is to you by determining how much time, effort and money he or she saves you. It's simply ridiculous to approach it

that way.

You may not be able to quantify the stuff of human happiness, but that doesn't mean you can't measure it. After all, measuring it is precisely what we try to do in an act-oriented approach. But what does an "act-oriented ethical yardstick" look like? It's not marked off in units of pleasure, like a results-oriented one. What does it measure?

Remember that a little while ago I said that an act-oriented approach says that some actions are appropriate and others inappropriate. A fuller statement of this idea is that some actions are appropriate and others inappropriate for humans to do or experience. An act-oriented "yardstick," then, measures how human some deed, policy or treatment is. It's a standard that measures humanity, not pleasure, pain, happiness or unhappiness. It tells us how much an action fits, is consistent with or conforms to a standard of human behavior. So when we take an act-oriented approach, we look to see how well an action "measures up" against a standard of what's appropriate for people to do or what's appropriate to be done to them. Another way of putting it is that we look to see whether an action goes with or against the grain of humanity. According to a deontological (act-oriented) thinker, actions that "measure up" or "fit" are morally good, and those that don't are morally wrong.

In many ways the most basic spirit of the Universal Declaration of Human Rights is deontological. (This also true of our own country's Declaration of Independence with its claim that we all have inalienable rights to "life, liberty and the pursuit of happiness." In fact, the same could be said of any document or line of argument that talks about rights.) The Declaration says that people have rights to certain things just because they're human. Having these rights doesn't depend on their nationality, race, sex, age, political or religious beliefs. They're entitled to these things simply by virtue of being human. Actions that respect these rights conform to a basic concept of "humanity." Those that violate these rights don't. The bottom line of the Declaration is: "People are entitled to these things, and that's all there is to it. If you violate people's rights, you're doing something morally wrong because you're violating a fundamental standard of 'humanity.'" If you think it's morally justifiable not to respect people's rights, it's because you either don't understand or don't care about what it means to act like a human being or to treat another person appropriately."

But understand that with this kind of approach, we don't find out what's "human" by studying different societies and determining what is conventional human behavior. That's the approach of sociologists and anthropologists. No, with a philosophical approach we're talking more about how people can be rather than how most of us are. Or perhaps a better way of putting it is: we're talking about the best qualities and possibilities of humanity, the characteristics of people that are positive and uniquely human. So our standard may be more idealistic and theoretical than realistic and empirical.

The obvious next question is, "So what's 'human' behavior and how do you recognize it?" But before taking that up I want to say a few words about the abstract or theoretical direction this whole discussion is taking.

One of the difficulties of act-oriented ethics is that it's based so much less than results-oriented ethics in the ordinary, tangible things of everyday life. A deontological approach seems to be more difficult both to explain and understand because it depends so much on abstractions. We all know what Bentham means when he talks about "pleasure." However, "actions appropriate to a human being," "consistent with a standard of human behavior" or "characteristics that are positive and uniquely human" aren't quite so obvious. The vocabulary we've got to use in discussing act-oriented ethics is

increasingly less tangible. And that means that with this approach, you're going to have to rely more on your mind--your intuition, insight and judgment--than you did with results-oriented ethics.

Don't let this bother you, however, and don't think that an act-oriented approach to ethics will only amount to subjective nonsense. The tendency of the world we live in is to think, "If you can't see, smell, taste, touch, count, weigh or measure it, it isn't important." It's understandable that lots of people have this attitude, because that's part of the legacy of empirical science and technology. But it's absolute rubbish.

The essence of many of the things you value greatly in life--love, trust, generosity, sincerity--elude our five senses. But they're certainly real and powerful. Try telling yourself when an important romance crashes that it doesn't really hurt and that you don't have something major to contend with. Or tell yourself it doesn't really matter when your best friend breaks a promise to help you study for an important exam and goes off to a party instead. "Civil rights," "rights to life" and "human dignity" (not to mention "liberty" and "taxation without representation") are ultimately only intangible ideas, and yet look at their power in the "real" world.

The upshot of this is: Don't write something off just because it's intangible. If you work at it, you'll see these invisible things quite well. Only you'll be using your "mind's eye." And in this chapter in particular, you're going to have to rely a lot on your mind or intuition to come to a solid understanding of act-oriented ethics. If you make the extra effort that's necessary, it'll pay off because you'll acquire a new skill--seeing the invisible. And as they say in that commercial, be willing to spend that extra effort, because you're worth it.

But if the bad news about act-oriented ethics is that it's pretty abstract, the good news is that it's much more focused than a results-oriented approach. You don't have to look at consequences that'll come about in a particular situation, speculate about the different results from different options, or try to figure out long term consequences. All you have to do is examine the action you're thinking about doing. And in some ways it's a whole lot easier to answer a question like "Is there anything intrinsically wrong about lying?" than "What are the short and long term consequences (measured in terms of high versus low quality pleasure) if I lie to my boyfriend tonight and tell him that I'm sick when I'm really going out with another guy?"

