

Taking Relationships Seriously:
The Place of Personal Relationships in Kantian Moral Theory

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Dedication

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Abstract

Our personal relationships with intimates—family, friends, and significant others—are an important part of our lives. This intuitive importance gives rise to a tension between moral theory and personal relationships that such theories should respect and, ideally, resolve. An adequate moral theory should acknowledge the value we place on personal relationships while also recognizing their limits. This requires that a moral theory be able to explain both of the following: 1) our obligations to intimates and to strangers, and 2) the moral failings particular to personal relationships, such as domestic violence. Though they meet these requirements, impartial moral theories like Kantian moral theory have been criticized for failing to account for the value we place on personal relationships and actions done for intimates. As an alternative, some philosophers have turned to an ethic of care, where the central value is the care given in personal relationships.

Against critics of impartiality, Kantians have responded that Kantian moral theory does not exclude personal relationships and that we are permitted to act for reasons that come from personal relationships, like love. In this dissertation, I argue that their defense does not show the true importance of personal relationships in Kantian moral theory. After closely examining the Categorical Imperative as explained in the Formulation of Humanity as an End and the Kantian concept of respect, I argue that Kantian moral theory in fact *requires* us to give intimates special consideration. With this understanding of Kantian moral theory, I defend a general duty of beneficence. The special consideration we give to intimates does not, under Kantian theory, come at the expense of our obligation to strangers, as it does in an ethic of care. Furthermore, Kantian moral theory can account for the difference between the types of domestic violence outlined in the sociological literature. An ethic of care cannot give such an account. Because of this, Kantian moral theory offers more guidance regarding

our moral responsibility as a society to stop domestic violence. Thus, Kantian moral theory more adequately explains our obligations to intimates and strangers than does an ethic of care.

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Introduction

I. Foreword

Our personal relationships with intimates—the relationships we have with family, friends, and significant others—are an important part of our lives. At the very least, a moral theory ought to be able to accommodate such relationships. By “accommodate,” I mean that a moral theory ought to allow us to be the kinds of people who can have what we think of as genuine or good personal relationships with others. Moreover, an adequate moral theory should reflect the importance we give to personal relationships and the actions done as part of those relationships. Given common understandings of impartiality, it is tempting to suppose that a moral theory which requires impartiality would not be able to accommodate personal relationships. Some philosophers have made this argument against impartial moral theories, including Kantian moral theory. When considering the requirements of moral duties outlined in Kantian moral theory, we may think these duties conflict with our desire to give special consideration to the individuals in personal relationships with us. My goal in this dissertation is to provide a way of thinking about what Kantian moral theory requires of us and what we should do for intimates that alleviates the apparent tension between Kantian moral theory and the value of personal relationships in our lives.

II. The Tension between Personal Relationships and General Obligations to Others

Almost all people are involved in some kind of close personal relationship with friends, family members, or both. By “close personal relationship,” I mean those kinds

of relationships where we are especially emotionally close to someone. These relationships are often characterized by our desire to interact frequently with the person and the high level of intimacy and trust that we share with the other person. Often, we have these kinds of relationships with our spouses or partners, friends to whom we are especially close, and some family members. This is the kind of relationship I have in mind when I speak of personal relationships, and I refer to individuals in these relationships as “intimates.” We do not have this kind of relationship with all of our friends or family; there are certain friends and family whom we like, but the relationship itself is not one in which we are highly invested. We may even enjoy spending time with these people, but we are not especially close to them.

The focus of my dissertation is personal relationships between intimates. These relationships create in us the desire to go out of our way to do actions that benefit the individuals in these relationships with us. We help them with various projects, buy presents for them, take them out dinner on birthdays and for holidays, and spend our free time with them. Sometimes (though rarely) we may do these things because we feel obligated, but generally we do these things because we want to do them. We show partiality toward or preference for intimates because we see them as special to us and as an important part of our lives.

While we think we have special responsibilities or obligations to those in personal relationships with us, most of us would also agree that we have some responsibilities or obligations to strangers. There are people in our communities who cannot afford food, clothing, and shelter, and people in other parts of the world who lack not only these things but clean water and basic sanitation as well. We hear news

stories about people around the world who lose family members, their homes, and their belongings because of accidents or natural disasters. Most of us think we have some obligation to help people in these and other situations, whether we think our help should be on a local level, a global level, or both.

II. A The Intuitive Tension

At a funeral I attended recently, one of the deceased's three sons gave a moving eulogy. In discussing his mother's life, the son explained her commitment to doing social justice work and shared his and his brothers' memories of accompanying her during her volunteering. He mentioned all of the phone calls about business pertaining to one particular organization that often interrupted their dinner hour. His mother's commitment to helping others was clear, and he and his brothers recognized how important her volunteering was to her and to those she helped. At the same time, he spoke of a tension that existed in the family that arose between his mother's commitment to help strangers and her obligations to care for her family.

The tension between the obligation we feel to care for strangers and the obligation we feel to care for our friends and family is something that most of us experience. At Christmas, for example, we see commercials and billboards, and hear radio ads for many different charities. We see Salvation Army bell ringers and collection points for Toys for Tots and food shelves as we enter stores to buy gifts for family and friends. Most of us will feel some tension between the desire to buy gifts for

others and the obligation to give to the charity.¹ Charitable organizations² take advantage of this by having a more public presence during the holiday season, when they receive about half of the donations made by individuals during the year.³ The tension we feel between our desire to donate to charities and to give gifts to loved ones is not necessarily limited to money and material goods, either; we may want to volunteer for a particular organization but think we are too busy with our jobs, family, and friends to squeeze out time. We think we should give to charities, and oftentimes we want to give to charities, but we also think we should and want to give time, attention, and help to our family and friends. The question is, what is our moral responsibility in this situation? How should we allocate our resources so that we are fulfilling our duty to give to charities while not slighting our family and friends?

The tension we feel between our desire to help those in personal relationships with us and our obligation to help strangers can arise from many different sources, including emotional investments or commitments and our limited resources. These two

¹ Of course, there are some people who do not feel this particular tension because they do not agree that they are obligated to help others in any way at all. But most people feel some tension, no matter to what degree, between these obligations at some point. Most people would agree that they have some obligation to help others, though they may disagree about the extent of that obligation.

² In using the phrase “charitable organization,” I do not mean to imply the view that donating to such organizations is “charity” in that it is something that am not required to do but which I do purely out of the goodness of my heart. I use the phrase “charitable organization” because this is the phrase typically used in common parlance to describe a certain type of organization that is involved in public acts of beneficence.

³ Charitynavigator.org, the website of the non-profit organization Charity Navigator, has the following statistic displayed on its “Holiday Giving Guide 2006” page: “50% of all charitable giving by individuals is done between Thanksgiving and Christmas.” See

<<http://www.charitynavigator.org/index.cfm/bay/content.view/cpid/518.htm>>. A request to the organization for a citation for this statistic was answered by directing me back to this website page. Charity Navigator is an organization whose mission is to evaluate the financial health of the charities it reviews, helping “to advance a more efficient and responsive philanthropic marketplace, in which givers and the charities they support work in tandem to overcome our nation's most persistent challenges.” <<http://www.charitynavigator.org/index.cfm/bay/content.view/cpid/17.htm>>

sources are not intended to be an exhaustive list, nor are they completely separate. The tension we experience often comes from a combination of these or other sources.

One of the reasons we may feel tension between our desire to benefit intimates and our feelings of obligation to help strangers is because of the emotional investment or commitment that both kinds of actions require. There are many reasons why we feel we should act to benefit our loved ones. Such actions include helping our children with homework, helping our spouses or our friends with projects, or just spending time with the ones we love. One reason is because of the emotional investment or commitment we have in our relationships. We love our intimates and want to show them that we love them. One of the ways we show our love is by participating in activities with each other or doing actions for intimates that we would not do for those not in personal relationships with us. We think these actions show our intimates that we are invested in maintaining our relationship.

We do not have the same emotional commitment to strangers or to those we do not know as well, so we do not feel the same kind of pull to do actions that benefit them. Yet we might be committed to helping strangers generally (rather than helping a specific stranger). We express this commitment in different ways, including volunteering our time and donating money.

Many times, in particular circumstances, we end up choosing to express one commitment over another. We cannot use our entire holiday budget to buy presents for friends and family while still giving the same funds to charitable organizations. The internal conflict we experience in choosing to act on one commitment over another highlights another point that may cause tension—limited resources. We have limited

amounts of time, money, and energy, and we have to choose how to use them. When we have to make decisions about the allocation of these resources, we may feel tension because we cannot do everything we want to do. This tension is a practical tension and often underlies the tension in commitments. Because our resources are limited, we are forced to choose which of our commitments we will express by focusing our resources on them at any point. I cannot spend the same evening taking dinner to my sick friend and serving food at a soup kitchen. While we may occasionally be able to express commitments simultaneously with one action (spending time with my spouse volunteering), on most occasions we will have to choose one over the other. This is the tension we experience as we contemplate whether to buy holiday presents for our friends and family or whether to donate the money to a charitable organization. We feel as if our commitment to help strangers is conflicting with our commitment to intimates.

II.B. The Philosophical Tension

Philosophers have often linked the tension caused by our commitments and limited resources to a conflict between the principles of impartial moral theory and the human inclination to show partiality or preference for intimates. The principles of impartial moral theories, like Utilitarianism and Kantianism, are thought of as principles that ask us to somehow separate ourselves from the particular situations and details that make us individuals with particular cares, concerns, and social relationships. For example, impartial moral theories may require us to separate ourselves from the details of our lives and make our decisions using only a rational thought-process, thereby disregarding our particular preferences and irrelevant details. An example of a process

one might go through when making this decision is John Rawls' veil of ignorance. Those moral agents placed behind the veil of ignorance do not know their sex, race, social position, natural talents, physical abilities, or economic status.⁴ The basic idea is that if we are ignorant of which particular characteristics we have, we will make the fairest decision possible because there is no temptation to benefit one or more of the groups to which we belong (since we do not know which groups those are).

The concern about what impartiality as part of an impartial moral theory requires of us has been raised against Utilitarianism and Consequentialism, often in connection with Peter Singer's position in the article, "Famine, Affluence, and Morality."⁵ Here, Singer argues that "[I]f it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it."⁶ Singer does not differentiate between helping intimates and helping strangers—we ought to give the same weight to the needs of both groups. Critics have rejected this position on the grounds that there is something wrong with the claim that strangers deserve the same kind of consideration or treatment as those close to us. As John Cottingham points out,

even if it turned out that we *could* adopt the impartial strategy—conscientiously giving the same weight to our neighbour's projects, joys, and sorrows as we do to those of ourselves and our loved ones, it is not at all clear that we *should* do so, or try to do so. It is not by any means clear, at any rate to me, that someone who keeps his own children on the bread line in order to devote his resources to a famine relief organization is a shining example of a truly moral person; indeed, there is, I think, a

⁴ See Rawls, John. *A Theory of Justice*. Revised ed. Cambridge: Belknap, 1971, pp. 118-123 and Rawls' *Justice as Fairness: A Restatement*. Cambridge: Belknap, 2001, p. 15 for Rawls' description of the veil of ignorance.

⁵ Singer, Peter. "Famine, Affluence, and Morality." *Philosophy and Public Affairs* 1.3 (Spring 1972): 229-243.

⁶ Singer 231

case to be made out for regarding such a person as something of a moral defective.⁷

In this passage, Cottingham expresses the worry that many critics of impartiality have: impartial moral theory requires us not to give any moral consideration to intimates. In the case of beneficence, or helping others, we are not (the critics claim) justified in using our resources to help intimates simply because they are in personal relationships with us. Instead, impartial moral theory requires that we help those who need it most. But, as the passage by Cottingham suggests, there may be reasons to think there is something wrong with a person who acts in such a way and ignores her intimates. If a moral theory requires this of us, there may well be something wrong with that theory.

We might think that all impartial moral theories require us to always make decisions in a way similar to this: they require us not to take into account particular details about ourselves or others that are not morally relevant to the decision at hand. Those who follow impartial moral theories and the critics of impartial moral theories would agree on this point. Questions arise, though, when we consider which details should count as morally relevant. Some of the critics of impartial moral theories assume that the impartiality of these theories requires us to give all people the same treatment or the same consideration. A moral impartialist and a critic of moral impartialism would agree that when I am deciding whether I should stop to help the stranded motorist on the side of the road, I should not take into account the person's hair color or style of clothing because these details are not morally relevant to the situation at hand. The problem for the critics arises when one of the details of the situation is our personal

⁷ Cottingham, John. "Ethics and Impartiality." *Philosophical Studies* 43.1 (1983): 83-99. p. 89 (emphasis in the original)

relationship with the person in need of assistance. Suppose there are two people stranded along the road, one who is my friend and one who is a stranger. If I can only help one of them, the critic of impartial moral theories would say that, on the impartialist's view, the fact that I am a friend of one of the stranded motorists should not enter into my deliberations about whom to help. (It is not always clear, though, that this is what impartiality actually requires of us, as will be discussed in Chapter One.)

Critics of impartial moral theories believe our personal relationships with intimates *are* morally relevant to situations that involve them and *should* enter into our deliberation. They believe that, because of the requirement of impartiality, an impartial moral theory like Kantian moral theory does not allow us to take personal relationships into account when we are deciding whom to help. Consider the example of the drowning wife, introduced by Charles Fried, where a man must choose whether to save his wife or a stranger, both of whom are drowning. Fried believes that impartial moral theory would not allow the man to save his wife simply *because she is his wife*. Rather, some other factor should be used to make the decision, like the flip of a coin.⁸ Bernard Williams also uses this example to criticize impartial moral theory for making it necessary for the man to consider *whether* it is morally permissible to save his wife. The thought of whether it is morally permissible is, for Williams, "one thought too many."⁹

The question is whether impartial moral theories really require us always to view our personal relationships with others as a morally irrelevant detail. While it seems there may be some cases where my relationship to someone should not make a

⁸ Fried, Charles. *An Anatomy of Values*. Cambridge: Harvard, 1970. p. 227.

⁹ Williams, Bernard. Chapter 1, "Persons, Character, and Morality." *Moral Luck*. Cambridge: Cambridge, 1981. 1-19. p. 18

difference (as in choosing to help my mechanic friend who is stranded on the side of the road change a tire versus helping a stranger who clearly does not know how to change a tire), there will be other cases (like the drowning spouse) where we might think the personal relationship does make a moral difference. Furthermore, even if we accept that personal relationships *ought* to affect our moral deliberations, we are left with further questions: How much weight should we give personal relationships in our deliberation (will they always override other considerations, are they less important than some other considerations, are they equal to other considerations)? How are moral theories and principles best applied to help us understand the moral wrongs that take place within personal relationships, as in the case of domestic violence?

III. Outline of Chapters

Impartial moral theories like Kantian moral theory do require some kind of impartiality from us. Critics have responded to this requirement with two different objections, which I examine and to which I respond in Chapter One. The first argument against using impartial moral theory is the psychological objection. The main claims of the psychological objection seem to be: 1) we are enmeshed in social circumstances and relationships which will always affect our thinking even when we try to think impartially, 2) we cannot fully rid ourselves of our emotions, desires, and experiences when making moral decisions, and 3) we all have biases, some of which are unrecognized, that can be pervasive to the extent that they affect our thinking without our realizing it. If impartial moral theories require full impartiality in the sense that they require us to completely separate ourselves from our social circumstances, emotions,

desires, experiences, and biases when we make moral decisions, these theories will not help us determine what to do because we cannot be fully impartial. In response to this objection, I argue that Kantian moral theory does not require this kind of impartiality. Still, the psychological objection does raise an interesting question about how impartiality functions in Kantian moral theory and how personal relationships would fit into such a theory. This question is echoed in the normative objection.

The normative objection focuses on the role impartial moral theory is to play when we make moral decisions. The critics who present this objection argue that impartial moral principles are incompatible with personal relationships because personal relationships require us to show partiality toward intimates. If impartial moral theories require us to treat or consider everyone impartially, then it is incompatible with how we believe we should act in personal relationships. An extension of this criticism is the relationships-as-normative criticism. Those who advocate an ethic of care, a moral theory based on the care given in personal relationships, do so in part because they think impartial moral theories cannot adequately address the question of how intimates ought to treat each other. After looking at how other Kantians have answered the normative critique, I argue that our understanding of how personal relationships fit into Kantian moral theory depends on our understanding of the role impartiality plays in the theory. I argue that impartiality in Kantian moral theory is best understood as a guide for developing moral principles rather than as a decision procedure to be used when making moral decisions.

In Chapter Two, I look at the kind of obligation we think accompanies personal relationships. I refer to this obligation as a “relationship obligation.” This is the

obligation we think we have to show intimates that they matter to us and that our relationship with them matters to us. We express this to our intimates by showing a deep, continuing care and concern for their physical, mental, and emotional well-being. Expressing this care and concern requires that our actions towards intimates differ from our actions towards strangers. I then lay out a basic understanding of Kantian moral theory, particularly the Categorical Imperative (CI) and how many critics think the CI is used as a decision procedure. Viewed in this way, the CI excludes our acting on relationship obligations. After examining Kant's own discussions of personal relationships, I argue that, if we understand the CI as something that helps us to determine moral principles rather than as a decision-procedure, then we can understand a particular form of the CI, the Formulation of Humanity as an End (FHE), as requiring that we meet our relationship obligations. That is, the FHE requires that we treat intimates in ways that show that they and our relationship with them matters to us.

In Chapter Three, I extend the argument in Chapter Two by addressing the specific tension we feel between our obligation to help strangers and our desire to help intimates. I provide an example of the Kantian principle of beneficence, which is derived from the CI. Building on the discussion in Chapter Two of how we need to take into account the context of situations when we act on our duties, I discuss how personal relationships affect our duty of beneficence. When we consider that personal relationships are part of the context we include when thinking about acting on our moral duties, Kantian moral theory includes more elements of an ethic of care than many care ethicists think. That is, Kantian moral theory and what it requires of us (for example, acting on a principle of beneficence) actually does include doing actions for intimates.

Though both a Kantian principle of beneficence and the view of care in an ethic of care require us to act to benefit others, the Kantian principle of beneficence can explain why we should act to benefit strangers. Though some care ethicists have argued that care can also account for this obligation, I argue that an ethic of care as it is currently presented cannot in fact explain our obligation to be beneficent to strangers.

Any normative theory which discusses personal relationships needs to have a way to address the serious problems which can arise in such relationships. In Chapter Four, I discuss the problem of domestic abuse or domestic violence between partners, which sociologists refer to as intimate partner violence (IPV). Any moral theory that addresses the value of personal relationships needs to be able to give an analysis of what is morally wrong when a relationship turns abusive. Some sociologists distinguish between different types of IPV. The two types I discuss are intimate terrorism (IT), which is when one partner uses various methods of control, like physical violence, in an ongoing effort to gain and hold power over the other partner. This is the behavior most people associate with the terms “domestic abuse” and “domestic violence.” The other kind of violence is situational couple violence, or SCV. This is violence in response to a particular situation where the conflict escalates and becomes physical. It is not part of an ongoing effort to gain and hold power over the other partner.

After discussing the difference between these two types of IPV, I examine the difference between how an ethic of care and how Kantian moral theory can respond to them. I argue that an ethic of care cannot distinguish between the wrongs done in the two kinds of violence. Under an ethic of care, both kinds of violence constitute a failure to care. Kantian moral theory, on the other hand, can distinguish between these two

forms of violence. Under Kantian moral theory, both SCV and IT constitute a failure of respect, but, importantly, IT is also an attempt to strip another agent of her autonomy. Furthermore, an ethic of care on its own does not have the resources to argue that we as a society have obligations to help those who suffer from SCV or IT, even in the more robust form of an ethics of advocacy. Because of the importance of the Formulation of Humanity as an End in Kantian moral theory, I argue that Kantian moral theory can explain the ethical obligations we have as a society to work to reduce and end SCV and IT.

Many Kantians have already defended Kantian moral theory against the charge that it cannot accommodate personal relationships. While I think these arguments have made important steps, I do not think they say enough about how personal relationships interact with Kantian moral theory. If we take personal relationships and their value seriously, a moral theory must do more than just allow us to have personal relationships or allow us to act for reasons related to these relationships. Rather, the moral theory must have something to say about the ways we ought to treat intimates and how our personal relationships and the obligations associated with them fit into a broader picture of our obligations to all individuals, including strangers. Furthermore, this theory must be able to account for the different kinds of wrongs that are done when relationships turn abusive. When personal relationships turn abusive, the abuse is immoral not only because it is a failing to give an intimate the treatment deserved but also because it is a failing to treat a human being the way human beings generally ought to be treated. Both of these components are important parts of understanding the wrong of IPV.

Throughout the dissertation, I argue that a Kantian moral theory as I describe it is more successful at explaining all of these points than an ethic of care, which focuses predominantly on what intimates have a responsibility to do for each other. Care ethicists make an important contribution to moral theory by pointing out the importance of considering moral behavior in the sphere of personal relationships. However, such considerations cannot come at the expense of other moral obligations, nor can it come at the expense of being critical of such relationships. Kantian moral theory, as described in the dissertation, can account for our obligations to strangers and intimates while still providing us with the resources to critique personal relationships themselves.

Chapter One: The Problem of Impartiality and Personal Relationships

I. Introduction

In this chapter, I will discuss why one might think that an impartial Kantian moral theory cannot accommodate personal relationships. There are two types of objections that are usually raised against the ability of an impartial moral theory to accommodate such relationships. The first type of objection focuses on our psychological inability to be impartial. Critics who hold this view question our ability to think impartially or to understand moral concepts in an impartial way—that is, outside of social context. The second kind of objection raised against impartial moral theories targets the normative appropriateness of using impartial moral theories in personal relationships. Of the two, this seems to be the stronger criticism against Kantian moral theory. The normative objection has, in part, influenced the development of an ethic of care, a moral theory that takes the care given in personal relationships as the fundamental ethical value. An ethic of care shows how we can give an important role to personal relationships in moral theory. This kind of role seems to better fit with our intuitions about the importance of personal relationships in our lives.

Kantians have addressed the psychological and normative objections and have begun to provide a picture of how personal relationships fit into Kantian moral theory. They argue that the impartiality in Kantian moral theory does not exclude personal relationships and so Kantian moral theory can, at a basic level, accommodate or include personal relationships and actions performed because of these relationships. Though this response answers many of the facets of the psychological and normative objections, it does not directly address the challenge presented by an ethic of care. Kantians must

show what role personal relationships play in Kantian moral theory if the theory is to be able not only to accommodate personal relationships but to have something substantive to say about our obligations in them (as an ethic of care does). We need an expanded picture of how personal relationships and the obligations we take to be part of them fit into Kantian moral theory.

The aim of this chapter is to set the stage for the construction of such a picture by explaining the role of impartiality in Kantian moral theory. I argue that the impartiality in Kantian moral theory is not intended to provide us with a decision procedure that identifies moral action. Rather, impartiality in this context provides us with a way of discerning general moral principles. This does not require that all of our actions be impartial in the sense that we give equal consideration or equal treatment to all individuals, as those who present the normative critique frequently claim.

II. Impartial Moral Theories and Their Critics

Impartial moral theories have been subject to a wide variety of criticisms, including criticisms stemming from the characteristics of these theories that led them to be labeled ‘impartial.’ The requirement of impartiality has been described in different ways: some describe it as a requirement that everyone receive equal treatment, while others describe it as a requirement that everyone receive equal consideration. Regardless of how impartiality is defined, the problem some see with impartial moral theories is that they seem to require that we not give preference to people who are in personal relationships with us—our family, friends, and significant others. I will refer to those individuals in personal relationships as “intimates.” There are two ways in which

one could argue that impartial moral theories require that we not give preference to intimates: either such actions are morally impermissible because they are not impartial, or such actions are morally permissible but they do not have moral value. Since most of us want to give some kind of preference to intimates, and we often think we *ought* to give them preference, being asked not to give intimates preference goes against our intuitions. We think of our personal relationships as having great value and as playing significant roles in our lives. Furthermore, we think the acts we do for intimates have value. An adequate moral theory ought to reflect this.

Though the definition of impartiality as either equal treatment or equal consideration seems natural on an account of Utilitarianism—where everyone’s happiness is to be taken into account equally—one might wonder whether Kantian moral theory should be interpreted similarly. Those philosophers who criticize impartial moral theory often describe Kantian moral theory as requiring that everyone be considered or treated equally. Others are more specific and claim that Kantian moral theory does not allow us to consider our personal relationships or particular details about specific situations when considering moral problems. Bernard Williams has this view of Kantian moral theory. In discussing various authors whom he believes base their moral theories on Kantian moral principles, he writes:

Among Kantian elements in these outlooks are...that the moral point of view is specially characterized by its impartiality and its indifference to any particular relationships to particular persons, and that moral thought requires abstraction from particular circumstances and particular characteristics of the parties, including the agent, except in so far as these can be treated as universal features of any morally similar situation; and that the motivations of a moral agent, correspondingly, involve a rational application of impartial principle and are thus different in kind from the sorts of motivations that he might have for treating some particular

persons...differently because he happened to have some particular interest towards them.¹⁰

Though Williams does mention that it is not necessarily intended that the demands of the theories which share the preceding elements exclude personal relationships, the fact that these theories contain such elements makes the question of how personal relationships fit into these theories particularly difficult.¹¹ There is the potential of conflict between the demands of impartial moral theory so understood and the demands of personal relationships.

