Absolute Deontology (Immanuel Kant)

1. **Absolute Deontology**: Utilitarians believe that there is *NO particular type of action that is just plain wrong*, but most of us disagree. For instance, recall cases like Organ Harvest. In Organ Harvest, the doctor murders one patient in order to save four others. So long as the action produces the best consequences, it is not morally wrong, says the utilitarian. In fact, *NO ACTION* is always wrong on Utilitarianism; murder, rape, lying, stealing and so on are *ALL* morally permissible in many circumstances, so long as they produce good consequences. But, this seems mistaken. Things like murder and rape DO seem wrong—and not JUST when they bring about bad consequences.

If our intuitions are correct, then there is more to morality than mere consequences. In addition, it seems that the TYPE of action performed is morally important. This was Immanuel Kant’s view. He endorsed a view called “Absolute Deontology”:

**Absolute Deontology**: The view that we have certain moral duties, and these duties are **ABSOLUTE** (that is, they admit of NO exceptions).

Absolute Deontologists (“Absolutists”) believe there are certain things that you should or should not do. Furthermore, they are “absolute.” In other words, they do not have any exceptions. You should fulfill these duties no matter what; at all costs. For example, Kant believes that “You should not lie” is an absolute duty. Since it admits of no exceptions, this means that it is *never* morally permissible to lie.

As a general rule of thumb, sometimes it is stated that all of the moral imperatives can be reduced to this one simple rule:

> “Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.”

What does this mean? Roughly, people are not just “things” to be used as tools to achieve our own goals. Any time you use someone as a mere MEANS to an end, you are doing something morally wrong. For instance, consider the Organ Harvest case again. By killing the innocent patient, the doctor is treating that patient as a mere object. The innocent patient is merely a MEANS to saving the other three patients. In that scenario, the doctor does not respect the fact that the patient has their OWN life, and goals and desires—and that one of these desires is to not be killed by the doctor.

This does not mean that we can’t ever use people; we just can’t “only” use them. That is, if we DO use them, we must ALSO at the same time treat them as an “end.” For instance, imagine that I call an electrician to do some work for me. He gives me a price for the work, I agree to pay it, and he completes the job for me. In this case, though it is true that, in some sense, I am “using” him to do some electrical work for me, I am not ONLY
using him. I am not “merely” treating him as a means, but also as an end, since he AGREED to do the job for a certain fee. In short, if you want something from someone, you must ASK them, and let them decide whether or not they want to do it. With any luck, maybe your goals will become THEIR goals, and they will help you.

2. An Objection to Absolute Deontology: Consider the following case:

- **Crazed Murderer**: A stranger knocks on your door. When you answer, they explain that they are being chased by a crazed murderer and they need to hide quickly. You hide them in your closet. A moment later, a crazed murderer shows up at your door. He asks if you are hiding anyone inside. You say yes, and lead him to his victim in your closet, whom he then murders.

It seems that Kant would say that you act RIGHTLY in this scenario. (gasp!) Recall that “You ought not lie” is one of the moral imperatives, and that these moral imperatives are ABSOLUTE—they have no exceptions. In that case, it is NEVER morally permissible to lie. So, when you tell the crazed murderer the truth, you are doing the morally right thing. You have done nothing wrong, according to Kant. But, it is obvious to most of us that you have done something wrong in the Crazed Murderer case. You SHOULD HAVE LIED to the murderer. So, Kant’s view must be mistaken.

3. Moral Dilemmas: Above, we saw reason to believe that perhaps the moral imperatives are NOT absolute. Maybe IN GENERAL it is wrong to lie, but there can be exceptions. Maybe it is the morally RIGHT thing to do to lie in the Crazed Murderer scenario. But, in that case, the moral rules are not ABSOLUTE—rather, perhaps they DO have exceptions.

But, perhaps the Absolutist’s view is not really that simple. For, it seems like the imperative “You ought not aid someone in a murder” is ALSO a plausible duty. If that is so, then in Crazed Murderer, you have no choice but to violate one of two moral duties. Either you violate the imperative, “Do not aid a murderer” by telling the truth and leading the murderer to his victim, or else you violate the imperative, “Do not lie” by lying to the crazed murder, telling him that you have not seen anyone. Either way, you have done something morally wrong. On this version of Kant’s view, there is no possible right action. This is called a “moral dilemma”.