As I said before going off about the intangible quality of all of this, after seeing that an act-oriented "yardstick" measures how human some deed, policy or treatment is, the logical question is: "What's `human' behavior?" But let's work up to that through some `non-humans.'

Imagine that it's late September and you're watching some squirrels gather nuts for the winter. (You have a habit of doing strange things. After all, you're taking a philosophy course, aren't you?) One squirrel (named Rocky) takes a few acorns from another squirrel (named Apollo). Would you say that Rocky has "stolen" the nuts from Apollo? Is Rocky a "thief" who deserves to be arrested, tried and convicted for his disgraceful and unethical behavior? Should he at least get a stern lecture on the importance of respecting others' property? Of course not! He's a squirrel; there's nothing "inappropriate" about his actions. What he does is perfectly "squirrel-like." He's driven by instinct and his instinct tells him to take the nearest acorns he can find.

Or take another case from the animal world. If you have any cats at home, you know they establish a real hierarchy or "pecking order." The strongest cat is top dog (so to speak). But as that cat gets older and weakens, the younger cats sense this and start pushing it around. Instead of showing sympathy and compassion, the stronger felines see their chance to

advance in the hierarchy. "Survival of the fittest" and "rule by the strong" govern the world of nature. The animal kingdom regards illness and old age as weaknesses and treats them accordingly. But if you saw a young cat (named Aristotle) asserting itself against an old and infirm cat (Plato), would you feel justified in punishing it for acting "cruelly"? Would you swat Aristotle and say, "Aristotle! I'm surprised at you. You should know better than that. Nice cats don't do things like that."? Would you think that he had acted in a way that was "morally reprehensible"? Hardly. Cats have no choice in the matter. We may not enjoy seeing a strong, healthy cat inflict pain on one that's weak and dying, but we can't "blame" an animal that's only following its instincts.

But what if you saw your friend Holly steal a book from her sister Susan? Or what would your reaction be if you heard that a classmate named Louis DaPalma said to his sick father, "O.k., Pops. The jig is up. I'm taking over." Most of us would be appalled. To say there's something "inappropriate" about such miserable behavior would be accurate, even if it's a colossal understatement. Although Holly and Louis did the same things as Rocky and Aristotle, we'd certainly judge them differently.

The reason we'd judge the people differently, of course, is that neither Rocky the squirrel nor Aristotle the cat knows any better nor has any choice in the matter. But humans are different because we have precisely what these animals lack. We freely choose our actions and we have the intelligence that lets us think about what we're doing. That's what makes us human. We aren't called "homo sapiens"--"thinking man"--for nothing. We think about our options and we choose on the basis of our conclusions. (I know there's a lot of debate about just how free we really are, but I'm not going to get into that in this handbook. But even if we don't have total freedom, we do have more control over our actions than cats and dogs do.)

So this is a foundation on which we can build a standard about "human" actions--choice and intelligence. Actions that foster these are closer to the standard. Deeds that interfere with them are farther away. In the eyes of act-oriented ethics, the former are better; the latter worse.

Despite my trying to explain these ideas using such ordinary things as cats and squirrels, this whole discussion might be getting too abstract or theoretical. So let's take a moment and try to ground what we have in reality before we press on. Take the idea of choice, for example.

How would you feel if your friend Wayne told his friend Carlos that you and Wayne would be glad to drive him to the airport--in your car? Or what if your parents told you they'd chosen someone for you to marry or selected your life's career for you? What would your reaction be to someone forcing you to do something against your will? I imagine that in each case you'd be pretty angry. Why? Most likely you think that other people don't have the right to do these things. You see yourself as being entitled to make decisions about your own life, and your basic freedom to do so is undermined in each instance.

That human beings are essentially free creatures is the most basic precept of an act-oriented approach to ethics. Forcing somebody to do something just doesn't square with choice or human freedom. So an act-oriented approach says that anything that doesn't agree with the idea of human freedom, anything that interferes with people choosing what to do, is on the face of it morally wrong.

Now all sorts of things don't square with personal freedom and autonomy, ranging from forcing someone at gunpoint to subtly manipulating them in a way they're unaware of. Still, what these actions have in common is that they compromise somebody's freedom. And that's what makes them morally dubious. And it doesn't make any difference if the results of the action are good ones. There's still something indefensible about what's going on. Even if you meet

some fantastic person that you fall madly in love with when you're at the airport with Wayne and Carlos, it doesn't make what Wayne did right. He still interfered with your right to choose what you wanted to do.

Or take something like smoking cigarettes or drinking alcohol. If we outlawed cigarettes and liquor in this country, we'd surely decrease the incidence of some diseases. But we'd be telling people what they may and may not do. We'd be taking a choice away from them and limiting their freedom. Even though we'd be banning alcohol and tobacco "for people's own good," an act-oriented thinker would probably object. He'd argue that there was something intrinsically wrong with what we were doing. No matter how much good is produced, what we're doing doesn't agree or harmonize with human freedom.

