

## Analysis: an introduction to ethical concepts

### Kindliness: some classic views

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Men of natural or acquired compassion, who are reasonably well-informed, realise that most societies are not especially kindly places in which to live and that generally men do not hold that there is a primary moral obligation to help those who are poor or in need. Attempts to explain this lack of beneficence may generally be reduced to the following argument: the history of mankind is the history of scarce goods and services. It is, in short, the history of man's struggle against death and deprivation. A man must live before he can act, either for himself or to help others. Therefore, 'unless each duly cares for himself, his care for others is ended by death; and if each thus dies, there remain no others to be cared for.'<sup>1</sup> To the extent that a man is rational he will first address himself to his own survival and only then attempt to satisfy his less immediate needs, an attempt that usually exhausts his time and energy without providing as great a return as he would like. Even if he is fortunate and his resources are not exhausted, he may decide to save them to put things away for 'a rainy day.' In the former situation there is nothing to distribute to those in need; in the latter, kindness ('helpfulness towards someone in need, not in return for anything, nor for the advantage of the helper himself'<sup>2</sup>) does not seem to be consistent with a man's long-range self-interest. In either case, kindness is not perceived as rational. To sum up: since kindness is not rational in the face of death, and seldom rational when death is not imminent, it appears to follow that kindness is generally not a rational act.

At least four classic ethical traditions, Judaism, Christianity, Kantianism, and Utilitarianism (especially Mill's theory), reject this argument. Each maintains that there is a duty to help others and that this duty, the duty of beneficence, when properly understood is not irrational.

#### Traditional Judaism

The Biblical obligations of this religious tradition include: leaving the gleanings of the grain fields and

orchards and vineyards 'for the poor and for the stranger' (*Lev. 19:9-10*); allowing the products of the seventh year, when the fields lie fallow and the vineyards are not to be pruned, to be freely shared by all members of the community in order that 'the poor of thy people may eat' (*Exodus 23:11, Lev. 25:27*); and cancelling all debts at the end of the seventh year (*Deut. 15:2*).<sup>3</sup> More general formulations of this duty include the injunctions to open one's hand 'unto thy poor and needy brother, in thy land' (*Deut. 15:11*) and 'to relieve the oppressed' (*Isaiah. 1:17*).

Unlike the ethics of Aristotle which has little to say about those driven to despair by adversity, this ethic is fundamentally concerned about the needs of the poor and unfortunate. Beneficence is considered the sacred duty of the individual who must return to God part of what he has received from God. It is the sacred duty of the community as well to protect its members against the basic vicissitudes of life; and to the extent that the community is rational, it recognises that unless help and care are effectively institutionalised, the hopes of the poor and the needy will be largely in vain. In other words, beneficence is rational because it is part of the ideal way we are required to live in the world. It is rational because we are required neither to sacrifice to the point of, or even close to the point of death, nor are we required to enrich our fellow man. We are only required to maintain life, to live more simply in order that others may live.

#### A Christian view

In Christianity extreme forms of egoism are rejected as false, or at least incomplete. On the other hand, while both disinterested love, benevolence, and the outward expression of this love, beneficence, are possible, to argue that there is a duty of beneficence is to confuse the perfection of moral goodness with moral obligation. The counsel of moral perfection, of course, may require that one love others more than oneself. But the requirements of the truly religious or the saintly are not the requirements of general morality. Strictly speaking, therefore, there is no duty of beneficence. At best, we can say that beneficence, or the sacrifice of self for the good of others, may sometimes be a duty or an act of virtue. Whether a particular act is a duty, or only supererogatory, is determined by comparing the relative

needs of self and others. The circumstances under which one individual is duty bound to help another are far from clear; but if there is a consensus, it is that one is morally required to help when a neighbour is in imminent peril of deadly evil to soul or body and is unable to help himself, when the act of help is neither a venial sin nor an exposure to the proximate occasion of sin, and when by helping one would not be so similarly imperilled.<sup>4</sup>

The fundamental rationality of this outlook is that it realises first, that an act's being something that one ought to do does not entail its being obligatory, and second, that in recognising a duty to help others, one does not accept a duty always to aid everyone in need but only when obligated, to give as much aid as is reasonable.