Lawrence Blum describes the impartiality in Kantian moral theory in a way similar to Williams:

In the Kantian conception of morality, impartiality and impersonality are central notions, definitive of the moral point of view. Moral rules and principles embody a perspective which excludes no one, and which takes everyone's good into account. Every human being, simply in virtue of being human, is worthy of equal consideration, and his good is equally worthy of being promoted. Moral rules and principles must reflect this fact. So taking the moral point of view in one's actions and judgments means regarding them from an impartial standpoint, not giving weight to one's own interests and preferences simply because they are one's own, but rather giving equal weight to the interests of all....The Kantian view implies that we may not pursue our own interests simply because they are our own. But it implies no less a condemnation of acting for the sake of one's friend, simply because he is one's friend; for it equally violates impartiality to favor or benefit someone based on one's personal feelings, attachments, and relationships.¹²

Williams's and Blum's view of Kantian moral theory as impartial is shared by many of the critics of impartial moral theory.¹³ On this view, acts done for intimates because of

¹⁰ Williams "Persons, Character, and Morality" 2

¹¹ Ibid.

¹² Blum, Lawrence. *Friendship, Altruism and Morality*. Boston: Routledge and Kegan Paul, 1980. p. 44

¹³ Other philosophers who characterize Kantian moral theory in a similar way will be discussed below.

the personal relationships we share with them at best do not have moral value and at worst violate the requirements of impartiality and so are not even morally permissible.

One reason Williams, Blum, and other critics of impartiality might draw this conclusion regarding Kantian moral theory and acts done for intimates is Kant's own emphasis on acting *from duty alone* as the only reason for acting that gives the action moral worth. Kant goes to great length in the *Grounding for the Metaphysics of Morals* to distinguish between acts done in accordance with duty and acts done from duty. In the *Grounding*, Kant seems to say that only actions done from duty have moral worth. If duty is to be our only motivation or reason for acting, then we cannot have any other reasons or motivations. If we do have other reasons or motivations, like the inclination to do an action because it would help someone we love, then we are not acting from duty and our action does not have moral worth.

In the *Grounding*, Kant presents three different examples: a shopkeeper who presents his customers with correct change, a philanthropist who enjoys helping others, and a person who is so overcome by his own sorrows and worries that when he acts to benefit others he does not gain enjoyment from his actions, but only does beneficent acts because he knows he must and not because he is so inclined.¹⁴ It is only in this last case, Kant says, when the person “performs the action without any inclination at all, but solely from duty—then, for the first time his action has genuine moral worth.”¹⁵ Some

¹⁴ Kant, Immanuel. *Grounding for the Metaphysics of Morals* and *On a Supposed Right to Lie for Philanthropic Reasons*. Trans. James W. Ellington. 3rd Edition. Indianapolis: Hackett, 1993. Translation based on Karl Vorländer's German text (Leipzig, 1906) in Vol. III of the Philosophische Bibliothek edition of Kant's works and Paul Menzer's text as it appears in Vol. IV of the Königlich Preußische Akademie der Wissenschaft edition of Kant's work. Numbers in Kant citations refer to the Akademie page numbers. Hereafter *Grounding* and *On a Supposed Right to Lie*. *Grounding* 397-399.

¹⁵ *Grounding* 398

have taken this passage to mean that any action in which duty is not the only motivation or reason for acting is not a morally worthy action. So, when we act on the behalf of those we love because we love them and also because we have a duty, our actions do not have moral worth.¹⁶

Along with his description of duty as giving moral worth to actions, the first time Kant presents his supreme rule of morality, the Categorical Imperative, he presents it in the Formula of Universal Law (FUL): “Act only according to that maxim whereby you can at the same time will that it should become a universal law.”¹⁷ According to Kant, a maxim is “the subjective principle of acting.”¹⁸ That is, the maxim of an action reflects the principle of action for a particular agent at a particular time. It reflects what is done, the agent’s reasons for doing that action, and the circumstances in which the action is done.¹⁹ So, a maxim will have this form: to do (some action) in order to (serve some goal) whenever (some set of circumstances hold), with the parts in parentheses filled in by the agent. According to the FUL, we should only act for those principles for which anyone else could act. One might think, then, that maxims which are specific to particular people in particular relationships will not be universalizable because of their reference to specific relationships.²⁰ These views of the FUL and the role of duty in

¹⁶ For a different interpretation of these examples, see Barbara Herman’s “On the Value of Acting from the Motive of Duty” in her book *The Practice of Moral Judgment*. Cambridge: Harvard, 1993. pp. 1-22.

¹⁷ *Grounding* 421

¹⁸ *Ibid.* 421n

¹⁹ For a further discussion of maxims and what they reflect, see Herman *The Practice of Moral Judgment* pp. 143-145 and 217-224; Nell (O’Neill), Onora. *Acting on Principle*. New York: Columbia, 1975; Chapter 5, “Consistency in Action” in O’Neill, Onora. *Constructions of Reason*. New York: Cambridge, 1989. pp. 81-104, esp. pp. 81-89; Hill, Jr. Thomas E. *Respect, Pluralism, and Justice*. New York: Oxford, 2000. pp. 210-217; Allison, Henry. *Kant’s Theory of Freedom*. New York: Cambridge, 1990. pp. 86-94.

²⁰ There is debate on what information maxims should contain and how specific that information can be (see Herman and Allison in n. 10 for a discussion of the differing views), but here I mean only to give a general explanation of why the formulation of universal law might lead people to think that the

Kantian moral theory have led some to conclude that the impartiality in Kantian moral theory is similar to the impartiality of Utilitarianism. Because of this, Kantian moral theory is sometimes thought to be subject to the same criticisms as Utilitarianism and other moral theories which require impartiality.

These concerns about impartial moral theories are found in philosophical literature in the form of two objections: the psychological objection and the normative objection. The psychological objection charges that we are psychologically unable to be impartial. The normative objection focuses on whether we should use impartial moral theories when personal relationships are involved. In the following sections, I will explain each of these objections and respond to them.

II.A. The Psychological Objection

The psychological objection to impartial moral theory is centered on our supposed inability to be impartial or to understand ethical concepts in an impartial way. Some critics argue that we cannot separate ethical concepts from the contexts in which they operate. Some argue that we cannot be impartial because we cannot separate out the parts of ourselves that make us individuals and affect our interpretation of certain situations and events. We cannot, for example, separate ourselves from our emotions, desires, and physical experiences. Others argue that we cannot be impartial because we all have biases and it would be impossible to remove them all. We simply do not know what a completely impartial moral stance would be, so we cannot know what impartial moral theories would require of us in making decisions. In each of these cases, the

impartiality in Kantian moral theory would not allow us to take into consideration our relationships with individuals when we are deciding how we should act.

critics argue that impartial moral theories do not help us determine how to act morally.

Three philosophers who raise these objections are Alasdair MacIntyre, Iris Marion Young, and Marilyn Friedman.

In *After Virtue* and “The Magic of the Pronoun ‘My’,”²¹ Alasdair MacIntyre argues that the reason we cannot be completely impartial when making moral decisions is because we are formed by the social context in which we live. We can never totally extract ourselves from this context or know what it would be like to do so. Our understanding of moral concepts is affected by social context and our actions are carried out within this same context. MacIntyre uses Bernard Williams’ example of the drowning wife to explain this view. In Williams’ example, a man must choose whether to save his wife or a complete stranger. Williams argues that if the man determines that it is morally correct to save his wife in this case by reflecting on a moral principle and coming to that conclusion, then the man has “one thought too many.”²² MacIntyre presents a different analysis of this example. He argues that the justification for saving the wife is problematic for Kantians and Utilitarians because they ignore the idea of justice in context—justice within the family or household, in this case—while looking at what is supposed to be an abstract idea of justice.²³ Because we cannot extract ourselves from the context in which we live, we cannot look at justice outside of that context when making a decision about whom to save. According to MacIntyre, if the man does not save his drowning wife, he is guilty of injustice towards her because

²¹ MacIntyre, Alasdair. *After Virtue*. Notre Dame: Notre Dame, 1981, and his “The Magic of the Pronoun ‘My’” *Ethics* 94 (October 1983): 113-125.

²² See pp. 17-18 of Williams’s “Persons, Character and Morality” for his analysis of the drowning wife example.

²³ MacIntyre 123

justice as we understand it in family or married life requires a certain kind of caring between husbands and wives.²⁴

Iris Marion Young argues that impartial moral theories like Kantian moral theory seek to divorce reason from emotion, desire, and the needs and inclinations of the body.²⁵ Impartial moral theories require agents “[to stand] outside of and above the situation about which he or she reasons, with no stake in it, or... to adopt an attitude toward a situation as though he or she were outside and above it.”²⁶ Young aims her discussion towards deontological ethics, including Kantian Ethics, because deontological ethics assumes there is a universal normative reason.²⁷ The purpose of this kind of reasoning is to eliminate the difference between moral subjects.²⁸ This attempt is not successful, according to Young: “Deontological reason generates an opposition between normative reason, on the one hand, and desire and affectivity on the other. These latter cannot be entirely suppressed and reduced to the unity of impartial and universal reason, however. They sprout out again, menacing because they have been expelled from reason.”²⁹ The details that make us separate individuals (such as our desires, emotions, and experiences) simply cannot be left out of moral reasoning, according to Young. We cannot be fully impartial because our desire and emotions will affect our reasoning to some extent even when we are trying to be impartial.

²⁴ MacIntyre 123

²⁵ Iris Marion Young’s “Impartiality and the Civic Public: Some Implications of Feminist Critiques of Moral and Political Theory,” *Praxis International* 5.4 (January 1985): 381-401. 386

²⁶ Ibid. 383

²⁷ Ibid. 384

²⁸ Ibid. 386

²⁹ Ibid. 391

Marilyn Friedman also finds the idea of impartiality problematic. She claims that the requirement of impartiality presents us with a practical problem when we use impartial moral theories:³⁰ we all have biases that affect our thinking, and impartial moral theories do not tell us how we are supposed to go about gaining an impartial viewpoint.

[M]oral and political theorists who invoke an unbiased, or *impartial*, standpoint...typically do not develop an epistemic or psychological account of how it is to be attained by a person who is, to begin with, biased—that is, who is any one of us. Such theorists provide no independent criteria for recognizing whether or not impartiality has really been achieved by the specific method. One is left with no way to confirm, in practice, that moral thought is genuinely impartial, that is, genuinely free of bias or prejudice.³¹

This state of full impartiality, the state for which impartial moral theories call, is, Friedman thinks, “a utopian, impracticable ideal.”³² We cannot remove all of our biases, so we can never achieve total impartiality. If we cannot be impartial, we will not know if we are using impartial moral theory properly when we attempt to use it to determine which action is the moral action. Impartial moral theory, therefore, is not helpful to us when we are making moral decisions. Instead of trying to achieve a moral point of view that is completely bias-free, Friedman believes we should work to eliminate “nameable biases whose distorting effects on moral thinking we recognize and whose manifestations in moral attitudes and behavior can be specifically identified,” like racism and sexism.³³

³⁰ Friedman, Marilyn. *What are Friends For? Feminist Perspectives on Personal Relationships and Moral Theory*. Ithaca: Cornell, 1993. 27

³¹ Ibid. 10 (emphasis in original)

³² Ibid. 31

³³ Ibid. Racism and sexism are only two examples of the biases that can distort moral thinking. There are many other biases which could be included in this list.

If true, the claims these critics make will require us to rethink what moral theory can reasonably require of us and how our personal relationships fit into it. If the impartiality in impartial moral theories requires us to consider the needs of everyone equally or to treat everyone equally, impartial moral theories will be of no use to us because this will be impossible for us to do. This is especially true when we think of our personal relationships. I am now and always will be my mother's daughter, so for me to try to distance myself from that relationship and to view a situation that includes my mother in an impartial way is impossible. Because we have a relationship, that relationship will affect how I think about her and actions involving her whether I realize it or not.

II. B. Responding to the Psychological Objection

The main claims of the psychological objection seem to be: 1) we are enmeshed in social circumstances and relationships which will always affect our thinking even when we try to think impartially, 2) we cannot fully rid ourselves of our emotions, desires, and experiences when making moral decisions, and 3) we all have biases, some of which are unrecognized, and these biases can be pervasive to the extent that they affect our thinking without our realizing it. To some degree, these claims against impartial moral theory seem compelling. As David Hume notes, "In general, all sentiments of blame or praise are variable, according to our situation of nearness or remoteness, with regard to the person blam'd or prais'd, and according to the present

disposition of our mind.”³⁴ The circumstances of our lives and our nearness or relationships to certain events and people can influence our moral decisions.

Even though our relationships and social circumstances can affect the way we think, we are capable of correcting for this to some degree. Though Hume recognizes that we can be biased in our judgment of someone as deserving of praise or blame, he goes on to say:

But these variations we regard not in our general decisions, but still apply the terms expressive of our liking or dislike, in the same manner, as if we remain'd in one point of view. Experience soon teaches us this method of correcting our sentiments, or at least, of correcting our language, where the sentiments are more stubborn and inalterable.... Such corrections are common with regard to all the senses; and indeed 'twere impossible we cou'd ever make use of language, or communicate our sentiments to one another, did we not correct the momentary appearances of things, and overlook our present situation. 'Tis therefore from the influence of characters and qualities, upon those who have an intercourse with any person, that we blame or praise him. We consider not whether the persons, affected by the qualities, be our acquaintance or strangers, countrymen or foreigners. Nay, we overlook our own interest in those general judgments...³⁵

As Hume notes, though our personal opinions and feelings may affect the judgments we make, we are also able to correct for those sentiments. We can judge others (and presumably, their actions) based on what Hume refers to as general judgments, which are judgments that are not affected by our particular situations or relationships.

Hume's discussion of the correction of sentiments points to the fact that we can and often do try to separate ourselves from particular situations when making decisions, including moral decisions. We are able to set aside our personal beliefs and connections to the extent that we can correct for bias and separate ourselves from the details of

³⁴ Hume, David. *A Treatise of Human Nature*. 2nd ed. Oxford: Clarendon, 1978. 582

³⁵ *Ibid.* 582-583

particular situations and relationships at least to some degree when we make moral decisions. We may, for example, try to look at the situation from the view of someone who is not involved in it. We may also ask other people for advice, seeking an opinion from someone who is not involved. In both cases, we are trying to view the situation from the perspective of someone who would see it in a more abstract way—that is, we try to view the situation as someone who is not involved would view it.³⁶

Even if our regular moral behavior shows that we do try to separate ourselves from situations to some degree when making moral decisions, those who raise the psychological objection could still object that even taking such a viewpoint does not allow impartial moral theory to function because we have not reached a state of complete impartiality. Though we try to separate ourselves, the fact remains that we are still involved in relationships and social circumstances that affect our decision-making process and make us subject to different biases. As Marilyn Friedman points out, the theorists who use an impartial moral standpoint as part of their theory do not reveal how we as biased individuals can either epistemically or psychologically attain that standpoint.³⁷ If impartial moral theories require us to be truly impartial in the sense that we must give up all our biases, recognized or not, and must be able to completely abstract ourselves from our relationships and social situations so that they no longer have any effect on our thinking, then the critics would be right in claiming that we are incapable of achieving the kind of impartiality that impartial moral theories require.

³⁶ Generally, we do not try to take the viewpoint of a particular person (though we may, if we know someone who we generally think has good values and who usually acts morally). What we are trying to accomplish by taking the view of someone else is to see the situation from the perspective of a person who is not as emotionally tied to or invested in the outcome of the situation as we are. We are simply trying to take a different view of the situation or see the situation from a different perspective.

³⁷ Friedman *What are Friends For?* 10

However, it is not clear that all impartial moral theories require such an extensive impartiality from us. At the very least, it seems as though Kant did not intend for us to completely separate ourselves from all emotion and from our experiences when making moral decisions. He discusses how the emotions play a role in moral thought when he discusses the relation of sympathy and what he refers to as the “aesthetic” emotions to our duty of beneficence:

But while it is not in itself a duty to share in the sufferings (as well as the joys) of others, it is a duty to sympathize actively in their fate; and to this end it is therefore an indirect duty to cultivate the compassionate natural (aesthetic) feelings in us, and to make use of them as so many means to sympathy based on moral principles and the feeling appropriate to them. – It is therefore a duty not to avoid the places where the poor who lack the most basic necessities are to be found but rather to seek them out, and not to shun sickrooms or debtors’ prisons and so forth in order to avoid sharing painful feelings one may not be able to resist. For this is still one of the impulses that nature has implanted in us to do what the representation of duty alone might not accomplish.³⁸

The preceding quote shows Kant’s recognition that simply knowing our duty alone is sometimes not enough to make us act the way a rational agent should act because, as human beings, we are imperfect rational agents. Sometimes, certain emotions or feelings can contribute valuable information that gives us reasons to act in a certain way. Here, Kant is saying that our aesthetic feelings, or what he describes earlier as our receptivity or tendency to feel what those around us are feeling³⁹ contribute to our capacity for sympathy, which he describes as “the *will to share in others*’

³⁸ Kant, Immanuel. *The Metaphysics of Morals*. Trans. and Ed. Mary Gregor. New York: Cambridge, 1996. Translation from the Königlich Preußische Akademie der Wissenschaft edition of *Die Metaphysik der Sitten*, Vol. VI. Numbers in Kant citations refer to the page numbers of the Akademie text. Hereafter *MM*. 6:457-458

³⁹ *Ibid.* 6:456-457

feelings.”⁴⁰ All of this information—what we naturally feel for others who are poor or sick and what we understand about their situation from what we experience of it—is useful to us when we are considering what duty requires of us and what we ought to do in particular situations. As Kant says earlier in the *Metaphysics of Morals*, “for if the law can prescribe only the maxim of actions, not actions themselves, this is a sign that it leaves a playroom (*latitudo*) for free choice in following (complying with) the law, that is, that the law cannot specify precisely in what way one is to act and how much one is to do by the action for an end that is also a duty.”⁴¹ In acting from duty, sympathy and the other emotions are important because they give us information about the circumstances of particular situations that lead us to act appropriately when we act on the duty we have in that situation. Even though we may not be able to be completely impartial in the way those who present the psychological objection seem to claim we need to be in order to follow an impartial moral theory, we can still figure out what morality requires of us. We use the information from the world around us to understand what we should do in certain situations where moral action is required.⁴²

Kantian morality does not seem to require the kind of impartiality those who present the psychological objection believe is required. We do not need to separate ourselves completely from our emotions and experiences when we are making moral decisions. Indeed, our emotions can sometimes provide us with information that is

⁴⁰ *MM* 6:456 (emphasis in original)

⁴¹ *Ibid.* 6:390

⁴² My purpose here is only to point out that Kant did not insist that we leave emotions completely out of the process of making moral decisions, not to give a detailed discussion of the role emotions play in that process. For more discussion on the role of emotion in Kantian moral theory, see Chapter 10 of Guyer, Paul. *Kant and the Experience of Freedom*. New York: Cambridge, 1993; and Sherman, Nancy. “Kantian Virtue: Priggish or Passional?” *Reclaiming the History of Ethics: Essays for John Rawls*. Eds. Andrews Reath, Barbara Herman, and Christine Korsgaard. New York: Cambridge, 1997. 270-296.

important for those decisions. Emotions and personal relationships are not the same (though emotions are an important part of personal relationships), but we are also not required to completely separate ourselves from our personal relationships or to ignore those relationships and to prevent social circumstances from entering into our moral decisions. In fact, the opposite seems true: acting morally means taking personal relationships into account and considering social circumstances. (This point will be argued for in Chapter Two.) It is true that Kantian moral theory does advocate the recognition of all individuals as having value and deserving of a certain standard of moral treatment in the form of respect. But, this does not seem to be something with which those who raise the psychological objection would necessarily disagree.

In pointing out that all people are deserving of respect, Kantian moral theory partly seems to be aiming at something similar to what Marilyn Friedman advocates: correcting or limiting our biases⁴³ and the effect they have on our actions.⁴⁴ As for the objection that context is not important to an impartial moral theory (MacIntyre suggests that moral concepts can only be understood within certain contexts, and Young suggests that impartial moral theory asks us to think about situations abstractly or as separate from us and our involvement in them), I will argue throughout the remaining chapters that taking context into account when making moral decisions is essential for a Kantian. Kantian moral theory does not ask us to apply concepts like justice or beneficence in the

⁴³ See Ch. 1, Section 5 “Eliminating Biases” of Friedman’s *What are Friends For?* 31-34. Although Friedman advocates that morality start with the elimination of biases, it is not clear that she would accept the description of impartiality for a Kantian as limiting biases.

⁴⁴ Eliminating biases does not capture the whole of Kantian respect, which is the requirement that we treat each other as free, equal, autonomous beings. But certainly the concept of Kantian respect does not easily leave room for bias, not even what we might construe as a positive bias towards friends and family, as many who criticize Kant point out.

same way in every circumstance. Part of applying these concepts correctly includes taking into account and responding to the details of certain situations.⁴⁵ The impartiality present in Kantian moral theory does not require that we completely separate ourselves from the details of the situations we are considering.

While there is more that can be said about the psychological objection and our ability to be fully impartial, addressing this objection specifically is not the main focus of the dissertation. The general questions raised by this objection—what impartiality requires of a Kantian and how it affects our personal relationships when we are making moral decisions—are important questions to consider, however, and they also play a role in the normative objection to Kantian moral theory.

II. C. The Normative Objection

Another objection often raised against impartial moral theories, including Kantian moral theory, is the normative objection. While the psychological objection focuses on our supposed inability to think impartially, the normative objection challenges the appropriateness of using impartial moral principles in personal relationships, which are relationships that we think require partiality by their very nature. This objection often describes the impartiality of impartial moral theories as requiring that we not favor some people over others based on morally arbitrary characteristics.

There is a question here about whether our personal relationships would count as morally arbitrary characteristics. Some advocates of impartial moral theory, like

⁴⁵ See Loudon, Robert. *Kant's Impure Ethics*. New York: Oxford, 2000. p. 169 for more detail.

William Godwin, have presented examples that could lead to this conclusion. In Godwin's example, the house of the archbishop of Cambrai is on fire. Both the archbishop and his valet are inside. If we can only save one, Godwin seems certain that we would choose to save the archbishop because his life is worth more.⁴⁶ Even if the valet was a relative of ours, Godwin seems certain we would still choose to save the archbishop: "Suppose the valet had been my brother, my father or my benefactor. This would not alter the truth of the proposition. The life of Fénelon [the archbishop] would still be more valuable than that of the valet....What magic is there in the pronoun 'my,' that should justify us in overturning the decision of impartial truth?"⁴⁷ Given Godwin's description, it would seem that personal relationships are morally arbitrary facts for an impartial moral theory.⁴⁸ Many of the philosophers who raise the normative objection seem to accept this picture of impartiality as part of impartial moral theories—that is, the critics see impartial moral theory as a theory in which we are to treat personal relationships as rarely, if ever, morally relevant to moral decision-making.

According to this view of impartiality and impartial moral theories, we cannot take into account our personal relationships with certain people when we are deciding which actions we should do. For example, if I want to go out to dinner and I want to take someone with me, I should consider the people I could take. I could take my partner or I could take a homeless person who does not get enough to eat. Those who present the normative objection claim that impartial moral theory would tell us that, all

⁴⁶ Godwin, William. *Enquiry Concerning Political Justice*. Ed. Isaac Kramnick. Baltimore: Penguin, 1976. See 169-171.

⁴⁷ Ibid. 170

⁴⁸ There are questions, though, about the criterion of worth Godwin uses to decide whom to save and whether the moral theory he advocates is really an impartial moral theory. See Marcia Baron's discussion of this in her article "Impartiality and Friendship" *Ethics* 101.4 (July 1991) 836-857, especially 839-842.

other things being equal, my obligation in this situation is to take the homeless person out to dinner because the homeless person has more need of a meal than my partner does. If my partner can afford to buy dinner or has the resources to make dinner for himself and the homeless person cannot afford dinner and does not have the resources to make dinner, then impartial moral theory will tell me to take the homeless person out to dinner or to give him the money to buy dinner. The fact that I have a personal relationship with my partner and not with the homeless person makes no difference for impartial moral theory in this situation.

Though the normative objection takes many different forms, there are two main forms on which I will focus: the incompatibility criticism, and the relationships-as-normative criticism. Though these criticisms are not always distinctly separate and often overlap, looking at them separately allows us to see what parts of impartial moral theory those who present these criticisms find most objectionable.

II. C. 1. The Incompatibility Criticism

The criticism that Kantian moral theory is incompatible in some way with personal relationships has been made by many different philosophers. Though they often label their objections in different ways (Lynne McFall states her claim in terms of integrity, and Bernard Williams's criticism has often been characterized in the same way), the main claim these critics make is that personal relationships and impartial moral theory are incompatible. Some, like Lynne McFall, Michael Stocker, and Lawrence Blum, claim that the motives for acting in personal relationships are incompatible with the reasons for acting that impartial moral theory requires of its

agents. Others, like Bernard Williams, have characterized the incompatibility as one between different commitments we have. In both cases, the main claim of the criticism seems to be that because impartial moral theory by definition requires us not to show partiality, it is incompatible with personal relationships. Preserving the personal relationships we value requires us to abandon impartial moral theory.