Now before you think that deontological theorists are anarchists, realize that an act-oriented thinker sees some realistic limitations on human freedom as justifiable. (For example, it's o.k. to violate the freedom of someone who's hurting someone else by stopping them.) Nonetheless, an act-oriented thinker would demand an explanation of why any such limitations are justified. (After all, an act-oriented approach to ethics sees actions which compromise human freedom as being morally questionable--they conflict with an essential feature of "humanity.") But a deontological thinker wouldn't accept a utilitarian justification--one that defended violations of freedom by saying that on balance they produced more good than harm. The argument would have to show something like how the rights of the innocent person are stronger than the attacker's.

Personal freedom is so fundamental to an act-oriented approach to ethics that some philosophers have built entire moral theories on the idea. One such thinker is Immanuel Kant, one of the "all-time greats" in the history of western philosophy. Kant (1724-1804) lived before Mill, spending his entire life in the city of Ko"nigsberg in Prussia (modern day Russia). Unlike Bentham and Mill, Kant was a professional academician. First a tutor and then a private lecturer, Kant eventually was appointed to a professorship at the University of Ko"nigsberg.

Kant is memorable for many reasons. One story has it that his life was so regular that the people of Ko"nigsberg set their watches as Kant passed by on his daily walk. More important is that Kant produced one of the most important systems of thought in philosophy's two thousand year old lifetime. Also noteworthy, however, is that Kant was 57 when he started explaining this system in his Critique of Pure Reason and that he turned out one extraordinary work after another for the next nine years. Mathematicians and computer programmers may be over the hill at 30, professional athletes at 40, but philosophers may just be warming up at 50. (Philosophy's a good line of work to go into if you want to avoid feeling old before your time. At 50 you can still be a "promising young thinker.")

Kant is particularly famous for his work in ethics. He is the most important act-oriented or deontological thinker in the history of philosophy. In his classic Grounding for the Metaphysics of Morals he explains what he takes to be the basic moral principle or moral law against which we can measure our actions to see how good they are. Kant calls this principle the categorical imperative--a command (imperative) that holds with no exceptions or qualifications (categorically). In Kant's opinion, to find out how right or wrong an action is, all we have to do is to see if it conforms to or "obeys" the "moral law." This is his "ethical yardstick."

Kant doesn't think he's really found anything new. He believes that we all actually know the difference between right and wrong. We just have trouble explaining the difference.

So what is this moral law? Kant comes up with three or four different ways of putting it, but the most important one for our purposes comes out of

Kant's understanding of human dignity and freedom. He writes, "Act in such a way that you treat humanity, whether in your own person or in the person of any other, always at the same time as an end and never simply as a means."

The key here is understanding what it means to treat someone as an "end" rather than "simply as a means." Kant illustrates the moral law with four examples: suicide, a false promise, developing one's talents, and helping others in need. The second is the best one to look at. Kant writes,

[A] man in need finds himself forced to borrow money. He knows well that he won't be able to repay it, but he sees also that he will not get any loan unless he firmly promises to repay it within a fixed time. He wants to make such a promise, but he still has conscience enough to ask himself whether it is not permissible and is contrary to duty to get out of difficulty in this way. . . . [He] will immediately see that he intends to make use of another man merely as a means to an end which the latter does not likewise hold. For the man whom I want to use for my own purposes by such a promise cannot possibly concur with my way of acting toward him and hence cannot himself hold the end of this action. This conflict with the principle of duty to others becomes even clearer when instances of attacks on the freedom and property of others are considered. For then it becomes clear that a transgressor of the rights of men intends to make use of the persons of others merely as a means, without taking into consideration that, as rational beings, they should always be esteemed at the same time as ends, i.e., be esteemed only as beings who must themselves be able to hold the very same action as an end."

The person making the false promise is using someone else simply as a means to his own end.

In Kant's mind, to treat someone as an "end" is to treat him with all of the respect due to a human being--to treat her in a way that is appropriate, a way that "fits" the fact that I'm dealing with a human being. However, treating someone as an "end" means to Kant particularly that his freedom, her right to choose her own actions is respected. Treating someone as a "means" violates precisely this point. If I treat someone as a "means," I'm using him for my ends, not his. I don't care about what he wants. I see her mainly as an object or a tool that I can use to get what I want. I impose my choice, my decision on someone else, whether he or she likes it or not.

Treating someone as a means to your own end takes an almost infinite number of shapes. It can range from crude physical threats and intimidation ("Go get this book from the library for me or I'll break your face!"), to skillful manipulation that someone isn't even aware of ("Gee boss, I'd really like to work with you on the Smith account. I know I could learn so much from your skill and experience. You'd be doing me a big favor.") to using love or sex to get someone to do something they don't want to do ("What do you mean 'dishonest'? If you really loved me you'd write this paper for me. And if you don't love me, I guess I can't go to bed with you anymore.").

