

Katherine Duthie

The Moral Misfortune Of Affluence

The following note was attached to the cover of this essay assignment for a contemporary ethics class...

Dear Dr. Macleod,

I wish to offer you an opportunity.

Three dollars can provide a child dying of dehydration with oral rehydration therapy (ORT), saving her life. Without this sum, that child will inevitably die. I am going to donate money to UNICEF's ORT program. However, it will be up to you to decide how much I donate. For every grade level I achieve with this paper, I will donate \$6 and save the lives of 2 children.

It will work like this:

F: \$0 D: \$6 C: \$12 C+: \$18 B-: \$24 B: \$30 B+: \$36 A-: \$42 A: \$48 A+: \$54

Enjoy the essay!

Katherine Duthie

NB: complete confidentiality is assured.

Most moral problems are not new. Philosophy persists partly because many of these issues have no clear answer. Still, even without these resolutions, the average person behaves in a morally decent manner. Although we may not agree that moral truth exists, and we may even conclude that there is no such thing as right and wrong, we do not kill or steal. In this respect, our behaviour regarding the moral issue of famine relief differs. Most people fall significantly below what many argue is the minimum standard of behaviour.

Accounts of this minimum standard are varied and in some cases, extreme. In his recent book, *Living High and Letting Die*.¹ Peter Unger derives counterintuitive and bizarre conclusions pertaining to the extent of our obligations. The purpose of this paper is to show that Unger's account is too extreme and demanding in its scope. Using a Kantian approach, Unger's conclusions can be modified to be less conflicting with internal values and more accessible for moral agents.

I will first present a summary of Unger's project. Then, I will introduce a thought experiment to show that Kantian ethics will render our famine ethic more useful. Following this, I will summarize the basic Kantian position and evaluate a selection of Ungerian analogies using some Kantian-based principles. Finally, I will outline the more modest Ungerian minimum standard of behaviour in famine ethics after it has been restricted by Kantian principles.

Unger on moral obligations:

Peter Unger's book challenges current intuitions we have about donating to famine relief. These

intuitions result in the belief that "while it is good for us to provide vital aid, it's not even the least bit wrong to do nothing to help save distant people from painfully dying soon"². Unger argues that it is seriously wrong to do nothing to lessen distant suffering and that this inaction conflicts with the truth about morality. His project is based on Peter Singers general proposition³: If we can prevent something bad without sacrificing anything of comparable significance, we ought to do it. Singer's famous Shallow Pond is the first 'intuition-pump' analogy presented in Unger's book. It is as follows:

Shallow Pond: The path from the library at your university to the humanities lecture hall passes a shallow ornamental pond. On your way to give a lecture, you notice that a small child has fallen in and is in danger of drowning. If you wade in and pull the child out, it will mean getting your clothes muddy and either canceling your lecture or delaying it until you can find something clean and dry to wear. If you pass by the child, then, while you'll give your lecture on time, the child will die straightaway. You pass by and, as expected, the child dies⁴.

In nearly everyone's intuitive moral judgment, this behaviour is considered outrageous. Unger's second analogy contrasts the first:

The Envelope: In your mailbox, there's something from UNICEF. After reading it through, you correctly believe that, unless you soon send in a cheque for \$100, then, instead of each living many more years, over thirty more children will die soon. But, you throw the material in your trash basket, including the convenient return envelope provided, you send nothing, and, instead of living many years, over thirty more children soon die than would have had you sent in the requested \$100⁵.

In this case, most people agree that your conduct wasn't morally wrong in the least.

In both cases, you can prevent certain death at a relatively insignificant cost. We respond negatively to the actions described in the Pond analogy where one child dies, yet we do not feel that allowing 30 children to die is a morally wrong decision. These two cases demonstrate the opposing responses that can arise when we rely on moral intuition. Unger's project is to address this disparity with rational resolution.

Unger describes our Basic Moral Values (Values) as a component of the moral framework that makes up our most basic moral commitments. Within the realm of moral philosophy, Unger describes two camps; the Preservationists and the Liberationists. They differ in their beliefs regarding our epistemic access to these Values. The Preservationists believe that our untutored intuitions are always good indications of conduct's true moral status and hence our Values. Thus, our moral theories/reasoning must accommodate these reactions. Preservationists wish to preserve our apparently accurate responses because they reflect our deepest moral commitments. The Preservationist position enables us to defend both our strong response to the behaviour described in the Pond analogy and our tolerant response to the Envelope behaviour. Preservationists would claim that these responses reveal the details of our deepest moral commitments and that there must be a morally significant difference between the two cases to account for our divergent responses.