Lynne McFall argues that using impartial moral principles is incompatible with personal integrity.⁴⁹ Personal integrity comes from our identity-conferring commitments: the commitments we have to what we take to be most important and which comprise, to a large extent, our identity. McFall gives the following example:

Suppose you are having a bad day. The car breaks down on the way to teach a class in which three students fall asleep and the rest are bored or belligerent. Your latest philosophical masterpiece has come back in the mail with a note from the editor saying that the referee's comments were too abusive to decently pass on to you. During office hours your best student wonders aloud what moral theory has to do with anything that genuinely worries anyone. You have been worrying about that yourself. You wait an hour for a friend who was supposed to meet you at noon but who seems to have forgotten. On the way back from drinking your lunch, you run into K. He sees by your wild eyes that you are in a bad way. He is just going to lunch, he says, and invites you along. You agree, having had nothing to eat since the English muffin your toaster burned for breakfast. While waiting to order, he listens sympathetically to your litany of unrelieved bad luck and real failure. He tries to cheer you up. Feeling better, you express your appreciation, tell him that he is a good friend. He says he is only doing his moral duty. You smile, thinking this philosophical irony. His blank expression suggests you are wrong. Over Caesar salad he tells you about his dear wife, whom he married because no one was more in need of love, nor so unlikely to find it. Somewhere between the main course and the coffee you realize he was not kidding. He is only doing for you what he would do for anyone in your sorry state—his duty.⁵⁰

⁴⁹ McFall, Lynne. "Integrity," *Ethics* 98.1 (October 1987): 5-20.

⁵⁰ *Ibid.* 16

What this example shows, McFall claims, “is that impartiality is incompatible with friendship and love, and so incompatible with personal integrity where friendship and love are identity-conferring commitments.”⁵¹ If we think personal integrity requires unconditional commitments (like love and friendship) and moral integrity presupposes personal integrity, a moral theory that preserves integrity will have to give up the claim that moral principles require impartiality. Since there are moral duties of love and friendship, McFall claims, the principles governing friendship and love relationships will be moral principles.⁵² Since these principles require partiality, morality itself cannot always require impartiality. If it does require impartiality, as McFall thinks Kantian moral theory does, then we lose integrity because we will be required to act against the identity-conferring commitments of love and friendship on at least some occasions.

In “The Schizophrenia of Modern Ethical Theories,” Michael Stocker argues that following an impartial moral theory makes us the kind of agents who are incapable of having the deep commitment to another person that we think characterizes personal relationships.⁵³ Stocker gives the example of Smith, who visits his friend in the hospital. When the friend inquires why Smith is visiting, Smith replies that he has come because he thinks it is his duty to visit.⁵⁴ The problem with Smith’s response, Stocker argues, is

⁵¹ McFall 16

⁵² Ibid. 17

⁵³ Stocker, Michael. “The Schizophrenia of Modern Ethical Theories,” *The Journal of Philosophy* 73.14 (Aug. 1976): 453-466. In “Friendship and Duty: Some Difficult Relations,” Stocker responds to this reading of his argument and says that he is only making the claim that sometimes the duties of friendship and moral duties will be incompatible, but not all the time. See Stocker’s “Friendship and Duty: Some Difficult Relations,” in *Identity, Character and Morality*. Ed. Owen Flanagan and Amélie Oksenburg Rorty. Cambridge: MIT, 1990. 219-233.

⁵⁴ Ibid. 462.

that Smith's motive is incompatible with the motive we think is required by the relationship. His motive for acting, which is duty, does not embody his reason for acting, which is the love Smith has for his friend in the hospital.⁵⁵ Stocker's critique applies not only to friendship but to any relationships based on love, including those of family and significant others. For Stocker, an impartial moral theory causes us to experience a split between the motives appropriate to the relationship and those required by impartial morality. This split is caused because an impartial moral theory does not allow us to act on the value we place on our personal relationships.

Lawrence Blum makes a criticism of impartial moral theory that is similar to Stocker's. According to Blum, "Impartiality as a moral stance and principle is appropriate only in certain circumstances, which do not generally include those of friendship."⁵⁶ He argues specifically against the ability of Kantian moral theory to accommodate relationships: "the Kantian view is unable to accommodate the fact that in normal contexts of friendship it is appropriate to act for the friend's benefit without having to vindicate that action from a perspective of impartiality."⁵⁷ Because Kantian moral theory requires us to be impartial, Blum argues, it ignores the value inherent in acting for the benefit of an intimate because of the relationship we have with that person.

Bernard Williams makes a slightly different criticism of impartial moral theory. He still believes that impartial moral theory does not give moral value to actions done for intimates because of our relationships with them, but his criticism also suggests that

⁵⁵ Stocker 462, 459

⁵⁶ Blum *Friendship, Altruism and Morality* 5

⁵⁷ *Ibid.* 64

impartial moral theory may even require us to give up those relationships if they conflict with acting on impartial principles. In “Persons, Character and Morality,” Bernard Williams argues that each person has ground projects which are “closely related to his existence and which to a significant degree give a meaning to his life.”⁵⁸ Although ground projects may be moral in nature, that “would not make them immune to conflict with impartial morality,” according to Williams.⁵⁹ The problem, for Williams, is that when such conflicts do arise,

impartial morality...must be required to win; and that cannot necessarily be a reasonable demand on the agent. There can come a point at which it is quite unreasonable for a man to give up, in the name of the impartial good ordering of the world and moral agent, something which is a condition of his having any interest in being around in that world at all.⁶⁰

For Williams, the impartiality that is part of Kantian moral theory means that our ground projects, the things that we value most or that are most important to us, will sometimes conflict with the demands of Kantian moral theory. In those cases, Kantian moral theory will require us at best to violate those ground projects and at worst to give them up. Effectively, then, we have to be prepared to give up our personal commitments or ground projects (the commitments that make life worthwhile for us) in order to be a good moral agent if those commitments or projects conflict with impartial moral theory.

The conflict between impartial moral theory and our ground projects is especially evident when we think of our personal relationships. Recall Williams’s example of the man who faces a situation where both his wife and a stranger are drowning. If the man justifies saving his wife not simply because she is his wife but

⁵⁸ Williams “Persons, Character, and Morality” 12

⁵⁹ Ibid. 13

⁶⁰ Ibid. 14

because she is his wife *and in circumstances such as this, it is morally permissible for one to save one's wife*, then he has “one thought too many.” Williams seems to think that the fact that his wife is *his wife* ought to be enough justification for the man to save her. By appealing to moral theory in consideration of whether it is *permissible* for someone in such circumstances to save his wife, the man is placing importance and value on the theory instead of on the relationship. Again, we see how Williams thinks that personal commitments conflict with what impartial moral theory requires: “such things as deep attachments to other persons will express themselves in the world in ways which cannot at the same time embody the impartial view, and...they also run the risk of offending against it.”⁶¹ For Williams, the nature of our personal relationships and the reasons they give us for acting do not fit well into impartial moral theory because the reasons personal relationships give us are specific, personal reasons. They are not impartial and so will always conflict on a basic level with impartial moral theory.

The general incompatibility criticism rests on the claim that personal relationships and impartial moral theory are incompatible. At best, the value we give to acting for intimates because of our relationship with them is not recognized by impartial moral theory because such actions show partiality by their very nature. At worst, impartial moral theory would require us to give up such relationships if having them interferes with our acting on impartial moral principles generally. This is because impartial moral theories require us to be impartial, while personal relationships require us to show partiality towards those in relationships with us.

⁶¹ Williams “Persons, Character, and Morality” 19

II. C. 2. The Relationships-as-Normative Criticism

In an extension of the incompatibility criticism, some philosophers have claimed that all or part of moral theory should be focused on personal relationships themselves. The philosophers who make this claim often do so as part of the larger project of constructing such a theory. For example, Robert Goodin claims that the vulnerability which is clearly a part of personal relationships gives us a better understanding of our moral responsibilities to intimates and to strangers than impartiality can.⁶² Philosophers who advocate an ethic of care also object to the lack of status given to personal relationships in impartial moral theories and question the appropriateness of using impartial moral theory in personal relationships. Some, like Nel Noddings, advocate an ethic of care as a replacement for impartial moral theory. Others, like Joan Tronto, Rita Manning, and Virginia Held advocate an ethic of care as an addition to a concept of justice.⁶³ All of these care ethicists start from the claim that the kind of care we give to intimates and the value of that care is not adequately explained or reflected in impartial moral theory. Virginia Held in particular addresses the inadequacy of Kantian moral theory to assess the actions of intimates.

In her recent book, *The Ethics of Care*, Held argues that Kantian moral theory cannot adequately explain our motivations for certain actions that are part of personal relationships: “To suppose that a Kantian morality can serve well for the context of the family is highly problematic when we move beyond questions of the minimal respect owed to each person. We don’t, for instance, play with our children out of respect for

⁶² Goodin, Robert. *Protecting the Vulnerable*. Chicago: Chicago, 1985.

⁶³ Held, Virginia. *The Ethics of Care: Personal, Political, Global*. New York: Oxford, 2007.

the moral law, and yet giving our children a morally good upbringing involves a great deal of playing with them.”⁶⁴ Held claims that the way we act towards those in personal relationships with us should not be regulated by impartial moral theory. Personal relationships are special and deserve a different kind of moral treatment than relationships with strangers. In personal relationships, we act out of love for a specific person. Using an impartial moral theory to determine how we should act in personal relationships does not reflect that we act out of love nor does it reflect that acting out of love is valuable.

In order to better understand how an ethic of care is an alternative to Kantian moral theory or Utilitarian theory, a brief description of an ethic of care is necessary. Understanding how an ethic of care sees itself as making personal relationships and the care in them central to morality will help us better understand exactly how care ethicists think impartiality in Kantian moral theory affects our ability to have personal relationships and to give proper value to the actions in them. An ethic of care presents a unique challenge to Kantian moral theory because it shows that personal relationships can be a part of a moral theory in a central way that fits with our intuitions of how important and valuable these relationships are in our lives.

II. C. 2. a. An Ethic of Care

An ethic of care developed as an alternative to traditional principle-based moral theory. Moral theories like Utilitarianism and Kantianism ultimately rely on some principle as the justificatory ground for deciding cases in one way or another. For

⁶⁴ Ibid. 86

Utilitarians, this is the principle of utility. Kantians use the Categorical Imperative. These principles are supposed to be universal; that is, these principles are supposed to apply to all situations, regardless of who is involved.

Based in part on the claims about the different kinds of moral thinking presented by Carol Gilligan in her book, *In a Different Voice*,⁶⁵ an ethic of care focuses not on moral principles but on personal relationships and the connection between intimates when making moral decisions. Gilligan's work was a response to the six stages of moral development outlined by Lawrence Kohlberg. The highest stage of moral reasoning, according to Kohlberg, is reasoning based on abstract principles. In his research, Kohlberg noted that most women generally do not progress past stage three, where the good is defined as "what pleases or helps others and is approved of by them."⁶⁶ As a challenge to this, Gilligan interpreted her research to show that women had what she referred to as a "different voice" when thinking about and making moral decisions. Gilligan found that the women in her study often made their moral decisions based on the circumstances of particular situations and the relationships involved in them. While some philosophers question whether the moral perspective Gilligan outlines is really due to a gender difference,⁶⁷ the ethical perspective she describes does differ from the perspective presented by traditional moral theories. In an ethic of care, moral value is grounded in the value of caring in a particular kind of relationship. The emphasis is placed on understanding the particular context and details of each situation and each

⁶⁵ Gilligan, Carol. *In a Different Voice: Psychological Theory and Women's Development*. Cambridge: Harvard, 1983 and 1993.

⁶⁶ Kohlberg (1971) as quoted on 357 in Gilligan, Carol. "In a Different Voice: Women's Conceptions of Self and of Morality." *Women and Values* Ed. Marilyn Pearsall. Belmont, CA: Wadsworth. 355-381.

⁶⁷ See, for example, Ch. 5 "Gendered Morality" in Marilyn Friedman's *What are Friends For?* Ithaca: Cornell, 1993.

relationship and taking those details into account when deciding which course of action to pursue. Those who advocate an ethic of care also see their theory as being specifically applicable to personal relationships in a way that they believe impartial moral theories cannot be because of the requirement of impartiality.

The moral perspective Gilligan introduces is part of the foundation of an ethic of care. Many authors have proposed different version of an ethic of care, starting with Noddings⁶⁸ and Sara Ruddick.⁶⁹ Recent work in the care ethics has been done by Rita Manning,⁷⁰ Joan Tronto,⁷¹ Eva Kittay,⁷² and Held.⁷³ Though different authors propose versions of an ethic of care that differ somewhat in the details (Tronto focuses on care as a political issue, Kittay focuses on issues of dependency and disability, Manning is currently focusing on global issues,⁷⁴ and Held has recently focused on differentiating an ethic of care from traditional ethical theories), what is similar in these proposals is that they all start from the idea that nearly all of us have benefited from another's care and recognize that care as having fundamental value.⁷⁵ This experience of being cared for leads us to the moral recognition of the claims intimates, or those in personal relationships, have on each other: "Ethics of Care starts with the moral claims of particular others, for instance, of one's child, whose claims can be compelling

⁶⁸ Noddings, Nell. *Caring: A Feminine Approach to Ethics and Moral Education*. 2nd ed. Berkeley: University of California, 2003.

⁶⁹ Ruddick, Sara. *Maternal Thinking: Towards a Politics of Peace*. Boston: Beacon, 1989.

⁷⁰ Manning, Rita. *Speaking from the Heart: A Feminist Perspective on Ethics*. Lanham, Maryland: Rowman and Littlefield, 1992.

⁷¹ Tronto, Joan. *Moral Boundaries: A Political Argument for an Ethic of Care*. New York: Routledge, 1993.

⁷² Kittay, Eva. *Love's Labor*. New York: Routledge, 1999.

⁷³ Held, Virginia. *The Ethics of Care: Personal, Political, Global*. New York: Oxford, 2007.

⁷⁴ Rita Manning "Challenges for a Global Politics of Care," presentation at FEAST 2007, Saturday, September 30, 2007.

⁷⁵ See, for example, Held *The Ethics of Care* 17 and Noddings *Caring* 5.

regardless of universal principles.”⁷⁶ Rather than using a moral theory based on impartial moral principles, “[c]aring seems to involve taking the concerns and the needs of the other as the basis for action.”⁷⁷ Instead of using moral principles which are supposed to apply to a broad range of situations, caring focuses on the specific context of each situation and requires us to consider the details relevant to that relationship and to the person being cared for.⁷⁸

Joan Tronto explains that an ethic of care differs from traditional ethical theories by starting with a different question of moral responsibility in mind. “The moral question an ethic of care takes as central is not—what, if anything do I (we) owe to others? but rather—How can I (we) best meet my (our) caring responsibilities?”⁷⁹ Addressing this question requires us not only “to be able to consider what our relationship with other people who are close and distant should be, but ...also...to be attentive to viewing others’ circumstances in a whole context.”⁸⁰ Tronto also describes care as requiring “a deep and thoughtful knowledge of the situation, and of all the actors’ situations, needs and competencies. To use the care ethic requires a knowledge of the context of the care process.”⁸¹

Though some would disagree that moral theories with universal principles require us to disregard contextual details (I argue later that contextual details are important for making decisions under a Kantian moral theory), those who advocate for

⁷⁶ Held *The Ethics of Care* 10.

⁷⁷ Tronto *Moral Boundaries* 105

⁷⁸ Noddings *Caring* 14

⁷⁹ Tronto *Moral Boundaries* 137

⁸⁰ *Ibid.* 14

⁸¹ *Ibid.* 136-137

an ethic of care see it as filling a hole in traditional theories. Often thought to balance the perspective of justice (of which Kantian moral theory is thought to be an example because of its impartial perspective), an ethic of care is thought to be applicable to personal relationships, a domain in which principles of justice might seem out of place. For those like Virginia Held who advocate an ethic of care in addition to justice, this is not to deny that justice is needed within families (or that care may be needed in systems of justice). Rather, the claim is that care should have priority in the relations of family and friends.⁸² Others, like Nell Noddings, are less clear on the relationship between justice and caring, though for them caring clearly is an essential and important part of moral theory.⁸³

Those philosophers who present the relationships-as-normative criticism argue that impartiality should not be the normative standard of ethics, or that it should not be the only normative standard of ethics. Rather, we can understand at least some, if not all, of our ethical obligations better if we use care as the normative standard by which to understand our ethical responsibilities, including our obligation of beneficence to strangers.⁸⁴

As a whole, the normative objection to impartial moral theories focuses on the supposed inability of such theories to give the proper value to personal relationships and the actions done for intimates because of those relationships. If we are unable to

⁸² Held *The Ethics of Care* 17

⁸³ Although Noddings's book *Caring* makes care appear to be the whole of ethics, Noddings states that this was not her intent: "Reducing everything in moral theory to caring is indeed likely to be an error—as are most reductionist attempts—and I did not intend to do this. However, I am not ready to say exactly how justice and care should be combined, and that discussion will have to be undertaken at a future time." Noddings, "A Response" *Hypatia* 5.1 (Spring 1990): 120-126. 120.

⁸⁴ Held *The Ethics of Care* 63-64

recognize and account for the importance of personal relationships and give them the same importance in our moral theories as they have in our personal lives, or if using impartial moral theories somehow damages our personal relationships, then we would have good reasons not to use impartial moral theories and the accompanying impartial principles in those relationships. If we are looking for a moral theory that reflects our considered moral judgments about the value of personal relationships and explains our responsibilities not only to strangers but also to intimates, then impartial moral theories will fail if they cannot accommodate the value we give to personal relationships and the actions done as part of them.

The normative objection is a difficult objection to answer. While it is true at first glance that impartial moral theories do not focus on relationships (neither Kant's Categorical Imperative nor the Utilitarian principle of utility explicitly mentions relationships), this does not necessarily mean that impartial moral theories, or at least Kantian moral theory, rule out the possibility of our having personal relationships or the possibility of the acts we perform in those relationships having moral value. In the rest of the dissertation, I explain how personal relationships are not merely allowed by Kantian moral theory but how acts done in those relationships have moral value.

II. D. Responding to the Normative Objection

In both of its main forms, the normative objection against impartial moral theory focuses on the inappropriateness of using an impartial moral standpoint when personal relationships are involved. While impartial moral theories are useful in some situations,

the critics claim it is inappropriate to use impartial moral theories to help us decide how to act towards intimates.

The normative objection has two main problems. First, it seems to mischaracterize impartial moral theories in general. Marilyn Friedman has pointed out that very few impartial moral theorists actually seem to hold the position that these arguments assume they hold;⁸⁵ that is, very few impartial moral theorists actually believe that we should never take another person's relationship with us into account when we are making moral decisions.⁸⁶ Second, the normative objection, especially in the relationships-as-normative form, seems to overstate the importance of preserving relationships that conflict with moral theory in some cases. While it is true that personal relationships should be taken into account when we are making moral decisions, it is not true that preserving personal relationships will always be the deciding factor regarding which action we should choose. Furthermore, personal relationships themselves may not necessarily deserve special status: there may be mitigating circumstances, like abuse, that change our assessment of the relationship. (This will be discussed more in later chapters.) Finally, the relationships-as-normative view itself seems to invite the objection that such a view cannot, in its present forms, accommodate our duties to non-intimates, or strangers.

⁸⁵ See Friedman's "The Social Self and the Partiality Debates." *Feminist Ethics*. Ed. Claudia Card. Lawrence: Kansas, 1991: 161-179, p. 174, as well as her "The Practice of Partiality," in *Ethics* 101.4, (July 1991): 818-835. Both are reprinted in *What are Friends For?* Friedman points this out and goes on to give her own critique of impartial moral theory.

⁸⁶ The exceptions to this that Friedman points out are Peter Singer and William Godwin (174 of "The Social Self..."). Marcia Baron also discusses Godwin as an exception on 39-842 of her article "Impartiality and Friendship," *Ethics* 101.4 (July 1991): 836-857.

Although the normative objection is not without its own problems, it presents a serious charge that impartial moral theories must address if those theories are to be understood to give moral value to actions done for intimates because of personal relationships. Since my concern is with Kantian moral theory, I will address the normative objection against impartial moral theories with Kantian moral theory in mind.

The arguments made as part of the normative objection define impartial moral theory as a theory where we are supposed to use an impartial moral standpoint which focuses only on morally important characteristics (and sees the relationship between individuals as a morally arbitrary characteristic) in making our decisions about moral problems. Impartial moral theory, the critics claim, requires either equal treatment or equal consideration for everyone. This means that our friends, family, and significant others deserve either the same treatment or at least the same consideration in our decisions as strangers.

This view of impartiality as the overriding factor in all moral decisions does not present the best way to think about the kind of impartiality required by Kantian moral theory. A better picture is given by Thomas E. Hill, Jr. Hill points out that impartiality is best thought of as a guide for developing general moral principles rather than as a way to make decisions about the actions of everyday life.⁸⁷

Hill argues that we should not think of impartial moral theories as giving us a decision procedure to help us work through moral problems. For example, we do not use impartial moral theory to decide that, while I could take my partner out to dinner, the homeless person has more of a need to be fed, so I ought to take the homeless

⁸⁷ Thomas E. Hill, Jr. "The Importance of Autonomy" in Hill's *Autonomy and Self Respect*. Cambridge: Cambridge, 1991. 43-51.

person to dinner. Instead, we use impartial moral theory to help us develop a principle of beneficence based on our realization that we could not rationally will a world where no one helped anyone else.⁸⁸ Then, we apply that principle to particular situations. Hill says, “[A]t the level of deliberation about basic principles, morality requires impartial regard for all persons....[I]mpartiality is part of an ideal for moral legislation, or general debate about moral principles; it is not a recommended way of life.”⁸⁹ The impartiality present in Kantian theory is not meant to direct us to always act impartially. There may be some situations where partiality is called for, as in actions done for intimates. Furthermore, the impartiality present in Kantian moral theory does not give us a direct decision-procedure for how to solve moral problems. Instead, it points us to the principles we should develop and apply to individual cases.⁹⁰

Hill’s claim about the purpose of impartial moral theory can be used to examine how impartial moral theory would have us treat intimates. Contemporary Kantians have done this, to some extent. In “Love as a Moral Emotion,” J. David Velleman argues that love and respect, for a Kantian, are actually different ends on the continuum of what we owe to others. At the very least, we owe others respect. We may also love them, though this is not required.⁹¹ In response to Williams’ critique that the Kantian suffers from “one thought too many” when deciding if it is morally permissible to save his wife,

⁸⁸ Kant, Immanuel. *Grounding*. See 423-424 for Kant’s explanation of why willing a world in which no one helps anyone else is impossible.

⁸⁹ Hill *Autonomy and Self Respect* 45. Hill admits that even Kant sometimes conflates impartiality on the general level with impartiality on the specific level (decision-procedure).

⁹⁰ Cynthia Stark also argues that Kantian moral theory does not give us a decision procedure. She argues that it instead provides us with an argument that justifies moral principles. While impartiality may be part of the justification for moral principles (e.g., beneficence), impartiality is not meant to be used as a method for directly deciding which act is the moral act. See Stark, Cynthia. “Decision Procedures, Standards of Rightness and Impartiality.” *Nous* 31.4 (1997): 478-495.

⁹¹ Velleman, J. David. “Love as a Moral Emotion.” *Ethics* 109 (Jan. 1999) 338-374. See esp. 366

Velleman answers that the reason the man should save his wife is not because she is his wife (that is, not because of the value his love places on her), but because of the shared commitment to their relationship and the history they have.⁹² In this case, according to Velleman, the Kantian saves his wife not because her husband's love for her "tips the balance in her favor," but because their relationship and her husband's love "reveals the absurdity of weighing her in a balance at all."⁹³ Under Velleman's description of love, the Kantian moral agent is not cut off from his commitment to his wife or their relationship. Rather, that relationship and the love in it is an extension of Kantian respect.

While Velleman's response goes some way towards addressing Williams's version of the normative objection, other Kantians have responded both to Williams and have given more general responses to the normative objection. Barbara Herman has responded to Williams' criticism directly, and Herman and Marcia Baron have both addressed the question of whether personal relationships have a place in Kantian moral theory. They have responded both to the question of whether actions done from love have value and have also given pictures of how personal relationships would affect the actions of a Kantian moral agent.

In "Integrity and Impartiality," her reply to William's critique, Herman argues that Williams misunderstands what the Kantian would require of the man contemplating the reasons he has for saving his wife over the stranger:

Suppose we asked, after the fact, "Why did you save *her*?" We would get the answer, "Because I love her" or "Because she's my wife." These

⁹² Velleman 373

⁹³ Ibid. 374

are the reasons on which one acts, and the actions they support express the relationships they refer to. Moreover, it is morally appropriate (not in any way inappropriate) in these circumstances to act on these reasons. None of this is undermined by the agent's awareness (he need hardly be thinking of it) that in *some* circumstances the reason would not be sufficient to justify his action. (Suppose he had to throw a child overboard in order to reach her). It is in this sense that "the thought that it was his wife" is not separate from moral considerations. It would be one thing if the husband paused to weigh the claims of his wife against those of others he might save; that would speak against his having the kind of attachment that might be hoped for by his wife. What the Kantian requires is only that he not view his desire to save his wife as an *unconditionally* valid reason. This does not stand in the way of the direct expression of attachments in action.⁹⁴

Kantian moral theory does not require that we always act from impartial reasons. What it does require, according to Herman, is that we understand that sometimes, the circumstances of particular situations will be such that the reasons we have that come from particular relationships will be not enough to justify our acting on that reason in other circumstances (e.g., throwing the child overboard in order to save one's spouse). We must be aware of the context in which our action takes place and what additional considerations have to be taken into account because of the context.