But what these actions all have in common is that they don't respect the other person's freedom and dignity, her right to freely choose what she does. My manipulation short-circuits somebody else's right to make a decision in the matter. I don't treat him as a free person whose wants and needs should be considered. I treat her as an object to be used for my ends.

So Kant's "ethical yardstick" is pretty straightforward. An action "measures up" to the extent it respects personal freedom, choice and autonomy.

A need for personal freedom and choice is one of the most obvious features of human beings. Actions that don't respect that simply "cut against the grain" of the stuff we're made from. But many other qualities go into defining "humanity." What else can we add to our "yardstick" so that it can

tell us which actions are "appropriate" and which "inappropriate"?

Well, equality must be almost as important as freedom. How do you react to actions that treat people unequally for no good reason? What if you found out that you didn't get a job you were qualified for just because of your sex, race or nationality? Wouldn't you say something like "That's not fair"? Many people believe that so-called "reverse discrimination" is morally wrong simply because it treats people differently because of their race or sex. And that isn't treating people "equally." If we believe that people are all equal, actions that are consistent with or respect "human equality" are "appropriate" or fit the standard; arbitrary or discriminatory actions fall short.

And we could tick off a number of other things that most of us would agree should govern or be respected in our dealings with each other--dignity, respect, fairness, justice, privacy, toleration, and the like. I'm not going to take the time to go into all of these because the point would be the same in each case. These are things that all of us as ordinary humans are entitled to experience at each other's hands just because we're human. From the standpoint of an act-oriented approach to ethics, actions that don't respect these qualities don't agree with or fit a reasonable understanding of "humanity." And again let me stress that an act-oriented approach says it doesn't matter how much good would come from such actions. They're just in and of themselves "inappropriate" for humans to do or to experience. Accordingly, they're questionable from an ethical point of view.

There is one other feature of "humanity" that's worth taking a closer look at, however--our ability to think. In fact, biologists would probably argue that this is an even more basic characteristic of "humanity" than freedom is, whence the label "homo sapiens." So let's see how this fits into an act-oriented approach to ethics.

Remember earlier in this chapter when I was talking about squirrels and cats? Well, the conclusion I came to from those examples was that there are two reasons we don't say animals "do wrong" or are morally responsible for their acts. They don't have a lot of choice in their actions (or maybe it would be better to say that the choices we see them making usually are heavily influenced by instinct). And they don't know any better. Since humans have precisely these things that animals lack, we hold ourselves morally responsible. This led me to say that choice and intelligence were a pretty good foundation on which to build a standard about "human actions."

Asking whether or not an action is consistent with "personal choice" is easy to understand. We all know what "freedom of choice" means and most of us believe there's something wrong with being forced to do something against our will. So we can see the connection between freedom and ethics. But what about intelligence?

"Intelligence" connects with ethics in two ways. First, combining the idea of "intelligence" with "choice" makes the whole idea of "morality" possible in the first place. Also, like freedom, it's going to give us a standard we can use to evaluate how "human" different actions are. Let me explain the first point quickly, because the second one will take a little while.

The first way that "intelligence" relates to ethics is very basic and very important. Ethical judgments are possible only because of the combination of "intelligence" and "choice." The key here is the concept of moral responsibility.

When do you hold someone fully responsible for his actions? First of

all, when he freely chooses what he does. You wouldn't blame a bank teller for handing money over to a robber at gunpoint or a friend who accidentally broke one of your records when he tripped over the dirty laundry you left lying on the floor. If somebody's action was either forced or accidental, we don't think of it as being really "theirs." He or she didn't "choose" to behave that way, and so we're willing to excuse them. It's like what we were talking about with animals. We don't hold an animal "responsible" for its actions because it doesn't have the same power over its behavior that we have over ours.

But the difference between human and animal behavior is that we can think about what we do. We don't just act, we think and then act (or at least we should). And that's ultimately why we hold people responsible for what they do--because their "intelligence" gives them the power to choose how they'll behave. And that's where morality comes from. We think that it's o.k. to evaluate what people do because we believe they can choose how they act, that it's in their power to act better or worse. Remember, the main aim of ethics is to evaluate human behavior. But there'd be no purpose in evaluating actions if we couldn't do anything about them. Our rationality, our intelligence gives us the power to analyze and evaluate our actions, intentions and the consequences of what we do. Without reason we would no more make ethical judgments about humans than about the creatures in the forest.*

I said a little while ago that "intelligence" connects with ethics in two ways. The second way is that "intelligence" or "reason," like "freedom," is going to give us a way to evaluate the ethical character of actions without reference to an act's consequences.

(By the way, "intelligence" is just another way to refer to our minds, our rational abilities. When we think about what we do, we use our reason. And because "reason" and "rational" are narrower and more specific terms, I'm going to use them instead of "intelligence." It'll make it easier to understand how this can provide us with a way to measure actions.)