In contrast, Liberationists believe that, in some cases, our intuitive responses are poor indicators of our Basic Moral Values. They argue that initial intuitive moral responses to many specific cases derive from sources far removed from our Values and ultimately fail to reflect our Values, often pointing in the opposite direction. We will be liberated from the appearance that our moral responses are an accurate reflection of our deepest moral commitments. Unger gives a loose version of a substantive moral belief held by the Liberationists:

Insofar as they need her help to have a decent chance for decent lives, a person must do a great deal for those few people, like her children, to whom she has the most serious sort

of special moral obligation. Insofar as it's compatible with that, which is often very considerably indeed, and sometimes even when it's not so compatible, she must do a lot for other innocent folks in need, so that they may have a decent chance at decent lives.⁶

In the Pond example, our reaction stems from our Values as indicated above, but when confronted with the Envelope, our reaction derives from elsewhere. Unger defends the Liberationist view by capitalizing on our moral responses from Value (as derived from the Pond analogy), and rationally attributing those conclusions in cases where our distorted intuitions prevail (our response to the Envelope).

The approaches of Preservationism and Liberationism differ in other substantial ways. The former does not believe that it is morally acceptable to lie, cheat, steal, maim, or kill to lessen serious suffering. The Liberationist believes that it is always morally good to do these actions if they lessen serious suffering.

It is this latter characteristic of Liberationism which leads Unger to paint an extraordinarily demanding picture of morality in terms of our obligation to prevent suffering, in particular, suffering caused by famine. By examining our moral reactions to many particular cases, Unger uses the intuitions from Value -- those which coincide with the Liberationist's substantive moral belief -- to point out those reactions which are products of distortional thinking (i.e. do not coincide with Liberationist Values such as the Envelope). Unger shows us how there is no morally significant difference between the two cases presented (Envelope vs. Pond) and concludes that we must actively respond in accordance with our Values in both cases.

The more extreme analogies used to show this conclusion will be addressed later as we come to the Kantian implications on Unger's extreme morality.

The Professor's Conundrum:

Now is probably a good time to mention that the note attached to the outside of this paper is not a serious attempt to finagle a good grade. The purpose of this exercise is to examine how congruent Unger's project is with our actual moral responses and behaviour in this proposed situation.⁷ You have two options:

Option 1: You can ignore this offer and give me the mark you feel I have earned. This may possibly result in no children being saved. In this case, I will get what I deserve, more children will die, and you can sleep comfortably knowing that, despite lost lives, you have preserved your professional integrity.

Option 2: You can consider this offer and determine what is at stake. Giving me an A+ will result in \$54 being sent to UNICEF and 18 children will be saved. You may feel that, at the very least, your professional ethics are being taxed (although this would only result in personal consequences). As the letter said, nobody else would know. The equation appears to you in this form:

18 lives (>,<=) violation of your duties as a professor

A Proposed Action:

You determine that 18 lives are worth more than your personal comfort and give me an A+ I may not deserve. As a result, I am happy with my high GPA while you are uncomfortable with having gone against your professional judgment. But 18 innocent children have been saved from needless death.

Macleod's Projected Response:

I will assume that given this very real situation (this is no philosopher's fiction, without that money those 18 children will die) the consequences would resemble the following. Your initial moral response immediately drives you to reject my proposal. Provided you take me seriously, you would be outraged by my audacity and at being put in this situation. You would absolutely not succumb to my demands and my paper would likely receive an even lower mark than usual. I would be dragged into your office and confronted, possibly the University administration would become involved, and, if something didn't come up on my permanent record, I could at least be guaranteed that no reference letters for grad school would be forthcoming from members of the UVic philosophy department. Also, 18 innocent children die.