### Kant's theory

A Kantian theory of beneficence is more difficult to define. Kant clearly held that we have the duty to relieve the fortuitous distress of another when we can do so without great inconvenience to ourselves. The difficult question is whether or not he held more than this. Admittedly, the grounds for his duty of beneficence lie, in part, in the fact that human beings are in need of mutual help, and that only by means of mutual help can the systematic harmony of their purposes be attained. But from this alone it does not follow that Kant or the Kantians consistently can advocate more than a slightly sophisticated version of Good Samaritanism.<sup>5</sup>

Kant often talks as if duty requires a person to share with others less fortunate than himself, right up to the point where all good fortune is equally divided. Thus he writes:

It is a duty of every man to be beneficent, i.e. to be helpful to men in need according to one's means, for the sake of their happiness and without hoping for anything thereby. . . . Consequently, the altruistic maxim of beneficence toward those in need is a universal duty of men; this is so because they are to be regarded as fellow men, i.e. as needy rational beings, united in one dwelling place for mutual aid.<sup>6</sup>

But he does not, and probably cannot, conclude from this that we have a strict or rigorous (inflexible) duty to help others. His reluctance to do so presumably indicates:

- 1) That it is not within our powers to further the ends of all men equally, and that this 'law holds only for maxims, not for definite actions'
- 2) That we ought to regard the duty of beneficence only as a laxer (meritorious) duty because raising it to a stricter duty would deprive some men of their freedom, their autonomy as ends in themselves, and this simply will not do.

In other words, because we respect and wish to preserve the self-esteem of other human beings, and

because indiscriminating beneficence may humiliate or encourage them to be less self-helpful than they would otherwise be, we cannot legislate that men must *always* be helpful to other men.

### J. S. Mill

Mill roughly distinguishes between the virtue and obligation of beneficence, and in the latter sphere, between the obligations of the individual and of the state. Professor Warnock suggests, and I think correctly, that Mill's thesis, that 'actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness,' where happiness 'is not the agent's own greatest happiness, but the greatest amount of happiness altogether,'<sup>7</sup> reduces to 'the contention that beneficence is really the sole and sufficient moral virtue.'<sup>8</sup> The question of obligation is, of course more complex. Mill maintains that there are 'many positive acts for the benefit of others' which a person may 'rightly be compelled to perform.' Among these he includes:

certain acts of individual beneficence, such as saving a fellow creature's life or interposing to protect the defenseless against ill usage – things which whenever it is obviously a man's duty to do he may rightly be made responsible to society for not doing. A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury.<sup>9</sup>

Notice that Mill does not, as one writer suggests, advocate that 'it is our duty to render aid because, by not doing so, we harm another.'<sup>10</sup> What he does say, and probably only meant to say, is that it is our duty to render aid in *certain circumstances*, when if by not doing so we will harm others, and when we have evaluated that harm according to the principle of utility. Nor is Mill conflating the notion of having a moral obligation with the notion of having a legally punishable one. There are many facts which, being directly injurious only to the agent himself or injurious to society only in the short-run, ought not be legally interdicted. Rather, the ability to help oneself and the creative power to contribute to society which may thereby accrue, more often than not, has overriding utility. He concludes that a State which dwarfs its men, in order that they may be more docile instruments in its hands *even for beneficial purposes* – will find that with small men no great thing can really be accomplished.<sup>11</sup> Thus, we are left with a principle of beneficence which in part reads: society has an actual duty to aid others when by not rendering aid that omission is a causal factor in the harm fortuitously suffered by another, and when that harm would not be outbalanced by the general utility, the felicitic beneficence, of having a society of autonomous, self-respecting, and often creative human beings.