I just said that "reason" is going to give us a way to evaluate actions. But how does that work? What does it mean to say that "reason" is a standard for judging how "human" particular actions are? The key here is to understand "reason" in its narrowest sense--those mental operations governed by the rules of logic. The most basic rule of logic is simply that contradictions aren't allowed. If a friend asks "Are you going to the party tonight?" and you answer "I'm going and I'm not going," your friend will probably think you haven't fully recovered from the last bash you went to. What you said doesn't make any sense. Both can't be true--"going" and "not going." You've contradicted yourself. It's like saying "Today is Tuesday" and "Today is not Tuesday."

Now "rationality" is such a basic feature of "humanity" that saying that someone is acting "irrationally" is a pretty obvious charge that they're not acting the way a mature, healthy human being usually acts. Especially from a philosophical point of view, we can say that behavior that's "rational" rather than "irrational" is more appropriate to humans. A contradiction is "illogical" and thus, strictly speaking, "irrational." So there's something inappropriate about contradictions when we hold them up against our standard of "humanity."

(This doesn't mean that we don't all experience contradictory ideas, beliefs and feelings. But it does mean that we [and the people around us] don't find the experience comfortable. If we don't resolve our opposing convictions or emotions, we feel tense or unsettled. The human spirit doesn't experience contradictions with a calm soul and peaceful mind.)

But what does all of this have to do with ethics? Well, remember that

this is part of a discussion about evaluating actions without reference to their consequences. Let's take the example of lying. What's a lie? And why do most people think that there's something wrong with lying?

Let's go back to the example with your mother and say that you later find out that the record company left a message with her. You ask her and she denies it. Presuming that we all agree that lying about it only makes matters worse, what's wrong with the lie? You might first be tempted to say that the lie is "deceptive," and that there's something inherently wrong with deception. But let's get even more narrow and technical than that. What's the most basic thing going on in this lie? That what your mother is saying is false. And what does that mean but that her statement doesn't square with reality. That is, the most basic feature of a lie--and its essential flaw--is that it contains an inconsistency between fact and statement. Lies cut against the grain of the mind's most basic requirement for logical consistency.

Strictly speaking, all lies are illogical, irrational and don't "fit" with the demands of "human rationality."* That's why we always feel that lying has to be justified (at least to ourselves). There's something about a lie that just doesn't sit right with a normally sensitive mature human. In fact, notice that the unflattering connotation of speaking falsely remains in the phrase we use to refer to harmless, defensible deceptions--"white lies." So we can say from this point of view that the essential inconsistency of a lie is (technically speaking) unhuman because it violates the canons of logic

I can just hear some of you saying, "What does he mean, 'All lies are illogical and irrational.' Common sense tells you there would times when lying makes sense. How about lying to protect someone from getting hurt?" Be sure that you understand what I mean. To say that a lie is "defensible" and that technically it's "irrational" and "illogical" are two different things. The latter means only that it violates the canons of logic. In some circumstances you might conclude that that's the right thing to do. But that's another issue, which govern human reason. And an act-oriented approach to ethics asserts that an action is morally questionable to the extent that it's inconsistent with a standard of humanity.

The rules of reason also give us some insight into why an act-oriented approach would criticize things like discrimination and arbitrary behavior. If we take the idea that humans are essentially equal and that race, sex and the like are irrelevant features on which to base decisions, a classic case of discrimination is nothing more than logically inconsistent behavior. If I pay a woman \$20,000 and a man \$25,000 for the same job, I am treating two identical cases differently. There's no real difference between the two people, so there's no good reason to treat them differently. My behavior is blatantly inconsistent. And since consistency is one of the first things called for by reason, an act-oriented approach would find discrimination morally dubious because it falls short on a standard of "humanity."

(When it comes down to it, most claims of "unfairness" boil down to something like this. Your "mind's eye" perceives the conflict, even if you don't articulate it that way to yourself. There's no acceptable reason for your biology professor to boost the final grade of his favorite student a little just to make it easier for her to get into medical school, for example. And so we react to the inconsistency by labeling it "unfairness.")

I mentioned above that Kant gave several different formulations of his moral law, the "categorical imperative." Well, one of them touches precisely on this point I'm trying to explain--evaluating an action by seeing how well it squares with the canons of reason. So let's take a quick look at that and at one of Kant's examples.

Kant's version of the categorical imperative that depends most closely on the laws of reason is: "Act only according to that maxim whereby you can at

the same time will that it should become a universal law." A maxim for Kant is like a policy statement or the principle governing our action. For example, your "maxim" when you bought this book was something like, "Whenever I need something from a store, I will pay for the article rather than steal it."

Kant believes that to evaluate the morality of an action, we should state a general principle that governs what we're doing and then see how acceptable that maxim or policy is according to simple laws of reason. And the best way to do this is to imagine what it would be like if everyone acted according to this principle. When Kant says that we should act according to "maxims that we can will to be universal laws," he means that nothing about the principle governing our act should be contradictory or inconsistent if we imagine everyone doing it. Picturing such a situation should reveal any problems. Rational laws--the laws of mathematics, logic or science--are supposed to hold universally, without exception. If we can't imagine everyone acting according to a maxim without any trouble, we've got problems. Our maxim doesn't "measure up" to the demands of reason.