In a moral dilemma, acting rightly is impossible, since either way you disobey some moral rule. This is typically seen as a bad feature of any moral theory. Typically, we think that “ought implies can”; if you ought (morally speaking) to do something, then it had better be possible for you to do it. But, it seems like you OUGHT to refrain from acting wrongly. In the Crazed Murderer situation, however, you CAN’T. So, even if Kant tries to revise his view in this way, he is still stuck with an unfortunate result: Moral dilemmas would abound. [Do you agree that this is a bad feature of any moral view?]
1. The Search For a Moderate View: Utilitarians conclude that it is morally permissible to cut open one healthy, innocent person in order to distribute their organs to four others. It is permissible, they say, because the CONSEQUENCES are good ones, and this is all that matters, morally. But, this seems mistaken. **There is more to morality than mere consequences.**

Absolute Deontologists conclude that it is morally obligatory to tell the truth to a crazed murderer who asks you where his victim is. It is obligatory, they say, because certain actions are ALWAYS WRONG, no matter the consequences. The consequences do not matter at all, morally. What matters in this case is that lying is always wrong—period. But, this too seems mistaken. **Morality is not simply a list of exceptionless rules.**

What we need, then, is some kind of moral theory which states that we DO have obligations to do and not do certain sorts of things (after all, there does seem to be SOMETHING wrong with lying, stealing, and killing, etc.), but these obligations are not ABSOLUTE. Sometimes, the consequences are SO bad, that our obligations can be overridden. For instance, though lying is GENERALLY wrong, telling the truth to the crazy murderer will result in consequences that are SO bad (namely, the death of the victim), that the general wrongness of lying is overridden in this case. Often, in the real world we have COMPETING obligations—and whenever this happens we must do whichever duty is stronger. This is the view of W.D. Ross.

2. “Prima Facie” Duties: Ross believed that we have many duties, and some of these duties are stronger than others. When two duties conflict, we should fulfill whichever one is stronger. So, Ross’s duties are not **absolute** ones. They are what he calls “**prima facie** duties.”

**“Prima Facie” Duty:** Prima facie duties are ones that we have **some reason** to fulfill, but that reason can be overridden by some other, stronger moral reasons. So, prima facie duties are moral obligations that we have, but these obligations are not absolutely binding. They can be overridden by other, competing moral duties, so long as the moral reason to fulfill that competing duty is stronger.

For instance, in the Organ Harvest case, we have two competing duties: the **duty to help others in need** (i.e., to the three dying patients) and the **duty to not harm others** (i.e., to the one healthy patient). Though these duties conflict in this case (we can only fulfill one or the other), the duty to not harm others is generally thought to be MUCH stronger than the duty to help others. So, the duty to not harm the one OVERRIDES the duty to help the three, such that (overall) it is morally wrong to kill the healthy patient.
Or, consider the Crazed Murderer case, where we ALSO have two competing duties: the **duty to help others in need** (i.e., to the victim) and the **duty to not lie to others** (i.e., to the crazed murderer). Though these duties again conflict in this case, the duty to help others when a life is at stake is generally thought to be MUCH stronger than the duty to not tell a lie. So, again, the duty to help the victim OVERRIDES the duty to tell the truth to the murderer, such that (overall) it is morally wrong to tell the truth to the murderer.

So far, we have identified THREE prima facie duties: the duty to help others, the duty to not hurt others, and the duty to be honest to hers. Ross calls these the duties of **beneficence**, **non-maleficence**, and **fidelity**, respectively. In all, Ross identifies SEVEN prima facie duties (though he admits that this list may be incomplete). These are:

1. **Non-Maleficence**; the duty to not harm others.
2. **Beneficence**; the duty to help others.
3. **Fidelity**; the duty to be honest.
4. **Reparation**; the duty to compensate those whom you have wronged.
5. **Gratitude**; the duty to acknowledge those who have benefited you.
6. **Justice**; the duty to be fair.
7. **Self-Improvement**; the duty to improve your own virtue, intelligence, etc.