Ungerian Evaluation:

Here, I will use Unger's method, as outlined in a previous section, to explore how he might evaluate this case. It is likely that Unger would have predicted your negative reaction to this philanthropic opportunity. His next step would be to use an analogy to show that this intuition is wrong and in fact you ARE obligated to evaluate my paper with lifesaving in mind. To demonstrate this, we could use a modified example of the 'Shallow Pond'⁸:

You, Dr. Zwicky, and your dog are walking to the philosophy department. As you pass the fountain, you come across a man who has suspended 18 children just above the water in a net that can be released by a lever that he is controlling. If released, one child at a time will be lowered into the pond where they will drown. Just before you act, the man releases the control. You have only two options: 1) You and Dr. Zwicky physically restrain him without causing harm but only after a struggle during which 6 children die. Or 2), you quickly place your dog in the mechanism which jams the device, thus preventing even one child from dying. Your dog suffers a crushed pelvis and bleeds to death but all 18 children are saved.

An onlooker's intuitive moral response would inevitably be to prevent the death of the children even at the cost of your dog's life. In both the Modified Shallow Pond and the Professor's Conundrum 18 lives are at stake. On intuitions derived from Value, most people would agree that torturing and killing a loyal pet is a highly traumatic experience, but it does not override your obligation to save 18 children. The temporary sensation of discomfort due to a perceived violation of your professional ethics does not override action to save 18 innocent children either. The Ungerian conclusion is that you have an obligation to give me that A+ to save lives.

Ought versus Is:

Why the disparity? Unger provides a supported prescription for action yet you are not sufficiently convinced to take my offer. Unger believes that a good moral theory must consult moral intuitions but be ready to amend our responses if the intuitions are not consistent with one another. Is the purpose of a good moral theory to explain our current moral intuitions/behaviour? Or is moral theory good beyond behaviour that serves to amend or correct our perceived responses? It seems clear that the ideal theory provides motivation for action, or at least does not conflict so drastically with our gut reactions that we ignore the theory all together. In the situation in which we find ourselves, Unger's 'ought' theory has not effectively altered your behaviour. That people do not heed a moral theory does not make the theory bad in and of itself. However, it is not very effective if people cannot see themselves progressing towards the conclusions of that theory. For example, Unger argues that we should be willing to kill one or two innocent others to lessen overall suffering. Although there may be many true premises supporting this argument, I cannot see the day (and do

not wish to) when people are murdered because they knowingly or unknowingly fall into the chain of a causal relationship such that their death will lessen suffering elsewhere. With this result, the most preferable theory seems to be one which is in line, to an extent, with our moral intuitions, yet offers clear guidelines of conduct when the moral good option isn't immediately available to us. This diminishes the possible internal conflict which may arise when an action is counterintuitive, thus making the moral theory easier to adhere to. Perhaps a less demanding moral theory is better than none at all.

The Kantian approach:

Kant formulated a principle that he believed represented our most fundamental moral belief -- the Categorical Imperative (C.I.). There are many formulations of this principle⁹ but for the purposes of this discussion, I will only address two of them:

1) Universal Law Formulation: "Act only on that maxim through which you can at the same time will that it should become a universal law"¹⁰

2) Formula of the End in Itself: "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"¹¹

Barbara Herman's article, *Mutual Aid and Respect for Persons*,¹² shows how a duty of beneficence can be derived from the Universal Law Formulation of the C. I. We cannot will a Universal Law that is irrational. Herman shows that to will a law against beneficence results in a contradiction of will. Her argument is based on the proposed existence of 'true needs' that she defines as the ends that must be realized if a person is to function as a rational agent. As imperfect rational agents, we set ends to fulfill our rational agency (true needs) yet we may not possess all the skills and talents to meet these ends. It is the action and aid of others that allow us to meet these ends that in turn maintain our rational agency. For example, if I were suspended above the Pond while two professors were able to save me, I would will that they attempt to do so. If I had previously willed a Universal Law opposing beneficence, I would, at that instance in the pond, be contradicting myself, therefore we cannot accept the action of non-beneficence. She then explores the contradictory maxim: "to help some others sometimes." This can also be described as the duty for Mutual Aid. This duty is a form of beneficence which emphasizes the community aspect of morality. According to Herman, Kant believes it is the nature of the relationships between rational agents that forms the basis of our mutual aid commitment.