## Conclusion

Each position is open to plausible objection. Against traditional Judaic ethics it may be argued that:

- 1) There is a confusion of obligation with virtue.
- 2) The notion of a community having obligations is deeply problematic.
- 3) If beneficence is an obligation, then the question of providing or not providing minimal subsistence for those who cannot help themselves is not a question of charity but one of justice.
- 4) If the latter point is telling, then it is difficult to see how this notion of justice can be successfully combined with a theory that has a strong retributive bent.
- 5) If beneficence should prove to be the sacred duty we have to members of the human family, then why do we not have a general duty to maximise welfare and an obligation to promote or establish equality of welfare?

Similarly, one may argue, that, in addition to (3) and (4), the Christian view is open to the charge that it tends to overemphasise acts which imperil the soul, thereby neglecting those states of affair which imperil the body, and that good samaritanism and philanthropy are not sufficient to cope with the problems of poverty and human suffering. Against Kantianism it may be urged either, that it is little more than a Christian ethic cut loose from the Christian metaphysic and is open therefore to essentially similar objections, or that, for the Kantian, the duty of non-maleficence must be substituted for the duty of beneficence. Yet, it should be clear that protection against intentional harm is synonymous neither with protection against harm and guaranteed minimal help nor even with protection against harm *per se*. Against Mill, it may be claimed that the use of the term 'cause' in the first prong of the principle of beneficence introduces unnecessary obfuscation and that the second prong does not do justice to the diversity of human ideals. Nonetheless, these writers do agree that there is a duty to help others and that when properly characterised this duty does not conflict with rationality. The fundamental question is, can we formulate a less problematic principle of beneficence?

## Notes and References

- <sup>1</sup>Spencer, H (1902). *The Data of Ethics* p 216. New York: Collier.
- <sup>2</sup>Aristotle, *Rhetorica* 1385a 16–20.
- <sup>3</sup>For a complete list of particular obligations and a fuller description of this aspect of Judaic ethics, see: Moore, George Foot, (1950) *Judaism*, II, VII, Harvard University, Cambridge, and Posner Raphael, (1971) Charity in *Encyclopedia Judaica*, 5, pp. 338–343, New York, Macmillan.
- <sup>4</sup>Aquinas, T (1976). *Summa Theologica*, 9, Q. XXXI, Of Beneficence, Burns, Oates & Washbourne, London; *Exposition of Christian Doctrine* (no author), pp. 145–151, John Joseph McVey, Philadelphia, 1921; and Joseph Rickaby, S J, (1929). *Moral Philosophy*, pp. 243–244, London, Longmans and Green.
- <sup>5</sup>Fried, Charles (1978). *Right and Wrong*, p.115, Harvard University, Cambridge, and Donagan, Alan, (1977), *The Theory of Morality*, University of Chicago. According to Donagan's version of the principle of beneficence (p. 85), 'it is impermissible not to promote the well-being of others by actions in themselves permissible, inasmuch as one can do so without proportionate inconvenience.'
- <sup>6</sup>Kant, I *The Metaphysical Principle of Virtue*, 30.
- <sup>7</sup>Mill, J S (1971). *Utilitarianism (With Critical Essays)*, pp. 18, 21, edited by Samuel Gorowitz, Indianapolis and New York, Bobbs-Merrill.
- <sup>8</sup>Warnock, G J (1971). *The Object of Morality*, pp. 29–30, London, Methuen.
- <sup>9</sup>Mill, J S (1956). *On Liberty*, pp. 14–15, edited by Curran V. Shields, Indianapolis and New York, Bobbs-Merrill.
- <sup>10</sup>Kleinig, J (1976). Good Samaritanism, in *Philosophy & Public Affairs* 5, 4, p. 388.
- <sup>11</sup>*Op. cit.*, *On Liberty*, p. 141 Author's emphasis.

## Suggestions for further reading

- Hardin, Garrett (1977). *The Limits of Altruism: An Ecologist's View of Survival*, Bloomington and London, Indiana University Press.
- Milo, Ronald D (Ed). (1973). *Egoism and Altruism*, Belmont, California: Wadsworth.
- Nagel, Thomas (1970). *The Possibility of Altruism*, Oxford: Clarendon Press.
- Rescher, Nicholas (1972). *Welfare: The Social Issues in Philosophical Perspective*, University of Pittsburgh Press.