3. **Positive and Negative Rights**: We have already looked at two examples of how one prima facie duty can override another. Recall that, in the Organ Harvest case, we said that the duty to not hurt others is MUCH stronger than the duty to help others. Is that correct? Most people seem to think that it is obvious. Consider an example:

   **Crowded Cliff**: You are standing at the edge of a cliff with a crowd of people. The crowd surges, and someone next to you begins to slip over the edge. At the last second, you shove someone else off the edge in order to make room for the slipping person, thus saving their life.

   Is shoving someone off of the cliff to make room for someone else who is about to fall morally permissible? The Utilitarian would say that it makes no difference what you do in this case. Letting the slipping person fall, or shoving someone else off to make room for them amount to the same consequence: One person dies. Most of us would disagree, however. CLEARLY our duty to not kill an innocent bystander overrides our duty to aid the person who is slipping. This is an indication that our duty to not hurt others is much stronger than our duty to help others.

   Typically, we say that human beings have both **positive** and **negative** rights. Corresponding to these are **positive** and **negative** duties. For example:
Negative Rights: It is commonly thought that all human beings have rights to life, and liberty. If YOU have a right to life, then OTHERS have a duty not to take that life away from you (i.e., they have a duty not to kill you). Similarly, if YOU have a right to liberty (i.e., freedom), then OTHERS have a duty not to take that liberty away from you (i.e., they have a duty not to enslave you). These are examples of NEGATIVE RIGHTS, because they are **rights to NOT have certain things done to you** (e.g., murder, enslavement, etc.).

Positive Rights: It is also commonly thought that all human beings have rights to proper medical care, education, and justice (legal representation, a fair trial, and so on). If YOU have a right to medical care, then OTHERS have a duty to give it to you. Similarly, if YOU have a right to an education, then OTHERS have a duty to provide you with one. These are examples of POSITIVE RIGHTS, because they are **rights to have certain things done for you**.

It seems to most people that negative rights are much stronger than positive rights—and our duties that correspond to these rights reflect this. For instance, I have a much stronger duty to not kill someone than I do to provide aid to a starving nation that will save someone’s life.

With all of this in mind, whenever it comes time to make a moral decision, we can assess the situation by weighing all of the rights of the people affected by that decision, and all of the duties that are associated with those rights. In the end, the morally right decision is the one that obeys whichever duty is the strongest.

**4. Objections:** A couple of objections have been raised against moderate deontology:

(1) **The Utilitarian Objection:** According to Ross, contrary to Utilitarianism, there is obviously no connection between “rightness” and “optimization.” But, in effect, what he is saying then, is that, if everyone acts rightly then the result will be a world that is less than the best. Roughly, deontology dictates that it is sometimes morally right to perform the action that would result in WORSE consequences (for instance, even if you could bring about a little more happiness by breaking a promise, you ought to keep your promise anyway).

But, the objection states, shouldn’t morality guide us in such a way that, if we all acted rightly, we could achieve the best world possible?
(2) The Firmness of Moral Intuition: Ross states that we recognize the prima facie
duties because each one is “self-evident”—that is, “without need of proof, or of
evidence beyond itself.” He thinks that it is just OBVIOUS that the duties on his list are
things that we ought to do. This is a form of ethical intuitionism, which says that we
have an intuitive grasp of moral truths, with no need for any evidence except the
intuition itself. But, are our intuitions infallible? Perhaps we are just WRONG. Often,
throughout history, there have been LOTS of things that were “obvious” that turned out
to be false. For instance, it once seemed “obvious” to everyone that the Earth was flat,
and that the Sun went around the Earth. It also seemed “obvious” to most that everyone
who was not a white male was inferior to white males. Both of these claims are mistaken,
however.
The Trolley Problem

1. The Trolley Problem: Consider the following pair of cases:

- Trolley: There is a runaway trolley barreling down the railway tracks. Ahead, on the tracks, there are five people. The trolley is headed straight for them. You are standing some distance off in the train yard, next to a lever. If you pull this lever, the trolley will switch to a different set of tracks. Unfortunately, you notice that there is one person on the side track. You have two options: (1) Do nothing, and the trolley kills the five people on the main track. (2) Pull the lever, diverting the trolley onto the side track where it will kill one person.