The details of the derivation of the duty for Mutual Aid are as follows. We cannot morally have a duty to help someone at all costs. In our moral community, we each have an equal claim to each other's resources. Membership in the mutual aid community does not depend on one's usefulness but on one's status as a rational agent. The action of having done a deed yesterday cannot weigh against a claim today, especially if the costs are negligible. We may refrain from helping only if such an action would place our own rational activity in jeopardy. Receiving frequent requests for small sacrifices is a moral misfortune. Since we are all dependent rational beings, we are all equally obliged by the duty of mutual aid. Kant and Herman have established the existence of beneficence.

A second Kantian scholar, Onara O'Neil, in her work, *The Moral Perplexities of Famine relief*,¹³ uses the Formulation of the End in Itself to discuss the consideration of personal autonomy in our actions. The essence of this formulation forbids the use of people merely as tools to meet the ends of others. To use someone as a mere means is to involve them in a scheme of action to which they could not, in principle, consent. Such actions include breaking promises, deceiving, or coercing someone into action. If not acting would use another as mere means, the act is obligatory. Although

Kant does not explicitly rank which helpful action is prioritized ahead of another, O'Neil concludes that relief of famine must stand very high among duties of beneficence.¹⁴

These two papers allow us to come to some conclusions as to our modified obligations in the face of famine. It is clear by Herman's discussion of beneficence that we have a strong and equal obligation to all rational agents in that we act so they may maintain their rational agency and reached their desired ends. Kant and Unger (and many others) agree that we must act to end suffering. When we bring in O'Neil's discussion, we see that, according to Kant, there are moral restrictions on how we may act to reach this goal, where Unger would deny such restrictions. We may in Kant's view justifiably risk or sacrifice our lives for the sake of others, however, no other may use either our lives or our bodies for their ends without our consent. As Unger advocates, to in any way use someone as a mere means is to deny their rational agency.

Unger's Analogies with Kant's Ethic:

By engaging in the analogies Unger uses to determine his view on moral obligations to famine relief, we can address the latter at the root of its source and evaluate the extreme features of his project -- that you can coerce, lie, cheat, steal, maim, and kill if it will lessen serious suffering (i.e. life or death in a famine population).

A favorite analogy of mine is entitled The Foot¹⁵:

In the park outside your window, there is a man reading the sports pages. In homes bordering the park, there are 60 neighbours who were bitten by certain rats and, through no fault of their own, have contracted a fatal disease. Now, if you do nothing about the situation (your first option), in a couple of days these 60 people will die from their disease. Still, you have precisely one other option: Because he has a certain very rare body composition, a life-saving antidote can be made from only a foot's worth of the reader in the park. (Now, you may first ask this man to give up a foot for the neighbors. But, saying he's no hero, he'll decline.) On this other option, after rendering the reader unconscious, you push a button and, with your trusty knife, you slice off one of the man's feet, say, his left foot. After liquefying the free foot, you inject a sixtieth of the product into each of the neighbours. So, on your second option, you'll save 60 lives and you'll make one have just a single foot for the rest of his own long life. On reflection, you choose the first option. The man keeps his foot, and the 60 neighbors die.

Unger predicts that we have a negative moral reaction to this scenario. He uses this to conclude that, in fact, our reaction is right; we should have forcibly cut off the man's foot for 60 lives. Therefore, in the event that a similar situation arose in which we could save victims of starvation from dying by cutting off someone's foot, we should do it.

This would not be Kant's reaction. As previously established, we may not use the bodies of others without their consent to the benefit of our ends (be they benevolent or otherwise). In the analogy, to choose not to cut off the foot would have been the morally correct choice; this can also be reconciled with our intuitions. We may still argue that we are morally obligated to give up a foot to save many. However, it is not morally permissible to violate someone's rational agency by touching them without their consent. It is not the removal of the foot itself that removes rational agency; it is the lack of consideration for the foot holder's ends (i.e. their use as a means) which denies them treatment as a rational agent. So in this case, it is the man in the park who is acting immorally, and we are not in a situation (aside from reasoning with him) to rectify the situation.

If the Kantian approach dictates that we cannot, without consent, cut off someone's foot to alleviate serious suffering, it is hardly necessary for me to illustrate the point further by addressing Unger's

analogies to show that we ought to take lives of others for the same end. The Kantian ethic makes it clear that we cannot compromise our own or anyone else's rational agency (autonomy) for any ends. It should be noted however, that according to Kant, we are free to risk our lives for the sake of others, whereas Unger obliges us to do this.