Herman and Baron have both argued that acting on a motive of love (which is to say acting for the reason that we love someone) is compatible with Kantian moral theory; that is, just because one acts on a motive of love does not make an action morally wrong. If the motive of duty is also present as a secondary motive, then the action can be morally right for a Kantian.⁹⁵ As a secondary motive, duty serves only to limit those actions which would otherwise be morally wrong. If an action is morally

⁹⁴ Herman, Barbara. *The Practice of Moral Judgment*. Cambridge: Harvard, 1993. 42

⁹⁵ See Herman, Barbara. "On the Value of Acting from Duty" and "Integrity and Impartiality." Chs. 1 and 2 of *The Practice of Moral Judgment*. Cambridge: Harvard, 1993, especially 33 and Baron, Marcia. "Is Acting from Duty Morally Repugnant?" Ch. 4 of *Kantian Ethics Almost without Apology*. Ithaca: Cornell, 1995.

correct or permissible, we can perform that action. This response shows that personal relationships can be part of a Kantian moral theory because we are still allowed to do actions for intimates and the love that grounds that relationship can be our motive for acting.

Baron has also addressed the criticism that impartial moral theory and personal relationships are incompatible. In “Impartiality and Friendship,” she argues that equal consideration for intimates and strangers is not necessarily a feature of all impartial moral theories.⁹⁶ According to her, a better way to understand what impartial moral theory, or at least Kantian moral theory, requires of us is to understand impartiality as consisting of two levels. What is required of us by Kantian moral theory, Baron argues, is impartiality at the level where general principles are chosen.⁹⁷ Impartiality is not always required of us at the level of our direct actions. We can show partiality in our actions as long as our general principles approve partiality in those situations.⁹⁸ For example, we can show partiality for our parents by acting in ways that honor them because we can see good reasons for the principle, “Honor thy mother and father.”⁹⁹

Herman gives a more detailed description of the place of personal relationships in Kantian moral theory. For Herman, personal relationships enter into our moral deliberations because they affect our conception of the Good. Rather than thinking of the motives that arise out of personal relationships as in direct conflict with the motives

⁹⁶ Baron, Marcia. “Impartiality and Friendship.” *Ethics* 101.4 (1991): 836-857.

⁹⁷ *Ibid.* 843

⁹⁸ *Ibid.*

⁹⁹ *Ibid.* 842

of impartial moral theory,¹⁰⁰ Herman describes moral deliberation as being done against the background of a field that contains everything that gives us reasons for acting. In this model, my connections to intimates are present, but so are my other interests, including grounds of obligation, principles of prudential rationality, and my conception of the Good.¹⁰¹ Because moral principles are present on the deliberative field from the beginning, an agent realizes she may have to modify her ends because of those principles.¹⁰² Personal relationships and the reasons they give us for acting, on Herman's picture of the deliberative-field model, are not in direct competition with moral principles as the critics assume. Rather, on this model, all of my reasons for acting exist together and are shaped by each other. Because we care about intimates, we adopt their interests as part of our interests. But, just as we know we are not always able to act in ways that will promote our own well-being because of the regulative function of moral principles, we also know that we will not always be able to act in ways that promote the well-being of intimates.¹⁰³ This realization is already present on the deliberative-field model because the deliberative-field model includes all the reasons we have for acting.

Even if we accept that the Kantian responses above have answered most facets of the normative objection and that personal relationships are not in some fundamental way incompatible with Kantian moral theory, there are still questions about the role these relationships play in Kantian moral theory—that is, how important they are to the

¹⁰⁰ Herman *The Practice of Moral Judgment* 192

¹⁰¹ *Ibid.* 193

¹⁰² *Ibid.* 194

¹⁰³ *Ibid.* 193

theory and what the theory can say about our conduct and obligations in personal relationships. Velleman's response gives some idea of how love and respect might be related, but more needs to be said about how actions in personal relationships have moral value and how those actions affect other moral duties. Baron's and Herman's responses show that we are allowed to do actions from love and thus that such actions are not morally impermissible for a Kantian. However, their responses do not explain why we are ever obligated to do acts for intimates and therefore why actions done for intimates are not just morally permissible but are morally mandated and so have moral value. By further examining the place of relationships in Kantian moral theory, I provide a better sense of the importance of these relationships in the theory. I argue that thinking about the Categorical Imperative as expressed in the Formulation of Humanity as an End (FHE) and about what it means to show respect for others shows that Kantian theory not only allows but requires that we give special consideration to intimates.

If it is true that Kantian moral theory requires that we give special consideration to intimates, one might wonder whether we could still say that Kantian moral theory is an impartial theory. That is, if Kantian moral theory requires us to give some kind of preferential consideration to one group, how can we still call the theory impartial? If we think impartiality requires equal consideration or equal treatment at the level of deliberation about moral actions so that our reasons for acting are impartial, then the proposed understanding of Kantian moral theory would not be impartial. But there is an important way in which the proposed version of Kantian moral theory *is* still impartial. Unlike an ethic of care, which focuses on our responsibilities to intimates, Kantian moral theory is still focused on our responsibilities to everyone. The consideration that

we give to those in personal relationships with us does not come at the expense of consideration to others; our duties to strangers are still an important part of the theory. Because the starting point of Kantian moral theory is that everyone is owed respect in virtue of their humanity, Kantian moral theory is still an impartial moral theory. This understanding of impartiality allows Kantian moral theory to explain certain moral obligations we have that theories which are not impartial (like an ethic of care) cannot satisfactorily explain. I say more about this in Chapters Three and Four.

III. Conclusion

In this chapter, I have outlined two different kinds of objections to Kantian moral theory: the psychological objection and the normative objection. The psychological objection is focused on our supposed psychological inability to be impartial. Those who present this objection claim that 1) we are enmeshed in social circumstances and relationships which will always affect our thinking, even when we try to think impartially; 2) we cannot fully rid ourselves of our emotions, desires, and experiences when making moral decisions; and 3) we all have biases, some of which we do not recognize, which are pervasive and affect our thinking without our realization of it. I have discussed and responded to this objection briefly because it is not the focus of my dissertation.

The second objection is the normative objection. I divided the normative objection into two forms: the incompatibility criticism and the relationships-as-normative criticism. Those who put forward the incompatibility criticism claim that personal relationships are incompatible with Kantian moral theory for at least one of

two reasons: 1) that actions done for intimates are not even morally permissible because they violate the impartiality supposedly required by Kantian moral theory; or 2) that, even if actions done for intimates are morally permissible, such actions do not have moral value under Kantian moral theory.

The relationships-as-normative criticism goes beyond the incompatibility criticism. The critics who put forth the relationships-as-normative criticism propose that, since personal relationships are such an important part of our lives and they appear to be incompatible with impartial moral theories (including Kantian moral theory), we should have a different moral theory, at least for those situations involving intimates. These critics have developed various moral theories that take the care given between intimates as the fundamental moral value. An ethic of care is such a theory, and it is the theory on which I focus my reply in the dissertation because this theory gives a model of how the value of actions done for intimates can be central to a moral theory.

While other Kantians have replied to the normative objection, I have argued that their responses generally focus on what actions in personal relationships would be morally permissible. The normative objection, especially in the relationships-as-normative form, generally focuses on how impartial moral theories including Kantian moral theory do not give the same *value* to actions done for intimates that we give them in our everyday life. Arguing that actions done because of personal relationships are *morally permissible* is not enough to fully answer this part of the critique. Instead, a successful answer will show that an impartial moral theory gives an important place to personal relationships and the actions done for intimates.

Overall, saying that an impartial moral theory does not have anything to tell us about personal relationships seems plausible only if one takes a particular view of impartial moral theory and how it should be used; namely, that either it is inappropriate for us to use impartial moral theory to think about acting in personal relationships or that impartial moral theory does not help us because we can never really be impartial. If we have a different view of impartial moral theory (one that sees it as helpful for discerning moral principles rather than directly determining actions), we can see where impartial moral theory would be useful in our interactions with intimates. I make this argument in Chapter Two, where I argue that special consideration for those in personal relationships with us is required by Kantian moral theory.

Chapter Two: Duties to Others

I. Introduction

In this chapter, I examine Kantian moral theory and its features that lead those who present the normative objection to claim that Kantian moral theory cannot accommodate personal relationships. The critics claim that because Kantian moral theory requires impartiality from us, we are not allowed to treat intimates in a way that shows that we value them and our relationship with them. This treatment usually is expressed in actions that convey our care and concern about the physical and emotional well-being of intimates. We think we owe intimates this kind of treatment. I refer to the obligation to treat intimates in a way appropriate to the relationship we have with them as a relationship obligation. Relationship obligations arise because of the connection and nature of the relationship we have with intimates. After explaining the kind of treatment that relationship obligations require, I examine both Kant's descriptions of the Categorical Imperative and of duty to see if these parts of the theory are incompatible with relationship obligations as those who present the normative objection claim. Kant's own discussion of the duties that accompany particular personal relationships and Thomas E. Hill, Jr.'s explanation of the Categorical Imperative as a way to help us determine moral principles rather than as a decision-procedure for moral action lead us to see that actions done because of our relationship obligations are not incompatible with Kantian moral theory. Furthermore, I argue that we can understand the Categorical Imperative in the Formula of Humanity as an End (FHE) in such a way that acts done because of relationship obligations are not just allowable but are morally mandated by Kantian moral theory.

II. Special Obligations to Intimates (Relationship Obligations)

One of the reasons critics raise the normative objection against Kantian moral theory is because we intuitively think that there is a difference between what we are required to do for strangers and what we should do for intimates. What philosophers like Blum, Williams, Stocker, McFall, and the care ethicists point out is that we think we should treat intimates differently than we treat strangers. This translates into showing a special kind of consideration in our actions towards intimates that we do not show to strangers. In this section, I discuss the kind of respect many of us think we owe to everyone and compare it to the treatment we think we owe intimates. While many of us think we owe a basic level of respect to everyone, we also think we have an additional obligation to treat intimates in a way that shows them that we care about them and that we value our relationship with them. We express this obligation in showing a level of care and concern for intimates that we do not show for strangers. This obligation comes from the fact that we have personal relationships with intimates. We treat intimates differently because of this connection with them and our actions towards them are often meant to convey the importance of our relationship to our intimates.

There is a certain, basic level of respect that we owe to all people that will constrain our actions towards both strangers and intimates. This respect is similar to what Steven Darwall calls “recognition respect.”¹⁰⁴ To have recognition respect for someone is to give appropriate consideration or recognition in our moral deliberations

¹⁰⁴ Darwall, Stephen. “Two Kinds of Respect.” *Ethics* 88.1 (October 1979): 36-49.

to the fact that the person is a human being. This means that “one is not free, from a moral point to view, to act as one pleases in matters which concern something which is an appropriate object of moral recognition respect.”¹⁰⁵ Ideally, this kind of respect governs our interactions with each other. We think, for example, that we ought to be polite to others, that we ought not to lie, steal, or kill others (unless in exceptional circumstances). We think these constraints on our actions apply both to strangers and to intimates. That is, we should show recognition respect for both strangers and intimates and so there are certain ways in which our actions are constrained towards both groups. For example, we think we should be polite to strangers and intimates, we should not steal from or lie to either strangers or intimates.

Many of us also think, though, that we have additional responsibilities or obligations to intimates that we do not have to strangers. Many of us think we need to show our intimates more than just the recognition respect we show to all people. Many of us think intimates deserve more of our attention, affection, and concern than strangers, and we expect to receive the same kind of treatment from our intimates. This kind of treatment comes from the obligations we think we have to intimates because of our relationship with them; we give them a special place in our lives which we show to them by showing a deep care and concern for their physical and emotional well-being. Many of us do not think we need to show the same level of care and concern for strangers. Many of us show this care and concern for intimates by using what we know about them and our relationship with them to shape our actions towards them.

¹⁰⁵ Darwall “Two Kinds of Respect” 40

An example of how we shape our actions towards intimates because of the care and concern we have for them can be found in the description Martha Nussbaum gives of how a daughter tells her father about her engagement. In “‘Finely Aware and Richly Responsible’: Literature and the Moral Imagination,”¹⁰⁶ Nussbaum describes the relationship between a daughter and her father from Henry James’s *The Golden Bowl*. The father loses his wife when the daughter is young, and the father and daughter are extremely close after the death of the wife/mother. Eventually, the daughter accepts a proposal of marriage. Now the father and daughter must give each other up in a way that does not hurt the other person. The father needs to let his daughter know that he not only accepts her choice but approves of it and is happy for her, even though this means that she will leave him. The daughter needs to recognize the effect her leaving will have on her father and to see him as a separate person. Not only do father and daughter need to find the right words, they need to say them in the right way, with the right tone of voice, and at the appropriate time.¹⁰⁷

It is somewhat easier to see how the relationship between the father and the daughter creates an obligation that affects their behavior towards each other if we imagine the daughter giving the same news of her engagement to someone with whom she is not so close—either an extended family member or a stranger. For example, imagine the daughter telling a distant cousin about her upcoming marriage. If they are not close, then the daughter’s task of relating the news to her cousin is not so difficult—she might not even be obligated to tell her cousin in person. A phone call or a wedding

¹⁰⁶ Nussbaum, Martha. “‘Finely Aware and Richly Responsible’” *Literature and the Moral Imagination.*” *Love’s Knowledge: Essays on Philosophy and Literature*. New York: Oxford, 1990. 148-167.

¹⁰⁷ *Ibid.* 154

announcement might be sufficient. She does not need to pay particularly close attention to her cousin's feelings about the matter, although if she knows some fact about her cousin that might be related, like the fact that her cousin just broke off his own engagement or something along those lines, then she might choose her words more carefully. If the daughter is telling a complete stranger, her duty to pay attention to the stranger's particular characteristics seems even more remote. When the daughter goes dress shopping, she may walk into the shop and tell the salesperson that she is shopping for a dress because she just got engaged. We would not normally think that the daughter has any obligation to find out the history and character of the salesperson so that she can choose her words carefully. When the daughter is informing others about her engagement, the relationship she has with each individual will determine the details about how she should tell that person. If she is in a personal relationship with someone, the obligations she has to that person will affect the way in which she tells him or her. In this case, the daughter needs to relay the information in a way that takes into account the daughter's relationship with that person and what pertinent information she knows about that person. If the daughter does not have a personal relationship with the person being told, then she simply needs to relay the information.

The differences in the considerations that matter when the daughter is thinking about how to tell her father about her engagement and the absence of similar considerations when the daughter tells a stranger the same news highlights the way we think we should be sensitive to the characteristics of intimates and our relationships with them as part of the relationship. We do not think we have the same degree of responsibility to be sensitive to strangers (though most would recognize that we cannot

be completely insensitive to strangers and the context of particular situations will still affect our actions).

As discussed in Chapter One, those who present the normative objection argue that Kantian moral theory does not allow us to act in a way that would show our intimates that they and the relationships we have with them are important to us because the theory requires that we act impartially. In other words, Kantian moral theory does not allow us to act on our relationship obligations because those actions would show partiality. Part of this criticism stems from the particular picture of the Categorical Imperative and duties that Kant describes in the *Grounding* and the *Metaphysics of Morals*.

III. Kantian Moral Theory

In this section, I examine the basic structure of Kantian moral theory by looking at the categorical imperative and duties as Kant describes them. Understanding Kant's description of these concepts is an important step in understanding not only why those who give the normative objection claim that Kantian moral theory requires impartiality from us at the level of choosing which actions are moral actions, but also how personal relationships and the obligations we think accompany them fit into Kantian moral theory.

In the *Grounding for the Metaphysics of Morals*, Kant argues that, as rational beings, we can determine through reasons what moral principles should govern our actions. These principles do not depend on merely human rationality but are "derived from the universal concept of a rational being in general, since moral laws should hold

for every rational being as such.”¹⁰⁸ For Kant, these moral principles are commands of reason, or imperatives.¹⁰⁹

Kant describes two different types of imperatives—hypothetical and categorical. Hypothetical imperatives are those imperatives of reason that tell us how to achieve a certain end or goal we have. They tell us to take the necessary and available means to our end or to give up that end. Hypothetical imperatives “represent the practical necessity of a possible action as a means for attaining something else that one wants (or may possibly want).”¹¹⁰ Kant also refers to hypothetical imperatives as imperatives of skill and imperatives of prudence¹¹¹ and says, “Here there is no question at all whether the end is reasonable and good, but there is only a question as to what must be done to attain it.”¹¹² He gives the example of a doctor who writes prescriptions to make his patient healthy and a poisoner who wishes to kill his victim. In each case, the hypothetical imperative tells the individual how to achieve his end. For the doctor, the hypothetical imperative will tell him which medicine and what quantity he should prescribe in order to make his patient well. For the poisoner, the hypothetical imperative will tell him the quantity of poison he will need in order to kill his victim. This kind of imperative is concerned only with helping us reach our end and does not take into account the moral value of that end.

The second type of imperative Kant describes is the categorical imperative.

These imperatives are imperatives of reason and are necessary. They are “not concerned

¹⁰⁸ *Grounding* 412

¹⁰⁹ *Ibid.* 413

¹¹⁰ *Ibid.* 414

¹¹¹ *Ibid.* 416

¹¹² *Ibid.* 415

with the matter of the action and its intended result, but rather with the form of the action and the principle from which it follows; what is essentially good in the action consists in the mental disposition, let the consequences be what they may. This imperative may be called that of morality.”¹¹³ Categorical imperatives differ from hypothetical imperatives because, unlike hypothetical imperatives, categorical imperatives are not concerned with helping us to achieve our ends. Rather, they are concerned with our reasons for acting. The actions that the categorical imperative recommends can, according to Kant, “quite properly be called a command since it is absolutely, though practically, necessary.”¹¹⁴ Categorical imperatives tell us that we ought to do something not as a means to achieve some end (as with a hypothetical imperative) but because the action is good in itself. Kant argues that the supreme principle of morality is the categorical imperative.

There is some question about exactly how Kant uses the term “categorical imperative.” Though he says “there is only one categorical imperative,”¹¹⁵ he gives different formulations of the categorical imperative which he says are equivalent, such as the Formulation of Universal Law (“Act only according to that maxim whereby you can at the same time will that it should become a universal law”¹¹⁶), the Formulation of Humanity as an End (“Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply

¹¹³ *Grounding* 416

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.* 421

¹¹⁶ *Ibid.*

as a means”¹¹⁷), the Formulation of Autonomy (“[T]he will of every rational being [is] a will that legislates universal law” and “all maxims are rejected which are not consistent with the will’s own legislation of universal law”¹¹⁸), and the Formulation of the Kingdom of Ends (“All maxims proceeding from his own legislation ought to harmonize with a possible kingdom of ends as a kingdom of nature”¹¹⁹). Kant also talks of other principles as being categorical imperatives. For example, in the *Metaphysics of Morals*, Kant writes, “The law of punishment [to punish only the guilty] is a categorical imperative.”¹²⁰ Thomas E. Hill, Jr. explains Kant’s use of the term “categorical imperative” in the following way:

Kant’s remarks about categorical imperatives can be confusing because although he explicitly says there can only be one categorical imperative he repeatedly writes as though there are many...No doubt he had in mind a primary (or strict) sense of the term when writing about further principles that (he believed) were warranted by ‘the Categorical Imperative’ (in the strict sense). On this hypothesis, the discrepancy (from singular to plural) becomes harmless, even though there remain questions in various contexts about which sense he had in mind.¹²¹

If we accept Hill’s explanation of Kant’s use of the term “categorical imperative,” then we see that Kant uses the term to refer both to his primary formulations of the Categorical Imperative¹²² and also to what he refers to as duties. Duties are categorical imperatives (lower case) in the sense that they are moral principles which tell us what

¹¹⁷ *Grounding* 429

¹¹⁸ *Ibid.* 431

¹¹⁹ *Ibid.* 436. There is some disagreement among commentators as to how many formulations of the Categorical Imperative Kant gives and whether the formulations are actually equivalent. While this is an interesting discussion, it is not my focus here.

¹²⁰ *MM* 6:331

¹²¹ Hill Jr., Thomas E. *Human Welfare and Moral Worth*. New York: Oxford, 2002. 24.

¹²² I follow Hill’s use of Categorical Imperative (capitalized) to refer to the main formulations of the Categorical Imperative Kant gives.

kinds of actions are required, such as acts of beneficence, gratitude, and justice (to name just a few). Kant says that all imperatives of duty can be derived from the Categorical Imperative.¹²³

In the *Grounding*, Kant divides duties into two types: perfect duties and imperfect duties. We have each kind of duty both to self and to others.¹²⁴ Perfect duties are duties we have to others and ourselves that require us to act or refrain from acting every time a situation involving that duty arises. Examples of perfect duties for Kant are the duties to keep promises, not to lie, and also duties of justice. Perfect duties to ourselves are similar: Kant discusses the duty not to commit suicide as a perfect duty to self.¹²⁵ Unlike perfect duties, which require specific actions in order to fulfill them, imperfect duties leave us a certain amount of leeway--how and when we choose to fulfill imperfect duties is substantially up to us. This does not mean that we have no choice in how to fulfill perfect duties—the circumstances of the particular situation in which we have a perfect duty will shape how we act on that duty. But, because it is a perfect duty, we must either act or refrain from acting. With imperfect duties, whether we act in that particular situation is a matter of some choice.¹²⁶

Examples of imperfect duties are our duty of beneficence and the duty to work to improve one's talents. The duty of beneficence is an imperfect duty to others, and the

¹²³ *Grounding* 421

¹²⁴ *Ibid.* 421-423

¹²⁵ Kant gives an example of preserving one's life as a perfect duty to self: *Grounding* 422

¹²⁶ See Hill, Jr. Thomas E. *Human Welfare and Moral Worth: Kantian Perspectives* 203-204 for a further description of the difference between perfect duties and imperfect duties. For an in-depth discussion of the amount of leeway we have in fulfilling imperfect duties, see Chapter 3, "Latitude in Kant's Imperfect Duties" in Marcia Baron's *Kantian Ethics Almost without Apology*. Ithaca: Cornell, 1995.

duty to work on one's talents is an imperfect duty to self.¹²⁷ In the case of the duty of beneficence, we are required to act beneficently on some occasions, but not every occasion where we have the opportunity.¹²⁸ While the fact that beneficence is a duty means that we are required to do beneficent acts on some occasions, the actions we choose to do as part of our duty of beneficence are up to us. We may volunteer for a charity or we may donate money. Both would count as acting on our duty of beneficence. Our imperfect duty to develop our talents allows us similar room in acting on our duty. We might have talents for playing the piano and for painting. If we enjoy playing the piano more than painting, we may choose to take piano lessons over painting lessons. In this case, we would still be meeting our imperfect duty to develop our talents even if we did not pursue painting.

In the *Metaphysics of Morals*, Kant gives a different division of duties. Here, he divides duties into duties of right and duties of virtue. Duties of right are those duties for which external lawgiving is possible and duties of virtue are those duties for which lawgiving is not possible.¹²⁹ Duties of right are those duties where our outward conduct affects others and which the state can legislate, like the keeping of contracts. Duties of right are also described as narrow duties by Kant because how we are to act is prescribed. Duties of virtue have to do with ends that we have for ourselves. Since we

¹²⁷ See *Grounding* 423

¹²⁸ Of imperfect duties and the requirement to act on them, Kant says, "For if the law can only prescribe only the maxim of actions, not actions themselves, this is a sign that it leaves a playroom (*latitudo*) for free choice in following (complying with) the law, that is, that the law cannot specify precisely in what way one is to act and how much one is to do by the action for an end that is also a duty." *MM* 6:390. Speaking of beneficence later, he says, "Hence this duty is only a *wide* one; the duty has in it a latitude for doing more or less, and no specific limits can be assigned to what should be done." See also Marcia Baron's *Kantian Ethics Almost without Apology*, Ch. 3, esp. p. 106: "the imperfect duty does not translate into a duty to perform these deeds, on these occasions. So one is not required to help others on every occasion where help could be given."

¹²⁹ *MM* 6:239

cannot make anyone have an end, we cannot externally legislate duties of virtue.¹³⁰

Duties of virtue are those duties where only the maxim or reason for acting is prescribed. They are duties where we have “playroom (latitudo) for free choice in following (complying with) the law—that is, that the law cannot specify precisely in what way one is to act and how much one is to do by the action for an end that is also a duty.”¹³¹ But the “playroom” we have for duties of virtue can vary depending on the specific duty, according to Kant: “although it [the duty of respect] is a mere duty of virtue, it is regarded as *narrow* in comparison with a duty of love.”¹³² Marcia Baron adds more detail about how the difference between the duty of love and the duty of respect will affect our actions: “duties of respect allow less latitude than do duties of love... We are not morally required always to come to others’ aid; we are morally required always to treat others with respect. The latitude afforded by the duty to respect others does not include latitude as to when, or how often, one treats others with respect, but only to how one does this.”¹³³

Kant’s description of the Categorical Imperative and of duties could lead some to think that a Kantian moral system is extremely rigid and that it does require the kind of impartiality at the level of acting that those who give the normative objection claim it

¹³⁰ *MM* 6:239

¹³¹ *Ibid.* 6:390. For further discussion on Kant’s categorization of duties, see Thomas E. Hill, Jr. “Kant on Imperfect Duty and Supererogation,” *Dignity and Practical Reason in Kant’s Moral Theory*. Ithaca: Cornell, 1992. 147-175 and Baron, Marcia. “Kantian Ethics and the Supererogatory.” *Kantian Ethics Almost Without Apology*. Ithaca: Cornell, pp. 21-58, especially pp. 29-32.