- Fat Man: There is a runaway trolley headed toward five people again. Only, this time, you are not in the train yard next to a lever. You are on a bridge, watching the events from above the tracks. There is a very large man next to you. You realize that, if you push him off the bridge and down onto the tracks below, the trolley will hit and kill him, but his body is so large that it will stop the trolley before it reaches the five endangered people. You have two options: (1) Do nothing, and the trolley kills the five people. (2) Push the large man off the bridge, so that he dies, but the five others are saved.

About 90% of people say that you SHOULD kill the one in Trolley (by pulling the lever), while 95% of people say that you SHOULD NOT kill the one in Fat Man—though the results are the same.

The Problem Stated: In each case, the option is to kill 1, or let 5 die. Thus, the 2 cases seem to have the same morally relevant features. And yet, killing the one to save 5 in Trolley is considered a heroic act, while killing the one to save five in Fat Man is considered an act of murder. If there IS such a difference in verdicts between the 2 cases, then there must be some MORAL difference between them. The problem is, What is the morally relevant difference between the 2 cases?

Utilitarianism Not Equipped to Answer: In a sense, Utilitarians do not have a “Trolley Problem.” For them, an action is morally wrong if it fails to maximize happiness. As such, you should ALWAYS kill 1 to save 5 (in Trolley, Fat Man, Organ Harvest, etc.).

Though this seems to deliver the wrong verdict in cases like Fat Man and Organ Harvest, the Utilitarian will just bite the bullet here, and say, “Most people are wrong about those cases. You SHOULD push the fat man, and you SHOULD harvest the one innocent patient’s organs to save five people.”
**Absolute Deontology Not Equipped to Answer:** Similarly, in a sense, absolute deontologists do not have a “Trolley Problem.” For them, certain types of action are just ALWAYS wrong—and killing is one of these wrong actions. As such, you should ALWAYS let the 5 die, if the only way to save them is to kill 1 (so, just the opposite verdict as utilitarianism in all of the cases just mentioned).

Though this seems to deliver the wrong verdict in cases like Crazed Murderer and Trolley, the Absolutist will just bite the bullet here, and say, “Most people are wrong about those cases. Actually, you should NOT pull the lever in Trolley to save the five others, because killing is always wrong. Similarly, you SHOULD tell the truth to the crazed murderer, because lying is always wrong.”

**Moderate Deontology Equipped to Answer?:** Note that Ross’s ORIGINAL version of moderate deontology is not equipped to explain the trolley problem either. He says that we have a duty to help others as well as a duty to not harm others (the duties of beneficence and non-maleficence), and the latter is ALWAYS stronger than the former.

Suppose for instance that the duty not to harm others is one hundred times stronger than the duty to help others. This would mean that, in a case where the only way to save 99 innocent people is to kill 1 other innocent person, you should let the 99 die. But, in a case where you can only save 101 people by killing 1, you should kill the 1. But, BOTH cases above are ones where you can only save 5 people by killing 1. Moderate deontology SHOULD yield the same verdict in both cases, then (namely, let the 5 die).

If we think it is wrong to kill 1 to save 5 in cases like Fat Man and Organ Harvest, but permissible to do so in the Trolley case, we must provide some reason for thinking that Trolley and those other cases are different in some morally relevant way.

Moderate deontologists COULD bite the bullet and claim that the duty of non-maleficence is ALWAYS stronger than the duty of beneficence, and so it is ALWAYS wrong to kill 1 to save 2, or 3, or 4. But, this position delivers the wrong verdict in cases like Trolley. But, if we want to maintain the ideal of capturing the intuitions of “ordinary morality”, we need to come up with a model which can accurately explain our intuitions in these various cases. Why IS it sometimes permissible to kill one to save five (e.g., in Trolley), and sometimes impermissible (e.g., in Fat Man)? Is there any moral distinction which explains our ethical intuitions in these cases?