As we revisit our Professor's Conundrum we can determine why my actions are morally unacceptable. It is a simple case of a violation of the Formulation of the End in Itself version of the C.I. In providing you with this offer, I am preying on your moral convictions. I believe that you would not want to act in such a way that would cost innocent lives. With this in mind, I offer you a choice where one causal outcome (be it stipulative or not) is a number of children dying (something you do not want). The second option is also an outcome that is undesirable because, as a professor, you feel you have a duty to your students to fairly and objectively evaluate their performance, foster learning, and develop their minds (or at least their capacity for moral philosophy). By placing your professional ethics and your moral responses to suffering at odds, I am manipulating your actions by forcing you to violate one to further my ends. Robert Paul Wolff writes, "To coerce a man rather than persuade him is to treat him as a thing governed by cause rather than a person guarded by reasons."¹⁶ This case is slightly different than standard coercion because I am coercing you into giving me a higher grade, something I could not achieve simply by persuasion. I am manipulating your moral responses by placing them in opposition to each other when, really, there is no reason why you could not be a fair professor and give benevolently to charity. This manipulation treats you as a mere means to my academic success, not as an end in itself. In that respect, I have violated the Ends in Itself Formulation of the C.I. To pose this ultimatum is a morally wrong action on my part. You needn't consider the letter further.

Kant and famine:

Aside from certain conflicts with Unger, how does a Kantian arrive at a moral position on our duties to famine relief? Many philosophers who address famine ethics contend that distant suffering is morally different than near suffering. Unger calls this "separational thinking"¹⁷ and argues that there is nothing morally relevant about the proximity of suffering. Kant has not specifically addressed this issue but, according to Herman, membership in the mutual aid community depends only on one's status as a rational agent. There seems to be no indication that this community cannot extend across oceans and borders. Herman says, "So long as there is not ultimately unabridged barrier to mutual help between us and this other race ... their inclusion into the community will stand."¹⁸ Although we are all equally obliged to help those in need, we are neither obliged nor morally permitted to violate the rational agency of our fellow helpers to ensure this obligation is met. An individual who refuses to help experiences his or her own moral failing. While we may be right in pointing it out, we cannot change it. Forcing them to do so would compound the moral issue by displaying your own. We are suffering from the moral misfortune of affluence. If we receive 10 requests a year for aid from OXFAM and we fulfill nine of them, we are as obliged to fulfill the tenth as we were the first.

The Kantian approach does eliminate the extreme obligations to reduce suffering put forth by Unger. However, it still results in a morally demanding dictate. We may refrain from helping only if such an action would place our own rational activity in jeopardy. What is it to be rational? More to the point, what condition would put our rational agency in jeopardy? These are rich and interesting topics that I will not fully explore here. We can look at this question from the top down; if you donated 10% of your income to famine relief, would you still be a rational agent? What about 20%? 50%? Could you live in a modest apartment? Could you drink Queen Anne scotch instead of Glenlivet? Could your family exist with only one vehicle all the while maintaining your status in the moral community? The obvious answer to all of these questions is yes, and we could do with a lot less than just these

things. In order to take away our rational agency someone would need to come and take these things from us. Kant and Unger converge briefly but diverge in the foundations of their projects. While there is little to dispute in the reasonable demands of Unger's project, Kant has pointed out the true limits of our conduct in this matter -- we must all decide to give until it hurts.

Notes

1 Oxford University Press, 1996.

2 Ibid., p. 7

3 See p. 169 of the original edition of his Practical Ethics, Cambridge University Press, 1979.

4 Unger, p9

5 Unger, p.9

6 Unger, p.12

7 This is intended as an enlightening example and nothing more.

8 Unger, p.9

9 See Groundwork of the Metaphysic of Morals, I. Kant, Harper Torchbooks, 1964.

10 Ibid., p.421

11 Ibid, p.96

12 Mutual aid and Respect for Persons. Barbara Herman.

13 The Moral Perplexities of Famine Relief. Onara O'Neil.

14 Ibid., p. 292

15 Unger p.86

16 Is Coercion "ethically neutral"? p.146 Atherton In. 1972

17 Unger p. 33

18 Ibid., p.61