¹³² *MM* 6:449-450

¹³³ Baron, Marcia. “Love and Respect in the Doctrine of Virtue.” *Kant’s Metaphysics of Morals: Interpretive Essays*. Ed. Mark Timmons. Oxford: Oxford, 2002. 391-407. 393-394. For further explanation of the difference between duties of respect and duties of love and why duties of respect are still duties of virtue even though they are narrower than duties of love, see pp. 154-156 of Thomas E. Hill, Jr.’s “Kant on Imperfect Duty and Supererogation” in his *Dignity and Practical Reason in Kant’s Moral Theory*. Ithaca: Cornell, 1992, 147-175.

does. This view could come from a combination of two different elements of Kantian theory: 1) Kant's assertion that the action we take in response to a particular duty is sometimes prescribed (as in narrow duties); and 2) the fact that the Categorical Imperative and the maxims (or reasons) we have for acting are supposed to be universal—that is, are supposed to be reasons for which anyone could act. Kant also says that the commands of morality apply to everyone, “without taking account of his inclinations, merely because and insofar as he is free and has practical reason.”¹³⁴ Because morality is supposed to apply to everyone “without taking account of his inclinations,” one might think that we are not allowed to take our personal relationships with others into account when we are deliberating about moral action because of our inclination towards intimates and our desire to act in ways that benefit them. If this view is right, then it looks as though we are not allowed to act for reasons which would express partiality for someone—we are not allowed to act on relationship obligations. Such actions would be excluded by Kantian moral theory. To further examine this view and its consequences for the ability of Kantian moral theory to give value to actions done from relationship obligations, we need to examine the Categorical Imperative and how we should make use of it.

IV. Using the Categorical Imperative

The Categorical Imperative is Kant's supreme principle of morality and is central to Kantian moral theory. Our understanding of the purpose of the Categorical Imperative, including how Kant intended we should use it, will directly affect how we see

¹³⁴ *MM* 6:217

impartiality as part of Kantian moral theory and what we will see that impartiality as requiring of us. In this section, I discuss a prominent understanding of how to use the Categorical Imperative as a decision-procedure that makes it appear as though the Categorical Imperative requires us to be impartial at the level of determining what action morality requires.

In the Doctrine of Virtue, Kant writes,

Every human being has a legitimate claim to respect from his fellow human beings and is *in turn* bound to respect every other. Humanity itself is a dignity; for a human being cannot be used merely as a means by any human being (either by others or even by himself) but must always be used at the same time as an end. It is just in this that his dignity (personality) consists... But just as he cannot give himself away for any price (this would conflict with his duty of self-esteem), so neither can he act contrary to the equally necessary self-esteem of others, as human beings, that is, he is under obligation to acknowledge, in a practical way, the dignity of humanity in every other human being. Hence there rests on him a duty regarding the respect that must be shown to every other human being.¹³⁵

In this passage, Kant asserts that we should treat all human beings, including ourselves, with respect. This seems to agree with our basic intuition that there are certain standards we ought to follow regarding how we treat people. The question, then, is how this will affect our actions towards intimates. If we view respect as requiring us to treat all people equally or to give all people equal consideration when we are deciding how to act (because all people have a claim to respect from others), then the kind of respect Kant describes would not allow us to treat intimates differently than we treat strangers. But this is not what respect requires for Kant. Our duty to respect others is our duty to recognize the dignity of others. This respect is “a recognition of *dignity (dignitas)*...that

¹³⁵ *MM* 6:462

is, of a worth that has no price, no equivalent for which the object evaluated (*aestimii*) could be exchanged.”¹³⁶ Kantian respect is similar to Darwall’s recognition respect—that is, Kantian respect requires us in our moral deliberations to give appropriate consideration or recognition to the fact that others are persons and to see that this will constrain our actions.¹³⁷ Kantian respect requires that we not treat others (or ourselves) as mere means—that is, we not treat others (or ourselves) in ways that they could not hypothetically agree to be treated.

Kant more formally expresses the idea that the humanity of others will constrain our actions in the *Grounding for the Metaphysics of Morals* as one of the forms of the Categorical Imperative. As noted earlier, the Formulation of Humanity as an End (FHE) requires us to “[a]ct in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means.”¹³⁸ Kant also gives at least two other formulations of the Categorical Imperative: the Formulation of Universal Law, and the Formulation of the Kingdom of Ends.¹³⁹ Of these, the FHE seems to best describe the way we ought to treat others. Most discussions of Kant by his critics, however, tend to focus on the FUL: “Act only according to that maxim whereby you can at the same time will that it should become a universal law.”¹⁴⁰ Here, Kant claims that we can only act on those maxims for which it would be appropriate for any moral agent to act. Maxims that include details that apply

¹³⁶ *MM* 6:462 (emphasis in original)

¹³⁷ Darwall, Stephen. “Two Kinds of Respect” 38, 39

¹³⁸ *Grounding* 429

¹³⁹ There are debates over the number of different formulations Kant actually gives. Also, there are debates over whether the formulations are equivalent, as Kant thinks they are. These debates are interesting but are not the focus of my work, so I will not be addressing them here.

¹⁴⁰ *Grounding* 421

only to us or to our situations, then, do not seem to count as moral maxims for acting. In thinking about whether I can help my brother in a particular situation, some might claim that the FUL requires me to leave the fact that it is my brother whom I am helping out of my moral deliberation. I should leave this fact out because the reason that it is *my* brother is not a reason for which any moral agent could act.

This raises a question about the Categorical Imperative: how specific are we allowed to be in considering what maxims would give any agent a reason to act (maybe I cannot use the fact that it is my brother Tim specifically, but maybe I can include the fact that it is a sibling who is being)? This question, while it is important, is secondary to an even more fundamental question: how are we supposed to use the Categorical Imperative when we make moral decisions? The question I aim to address here is the broader question of how we should use the Categorical Imperative in making moral decisions.¹⁴¹ If we use the Categorical Imperative, particularly the FUL, as a decision-procedure to see whether an action is moral without taking the particular circumstances surrounding that action into account, then it looks as though Kantian moral theory might actually require the kind of impartiality those who raise the normative objection claim it does.

Those who think that we should use the Categorical Imperative as a decision procedure claim that when we have a question about whether an action is moral, we compare our proposed action to one of the forms of the Categorical Imperative. In doing

¹⁴¹ Others have addressed the question of what information should be part of our maxims. See, for example, Chapter 2 “The Problem of Relevant Act Descriptions” of Nell, Onora. *Acting on Principle*. New York: Columbia, 1975; Chapter 5 “Consistency in Action” of O’Neill, Onora. *Constructions of Reason*. New York: Cambridge, 1989 especially pp. 83-89; Ch. 10 “Leaving Deontology Behind” of Herman, Barbara, *The Practice of Moral Judgment*, Cambridge: Harvard, 1993, especially pp. 217-224.

so, we can derive an answer.¹⁴² Suppose I promise to drive my neighbor to her doctor's appointment. On the day of her appointment, I am about to leave to pick my neighbor up when the phone rings. My friend has just been admitted to the hospital because she was in an accident. If we are to use the Categorical Imperative as a decision-procedure, to determine whether breaking my promise to my neighbor in order to go to the hospital to be with my friend is morally permissible, I should determine whether my maxim, or principle for acting (as discussed in Chapter 1), can be universalized—that is, I determine whether my maxim is one on which all agents could act. So, I look at my maxim, which is “to break a promise to someone in order to go to my friend when my friend has been hurt.” Then I ask myself, is this a maxim on which all agents can act? The answer, under this interpretation of the Categorical Imperative, is no because this maxim is not one on which every agent could act. We cannot universalize a maxim of agents always breaking promises to go to their friends whenever their friend has been hurt.¹⁴³ There are two ways in which maxims may fail the test of universalization: either because there is a contradiction in conception or there is a contradiction in willing.¹⁴⁴

There is a contradiction in conception of a maxim if the maxim fails not when one adopts it oneself but when everyone adopts the maxim. Kant refers to these maxims

¹⁴² Simon Blackburn is one philosopher who presents this picture of Kant. See Blackburn's *Ruling Passions*. New York: Oxford, 1998, pp. 216-24. Blackburn discusses the problems specifically with reference to Kant's picture of promises. This simplified view of Kant is also found in the classroom and in introductory philosophical texts. In *The Elements of Moral Philosophy* 3rd ed. Boston: McGraw Hill, 1999, James Rachels describes Kant as “believ[ing] that morality is a matter of following absolute rules—rules that admit no exceptions, that must be followed come what may” (122). Rachels describes the FUL as leading to “moral rules that hold, without exception, in all circumstances” (125).

¹⁴³ Kant discusses the case of failing to keep a promise at *Grounding* 422.

¹⁴⁴ For a more detailed discussion of the two ways maxims can fail, see Chapter 5 “Consistency in Action” of Onora O’Neill’s *Constructions of Reason*, particularly pp. 96-101.

as “self-contradictory”¹⁴⁵ and explains this in his discussion of the man who needs to borrow money that he knows he cannot repay. In order to borrow the money, the man will have to promise to repay the loan, even though he knows he will not be able to keep his promise. The man’s maxim, according to Kant, is “When I believe myself to be in need of money, I will borrow money and promise to pay it back, although I can never do so.”¹⁴⁶ This maxim cannot be universalized because, as Kant explains, “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.”¹⁴⁷ The idea of making a false promise depends on the recipient of that promise believing that the promise-maker will keep her promise. The man in Kant’s example will be able to borrow money only if the person giving him the loan believes he will pay it back. If, however, it were the case that everyone made promises and no one kept them, then no one would believe anyone who made a promise. So, if everyone acted on the man’s maxim of promising to pay back a loan when they knew they would not be able to do so, and everyone being asked for a loan knew that no one would keep their promise to repay the loan, then no one would believe the promise and no one would make the loan. There is a contradiction in conception because the idea of promising as a concept includes the idea of keeping the promise. To be able to break a promise or to make a false promise, the recipient of the promise must believe that

¹⁴⁵ *Grounding* 422

¹⁴⁶ *Ibid.* 422

¹⁴⁷ *Ibid.*

people generally keep their promises. If no one keeps her promises, no one would believe that someone who made a promise intended to keep that promise and so there would be no advantage to gain by making a false promise. A maxim of making a false promise, then, is not universalizable because it contains a contradiction in conception.

The second way in which maxims can fail to be universalizable is if there is a contradiction in will. Kant explains this in his discussion of the maxim of helping others in need:

A fourth man finds things going well for himself but sees others (whom he could help) struggling with great hardships; and he thinks: what does it matter to me? Let everybody be as happy as Heaven wills or as he can make himself; I shall take nothing from him nor even envy him; but I have no desire to contribute anything to his well-being or to his assistance when in need. If such a way of thinking were to become a universal law of nature, the human race could very well subsist... But even though it is possible that a universal law of nature subsist in accordance with that maxim, still it is impossible to will that such a principle should hold everywhere as a law of nature. For a will which resolved in this way would contradict itself, inasmuch as cases might often arise in which one would have need of the love and sympathy of others and in which one would deprive himself, by such a law of nature springing from his own will, of all hope of the aid he wants for himself.¹⁴⁸

In this example, the maxim not to help others when they need help is not universalizable because there is a contradiction in will. That is, we could not will such a maxim because to do so would be to will a world where no one helps anyone else. Because we know that we ourselves will need help at times and we would want others to help us, we cannot will a world where no one helps others who need help. So, I cannot universalize my maxim not to help others when they need help.

¹⁴⁸ *Grounding* 423

In the case of breaking my promise to my neighbor to go to the hospital to be with my friend, it appears as though I cannot universalize my maxim because there is a contradiction in conception. As in the discussion with the man breaking his promise to repay a loan, the making of a promise depends on the understanding that people will keep their promises. I cannot universalize a maxim to break my promise to my neighbor because to do so would be to universalize a maxim of breaking promises and would weaken the institution of promising, making it ineffectual. Even though in this case I do not necessarily gain anything from breaking my promise, it appears that my maxim is not universalizable.¹⁴⁹

Using the Categorical Imperative this way helps us to be impartial in our moral decision-making because it keeps us from making exceptions for ourselves or for others based on considerations which are not relevant for all agents in all cases. We are not allowed to take into account our personal relationships in our maxims. It does not matter if I made the promise to a friend, a family member, or a stranger, and it does not matter that the person in the hospital is my friend. I cannot break my promise.

To some extent, it seems as though Kant himself thought that this rigid reading of what the Categorical Imperative requires from us was correct, at least on certain matters. Kant's own discussions of promise-keeping and lying seem to support this interpretation. In the matter of promise-keeping, Kant gives the example of a man who is in need of money. In order to receive a loan, the man must promise to repay the loan within a certain time frame. If he knows he will not be able to repay the loan, can he

¹⁴⁹ Part of the conclusion that my maxim is not universalizable will depend on exactly what my maxim is; that is, what kind of information goes into my maxim and how specific it is. There is a further discussion of maxims and maxim formation in Chapter 1, including references to discussions on maxim formation in the Kantian literature.

still promise to repay it in order to receive the loan? Looking at the question under the FUL, Kant says no: “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.”¹⁵⁰

Kant also presents the same strict position about telling the truth. In his “On a Supposed Right to Lie because of Philanthropic Concerns,” Kant argues that we must always tell the truth, even if there is a murderer at our door asking whether his intended victim is inside (and the victim is indeed inside). “To be truthful (honest) in all declarations is, therefore, a sacred and unconditionally commanding law of reason that admits of no expediency whatsoever.”¹⁵¹ Kant’s own remarks on these subjects have led some to conclude that many Kantian duties are rigid and allow no exceptions. This view of Categorical Imperatives connects with the critics’ claim that Kantian moral theory is impartial. If the Categorical Imperative applies to all rational beings because they are rational and morality does not take into account our inclinations,¹⁵² then it would seem that we do owe everyone either equal consideration or equal treatment of the kind the critics of impartiality claim Kantian moral theory requires of us at the level of categorical imperatives, or duties. That is, it would seem as though everyone, both intimates and strangers, should receive the same kind of consideration or the same kind of treatment from us at the level of categorical imperatives or duties. To treat them

¹⁵⁰ *Grounding* 422

¹⁵¹ *On a Supposed Right to Lie* 427

¹⁵² *Grounding* 428-429, *MM* 6:217

otherwise would be to allow our own inclinations or preferences to affect our actions.

The critics interpret Kant as claiming that such treatment is morally problematic because the acting on inclinations or preferences is morally problematic.

If we understand the Categorical Imperative in the FUL as giving us a decision procedure, as the critics, and sometimes even Kant himself, seem to, then we could also see the FHE as generating a universal principle of respect. That is, we could see the FHE (“Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means”) as stating a universal principle for treatment—that we always treat the *humanity* in others, or the characteristics which all human rational agents share, as an end and never simply as a means. This explanation of the FHE calls on us to recognize and attend to the characteristics of human beings that are the same, and so it seems to call on us to leave out any consideration of particular characteristics that an individual might have. In this case, when I am considering whether I can break my promise to my neighbor in order to go be with my friend at the hospital, I would recognize that by doing so, I would be treating my neighbor as a mere means. Further analysis of this example under the FHE is given later in the chapter. For the purpose of the discussion here it is enough to see that one could think that impartiality as requiring equal treatment or equal consideration is present not only in the FUL (because of the requirement that we be able to universalize maxims) but also in the FHE because Kant’s focus is on treating the *humanity* in others as an end and never simply as a means.

While we might have some reason to believe that this is the appropriate way for us to use the Categorical Imperative, Kant himself provides some reasons for thinking

that we should use it in a different way. At least, Kant gives us reason to think that Kantian moral theory does not require the kind of impartiality this understanding of how to use the Categorical Imperative requires. Kant himself recognized that personal relationships are an integral part of our lives and that such relationships are accompanied by duties or obligations that apply to those in the relationships. We can see this from his discussions of parental duties, the marriage relationship, and friendship.

V. Kant and Personal Relationships

In the *Metaphysics of Morals*, Kant discusses marriage, parental obligations, and friendship. Although his ideas of some of these relationships, specifically spousal relationships and friendships, are not exactly the same as our ideas of these relationships, looking at his descriptions enables us to see that Kant does recognize that there are some duties or obligations (however limited they might be) that are an essential part of personal relationships. If it were true that Kantian moral theory were incompatible with the value we find in personal relationships and actions done for intimates, Kant's mention of marriage, parental obligations, and friendship (and specifically his claim that we have a duty to form and maintain friendships) would be in tension with the rest of his theory. Since Kant does discuss particular duties that arise from personal relationships, we can see that there is room for relationship obligations in Kantian moral theory.

Kant discusses marriage in the *Rechtslehre*. He says that people who enter into marriage gain rights to the other person.¹⁵³ The necessity for gaining rights to another stems from Kant's view of sexual intercourse. Kant views marriage as the only way to make sexual intercourse, or the giving of oneself to another, morally permissible. In marriage, when one spouse allows another access to her body, she also gains access to his body. Outside of the marriage context, allowing someone access to one's body without also gaining access to the other's body would be allowing the other person to use one as a thing, which is not morally permissible for Kant.¹⁵⁴ Spouses not only gain equal access to each other's bodies through marriage, but Kant also thinks that marriage ensures equal rights and equal respect between spouses.¹⁵⁵

The *Rechtstlehre* also contains a discussion of the obligations of parents to children. Kant says parents have a duty to care for their children until the children are old enough to care for themselves.¹⁵⁶ Parents are obligated not only to feed and clothe their children but also to educate them both pragmatically (so that the child will be able to care for herself when she becomes an adult) and morally.¹⁵⁷ Although Kant thinks that the duty of parents towards their children ends when the children are able to care for themselves and I am interested in relationships between adults, his discussion is helpful because his treatment of parental obligations shows he does recognize that there

¹⁵³ *MM* 6:278-280

¹⁵⁴ *Ibid.* 6:278-279

¹⁵⁵ *Ibid.* 6:278. For a further discussion of Kant's views of marriage, see Brake, Elizabeth. "Justice and Virtue in Kant's Account of Marriage." *Kantian Review* 9 (March 2005): 58-94, Denis, Lara. "From Friendship to Marriage: Revising Kant." *Philosophy and Phenomenological Research*. 58.1 (July 2001): 1-28 and Herman, Barbara. "Could it be Worth thinking about Kant on Sex and Marriage?" *A Mind of One's Own: Feminist Essays on Reason and Objectivity*. Eds. Louise M. Antony and Charlotte Witt. Boulder: Westview, 1993. 53-72.

¹⁵⁶ *MM* 6:280

¹⁵⁷ *Ibid.* 6:281

are some duties that are an essential part of personal relationships. Further, Kant mentions that, when the child's education is done (presumably when the child is old enough to care for herself), she has a duty of gratitude to her parents.¹⁵⁸

Kant also describes friendship in the *Metaphysics of Morals*. Specifically, he looks at an ideal of friendship, which he defines as “the union of two persons through equal mutual love and respect.”¹⁵⁹ If a friendship meets this requirement, Kant considers it a moral friendship, which he describes as “the complete confidence of two persons in revealing their secret judgments and feelings to each other, as far as such disclosures are consistent with mutual respect.”¹⁶⁰ He recognizes that this ideal friendship is not one we can attain in reality, but he does state that “striving for friendship...is a duty set by reason, and no ordinary duty but an honorable one.”¹⁶¹ For Kant, friendships are an important personal relationship that we have a duty to develop and maintain.

Critics might respond to this by claiming that the kind of friendship that Kant has in mind here is extremely different from how we normally think of friendship. After all, Kant is describing an ideal of friendship we cannot reach. Kant's assertion that we have a duty of friendship does not show that his theory can accommodate personal relationships in general but only the sort of friendship that Kant describes, which is a friendship that maintains a balance between love and respect.¹⁶² Kant describes love as drawing us closer to each other but respect as something which keeps us at a proper

¹⁵⁸ *MM* 6:281

¹⁵⁹ *Ibid.* 6:469

¹⁶⁰ *Ibid.*

¹⁶¹ *Ibid.*

¹⁶² For further discussion of love and respect and how the two interact in Kant, see Marcia Baron's "Love and Respect in the Doctrine of Virtue" and Robert Johnson's response to Baron, "Love in Vain." *Southern Journal of Philosophy* 36 (1997): 45-50.

distance from one another.¹⁶³ Kant also describes one of the duties of friendship as a duty to “point out the other’s faults to him; this is in the other’s best interest and is therefore a duty of love.”¹⁶⁴ He thinks that friends should be equal in their love and respect for each other; one friend should not love the other more than she is loved in case she would lose the respect of the other.¹⁶⁵ Moreover, Kant claims that “friendship is something so delicate...that it is never for a moment safe from interruptions if it is allowed to rest on feelings, and if this mutual sympathy and self-surrender are not subjected to principles or rules preventing excessive familiarity and limiting mutual love by requirements of respect.”¹⁶⁶ This description of friendship initially seems completely different from how we would normally characterize friendship. We do not normally think that friends should keep each other at a distance, point out each other’s faults, and never let their friendship rest on feelings. Under further examination, though, we find that our ideas about friendship might have more in common with Kant’s description than we initially recognize.

We certainly do think of friends as people to whom we can reveal our thoughts and feelings, though we might not describe it as behavior in which we should only engage when it is “consistent with mutual respect.” But this description seems consistent with how we do behave—we want our friends to love us and to help us, but we also want them to respect the decisions that we make. So, we do keep our friends at some distance, though not as great a distance as Kant seems to describe. While we might not think that we look to our friends to point out our faults, we often depend on

¹⁶³ *MM* 6:470

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.* 6:469-470

¹⁶⁶ *Ibid.* 6:471

our friends to tell us when we are being unreasonable or to help us recognize our mistakes. If someone were going to point out our flaws, we would often rather have a friend do it since we trust our friends to have our best interests in mind. While we might find it a bit extreme to say that we should never let our friendships rest on feelings, most of us realize that there will be times in our lives when, for some reason, we may not feel like doing something for a friend. Perhaps my friend needs a favor and I am very busy. I may not want to help her, but I will make time for her because of our friendship. Or, I may be angry with my friend because of something she said or did. Just because I am upset with her, I do not stop being her friend (though there may be actions towards which the appropriate response is to end the friendship). There are times in any relationship where we do not feel favorably towards our friends. This does not mean the friendship ends or takes a break of some kind. So, our friendships do not depend entirely on our feelings, though (hopefully) most of the time we feel favorably towards our friends. It's also worth noting that we do not always act on our feelings of love for our friend in that we sometimes limit what we are willing to do for friends based on the friendship. For example, while I love my friend and want the best for her, I will not give her a job for which she is unqualified just because she is my friend. Also, as Kant points out, our friends are people with whom we feel comfortable and in whom we can confide. The kind of friendship we intuitively think we want does fit with the Kantian definition of friendship. Kant recognizes that we cannot fully achieve the ideal friendship, which is why he says that we have a duty to *strive* for it, rather than a duty to attain the ideal.

At the very least, then, our general duties to others do not rule out our having personal relationships for Kant, and he does recognize some obligations, however limited, that accompany family relationships (spouse to spouse and parents to children). Kant's claims that "striving for friendship...is a duty set by reason, and no ordinary duty but an honorable one"¹⁶⁷ shows that friendship also is an important part of his moral theory. Kant's discussion of the obligations inherent in different family relationships give some clue to what obligations intimates have to each other, and his discussion of friendship as a relationship for which we have a duty to strive gives some picture of how personal relationships and relationship obligations fit into Kantian moral theory. His discussion provides a foundation for further explanation of relationship obligations and their place in Kantian moral theory. How this picture unfolds will depend partly on how we think we are to use Kant's Categorical Imperative when making moral decisions. Those philosophers who present the normative objection think that the Categorical Imperative requires us to be impartial (give equal treatment to or equal consideration to others) in making individual moral decisions. However, if we use the Categorical Imperative as a guide for developing general moral principles instead of using it as a decision procedure, then Kantian moral theory not only accommodates the actions we want to do for intimates but mandates that we give special consideration to them. Because it mandates the special consideration we think those in personal relationships with us deserve, Kantian moral theory reflects the value we intuitively think personal relationships should have. In the next section, I look at this alternate picture of the purpose of the Categorical Imperative.

¹⁶⁷ *MM* 6:471

VI. Using the Categorical Imperative- an Alternate Picture

Some philosophers think that Kant intended for us to use the Categorical Imperative in a way other than as a decision procedure for deciding which action is right. Cynthia Stark's discussion of impartiality as a standard of rightness in Kantian moral theory and not as a decision procedure gives more guidance to understanding how the Categorical Imperative gives us principles. Stark argues that the impartiality in Kantian moral theory is meant to be used as a standard of rightness, not as part of a decision procedure, where a standard of rightness answers the question, "What kinds of actions are morally right?" and a decision procedure answers the question, "*How do I decide in a given case which action is morally right?*"¹⁶⁸ Standards of rightness help us to understand principles or duties, while decision procedures are aimed at determining which action is the right action in a particular situation. Those who give the normative objection are confusing impartiality at the level of a standard of rightness with impartiality as a decision procedure. This is often connected with the understanding of the FHE ("Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means").