The role of the rules of reason is evident when we look at one of Kant's examples--the false promise again. Kant explains,

The maxim of [the false promiser's] action would then be expressed as follows: when I believe myself to be in need of money, I will borrow money and promise to pay it back, although I know that I can never do so. Now this principle of self-love or personal advantage may perhaps be quite compatible with one's entire future welfare, but the question is now whether it is right. I then transform the requirement of self-love into a universal law and put the question thus: how would things stand if my maxim were to become a universal law? He then sees at once that such a maxim could never hold as a universal law of nature and be consistent with itself, but must necessarily be self-contradictory. For the universality of a law which says that anyone believing himself to be in difficulty could promise whatever he pleases with the intention of not keeping it would make promising itself and the end to be attained thereby quite impossible, inasmuch as no one would believe what was promised him but would merely laugh at all such utterances as being vain pretenses (emphasis mine).

The point here is that a false promise breaks the laws of reason in a couple of ways. First, it's self-contradictory. My stated promise ("I will pay back the money") is flatly contradicted by my real intention ("I will not pay back the money"). Second, the reason my maxim can't hold up universally is that if we imagine everyone behaving this way, we're faced with so much inconsistency that promises wouldn't even exist. People would want things that are rationally inconsistent: they'd want to have their words believed, but they'd also want to be able to say one thing and do another. A promise depends on our behavior being consistent with our pledge. As soon as we stop presuming this consistency, promises themselves cease to exist. If everyone lived by the policy, "When it's to your advantage, say one thing and do another," only a fool would believe somebody's promise.

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The second major connection between "reason" and "morality," then, is that we can evaluate actions by asking how closely the actions themselves or the principles governing them follow the laws of reason, that is, things like consistency and the rules of logic. An act-oriented approach claims that the closer your actions fit the demands of rational consistency and the like, the better. An act-oriented approach to ethics, then, says: "In evaluating how 'human' certain actions are, we can ask not only, 'Does this act agree with certain human characteristics (freedom, equality, dignity, and so on)?' but also 'How does this act--its principles or intentions--fit when evaluated by a standard of rationality? Is it self-contradictory or inconsistent in any way?'"

Before we leave this approach to ethics, with its talk about maxims, universal laws and treating people as ends in themselves, we should look to see what this looks like in ordinary life. Take dating. Imagine that you're living on campus away from home. Before you left, you said to your high school sweetheart, "Don't worry. I love you. I'm not going to get involved with anyone else." And for a while you keep your word.

But then one day you meet this terrific guy/girl (take your pick). You start spending time together, just to get to know one another better. And soon you're together a lot. But now you wonder if you're doing something wrong. You still feel as though you love your sweetheart back home, your new friend understands this, and you don't know if this new relationship will really amount to anything. But your new friend is attractive in a very different way from your love back home and comes from a different part of the country; you find all of this intriguing. You tell yourself that your sweetheart back home isn't being hurt by what you're doing and that you really aren't "getting involved" with this new person. You're just getting to know each other and having some fun together. But you also ask yourself if this isn't just a rationalization for cheating. You're honest enough to know that you wouldn't like it if the shoe were on the other foot.

So how do your actions measure up in this case? Well, first, are you failing to treat anyone as an "end in themselves"? The best test for this is to ask if everyone involved would consent to how they're being treated. Your love back home probably wouldn't. If you've got an understanding that you aren't going to be spending significant amounts of time with available members of the opposite sex who may become your sweetheart's rival, he or she would likely think that you're breaking your word. Of course, the easiest way to find out is to ask. If your new relationship really isn't a threat to the old one, you might be able to get your sweetheart to consent to what you're doing. Or, if you realize that it actually is a competing relationship, you and your love back home might be able to work out a new understanding in which he or she is entitled to do the same thing you're now doing. On the other hand, definitely not wanting to bring it up is a bad sign. You're probably afraid that you'll lose your love back home when you don't really know you feel about your new friend. In this case, odds are that you're then using your sweetheart as a kind of safety net in case your new relationship doesn't work out. And that sure sounds to me like treating them "as a means only."

And how do your actions look against a strictly "rational" standard? First, what kind of "maxims" or policy statements can we come up with that describe your actions? What you told your love at home looks something like: "When I'm away from you, I won't do anything that will lead to my falling in love with someone else." Your recent behavior might be governed by: "When I meet someone attractive and interesting, I want to be able to get to know them and spend time with them." Is there any kind of flat contradiction or inconsistency here? Probably. Let's be realistic. Spending a lot of time with an attractive, interesting and available member of the opposite sex isn't going to bring you and your high school sweetheart closer! So you're probably doing the kind of thing you said you wouldn't do. It doesn't matter if you still love the person back home, that "what they don't know can't hurt them" or if your new relationship doesn't work out. What you're doing doesn't really square with what you said you'd do.