Many moderate deontologists have attempted to supply an answer to the trolley problem by pointing out that there are multiple WAYS that one can harm another. So, there is not a simple “duty of non-maleficence”. Rather, there are SEVERAL different duties of non-maleficence; and some of these are much stronger than others.
2. **Doing vs. Allowing Harm:** For instance, many have suggested that DOING harm to someone is much worse, morally, than merely ALLOWING harm to come to them. For instance, most think that, if I were to send missiles to destroy starving people in Africa, this would be wrong. On the other hand, merely sitting back and doing nothing while they starve to death is morally permissible.

Keep this distinction in mind. It will come up again later—especially in the debate regarding famine relief. For now, I will only say that, even if doing harm IS worse than allowing harm, this does not explain away The Trolley Problem. For, in both Trolley AND Fat Man, you seem to be DOING harm to the one in order to save the 5 (either by pulling the lever or by pushing the man), rather than merely sitting back and allowing it.

3. **Intending vs. Foreseeing Harm:** Philippa Foot (who authored the original Trolley case) suggests that the difference is that, in Fat Man, one **intends** to harm the fat man as a means to saving the others. In that scenario, it is necessary to use the fat man as a tool in order to save the others (though using him this way will kill him). Meanwhile, in Trolley, one does not intend the harm at all. Rather, one merely **foresees** it as an unfortunate, unintended side-effect. We do not REQUIRE the death of the one in order to save the five in Trolley. In fact, we would be quite relieved if the one somehow freed himself in time to avoid being hit by the trolley. We would not, if he escaped, chase him down and kill him! Furthermore, **it is much worse, morally, to intentionally harm someone as a means to an end than it is to merely foresee that harm will be done to someone as an unintended, unnecessary side-effect of one’s ends.**

Thus, in Trolley, it is permissible to kill the one because one’s primary intention is to save the five. The death of the one on the side track is a secondary effect (sometimes called a “double-effect.” And the principle that intending harm is worse than foreseeing it is sometimes called The Doctrine of Double-Effect, or DDE). Foot suggests that we have different judgments in the two cases because there are really TWO duties of non-maleficence: (1) The duty not to harm others intentionally as a means to some end, and (2) the duty not to harm others as a foreseen, but unintended side-effect of some action—and the former is much stronger than the latter.

**Application:** This distinction nicely explains the wrongness in many of the cases we have discussed. For instance, recall Organ Harvest, and Crowded Cliff. Killing the innocent person is morally wrong in all of those cases, apparently, because the death is a harm that is intended as a means to some other end.

The distinction also explains our intuition in other cases as well. Consider a pair of cases:
• **Strategic Bomber:** A pilot bombs a factory that contains the enemy’s store of weapons, and thus shortens the war, saving millions of lives. Unfortunately, 10,000 civilians live next to the factory who will die in the bombings.

• **Terror Bomber:** A pilot deliberately bombs 10,000 innocent civilians in order to demoralize the enemy, thus shortening the war and saving millions of lives.

In Terror Bomber, the 10,000 deaths are intended as a means to ending the war and saving millions of lives. In Strategic Bomber, the deaths of 10,000 is merely a foreseen, but unintended side-effect of ending the war and saving millions. On DDE, strategic bombing is morally permissible, but terror bombing is not—and, indeed, the majority of people’s intuitions are aligned with this verdict.

4. **Objection To The DDE:** The following case is said by many to refute the DDE:

• **Looping Trolley:** This is the same as Trolley, except that the side track with one person on it is actually a circle, which loops back on to the main track. If you were to pull the lever WITHOUT one person on the side track, the trolley would merely loop around back onto the main track and kill the five. However, since there IS someone on the main track, the trolley hits them and is stopped by their body, thus saving the five.

In Looping Trolley, the death of the one is intended as a means to saving the five. However, most people still think it is permissible to pull the lever. Does this render the DDE false?