The idea that we should treat the humanity in persons as an end in itself and never merely as a means, which I am here interpreting as a principle of respect for persons, has been impugned as overly impartial. This principle, the argument goes, requires agents to view others as abstract persons, rather than as particular, unique individuals. Since it enjoins us to respect people's rational agency, it requires us to attend to a feature of persons that is shared by all, rather than to aspects of persons that are distinctive or specific. Our respect for others, then, represents a kind of impartial attitude, for we are, in respecting persons, viewing them as all

¹⁶⁸ Stark, Cynthia. "Decision Procedures, Standards of Rightness and Impartiality." *Nous* 31:4 (1997) 478-495. p. 478 (emphasis in original)

the same, as interchangeable. But, of course, in many circumstances, critics point out, it is morally appropriate to value persons for their individual characteristics, or to pay attention to particular features of them in showing them respect.¹⁶⁹

As Stark points out, if one thinks the FHE requires us to look at all other persons as abstract individuals in order to respect them because of their humanity, then it looks as if what respect requires of us is that we take an impartial attitude towards all people when making moral decisions. But if we understand the FHE as giving us a *standard of rightness*, then we understand the FHE as pointing out that all morally right actions will show respect for the humanity in others. While it is true that it is our shared humanity that gives us our moral status, this does not mean that respecting others requires us only to pay attention to their rational agency. Thinking that this is what is required is actually a mistake:

Kant maintains that persons have what he calls absolute or unconditional worth. We have this worth in virtue of the fact that we are autonomous rational agents. Our special worth, conferred upon us by our rational agency, obliges people, including ourselves, to treat and regard us with respect. Particular and idiosyncratic features of our character, emotional constitution or social position, not to mention of our bodies, are, *as far as our moral status is concerned*, irrelevant. The humanity in persons, in short, is the justificatory ground of the principle of respect for persons. However, while it is true, on Kant's account, that I must respect others *because* they are rational agents, it does not follow that in respecting them I must pay attention only to their rational agency. Indeed, in most cases it would be impossible to fulfill one's obligation to respect someone without attending to her particular situation: her needs, concerns, aspirations and personal history.¹⁷⁰

The Categorical Imperative in the form of the FHE does not tell us *which* action is the right action. Rather, it tells us *what kind* of action is the right action—an action that

¹⁶⁹ Stark 483

¹⁷⁰ Ibid. 483-484 (emphasis in original)

shows respect for the agent. In actually performing an action that shows respect for the agent, Stark claims that that we will most likely have to take into account particular details about that agent.

Thomas E. Hill, Jr. also claims that the Categorical Imperative is not to be used as a decision procedure. Rather, he thinks the Categorical Imperative should be used to derive other moral principles. Though Kant describes some categorical imperatives as absolute, Hill argues that this does not necessarily follow from an understanding of the concept of a categorical imperative.¹⁷¹ There is nothing in the idea of a categorical imperative itself that requires that all categorical imperatives are absolute. A categorical imperative gives us “sufficient, overriding reasons to fulfill our moral duties, independently of whether doing so will promote our own happiness or serve our individual ends.”¹⁷² What follows from this is that “no matter how richly complex and filled with ‘unless’ and ‘so long as’ clauses, a categorical imperative should always be respected, not subordinated to other considerations.”¹⁷³ So, instead of a categorical imperative like “never lie,” we have a categorical imperative more like “never lie unless telling that lie will save a life.” This might not be the precise formulation, but the point is that circumstances matter when we are considering moral principles, or categorical imperatives. As Hill points out, we need not accept Kant’s claim that certain categorical imperatives are absolute. Given this, we do not need to accept the critics’ view that Kantian moral theory requires us to be impartial at the level of acting on duties, or categorical imperatives.

¹⁷¹ Hill *Human Welfare and Moral Worth* 27

¹⁷² *Ibid.* 26

¹⁷³ *Ibid.* 27

Rather than seeing impartiality as a something that governs our actions, Hill claims that impartiality is best thought of as a guide for developing general moral principles rather than as a way to make decisions about the actions of everyday life. Hill says, “[A]t the level of deliberation about basic principles, morality requires impartial regard for all persons....impartiality is part of an ideal for moral legislation, or general debate about moral principles; it is not a recommended way of life.”¹⁷⁴ Consequently, instead of using the Categorical Imperative as a decision procedure for specific actions, we should use it to develop general principles, or duties. These principles give us guidance for understanding our duties but they do not prescribe exact actions as the critics assume.

Although Hill does not describe what this process of deciding moral principles based on the Categorical Imperative would look like, we can imagine that it might go something like the following:¹⁷⁵ the Categorical Imperative gives us a moral rule that applies to all people. We are supposed to use the Categorical Imperative to determine moral principles which we will use to guide our actions. To think about what kind of principles would come out of the Categorical Imperative, we need to consider what we are like as individuals and what the conditions are of the world in which we live. Once we have the principles, in order to act on them we need to consider the context in which we are acting. This means that the context of the situation in which we are

¹⁷⁴ Hill *Autonomy and Self Respect* 45. Hill admits that even Kant sometimes conflates impartiality on the general level with impartiality on the specific level (decision-procedure).

¹⁷⁵ Another example of what Hill has in mind is John Rawls’ *A Theory of Justice*. Revised. Cambridge: Harvard, 1999. The process that Rawls uses to determine the principles of justice is what Hill has in mind for proper use of the categorical imperative. Rawls starts from a place of impartiality—the original position—to determine what the principles of justice are. In applying the principles of justice to society, though, we need to take account of what social conditions *actually are* in order to determine how to create just institutions or change the institutions that currently exist in a way to make them more just.

contemplating our duty is important, both for perfect duties and for imperfect duties. In considering cases where justice, promise-keeping, and lying (as well as other perfect duties) are involved, we need to take into account the details of the situations we are considering. Even for perfect duties, where we are required to act (or refrain from acting) every time a particular principle is involved, what we do will be shaped by the situation in which we are acting.¹⁷⁶

Onora O'Neill gives an example of how we would use the Categorical Imperative to determine moral principles in her explanation of how a Kantian should respond to the issues of hunger and famine. In discussing the FHE, O'Neill points out that following the FHE first requires that we consider what we are like as rational human beings and what our world is like:

to treat others as ends in themselves we must not only avoid using them as mere means but also treat them as rational and autonomous beings with their own maxims [reasons for acting]. In doing so we must also remember that...human beings are *finite* rational beings in several ways. First, human beings are not ideal rational calculators. We *standardly* have neither a complete list of the actions possible in a given situation nor more than a partial view of their likely consequences. In addition, abilities to assess and to use available information are usually quite limited. Second, these cognitive limitations are *standardly* complemented by limited autonomy. Human action is limited not only by various sorts of physical barrier and inability but by further sorts of (mutual or assymetrical) *dependence*.¹⁷⁷

This information about what humans are like and what kind of assistance we need in order to fully exercise our autonomy helps us to understand that we need a principle of

¹⁷⁶ Hill thinks this is the picture Kant had in mind when he gave us the different formulations of the Categorical Imperative, even though Kant himself may have presented certain duties as absolute. See pp. 62-63 of Hill's introduction to Kant's *Groundwork for the Metaphysics of Morals*. Trans. Arnulf Zweig. Ed. Thomas E. Hill Jr. and Arnulf Zweig. New York: Oxford, 2002.

¹⁷⁷ O'Neill, Onora. "Ending World Hunger." *World Hunger and Morality*. 2nd ed. Eds. William Aiken and Hugh LaFollette. Upper Saddle River, NJ: Prentice Hall, 1996. 85-111. 98-99 (emphasis in original)

beneficence that will help us exercise our autonomy fully. Further thinking about the Categorical Imperative, what it requires of us, and what we are like as humans helps us to understand what the principle of beneficence requires of us:

To treat one another as ends in themselves such beings have to base their action on principles that do not undermine but rather sustain and extend one another's capacities for autonomous action. A central requirement for doing so is to share and support one another's ends and activities to some extent. Since finite rational beings cannot generally achieve their aims without some help and support from others, a general refusal of help and support amounts to failure to treat others as rational and autonomous beings, that is, as ends in themselves. Hence Kantian principles require us not only to act justly, that is, in accordance with maxims that don't injure, coerce, or deceive others, but also to avoid manipulation and to lend some support to others' plans and activities. Since hunger, great poverty, and powerlessness all undercut the possibility of autonomous action, and the requirement of treating others as ends in themselves demands that Kantians standardly act to support the possibility of autonomous action where it is most vulnerable, Kantians are required to do what they can to avert, reduce, and remedy hunger. They cannot of course do everything to avert hunger; but they may not do nothing.¹⁷⁸

When we think about the formulations of the Categorical Imperative, we discover different moral principles on which we should act, like the principles of beneficence, gratitude, justice, and so on. These principles are the duties we have to others and ourselves. When we have a particular question, like what our responsibility is towards those suffering from hunger or famine, we think about our responsibilities as a moral agent, the Categorical Imperative, and the details of the moral problem we are considering. All of these considerations help us frame the action we take in response to our moral duty (what the Categorical Imperative requires of us).

¹⁷⁸ O'Neill "Ending World Hunger" 99

We see an example of how context would affect how we act in response to perfect duties by thinking about how parents would fulfill the duty Kant believes they have to their children. In his discussion of duties of right, Kant writes that parents have a duty to “preserve and care for [their] offspring.”¹⁷⁹ This includes not only feeding and caring physically for children, but also educating them practically and morally.¹⁸⁰ In meeting their obligations, parents will have to pay attention to what their particular child needs. All children have basic needs, like food, clothing, and shelter. But some children have other needs that may come from concerns specific to that child, such as medical conditions. If a child is diabetic, the parents will have to take that child in for check-ups, check blood sugars at different times each day and administer insulin shots or tablets, among other things. What the parents must do to “preserve and care for [their] offspring” in this case will be different than what parents of a child who is not a diabetic will have to do. Other actions that come from parental duty will also have to take into account the particularities of the individual children involved. How parents interact with their children in the process of education will depend on the disposition of the child, the age of the child, and the overall development of the child. Parents have a duty to “preserve and care for” their children, but what this preservation and care encompasses will depend on many factors.

There is some evidence in Kant’s writings for thinking that the context of particular situations should be taken into account when we are considering how to act on particular principles. In his introduction to the *Metaphysics of Morals*, Kant writes,

¹⁷⁹ *MM* 6:280

¹⁸⁰ *Ibid.* 6:281

“a metaphysics of morals cannot be based upon anthropology but can still be applied to it.”¹⁸¹ Though we cannot base our moral theory on anthropology, or what human beings are like, when we apply moral theory, we are applying it with those conditions in mind.¹⁸² In his discussion of the principle of beneficence, Kant addresses how someone who is rich should go about being beneficent:

Someone who is *rich* (has abundant means for the happiness of others, i.e., means in excess of his own ends) should hardly even regard beneficence as a meritorious duty on his part, even though he also puts others under obligation by it...He must also carefully avoid any appearance of intending to bind the other by it; for if he showed that he wanted to put the other under an obligation (which always humbles the other in his own eyes), it would not be a true benefit that he rendered him. Instead, he must show that he is himself put under obligation by the other's acceptance or honored by it, hence that the duty is merely something that he owes.¹⁸³

In this passage, Kant discusses how the manner in which one acts while being beneficent is important to the action. It is not enough just to act beneficently; one must be beneficent in the right way. That is, one must act in such a way that the person being benefited does not feel bound by obligation to her benefactor. When we act on our duties, our actions must be shaped by the context of the situation at hand.

With this picture of the Categorical Imperative and how we ought to use it, our analysis of what we should do in the situation where we have promised to take our neighbor to the doctor and we discover that our friend is in the hospital changes from the picture presented earlier. Using Hill's description of the Categorical Imperative and how we should use it, the fact that our friend is in the hospital is a consideration which

¹⁸¹ *MM* 6:217

¹⁸² Onora O'Neill also discusses this idea in *Constructions of Reason: Explorations of Kant's Practical Philosophy*. New York: Cambridge, 1989. See p. 71. See also Barbara Herman's discussion of moral sensitivities in Chapter 4 "The Practice of Moral Judgment" in *The Practice of Moral Judgment*.

¹⁸³ *MM* 6:453

we should take into account during our deliberation. We know that keeping promises is important. We also know that we value our personal relationships with others and that these relationships are an important part of our lives. Given this, our personal relationships provide us with important reasons to act to maintain or preserve those relationships. To say that Kant's Categorical Imperative requires us to always keep our promises *without exception* is too rigid a reading of Kant. The circumstances surrounding the situation in which we are thinking about breaking our promise are important. How we should act on moral principles can be determined by our own moral judgment and by argument.¹⁸⁴ In this case, when making the decision about what I should do, I take into account facts about my neighbor and her situation: she is elderly, she does not have any family in the area to come and help her, she is unable to pay for a taxi to the doctor's office, and I promised to help. I also take into account the fact that the person in the hospital is my friend and I have an obligation to her. Both individuals have a claim on me, and all these facts will affect my decision. Ideally, I would be able to work out some kind of compromise in this situation, perhaps by finding someone else to drive my neighbor before I go to visit my friend. The point here is that when I am considering what I should do, there are particular circumstances and details about the situation that are important for my decision and that will affect it. These circumstances are an important part of my decision-making process and will affect the outcome. The fact that it is my friend in the hospital matters to the situation at hand. It is not the only consideration that matters, but it does matter because it is a fact about the situation.

¹⁸⁴ *MM* 6:281

When we use the Categorical Imperative in the way Hill describes, as a guide that helps us develop general principles, it is reasonable to think we can take our personal relationships into account when we are making decisions about moral actions. Additionally, most of the obligations in personal relationships are such that we have some freedom in how we fulfill them. Also, there does not always seem to be a direct conflict between my duty to show love to friends, family, and significant others and my duty to show respect to all rational beings (this is discussed further in Chapter Three).

We can find evidence that Kantian moral theory can support this picture of the accommodation of the obligations of personal relationships when we look at Kant's description of our duty of beneficence: "in acting [beneficently] I can, without violating the universality of the maxim, vary the degree greatly in accordance with the different objects of my love (one of whom concerns me more closely than another)."¹⁸⁵ In acting on our duty of beneficence, we can give preference at least sometimes or choose to do more for those people whom we love, the people in personal relationships with us. Doing so does not, according to Kant, violate our duty of respect for all rational beings.

After looking at Kant's discussion of personal relationships, especially friendship, and Hill's approach to the using the categorical imperative, we can see that in Kantian moral theory, actions done for intimates are morally permissible. But the permissibility view, though it goes some way towards answering the normative objection, does not go far enough. In order to fully answer the normative objection, Kantian moral theory needs not just to accommodate personal relationships but to reflect the value we give these relationships and the place they have in our lives. That is,

¹⁸⁵ *MM* 6:452

Kantian moral theory needs not only to accommodate our desire to do special things for friends, family and significant others but to explain why it is appropriate for us to treat people in personal relationships with us with the care and concern we think they deserve. This argument can be made if we look at the Categorical Imperative in the Formulation of Humanity as an End and think about what it means to use people as a mere means. By doing this, we see that Kantian moral theory not only accommodates relationships but actually requires that we treat people in personal relationships with us with special consideration.

VII. The FHE and Relationship Obligations

To understand what the Formula of Humanity as an End (“Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means,”) requires of us, it is helpful to think about what Kant might have meant by “humanity” by examining his description of what humans are like and what Kant meant by treating someone as end and not simply as a means. This discussion will help make clear what the FHE actually requires of us.

In the *Grounding*, Kant describes human beings as rational beings. In fact, it is in virtue of our rationality that human beings are moral beings, because moral laws must hold for all rational beings.¹⁸⁶ As rational beings, we have autonomy of the will. Contrary to common conceptions of autonomy, autonomy of the will is not something we develop but is something that all rational beings possess. It is “the property that the

¹⁸⁶ *Grounding* 411

will has of being a law to itself.”¹⁸⁷ The will of every rational being is “a will that legislates universal law.”¹⁸⁸ The moral laws that bind us are not those that are given externally but rather the ones that we give to ourselves:

What then is it that entitles the morally good disposition, or virtue, to make such lofty claims? It is nothing less than the share which such a disposition affords the rational being of legislating universal laws, so that he is fit to be a member in a possible kingdom of ends, for which his own nature has already determined him as an end in himself and therefore as a legislator in the kingdom of ends. Thereby is he free as regards all laws of nature, and he obeys only those laws which he gives to himself. Accordingly, his maxims can belong to a universal legislation to which he at the same time subjects himself...Hence autonomy is the ground of the dignity of human nature and of every rational nature.¹⁸⁹

As rational beings, Kant thinks we are capable of reflecting on possible moral laws and choosing for ourselves the moral laws we ought to follow because we have autonomy of the will. The principles we ultimately choose are not dependent on our various desires. As agents with autonomy of the will, we are also capable of shaping our lives so that we live by those principles and shaping the particular actions we take to meet those principles.¹⁹⁰ Autonomy of the will, according to Kant, is the grounds for our dignity, or our value without price.

Kant believes that we have a duty of respect to each other because we have dignity: “The *respect* I have for others or that another can require from me (*observantia*

¹⁸⁷ *Grounding* 440

¹⁸⁸ *Ibid.* 431

¹⁸⁹ *Ibid.* 435-436

¹⁹⁰ For further discussions of Kantian autonomy, see Hill, Jr., Thomas E. “The Kantian Conception of Autonomy” in his *Dignity and Practical Reason in Kant’s Moral Theory*. Ithaca: Cornell, 1992. 76-96, Hill’s *Autonomy and Self-Respect*. New York: Cambridge, 1991, especially Ch. 3 “Autonomy and Benevolent Lies” and Ch. 4 “The Importance of Autonomy,” Stephen Darwall’s “The Value of Autonomy and Autonomy of the Will.” *Ethics* 116 (January 2006) 263-284, and Chs. 4-6 of Reath, Andrews. *Agency and Autonomy in Kant’s Moral Theory*. Oxford: Clarendon, 2006.

aliis praestanda) is therefore a recognition of *dignity (dignitas)* in other human beings, that is, of a worth that has no price, no equivalent for which the object evaluated (*aestimii*) could be exchanged.”¹⁹¹ Our dignity will require that we show respect for all other human beings. We respect them because they have dignity, which they have because they have autonomy of the will. To show respect for others, then, we show respect for their autonomy—for the ability they have to decide on their own principles and shape their lives according to them and their ability to act rationally and morally.

In his discussion of the FHE, Kant also argues that rational nature is an end in itself.¹⁹² Ends are those goals that rational agents set for themselves as things they intend to accomplish,¹⁹³ and means are the ways that rational agents accomplish the goals that they have as ends. According to Kant, “rational beings are called persons inasmuch their nature already makes them out as ends in themselves, i.e., as something which is not to be used merely as a means and hence there is imposed thereby a limit on all arbitrary use of such beings, which are thus objects of respect.”¹⁹⁴ Because human beings are rational beings by nature, all humans are also ends in themselves.¹⁹⁵ To treat a rational agent as an end is to show respect for that agent’s capacity to set ends for herself and to act on those ends—that is, to treat a rational agent as an end is to show respect for her autonomy.

While we are to treat others as ends and never as *mere* means, this does not mean that we are never allowed to use others as *a* means, or a way to achieve our ends.

¹⁹¹ *MM* 6:462 (emphasis in original)

¹⁹² *Grounding* 429

¹⁹³ *Ibid.*

¹⁹⁴ *Ibid.* 428

¹⁹⁵ *Ibid.*

We routinely use others as means. For example, when I buy groceries, I use the clerk at the check out as a means to purchase food. What I may not do, however, is use others as mere means. In order to avoid using someone as a mere means, my actions should show respect for her autonomy and rationality. In the case of the store clerk, the way that I treat her during our interaction should show respect for her. In many cases, this will simply mean being polite, though there may be circumstances where more is required. If the individual can agree with my end, and the way I am using her is consistent with showing respect for her autonomy, then my action is morally permissible. If the way that I use the person does not show respect for the individual and is not consistent with recognizing her autonomy—if I am rude to the store clerk, for example—then I have used the person as a mere means and my action is morally impermissible.

In the FHE, Kant says that we must act in such a way that we treat *humanity*, whether in ourselves or in others, as an end. Thomas E. Hill, Jr. believes that “humanity” for Kant in this context includes the capacities associated with the rationality that all human beings share, including the ability we have to choose and to set our own ends.¹⁹⁶ This includes our ability to set and act on principles, including both hypothetical and categorical imperatives.¹⁹⁷ Part of our humanity, then, is our ability to set ends for ourselves and to take the steps required to obtain those ends. In his discussion of what it means to treat agents as ends in terms of the FHE, Hill provides the following explanation:

What [Kant] calls humanity is ‘rational nature,’ or perhaps the rational nature of human beings. Kant thought that human beings are the only

¹⁹⁶ Hill *Dignity and Practical Reason in Kant’s Moral Theory* 40

¹⁹⁷ *Grounding* 412, 414-415

rational beings with respect to whom we have rights and duties, and the humanity formula concerns human beings *as rational beings*. Because human beings are both rational and sensual beings, however, respecting them as rational requires appropriate concern for their physical and emotional needs as well. Kant apparently regarded ‘treating persons as ends’ and ‘treating humanity in persons as ends’ as equivalent, for practical purposes; but the latter phrase emphasizes his direct concern with the rational aspects of human beings.¹⁹⁸

Kant’s instruction that we always treat humanity as an end, then, seems to be focused directly on his concern that we respect the rationality of all human beings. But the other point that Hill brings out is also instructive: respecting humans as rational requires concern for their physical and emotional well-being. Sarah Clark Miller makes a similar point in her discussion of robust agency, when she writes “To be a full agent in the world, in the sense of being able to carry out action effectively and to determine and achieve ends, individuals will need more than capabilities provided by agency understood as rationality and autonomy. Some level of emotional attunement and relational ability will also be necessary.”¹⁹⁹

Though Kant was concerned mainly with respecting everyone’s rationality, I argue that the FHE can be extended to require that we show respect for others in the form of emotional concern because part of what it is to be a moral agent is to be a person who is in personal relationships. These relationships are ends that we have in the sense that we work to maintain and to promote these relationships by doing various acts for intimates. Our intimates also have our relationships with them as ends. These

¹⁹⁸ From the *Editor’s Introduction to Kant’s Groundwork for the Metaphysics of Morals*. Eds. Thomas E. Hill Jr. and Arnulf Zweig. New York: Oxford, 2002. 77. See also Hill’s “Humanity as an End in Itself” in his *Dignity and Practical Reason in Kant’s Moral Theory* 38-57.

¹⁹⁹ Miller, Sarah Clark. “A Kantian Ethic of Care?” *Feminist Interventions in Ethics and Politics*. Eds. Barbara S. Andrew, Jean Keller, and Lisa H. Schwartzman. Lanham, MD: Rowman & Littlefield, 2005. 111-127. 115

relationships are part of the life projects that we have, whether they are relationships that we have specifically chosen for ourselves, like friendships, or relationships that occur because of family connections, like relationships with parents, spouses, or siblings. Because our personal relationships are ends that we have, respecting someone's autonomy might well require we perform some actions for those we know well which we would not perform for strangers.

Given that every person is a rational agent and deserves to be treated as an end and not as a mere means, we can see why some people might think that allowing us to take into account our personal relationships with others when making moral decisions would be problematic. Recall the situation where I have promised to take my neighbor to her doctor's appointment and I receive a call informing me that my friend is in the hospital. If I choose to go to my friend simply because she is my friend (without taking into account the fact that she needs me), then we could say that I am not treating my neighbor as an end because I am not showing proper respect for her (she was counting on my giving her a ride, she does not drive, she does not have money for a cab, she cannot easily reschedule the appointment and now I tell her at the last minute that I am not going to show up).

However, if we look at why we think duties in personal relationships are different from duties in general, then we might conclude that there are times when, if we consider the needs of the people in personal relationships with us to be equal to the needs of strangers, we are not treating those in personal relationships with us as ends. Part of the respect we owe to others is to treat them as people who are capable of choosing a life plan and directing their lives according to that plan. When we are not in

a personal relationship with someone, we are justified in treating them in a way that is consistent with what most rational agents would generally want. But when we do have a personal relationship with someone and so we know and are involved to some degree in our intimate's life plan, we need to treat her in a way that takes those facts into account. To ignore this is to ignore that she is an agent capable of choosing her own life plan, including us in that plan and directing her life according to that plan. To ignore our relationship with a person in our interaction with that person is to fail to show proper respect for her autonomy.

In the case of the friend in the hospital, if I choose to take my neighbor to the doctor rather than going to the hospital to be with my friend, I am sending the message to my friend that she is no more important to me than my neighbor or she is no more important to me than my desire to keep my promises. To treat my friend, the person who trusts me to care for her physical and emotional well-being, this way is to treat her as though her value to me is only the same as the value of a stranger. Part of what it is to have a personal relationship is to have a special connection with someone that you do not have with everyone else. By treating people in personal relationships with us as if we consider our relationship with them on par with our relationships with strangers, we are ignoring their importance to us and what they expect of us in relation to that importance in a way that is inconsistent with respect for their rational capacity and ability to carry out their life's plan. Suppose, reasonably, that part of my friend's life plan is maintaining or improving the relationship she has with me. If I ignore the fact that she is in the hospital or act in a way which could reasonably be taken to show that my relationship with her is no more important to me than my relationship with my

neighbor, I will have acted in a way that ignores one of her life goals and causes her emotional harm. Thus, I will have failed to treat her in a way that respects her humanity.

There is a question about whether this same model of a relationship as an end would apply other relationships. In what are often called “voluntary” relationships, like friendship and partner relationships, we choose to be part of those relationships. In choosing to be part of the relationship, we make the relationship our end. In “non-voluntary” relationships, like family relationships (parent-child and sibling relationships, for example), we do not necessarily choose to be part of those relationships. Can we still count those relationships as ends?