Can your maxims hold universally? What would the world look like if everyone acted according to them? If we all reserve the right to spend time with attractive members of the opposite sex, despite any commitments we've made to others, we'd be crazy to believe any such promises. In practice such a promise would amount to "I'll be true to you until someone more interesting comes along." And that's not much of a commitment. And a promise to be true no matter what keeps us from exploring interesting relationships with other potential lovers. The two maxims cancel each other out. You couldn't have a

world in which both of them held.

Of course, you can have a world in which one or the other holds. People either stand by their word or there's no pretense of commitment and everyone runs the same risks. In short, if you really want your actions to measure up, you've got to give up either the new relationship or the exclusivity of the old one.

I hope that by now the idea of evaluating the moral character of actions without referring to consequences makes some sense. As I said before, an act-oriented or deontological thinker holds his "ethical yardstick" only against the actions in question and looks to see how well they "measure up" to a standard of "humanity." How appropriate are the actions for humans to do or experience? How much do these actions fit, agree with or harmonize with a basic standard of humanity?

And what's a good standard of "humanity"? Well, we looked in depth at at least two of the most important components--choice and rationality--and we saw how Immanuel Kant bases his conception of a moral law on them. And I mentioned in passing that there are many more concepts to bear in mind: dignity, respect, fairness, justice, privacy, toleration and so on. Think about what is unique or most positive about humans and you've got your standard. As far as an act-oriented approach to philosophical ethics is concerned, the more an action conforms to such a standard, the more likely it's promoting or fostering human good or happiness, and so the better it is morally.

However, I want to conclude with a few words that you should find surprising. Because there is more that we can add to our standard or yardstick for evaluating actions. I mean things like compassion, understanding, sensitivity, sympathy and the like. These qualities are all decidedly emotional, but how could we exclude them if we're trying to describe a standard of what is best and most positive in humanity?

I said at the outset of this handbook that emotion doesn't play a large role in ethics, but I was talking there about not using your feelings as a guide for your moral beliefs. But that doesn't mean that positive and altruistic emotions can't come to play in analyzing some action or that they don't tell us something that a strictly logical analysis misses.

Take the case of so-called "reverse discrimination," for example. A strictly logical act-oriented approach would probably reject using race or sex for any kind of decision because it's inconsistent with the idea of human equality. However, a sensitivity to the present, practical consequences of generations of discrimination against non-whites and women and to the frustration and indignity suffered by people who are in a competition which gives white men a head start might suggest that the "truly human" approach to this problem shouldn't be quite so cut and dry.

It's not easy in appraising the moral character of an action to shift from a strictly rationalistic viewpoint to one that is more all encompassing of human virtues. And it's difficult to know when to give one more weight than the other. But remember that I said that an act-oriented approach deals a lot with intangibles and that you have to use your intuition and judgment. Well, this is where you can see what that means. I can say this, however. The more you're self-consciously aware of trying to do this kind of juggling act, the better you get at it. It's like any skill--you improve with practice.

Before ending this chapter altogether I want to add a word about an approach to evaluating the morality of actions that, strictly speaking, is deontological, but also significantly different from what I've been

describing. And that's the approach that says that acts are immoral by virtue of being "unnatural."

As I said, this way of appraising actions is deontological because it evaluates deeds solely in terms of their internal character. Actions are intrinsically right or wrong. People who think this way adopt "nature" as the standard by which they judge the intrinsic merit of actions. You find this style of thinking surfacing most frequently in discussions of sexual morality. Homosexuality, oral and anal sex are considered morally wrong by some people because these practices don't conform to the "natural" pattern of heterosexual intercourse. Similarly, the Roman Catholic Church bars artificial means of contraception because such devices or chemicals interfere with the "natural" reproductive function of the sexual organs.

On the other hand, this approach is different than what I've been talking about for two reasons. First, some people try to settle ethical disputes by using the idea of what's "natural" as an authority. And this is no more acceptable than using the authority of law, religion, individual opinion or personal feelings.

Second, this perspective differs from that of philosophical ethics because the ultimate standard is what's natural not what's conducive to human good. Now obviously there should be a close connection between the two, but what happens in the world of biological forces and what's most positively and uniquely human aren't necessarily identical. It all comes down to how you understand "natural." Sexual intercourse for the sake of having children is obviously "natural" in a physical way, but making love solely for the sake of experiencing affection and communicating our caring for someone else is "natural" in terms of the emotional side of our beings. Homosexuality may not be "natural" in that most people are heterosexual and that homosexual sex won't produce children. But that homosexuals can and do exist show that in another sense homosexuality must be "natural"--the workings of nature produce it. And in still another sense we all know that being able to exercise free choice in how we shape our private lives is also "natural" for human beings. Also, aggression may be "natural" to man in the sense that wars of conquest characterize millions of years of human history, but surely that doesn't make imperialistic aggression "good" and a positive trait for human beings. In short, talking about "natural" versus "unnatural" and trying to link "natural" and "ethical" is much more complicated than it first looks.