It seems as if we can, if we understand that there are many ways in which we act to maintain or to improve those relationships. While we may be closer to some of those in family relationships than in others (I may be closer to my father than my mother or vice versa, or I may be closer to one sibling than another), I still act in ways to maintain those relationships. Though the biological relationship or adoptive relationship is not necessarily chosen by all parties, how we act towards intimates and the effort we put into maintaining our relationships with them shows that we often do make these relationships our ends. Certainly, some familial relationships are closer than others and there may be some familial relationships that would not count as ends for the individuals in them (relationships where the participants are estranged, for example). But most individuals put some effort into maintaining their familial relationships. In those cases, we can say that the participants have made the relationship an end, and so obligations that accompany personal relationships would apply to those relationships as well.

If the Categorical Imperative helps us derive moral principles instead of giving us a decision procedure, then the overarching problem is not necessarily that I failed in this one instance to treat my friend with the respect she deserves. The Categorical Imperative gives us principles or duties, and we are to act on those duties. As discussed earlier, though, exactly what we do in response to each duty is to be determined by us once we have an understanding of the context of the situation. Acting morally, then, for a Kantian, will mean showing a consistent commitment to acting on moral principles or duties.²⁰⁰ A careful analysis of the situation with my friend in the hospital will not be based *solely* on the particular action I take in response to the particular situation at that time. Rather, it will also encompass the principle underlying the treatment of my friend. If I believe that the treatment or consideration I give my friend should always be the same as what I would give to a stranger, then I consistently fail to treat her as an end and my conduct towards her is morally wrong. Similarly, if we think that all of the individuals in personal relationships with us deserve no more consideration than strangers or should be treated the same as we treat strangers, then this belief leads us to fail to act morally towards those in personal relationships with us because we are violating the FHE.

This does not mean that the fact that someone is in a personal relationship with me will always trump any other claim a stranger could make on me (further discussion of this point is in Chapter Three). It does mean that considering my obligations to

²⁰⁰ See Onora O'Neill's "Instituting Principles: Between Duty and Action" in *Kant's Metaphysics of Morals: Interpretive Essays*. Ed. Mark Timmons. New York: Oxford, 2002. 331-347. Marcia Baron and Barbara Herman have also discussed how the focus of Kantian moral theory is a commitment to acting morally, not necessarily to following a set of specific rules. See Chapter 4 of Baron's *Kantian Ethics Almost without Apology*. Ithaca: Cornell, 1995. 117-145 and Chapters 2 and 9 of Herman's *The Practice of Moral Judgment*.

friends and family because of their relationship with me is sometimes appropriate because failing to do so results in treating intimates as though they were mere means, which under the FHE is morally wrong. The action I end up performing in any given situation will depend on other circumstances, and sometimes I will need to act to benefit strangers because their need is greater.

VIII. Is Our Relationship Obligation a Kantian Duty?

Thus far in this chapter, I have referred to the way we should treat intimates as a “relationship obligation.” These obligations arise in the contexts of relationships of which we are part.²⁰¹ I have called them “relationship obligations” because it is not clear that such a obligations strictly fit the criteria for a Kantian “duty.” It does meet some of them: our relationship obligation has to do with moral requirements, it is about what we owe to others, and it comes from the Categorical Imperative. But our relationship obligation is different than many Kantian duties because it is not a universal obligation we have to *all* others. However, it is an obligation that all people have to their intimates. Furthermore, Kant discusses the duties of parents to children and spouses to each other. These are not duties that everyone has to everyone else. They are duties that arise because of a specific relationship.

²⁰¹ There is also a question about whether we have an obligation to *have* personal relationships. Kant thinks we have a duty to *strive* for friendship and so, arguably, we have a duty to be a friend. It seems odd to say that we *have a duty* in the same way to become a spouse or a parent. Once we are in these roles, we have certain obligations to fulfill. But I leave the question of whether we have a duty to be part of these kinds of relationships to another time.

One could argue, however, that duties of parents to children and spouses to each other are duties of right, which is to say they are duties for which external lawgiving is possible. We have laws about what parents must provide to their children and what spouses must provide for each other. Relationship obligations are different from this because there are no laws that govern what we owe to each other.

If we are to understand relationship obligations as duties, then, they would appear to be duties of virtue. Duties of virtue can give rise to other duties. For example, Kant thinks our duty to love others, our duty of benevolence, can be divided into duties of beneficence, gratitude, and sympathetic feeling.²⁰² Since I have argued that relationship obligations are part of how we understand our duty to show respect to intimates, if relationship obligations are duties, then they would seem to be one of the subdivisions of our duty of respect.

However, this is still not clear because each of the subdivisions of our duty of benevolence—our duties of beneficence, gratitude, and sympathetic feeling—are duties that apply universally. Our relationship obligation applies only to intimates. It would seem, then, that our relationship obligation is not a Kantian duty as such.

But the question still remains, because Kant does say that we have a duty of friendship.²⁰³ Given his requirements for friendship, as discussed above, it cannot be the case that our duty of friendship is one we have universally in the sense that we could not be required to be friends with everyone because of the restrictions Kant places on friendship. Kant describes moral friendship as “the complete confidence of two persons

²⁰² *MM* 6:452-459

²⁰³ *Ibid.* 6:469

in revealing their secret judgments and feelings to each other, insofar as such disclosures are consistent with mutual respect.”²⁰⁴ Such friendships allow those in them to “reveal [themselves] with complete confidence.”²⁰⁵

If our relationship obligation is a duty, I suggest that we understand it similarly to the way we understand friendship to be a duty. Just as our duty of friendship is not universal, our relationship obligation is not universal in the sense that we are required to be in personal relationships with everyone. Both our duty of friendship and our relationship obligation require that we be the kinds of people who can form and sustain friendships and general personal relationships, respectively. Kant gives a general outline of what our duty of friendship requires of us—that we show love and respect for our friend. If we have a duty of friendship, then, practically speaking, we have to be the kind of person who could be a friend. This involves understanding that relationships come with obligations about how intimates will treat each other. The understanding of what our relationship obligation requires of us comes from our understanding of what we owe to individuals in terms of respect, as I argued earlier. Our relationship obligation carries with it a full understanding of what it *means* to be an intimate. Our relationship obligation requires that we treat intimates with special care, concern, and consideration. What that requires of us in terms of how we treat particular intimates will depend on what kind of relationship we have with them (friendship, partnership, or parental) and what the individual and our particular relationship with them is like. I am not suggesting that we characterize all our personal relationships as friendships, though

²⁰⁴ *MM* 6:471

²⁰⁵ *Ibid.* 6:472

many will contain elements of friendship. What I am suggesting is that our duty of friendship is a part of our relationship obligation.

One could object that such an understanding of personal relationships and what it means to be an intimate misses the mark because such relationships are characterized by an affective feeling of love. To understand what intimates do for each other in terms of duties or obligations misses the mark. While it is true that personal relationships do contain the feeling of love, this does not explain the full story of why we think we ought to do actions to show intimates that we value them and that we value the relationship. When personal relationships are going well—that is, when intimates are acting in ways that show they value each other and their relationship, then thinking about what we are obligated to do for intimates seems superfluous. However, questions about our relationship obligations become important when we may be favoring intimates in ways that are not morally correct (such as hiring a friend who is not qualified for a job because she is my friend)²⁰⁶ and when personal relationships are not going well.

Our relationship obligation describes the treatment that we owe to intimates and can be faulted for not providing them. In fact, when such treatment is lacking, it can make sense to claim that the relationship is not a personal relationship at all. There may be some other bond to tie the individuals together and it may even be a relationship bond—our social understanding of the family bond of “mother and child,” typically a bond we think of between intimates, may continue even if the treatment between the individuals in that relationship ceases to be the treatment owed by a relationship obligation. Even if love is present, intimates may still fail in their relationship

²⁰⁶ I do not focus on such treatment in the dissertation, but it is important to note we can act wrongly towards intimates not only by neglecting or abusing them but also by favoring them inappropriately.

obligations. Intimate partner violence, particularly intimate terrorism and situational couple violence, is an example of such a failing. I discuss this further in Chapter Four.

IX. Conclusion

Under my interpretation of the FHE, Kantian moral theory not only accommodates personal relationships but also demands that we show special consideration for those in personal relationships with us. The ways in which we show special consideration to those in personal relationships with us is by meeting the obligation personal relationships create. Though Kant himself does not go into great detail about the place of personal relationships in his moral theory, I have argued that we can further understand the obligations in personal relationships as coming from the Categorical Imperative itself. I have also argued that our relationship obligation is a duty. Like other duties, we are required to act on it. Given this, Kantian moral theory not only allows us to have personal relationships but requires that we act in ways that show our intimates that we love and value them. That is, Kantian moral theory not only allows us to have personal relationships but also gives actions done for intimates moral value because our duty to perform those actions comes from the Categorical Imperative.

Chapter Three: Beneficence and Personal Relationships

I. Introduction

In Chapter Two, I argued that a correct understanding of the Categorical Imperative in the Formulation of Humanity as an End (FHE) includes the understanding that we must act on our relationship obligations in order to show proper respect for intimates. The picture of how this understanding will affect our perfect duties is not entirely clear, but it does not seem to be too different from how we generally think our personal relationships affect our actions: certain roles and situations will require us not to give preferential treatment to intimates. For example, a judge will not be allowed to rule in favor of a particular party simply because that party is an intimate of hers, a teacher will not be allowed to give a student she likes a grade that the student does not warrant, and parents will not be allowed to treat one child with favoritism at the expense of another. This is because, in these cases, the fact that the judge, teacher, or parent has a preference for a particular person does not warrant special consideration or treatment for that person in these particular circumstances. In the case of the judge, the main concern of the judge is to make a just or fair decision based on the law. In the case of the teacher, the concern of the teacher is to assign grades fairly based on the merit of the work, not the individual. In the case of the parent, showing preference for one child over another when such preference is not warranted amounts to unfair treatment.²⁰⁷ The

²⁰⁷ This is not to say that parents may never act in such a way that it appears that one child is being given preference over another. Consider a situation where one child has difficulty at school and so would benefit from tutoring and the other child is academically gifted and could also gain some benefit from tutoring. If financial circumstances allow the parent to only provide tutoring for one child, the parent would not appear to be giving unfair preference to the child who has difficulty at school if she chooses to

particular roles these individuals occupy require them not to show a preference for individuals that would have a negative effect on their ability to carry out the requirements of their role. For the perfect duties that Kant describes as existing between intimates, like the duties that accompany marriage and the duties of parents to their children, the relationship itself is the reason the duty exists and so actions done with that relationship as the underlying reason for the action will have to take the details of the relationship into account. A more nuanced account of the issue of relationship obligations and perfect duties could be given, but as this is not my focus in this chapter, I leave the project for another time.

In this chapter, I look at a Kantian principle of beneficence. Many people sense a conflict between their obligation to help others and their desire to benefit intimates, as discussed in the Introduction to the dissertation. It is also an area where Kant affirms that our personal relationships can affect which beneficent action we choose to do: “in acting [beneficently] I can, without violating the universality of the maxim, vary the degree greatly in accordance with the different objects of my love (one of whom concerns me more closely than another).”²⁰⁸ The duty of beneficence as explained in this passage allows us to give preference in our actions to intimates, at least on some occasions, without violating our duty to respect all rational beings. The duty of beneficence also seems closely related to the main concern of an ethic of care—our responsibility or obligation to care for others. After discussing the Kantian principle of

pay for tutoring for that child over the academically gifted child. This is because providing tutoring for the child who has difficulty is aimed at helping the child to succeed at the mastery of basic skills while providing tutoring for the academically gifted child would be aimed at helping that child to further excel in academics.

²⁰⁸ *MM* 6:452

beneficence, I will examine how closely it relates to our responsibility or obligation to care for others as outlined by an ethic of care. I argue that, properly understood, the Kantian principle of beneficence includes the kind of care for intimates that the ethic of care promotes. Furthermore, using Kantian moral theory to explain a principle of beneficence in particular has distinct advantages over using an ethic of care because the benefits we give to intimates do not come at the expense of meeting our duty to strangers.

II. An Ethic of Care and its Challenge to Kantian Moral Theory:

The Principle of Beneficence

In the previous chapter, I argued that the Categorical Imperative in the Formulation of Humanity as an End (FHE) requires that we give special consideration to intimates. The special consideration we give them is shown in our response to what can be seen as our relationship obligation—that is, the obligation we have to show the other person that she or he is important to us and also that our relationship with her or him is important to us. We meet this obligation by doing acts that show a sustained interest in the physical and emotional well-being of intimates that we do not show to strangers. These actions are shaped by the particular relationship we have with our intimate and by our past history with and knowledge of that person.

In conjunction with the arguments other Kantians have made (outlined in Chapter One), my argument shows that personal relationships are compatible with Kantian moral theory. But the picture I give of how our relationship obligation fits into Kantian moral theory (given in Chapter Two) also begins to answer the criticism posed

by moral theories like an ethic of care which take the care between intimates to be the primary moral value.

Care ethicist Virginia Held explains why the more traditional answers given to the incompatibility criticism do not fully address the criticism from the perspective of an ethic of care:

The challenge to Kantian moralities offered by the ethics of care does require a change in...paradigm. It does not pit an individual ego against universal principles, but considers a particular relationship between persons, a caring relationship, and questions whether it should always yield to universal principles of justice. It sees the relationship as not reducible to the individual projects of its members. When universal principles endanger relationships, the feminist challenge disputes that the principles should always have priority. The feminist critique of liberalism as a moral theory and of Kantian morality gives us reason to doubt that in terms of how the debate has been framed, justice should always have priority over care.²⁰⁹

Stephen Darwall attempts to answer this challenge.²¹⁰ He acknowledges that an ethic of care presents a “particularistic, individual-regarding care” that is not derivative from other principles, whereas “Kantianism, on the other hand, would seem to have a place for particularistic care only to the extent that it can be derived from equal concern and respect for all.”²¹¹ But Darwall does not think this is the right way to understand Kantian moral theory: “This way of viewing things may be somewhat superficial, however. It may be that...Kantianism can [itself] be seen as deriving from forms of concern and respect that, at their deepest levels, are also individual regarding.”²¹²

Although Kant spoke of valuing the rational nature *in* someone, Darwall denies that this

²⁰⁹ Held *The Ethics of Care* 92-93

²¹⁰ Darwall, Stephen. *Philosophical Ethics*. Boulder: Westview, 1998. See 226-228

²¹¹ Ibid. 225

²¹² Ibid.

is incompatible with valuing the individual as *herself*.²¹³ Because “respect involves recognizing an *individual’s* dignity or value in himself, but is also grounded in features that a person shares with any other moral agent...Kant’s ethics [can] be viewed as extending to all persons a kind of respect that is directed at particular individuals also.”²¹⁴ Darwall concludes that

In the end, the ethics of care may not be a radically opposed alternative to morality as conceived by the moderns [including Kant], so much as an important supplement as well as a different path to some of the same ideas. In the former view, it brings into the forefront of ethical reflection issues of relationship that, although they provide much of the stuff of our lives, have been relatively neglected by moral theorists. And in the latter, the ethics of care provides a way of seeing equal concern and respect themselves rooted in ways of relating to others as particular individuals.²¹⁵

While an ethic of care may provide a different starting point for how we view moral problems and may bring to the forefront the concerns of personal relationships, Darwall thinks that an ethic of care is better thought of as a supplement to current moral theories rather than as a moral theory that is radically different from other moral theories, including Kantian moral theory.

Held thinks Darwall’s answer is inadequate because he fails to recognize that an ethic of care is not about recognizing that all individuals in personal relationships matter but is about recognizing why *this* child matters to *this* parent. When a parent is asked why she does some action for her child, the answer is not “because all children matter,”

²¹³ Darwall 226

²¹⁴ Ibid. 227

²¹⁵ Ibid. 228

the answer is “because this is *my* child.”²¹⁶ For Held, Darwall’s response fails to account for the particularities inherent in each relationship, not just in the individuals in the relationship themselves.

Part of Held’s criticism of Kantian moral theory comes from a particular understanding of what the impartiality thought to be part of the theory requires of us, as discussed in Chapter Two. However, if we understand Kantian moral theory not as requiring us to treat everyone in the same way or to give everyone the same consideration when making moral decisions but as helping us to determine moral principles, then it becomes less clear that when a parent is asked about why she does some action for her child, the answer “because this is *my* child” is unacceptable to a Kantian. Given the specific duties Kant thinks parents have towards their children because the children are *their children*, as discussed in Chapter Two, some actions in some relationships would seem to be justified exactly by such a specific answer. As I have argued, though, even in other cases, it is not clear that the justification, “because she is *my* friend” will be unacceptable, either.

In order to answer the challenge presented by an ethic of care more fully, we need to see more specifically how it is that personal relationships affect our actions. In this chapter, I examine how our relationship obligation affects our response to our duty of beneficence. I have chosen this duty because the focus of an ethic of care is on caring for, or meeting the needs of, others. In most cases, care ethicists focus on explaining how and why we should care for intimates. Most also address, to some degree, how and

²¹⁶ Held *The Ethics of Care* 93. Held is quick to point out that this does not mean parents think of their children as property. This answer simply shows why the parents feel bonded to that child, which explains why they act towards their own child in ways they would not act towards other children.

why we should care for others who are not intimates—that is, they also outline a general principle of beneficence. Here, I contrast the pictures of a principle of beneficence offered by Kantian moral theory and by an ethic of care to show that Kantian moral theory can encompass many of the important points of an ethic of care, like the value of acting for personal relationships, while also providing a solid justification for our duty of beneficence to strangers. While an ethic of care historically has been more focused on the importance of the actions in personal relationships than Kantian moral theory, it has been less successful in explaining why we have a general obligation of beneficence to strangers. Since an obligation of beneficence seems to be an important part of our intuitive understanding of what morality requires of us, as discussed in the Introduction to the dissertation, an explanation of this obligation is an important part of a moral theory.

III. The Kantian Duty of Beneficence

In the *Metaphysics of Morals*, Kant describes the difference between benevolence and beneficence. We have a duty to love all other human beings, but the love Kant describes is not just a feeling. “In this context, love is not to be understood as a *feeling*, that is, as pleasure in the perfection of others; love is not to be understood as a *delight* in them (since others cannot put one under obligation to have feelings). It must rather be thought as [sic] the maxim of *benevolence* (practical love), which results in beneficence.”²¹⁷

²¹⁷ *MM* 6:449

Because the duty of benevolence requires us to love all other human beings, it looks like a very demanding duty. But this is not the case. “Now benevolence present in love for all human beings is indeed the greatest in *extent*, but the smallest in its *degree*; and when I say that I take an interest in this human being’s well-being only out of my love for all human beings, the interest I take is as slight as an interest can be. I am only not indifferent with regard to him.”²¹⁸ Kant goes on to describe the duty associated with benevolence, which he describes as “active, practical benevolence (beneficence)”²¹⁹ and says,

But beyond *benevolence* in our wishes for others (which costs us nothing) how can it be required as a duty that this should also be practical, that is, that everyone who has the means to do so should be *beneficent* to those in need? –Benevolence is satisfaction in the happiness (well-being) of others; but beneficence is the maxim of making others’ happiness one’s end, and the duty to it consists in the subject’s being constrained by his reason to adopt this maxim as a universal law.²²⁰

Benevolence is just a duty to wish for everyone’s well-being and happiness, but the duty of beneficence—that is, the duty “to make others’ *ends* my own (provided only that these are not immoral)”²²¹—is what requires action.

To make the ends of others my own for Kant is to make the well-being and happiness of others my end.²²² Aside from the restriction that the ends I adopt as my own must be the morally permissible ends of another, Kant also requires that in adopting another’s happiness as my end, I adopt the other’s conception of what would

²¹⁸ *MM* 6:451

²¹⁹ *Ibid.* 6:452

²²⁰ *Ibid.*

²²¹ *Ibid.* 6:450 (emphasis in original)

²²² *Ibid.* 6:452

make her happy, not what I think would make her happy: “I cannot do good to anyone in accordance with *my* concepts of happiness (except to young children and the insane), thinking to benefit him by forcing a gift upon him; rather I can benefit only in accordance with *his* concepts of happiness.”²²³ Since the duty of beneficence is a duty I have to all other human beings, this would mean making the happiness of all others my end. In making the happiness of others my end, I am required to help them pursue the morally permissible ends they have that they think will lead to their own happiness. Pictured this way, the duty of beneficence looks quite demanding.

Our duty of beneficence is not as demanding as it may appear at first glance. Beneficence, for Kant, is a wide duty; that is “the duty has in it a latitude for doing more or less, and no specific limits can be assigned to what should be done.”²²⁴ Though we cannot determine exactly what the limits of beneficence are, Kant does give us some guidance:

But I ought to sacrifice a part of my welfare to others without hope of return, because this is a duty, and it is impossible to assign determinate limits to the extent of this sacrifice. How far it should extend depends, in large part, on what each person’s true needs are in view of his sensibilities, and it must be left to each to decide this for himself. For, a maxim of promoting others’ happiness at the sacrifice of one’s own happiness, one’s true needs, would conflict with itself if it were made a universal law.²²⁵

Whatever the limits of our duty of beneficence are, then, we are not allowed to ignore our own needs in attending to the needs of others.

²²³ *MM* 6:454 (emphasis in original)

²²⁴ *Ibid.* 6:393. Kant also discusses beneficence as a wide duty at *MM* 6:450.

²²⁵ *Ibid.*

The moral law does not tell us exactly what actions we should carry out in order to meet this duty or exactly when we need to carry out these actions. We can, Kant says, choose to be beneficent to those in personal relationships with us without violating our duty of benevolence. Again, “in acting [beneficently] I can, without violating the universality of the maxim, vary the degree greatly in accordance with the different objects of my love (one of whom concerns me more closely than another).”²²⁶ This does not mean, though, that I can always choose to help my friend instead of the stranger.

Part of the reason we cannot always choose to help friends instead of strangers is because one of the central parts of Kantian moral theory is our commitment to following moral principles, as discussed in Chapter Two. The purpose of Kant’s Categorical Imperative is to give us general principles, or duties, to guide our actions. Those principles, though, do not tell us exactly what actions we are to take. In order for our actions to be moral, they have to show that we are committed to following that moral principle; that is, they have to show that we are committed to doing what is morally right. Though this commitment can be seen to some extent in how an agent acts in individual situations, it will best be seen in reflection on the agent’s conduct over a course of time.²²⁷

²²⁶ *MM* 6:452

²²⁷ For further discussion of Kantian duty as requiring us to be committed to acting morally, see Onora O’Neill’s “Instituting Principles: Between Duty and Action” in *Kant’s Metaphysics of Morals: Interpretive Essays*. Ed. Mark Timmons. New York: Oxford, 2002. 331-347, and Marcia Baron’s “Is Acting from Duty Morally Repugnant?” in *Kantian Ethics Almost without Apology*, 129, 131, 134.

Because the important part of following the moral law in terms of wide or imperfect duties²²⁸ for Kant includes showing our commitment to following the principles behind the duties, we cannot choose to be beneficent only to those in personal relationships with us. Kant says we may “vary the degree greatly”²²⁹ between acts done for intimates and acts done for strangers, but he does not say that we can omit performing acts of beneficence for strangers. The duty of beneficence is supposed to show our commitment to a universal principle of benevolence. Limiting our actions of beneficence to intimates does not show a commitment to a universal principle of benevolence. So, there must be times where we act beneficently towards those who are not in personal relationships with us. In doing so, we show that we truly are committed to a universal principle of benevolence. If we fail to act in beneficent ways towards strangers, then we are not committed to a universal principle of benevolence. The question of how many of our beneficent acts need to be directed towards strangers is not a simple one, but the best answer is that we should direct enough acts towards strangers to show that we have a commitment to a universal principle of beneficence. This is not to say that there is some calculation we can perform to determine how many acts need to be done for strangers. However, we should be aware that, while we can sometimes choose to benefit intimates over strangers, at other times we will need to benefit strangers over intimates.

Given Kant’s definitions of benevolence and beneficence, an action that I do which shows that I am adopting the ends of those in personal relationships with me as

²²⁸ Kant’s explanation of imperfect duties is not exactly the same as his explanation of wide duties, as noted in Chapter Two. All I mean for these labels to suggest here is that the duties leave us some choice of how we are to act on them.

²²⁹ *MM* 6:452

my own ends (that I am adopting their well-being and happiness as my own end) will count as a beneficent act. The happiness of our intimates is often directly affected by our relationships with them. When our friends and family adopt ends as their own, part of what they will expect is support from us. If we do not support them, or if we ignore their projects, their well-being and happiness will be most likely be negatively affected because they count on our support. When we act in ways that show that we have adopted the ends of our intimates as our own ends, we have acted beneficently. In this case, many of the actions we do for those in personal relationships with us count as acts of beneficence.

IV. Rethinking the Tension

Given Kant's description of beneficence and the explanation of what it means to adopt someone else's ends as my own, it seems clear that many of the actions we do for those in personal relationships with us count as beneficent actions. Because the duty of benevolence is also a universal principle, it also seems clear that we cannot limit our actions of beneficence only to those who are in personal relationships with us. There will be times when we will be required to act beneficently towards strangers. Because what Kantian moral theory requires of us is a commitment to moral principles, we cannot determine in advance exactly when those situations will arise or exactly how much we need to give to strangers in need. We do know, however, that these situations will arise.

Since Kantian moral theory is a theory that requires us to act on principles, the way the question of the tension between our intuitive duty of beneficence and our desire

to benefit those close to us is presented often misrepresents the tension. Part of the confusion may come from the definition of beneficence. Our intuitive definition of a principle of beneficence is a principle that requires us to help others, and we often think it requires us to help those who are strangers specifically. While Kant's definition of the principle of beneficence as adopting others' happiness as my end most certainly includes helping others, what it means to help others now seems to include more actions than it might have previously. If we understand helping others as helping them pursue their own ends under their conception of happiness, then actions we previously thought would not count as beneficent now do seem to count. Helping out at a soup kitchen certainly counts as a beneficent act, but so does taking dinner to my friend when she is ill.