Now I'm not going to go on with this, although it is potentially a very large topic. I simply wanted to point out that you can find approaches to ethics that sometimes look like a philosophical approach, but aren't really the same thing. In this instance, if you're confronted with someone who equates "natural" with "ethical," you're entitled to ask for an explanation of what "natural" means and how that links directly with the idea of "human good."

An act-oriented (or deontological) approach to ethics, then, focuses exclusively on the actions we're evaluating, instead of the results or consequences. As is always the case in philosophical ethics, we use a human standard or 'yardstick' to see if the deeds under question 'measure up.' So the basic question in an act-oriented approach is simply: Is the action being scrutinized 'appropriate' for human beings to do or experience?

But exactly how do we decide whether actions are morally acceptable or not without any reference to their consequences? The fact that moral responsibility proceeds from our ability to know what we're doing and to choose our actions led us to begin with the concept of freedom. We saw how Immanuel Kant gives us a basic moral principle which says that actions are morally defensible to the extent that they respect the freedom, dignity and autonomy of people. And then working from the rational character of the human personality, we saw that Kant gives us another basic guideline to the effect that the principle of our action must be able to be applied universally and be

free from internal contradictions and inconsistencies. And if we add to our 'yardstick' concepts like justice, fairness, sympathy and compassion, we end up with a fairly good standard to use to determine the moral character of an action itself.

1. Think about ways in your everyday life that you make decisions about whether or not to do something because of the actions themselves with little or no regard for the consequences. Do you make some or all of your ethical decisions this way?

2. Do you really think that some actions are intrinsically wrong, that is, that they're unethical no matter what the consequences? If so, what are they? Explain in common sense terms why you think they're wrong.

3. Do you think there are times when it's justifiable to force people to do something for their own good? How about compulsory school attendance laws? What about outlawing tobacco?

4. Come up with your own description of how people should be treated "just because they're human beings."

5. Think about the "dating" example in this chapter. What would you do if you found yourself in this situation? How would you figure out what the right thing to do is?

6. Do you ever hear yourself saying that some actions are wrong because they're "unnatural" or "perverse"? What are they? What do you mean when you say that?

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Before going on I want to take a minute to clarify something. I've been talking about human nature and saying things like "we're entitled to justice, fairness, toleration and the like just because we're human" and "intelligence and a need for freedom are distinguishing human characteristics and make the idea of moral responsibility possible in the first place." To be absolutely precise about it, let me explain that I'm not really talking about humans but persons.

Now these concepts overlap, but there's a difference. To be "human" is to be a member of the biological category "homo sapiens." However, as is clear from the abortion debate, it's not self-evident that being human is enough to make something a person. (The fetus is "human," but at best it's only a "potential person.") Other things are involved than just human parentage--self-consciousness, the ability to choose, and so on. And it's

these other things that are important in ethics.

Another way to look at this is that there's no reason why a non-human can't be a person. We see this in science fiction all the time. For example, Chewbacca, the Wookiee in Star Wars, is clearly a person, although he is just as obviously not homo sapiens. A better example for seeing the connection between being a person and ethics, however, is the movie The Day of the Dolphin. Remember the plot? George C. Scott is a marine biologist who has trained a couple of dolphins, Alpha and Beta, to speak. Impressed by the intelligence and skills of the dolphins, a group of men kidnap the mammals and try to use them to assassinate the President. In the end, Alpha stops Beta from planting a bomb on the President's yacht. In addition, having figured out that the conspirators are evil, the dolphins then blow up their boat. Thus, these dolphins are clearly persons who are capable of moral deliberation and choice. Even though they're not human, they're persons and thus moral agents.

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I can just hear some of you saying, "What does he mean, 'All lies are illogical, irrational and don't fit some human standard?' Common sense tells you there are times when lying makes sense. How about lying to protect someone from getting hurt? Furthermore, lying is very human. People do it all the time."

Be sure that you understand what I mean. First, to say that a lie is "defensible" and that technically it's "irrational" and "illogical" are two different things. The latter means only that it violates the canons of logic. In some circumstances you might conclude that that's the right thing to do. But that's another issue.

Second, when we lie, a different part of us than the mind's need for logical consistency is in charge of our actions. Actually, our emotions are probably then in control. Think of the reasons we lie--fear, greed, love, hate and the like. They're all emotions. And when we lie, those feelings are stronger than the mind's need for consistency. Now, the fact that people lie so much doesn't mean that, strictly speaking, lies are logical or rational. But it does show that (as psychologists have always known) people have an easy time doing things for irrational reasons. However, think of the character Spock in Star Trek. Spock is a Vulcan (o.k., half human, half Vulcan) and acts according to reason, not emotion. And what's the result? Vulcans can't lie! Why not? They'd be saying something illogical. Vulcans may suppress their emotions more than humans do, but reason and logic are the same for both of us. And that's what I mean by saying that lying doesn't fit a human standard--the standard of human reason.