In most cases, we feel the tension in particular choices: we have to choose between buying presents for loved ones and giving money to a charitable²³⁰ organization, or we have to choose between helping our friend with a project on a particular day and volunteering at a local shelter. With the understanding of Kantian moral theory just described, though, we can see that this is a misrepresentation of the situation because the duty of beneficence does not tell us what we should do in individual situations. Rather, it gives us a principle to which we show our commitment by acting on that principle in various situations. So, sometimes I help my friend with her projects or buy presents for loved ones. At other times, I should donate my time or

²³⁰ As noted in the Introduction to the dissertation, in using the phrase "charitable organization," I do not mean to imply the view that donating to such organizations is "charity" in that it is something that am not required to do but which I do purely out of the goodness of my heart. On Kant's view and on the view I express here, beneficent acts are required. I use the phrase "charitable organization" because this is the phrase typically used in common parlance to describe a certain type of organization that is involved in public acts of beneficence.

money to charitable organizations. When I reflect on my actions, they should show a commitment to beneficent actions both to strangers and to intimates. What I learn from my reflection may change my future actions if I see that I have given one group much more attention than the other. This is not to suggest that there is a certain threshold regarding beneficence to strangers or intimates that we reach, and then we have done all that we are required to do. Rather, when considering individual actions, we should think about how we show our commitment to acting on our moral principles. Ideally, these principle will be ones that we, as moral agents, have internalized. In the case of beneficence, our actions should show that we are committed to making the ends of *others in general* our own ends, where those others are intimates or strangers. If we help intimates to the point where we rarely help strangers, or vice versa, then it appears that we are not committed to the principle of making the ends of others *in general* our ends.

There will still be times where we need to choose between a beneficent act for an intimate and a beneficent act for a stranger. Many times, this choice is prompted by a limitation of resources rather than a conflict of duties. The choice to spend my evening volunteering at a soup kitchen or to take dinner to my sick friend does present a conflict (since I cannot presumably do both at the same time), but the conflict arises because of my limited resources. It is not a conflict of duties. It may mean that I need to be careful about how I use my resources (I should not devote all of my resources to either those in personal relationships with me or to strangers, as explained above), but there will still be ample opportunities for me to exhibit a commitment to beneficence to those in personal relationships and to strangers over longer periods of time.

Kant's explanation of our duty of beneficence allows us to see that some actions done for intimates do count as beneficence. Since acting morally for Kant means acting out of a commitment to moral principles, we can see how looking at a specific instance where beneficence is required and asking what we should do in that situation might give us an unclear picture of what Kantian moral theory really requires of us. By reframing the conflict presented by the critics, we see that Kantian moral theory requires us to act beneficently towards both those in personal relationships with us and strangers. Because we need to act beneficently towards both groups to exhibit a commitment to a universal principle of benevolence, the partiality we show in our actions towards those in personal relationships with us does not come at the expense of strangers.

V. Kantian Moral Theory, Beneficence, and an Ethic of Care

I have argued that the Kantian definition of beneficence includes acts done for intimates. In fact, beneficent acts done for intimates are an important part of showing a commitment to beneficence for Kant. This explanation of beneficence gives us a way to reframe the tension that critics of impartial moral theory claim exists between acts of beneficence done for strangers and acts of beneficence done for intimates. Thinking of beneficence in a Kantian way helps us to see that the conflicts that do arise are conflicts of limited resources or conflicts of specific situations. Because the Kantian thinks a commitment to acting on moral principles is important for moral action, the focus of beneficent actions is not individual instances of beneficence but actions of beneficence over a longer span of time. What a Kantian would say we should do in individual

circumstances will depend on what our prior actions have been and on the context of the situation we are examining.

In looking at this description of beneficence and what it requires of us, a Kantian can explain both our duty of beneficence to intimates and to strangers. This fits our intuition that we have obligations not only to help intimates but also to help strangers. While ethical systems based on the caring shown in personal relationships, like an ethic of care, do a good job of explaining our intuition of what we owe to intimates, they do not adequately explain our obligations to strangers or how those obligations limit what we should do for intimates.

Unlike impartial moral theories, which start with the moral claims of all people, “the ethics of care starts with the moral claims of particular others, for instance, one’s child, whose claims can be compelling regardless of universal principles.”²³¹ Rather than starting with universal principles and using them to determine how we should treat intimates,

the ethics of care recognizes the *moral* value and importance of relations of family and friendship and the need for *moral* guidance in these domains to understand how existing relations should often be changed and new ones developed. Having grasped the value of caring relations in such contexts as these more personal ones, the ethics of care then often examines social and political arrangements in light of these values.²³²

Since the central value of an ethic of care is care between intimates, any explanation of our obligations to help strangers will be made in terms of care owed to them rather than simply in terms of obligations to all others.

²³¹ Held *The Ethics of Care* 10 (emphasis in original)

²³² *Ibid.* 12

Some advocates of care ethics deny that there is moral value in acting beneficently towards those who are distant from us. Caring, according to Nell Noddings, involves “engrossment in the other, regard, desire for the other’s well-being. Caring is largely reactive and responsive. Perhaps it is even better characterized as receptive.”²³³ Because of the close connection of the person who does the caring, the “one-caring” to the “cared for,” and the reciprocity, or reception and positive reaction, of the “cared-for” to the “one-caring,” the circle of those for whom we can care is relatively small. While she does not deny that we can care for strangers who momentarily cross our path,²³⁴ Noddings rejects the idea that we have a universal obligation to care:

I shall reject the notion of universal caring—that is, caring for everyone—on the grounds that it is impossible to actualize and leads us to substitute abstract problem solving and mere talk for actual caring. Many of us think that it is not only possible to care for everyone but morally obligatory that we should do so. We can... ‘care about’ everyone; that is, we can maintain an internal state of readiness to try to care for whoever crosses our path. But this is different from the caring-for to which we refer when we use the word ‘caring.’ If we are thoughtful persons, we know that the difference is great, and we may even deliberately restrict our contacts so that the caring-for of which we are capable does not deteriorate into mere verbal caring-about.²³⁵

While she states that we “can maintain an internal state of readiness to try to care for whoever crosses our path,” we cannot “care for” strangers who are distant to us. Our obligation to care is “limited and delimited by relation” and thus confined to our “inner circles” and to “those linked to our inner circles by formal chains of relation.”²³⁶ We are

²³³ Noddings *Caring* 19

²³⁴ *Ibid.* 16

²³⁵ *Ibid.* 18

²³⁶ *Ibid.* 86

not obligated to “care for” children who are starving in Africa “because there is no way for this caring to be completed in the other unless I abandon the caring to which I am obligated,” that is, unless I abandon “caring for” those in my inner circle.²³⁷ We cannot count sending money for famine relief in Cambodia as “caring for” those who are starving.²³⁸ For Noddings, only “caring for” in the rich sense described above has full moral worth. When we do actions that meet the criteria above for the people who are physically close to us, we are “caring for” them. When we simply send money off to help others, we are showing that we “care about” them. But “caring about” does not involve the same engrossment and reciprocity as “caring for.” On Noddings’s view, then, “caring about” does not have the same moral worth as “caring for.”²³⁹ Under Noddings’s interpretation of caring, “caring for” intimates seems to come at some expense to our obligation of beneficence to strangers. At least, it comes at the expense of those strangers who are not geographically close to us because of the limits Noddings assigns to “caring for” versus her definition of “caring about.”

Many other care ethicists reject Noddings’s claim that we do not have an obligation or responsibility to be beneficent to those who are not intimates. Virginia Held, Joan Tronto, and Rita Manning all argue that an ethic of care includes a responsibility or obligation to help strangers. Virginia Held thinks our responsibilities to care for others can be extended globally: “Caring relations are not limited to the personal context of family and friends. They can extend to fellow members of groups of various kinds, to fellow citizens, and beyond. We can, for instance, develop caring

²³⁷ Noddings *Caring* 86

²³⁸ *Ibid.* 18, 112.

²³⁹ *Ibid.* 112

relations for persons who are suffering deprivation in distant parts of the globe.”²⁴⁰ Our caring relations with those in distant countries can be formed because of the empathy we have for them.²⁴¹

Though she tends to focus more on the connection between the moral and political aspects of an ethic of care, Tronto would agree that we have responsibilities to care for those who are distant from us. She discusses the universal question of caring, in particular of meeting the needs of others and how needs are, to some degree, dependent on different cultures.²⁴² Like Held, Tronto imagines justice and care to be intertwined, but for Tronto, justice plays the role of helping us determine which needs are more urgent: “Since caring rests upon the satisfaction of needs for care, the problem of determining *which needs* should be met shows that the care ethic is not individualistic, but must be situated in the broader moral context. Obviously a theory of justice is necessary to discern among more and less urgent needs.”²⁴³ The theory of justice Tronto thinks needs to accompany care will be different from the current theories.²⁴⁴ Justice also helps us to avoid what Tronto calls parochialism in our care:

There is another danger to care. Those who are enmeshed in ongoing, continuing, relationships of care are likely to see the caring relationships they are engaged in, and which they know best, as the most important. Parochialism is a likely effect of care. This danger is made especially virulent when care is understood, as it is by too many feminists, as growing out of the metaphorical relationship of a mother and child. A Mother [sic] who did not think that *her* child’s needs were more important than another child’s would somehow seem incompetent as a mother. If this metaphor stands powerfully in our minds, why should we

²⁴⁰ Held *The Ethics of Care* 157

²⁴¹ Held, Virginia. “Feminism and Moral Theory.” *Women and Moral Theory*. Ed. Eva Feder Kittay and Diana T. Meyers. New York: Rowman and Littlefield, 1987. 111-128. 118

²⁴² Tronto *Moral Boundaries* 109-110, 137

²⁴³ *Ibid.* 138

²⁴⁴ *Ibid.*

care about starving children in Somalia when there are undernourished children right here?²⁴⁵

For Tronto, in answering this question we need “to insist that care needs to be connected to a theory of justice and to be relentlessly democratic in its disposition.”²⁴⁶

To make care democratic, Tronto suggests that we focus on needs and also on the balance between care givers and care receivers, since those in society to whom the task of care giving often falls are individuals in the lower classes who have traditionally been excluded from politics.²⁴⁷ According to Tronto, we have a responsibility to care for others outside our immediate circle of intimates. What this means and how we do this will depend on how we see care as connected to the theory of justice that she thinks is needed to avoid parochialism and to help us understand how to implement care.

Rita Manning draws from Noddings in that Manning describes her ethic of care in terms of an obligation to care for others. The kind of care we are to provide to others is ethical care, or caring that “involves summoning natural caring by remembering ‘our most caring and tender moments’ and recognizing that these moments represent our best self. Ethical caring can only be achieved in situations where dynamic, mutual relationships are possible.”²⁴⁸ Following Noddings, Manning presents two criteria for an obligation to care: “I can be obligated to P if: (1) There exists or is potential a relation [sic] between P and me; (2) There exists the dynamic potential for growth in relations, including the potential for increased reciprocity and mutuality.”²⁴⁹ Though she

²⁴⁵ Tronto *Moral Boundaries* 171

²⁴⁶ Ibid.

²⁴⁷ Ibid. 171-172

²⁴⁸ Manning *Speaking from the Heart* 70

²⁴⁹ Ibid. 70

follows Noddings in her description of how we come to have obligations to care for others, Manning rejects Noddings' claim that we have no obligation to starving children in Africa.

Noddings denies that "universal caring" is a possibility and admits to the following...consequences of her argument. First, "I am not obligated to starving children in Africa." Her argument for this is not exactly clear, but it appears that she would want to say that my ongoing relationships confer obligations that are primary. She says that fulfilling obligations to the starving children in Africa would require me to "abandon my obligations" to those to whom I am already related.²⁵⁰

Manning thinks one can accept Noddings's account of an obligation to care for others without accepting Noddings's claim that we have no obligation to the starving children in Africa. Manning gives two reasons for this: first, we do not need to accept Noddings's assumption that helping starving children in African requires us to abandon our obligations to intimates. Second, we do not need to accept Noddings's assumption about the primacy of the obligations to intimates.²⁵¹ For Manning, adopting an ethic of care means adopting a particular perspective—a caring perspective—about situations involving moral decisions. This is a perspective we can take in situations that include strangers as well as situations that include intimates.²⁵²

If one is obligated to do some ethical caring, and this involves calling upon one's ideal caring self, won't this ideal caring self feel some obligation toward animals and starving children in Africa? I'm convinced that it would.... We can come to recognize that the starving children in Africa share crucial characteristics with the children we know and love...Surely, our ideal caring selves would not ignore this.²⁵³

²⁵⁰ Manning 70

²⁵¹ Ibid. 71

²⁵² Ibid. 80. Manning also argues we can adopt a caring perspective towards situations involving animals as well.

²⁵³ Ibid. 72

For Held, Tronto, and Manning, we do have some kind of responsibility or obligation to care for distant others. The question, though, is why we would extend our ideal of caring to include caring acts done for those who are so distant from us and with whom we will most likely never have relationships in any reciprocal sense. Held and Tronto stipulate that a principle of justice will most likely have to function in conjunction with care for us to recognize and act on our responsibility to care for distant others. Manning believes appeals to our ideal caring self will help us recognize the need for care for strangers, including distant others. While strangers who are geographically close to us meet Manning's requirement of the possibility of a relationship between individuals as creating an obligation to care between them, distant strangers do not seem to meet this requirement for care. There is no relation or potential for a relation between P, a distant stranger, and me, and so there seems no potential for growth in this relation. This is particularly true if my act of beneficence involves giving food or supplies to help distant others whom I will never meet.

The role that care plays in care ethicists' explanation of our obligation or responsibility to be beneficent to strangers is unclear. Held does say that it may be the case that we need to recognize the value of care for those distant from us in order to care enough that the rights of distant others (including the rights to adequate food, shelter, and clothing) are not being respected and recognized. Justice requires us to take action to ensure those rights are being met.²⁵⁴ In her explanation, care is what prompts us to act on justice in order to meet the needs of others.

²⁵⁴ Held *The Ethics of Care* 132

In summary, Held and Tronto rely on justice in addition to care, and Manning relies on the ideal caring self in order to explain why we have a responsibility or obligation to help strangers. These answers to the question of why we ought to help strangers seem unsatisfactory. In the first case, the work that care is doing seems unclear, (unless it simply informs how we carry out our obligation). In the second case, obligations to care rest on the possibility of a relationship and that possibility seems extremely remote for many who need help. While it might provide a unique perspective on the place of personal relationships within a moral system (one which fits with my interpretation of Kantian moral theory), the current explanations of an ethic of care do not adequately explain our duty of beneficence. The better ethical theory will be one which explains not only our duties to intimates but also our duties to strangers.

My interpretation of Kantian moral theory accomplishes this task because it is based on a universal principle of beneficence. For a Kantian agent, the reason for acting on a duty of beneficence is that treating the humanity in others as an end includes the promotion of the other's autonomy. For those in need, promoting their autonomy will include meeting those needs. O'Neill explains the obligation of Kantian agents to promote the autonomy of others through acts of beneficence: "Since hunger, great poverty, and powerlessness all undercut the possibility of autonomous action, and the requirement of treating others as ends in themselves demands that Kantians standardly act to support the possibility of autonomous action where it is most vulnerable, Kantians are required to do what they can to avert, reduce, and remedy hunger."²⁵⁵ Though her

²⁵⁵ O'Neill "Ending World Hunger" 99. At this point, I would like to note that a fuller discussion of the topic of famine relief from a Kantian perspective would include a discussion of how justice affects our

discussion is framed in terms of famine relief, O'Neill's point applies to other acts of beneficence as well. We have a duty of beneficence because the humanity in others should be treated as ends. Because a Kantian principle of beneficence requires us to show beneficence to everyone, our beneficence to those in personal relationships with us does not come at the expense of our duties to strangers. Showing a commitment to a principle of beneficence will require that we act to benefit intimates *and* strangers.

VI. A Criticism from the Perspective of Care

Up to this point, I have argued that Kantian moral theory includes a relationship obligation to intimates. The importance of taking context into account when deliberating about moral action allows us to treat intimates in a way that would be similar to the way we should treat them under an ethic of care. We do acts for intimates because they are in relationships with us. When performing those acts, we are sensitive to the details of the relationship and the person in deciding how we should act. Furthermore, because these acts are part of a larger Kantian framework that includes respect for everyone, we also have an explanation for why we have a duty of beneficence to those who are strangers, whether they are geographically distant or close.

Even though I have argued that Kantian moral theory requires us to give special consideration to intimates and that its universal principles, like beneficence, do not require us to give the same consideration to strangers as intimates, those who advocate an ethic of care may object to my response because it is framed in terms of duties and obligations. Manning accepts the idea of an obligation to provide care, but Held and

obligations. Here, I intend only to highlight that part of the purpose of our beneficent acts is to promote the autonomy of others because they deserve to be treated as ends.

Tronto explicitly reject the notion of obligations, relying on the idea of responsibility instead. Tronto chooses to use “responsibility” instead of obligation because she sees the term responsibility as allowing for more flexibility in our understanding of what people should do for each other. “Responsibility is a term that is embedded in a set of implicit cultural practices, rather than in a set of formal rules or series of promises.”²⁵⁶ As such, “responsibility” allows us to consider issues like perceived gender roles, class, family status, cultural differences and race when considering what we should do for each other.²⁵⁷ Thinking about *obligations*, Tronto claims, does not allow us the same flexibility.

Whether we think of the care we give to intimates as a responsibility or as an obligation, I take it that the thrust of such an objection is that I am starting from a general obligation of respect for others. An ethic of care starts from the value of care in personal relationships. Even though I have argued that personal relationships are important and that intimates deserve different treatment than strangers, a care ethicist may still argue that there is something disturbing about starting from the respect due to all people to get to the special consideration or treatment we ought to give to intimates.

While general respect for all persons might seem an odd starting place for considering what we owe to intimates, respect functions in Kantian moral theory to provide a general guideline for what we owe all people. The kind of treatment we give to intimates is shaped by our personal relationships with them. The general principle of respect serves, in part, as a way to remind us that we do have obligations to others and

²⁵⁶ Tronto *Moral Boundaries* 131-132

²⁵⁷ *Ibid.* 133

that we cannot focus all of our attention and resources on our intimates. Though an ethic of care starts from a discussion of our responsibilities or obligations to intimates, most care ethicists do not want to exclude our responsibilities or obligations to distant others and so include principles like justice in order to explain our obligations to strangers. For the care ethicist, care is the proper response towards those in need, whether they are intimates or strangers. Why it is that we owe these individuals care will be justified either by our relationships with them, as in the case of intimates, or by principles of justice, as in the case of strangers. What is not clear is how justice is part of the overall picture of care and how it is that justice in combination with care explains our obligations to strangers. For Kantian moral theory, the starting place is that respect is owed to all people, but this does not require us to treat everyone the same way or to give everyone the same consideration in our actions. Context shapes our actions towards others, and the fact that I have a personal relationship with someone will be part of the context of a situation involving that person. Intimates are owed the kind of treatment that an ethic of care would prescribe—we are to be attentive and loving in our response towards them.

The main difference in our response to intimates between an ethic of care and Kantian moral theory as I have described it seems to be how we characterize our reasons for acting towards intimates. But, even though an ethic of care does not emphasize duty, something like duty or obligation still seems to be present in considerations of relationships.

Though we love our friends and most often perform actions for them because we love them, there are times when we may possibly not want to do something for them

that we think we should. I may not want to tell my friend that I think she is misbehaving at a party, for example. I do tell her, though, because I think I should since she is my friend. An advocate of an ethic of care may say that I act out of love, whereas a Kantian might say that I have acted out of duty. But the concept of acting in a caring way even when the affective component of caring is not present is not foreign to an ethic of care.

Noddings herself notes that

there are times, even in the closest human relations, when the feeling associated with natural caring—"I must"—does not arise spontaneously. Then, if we value ourselves as carers, we summon ethical caring—a dutiful form of caring that resembles a Kantian ethical attitude. On such occasions we respond as carers because we want to uphold our ideal of ourselves as carers.²⁵⁸

It seems most likely that both love as an affective feeling (or the expression of my relationship to my friend) and a feeling of obligation to her because of our relationship are reasons for my telling my friend things I might not otherwise want to tell her.

Framing the reason I tell my friend in terms of obligations does not in any way imply that the relationship is not important to me or that I do not love my friend. The obligations I have to my friend arise because of my relationship to her, so the relationship *is* a central consideration of my action. Looking at the situation in this way, the personal relationship is an important part of determining my action.²⁵⁹ Since the

²⁵⁸ Noddings, Nel. *Starting at Home: Caring and Social Policy*. Berkeley: University of California, 2002. 29-30. In the 2nd edition of *Caring*, Noddings notes in the "Preface to the Second Edition" that "There are times, of course, when we do not feel like caring, and then I've said we have to draw on our "ethical ideal"—our history of caring and the high value we place on ourselves as carers." Here, though, she compares her approach to that of virtue ethics, which "depend[s] heavily on the character of moral agents." *Caring* xv

²⁵⁹ Sarah Clark Miller has a somewhat similar view of how personal relationships affect our duty of beneficence. She restricts her discussion to the duty of beneficence, though, and combines it with an ethic of care, using the caring component of an ethic of care to describe how we ought to go about carrying out actions which are part of our duty of beneficence. See "A Kantian Ethic of Care?" *Feminist Interventions*

relationship is a central reason for my action, it is not clear that an advocate for a moral theory based on the value of personal relationships has a reason to object to Kantian moral theory on the grounds that as a it does not properly value actions done for intimates.

VII. Conclusion

In this chapter, I have used the Kantian duty of beneficence to show how our personal relationships shape our understanding of how we should fulfill Kantian duties. Acting on duties for a Kantian means acting in a way that shows a commitment to acting on a principle. Acting on our duty of beneficence, then, means acting in such a way that we show we are committed to acting on a principle of beneficence. Showing a commitment to acting on a principle of beneficence means acting in ways that show we make the ends of others in general our ends. If we only or mostly act to benefit intimates or if we only or mostly act to benefit strangers, we are not showing a commitment to making the ends of others in general our ends. A true commitment to acting on a principle of beneficence will lead an agent to act in ways that benefit both strangers and intimates. Furthermore, because it can account for our obligations of beneficence to strangers as well as to those in personal relationships with us, Kantian moral theory gives a more satisfactory picture of our overall moral obligations of beneficence than the explanation of the same responsibilities or obligations given by an ethic of care.

Chapter Four: Violence in Personal Relationships and Societal Responsibilities

I. Introduction

In Chapter Three, I argued that one of the advantages of Kantian moral theory over an ethic of care is that Kantian moral theory clearly accounts for our duty of beneficence to strangers. These individuals may be in our communities or they may be geographically distant. In both of these cases, the respect Kantian moral theory requires us to show to all individuals grounds our duty of beneficence to those in need, regardless of their connection with us.

Not only can Kantian moral theory answer the care ethicist's concern that actions done for intimates have moral value, but Kantian moral theory also gives a better account of the moral complexities of personal relationships. This is evident, for example, in cases of abuse, or interpersonal violence, in partnered relationships. Both Kantian moral theory and an ethic of care would say that a woman in an abusive relationship has an obligation to leave that relationship.²⁶⁰ But Kantian moral theory also helps us to understand our duties as a society to help those who have been abused and to work to end abuse. On an ethic of care account, our societal obligations to respond to domestic abuse are not entirely clear.

Our personal relationships, particularly spousal or partner relationships, contain unparalleled opportunities to experience deep trust and mutual support. Unfortunately, these same conditions create vulnerabilities in personal relationships that sometimes result in abuse instead of love and support: "Each year, women experience about 4.8

²⁶⁰ Care ethicists disagree about this somewhat, as will be discussed below. But most contemporary care ethicists would say that a woman in an abusive relationship should leave because self care is an important part of an ethic of care.

million intimate partner related physical assaults and rapes. Men are the victims of about 2.9 million intimate partner related physical assaults.”²⁶¹ From these statistics, it is clear that domestic violence, referred to in the sociological literature as intimate partner violence (IPV), is an important moral problem because of its pervasiveness. Some social scientists have suggested that IPV includes different forms of violence. Two of these forms are intimate terrorism (IT) and situational couple violence (SCV). IT includes actions aimed at controlling someone’s life generally. SCV is violence that is a response to a particular situation. This distinction is important because it impacts how we respond to different incidents of IPV. Because of the opportunity personal relationships create for intimate partner violence, any moral theory which addresses personal relationships must have a way to address the violence and control issues in abusive relationships.

Because an ethic of care takes personal relationships and the connections between intimates as the paradigmatic moral relationship, questions have been raised about the ability of an ethic of care to explain two issues: first, what is wrong with relationships that are abusive, and, second, how those in abusive relationships should respond to that abuse. After examining how care ethicists have responded to these issues, I examine how Kantian moral theory would address the same issues. I argue that Kantian moral theory allows us to make distinctions about the moral problem of IPV that an ethic of care does not allow us to make. This has important implications for how

²⁶¹ Centers for Disease Control and Prevention. “Understanding Intimate Partner Violence Fact Sheet 2006.” <www.cdc.gov/ncipc/dvp/ipv_factsheet.pdf> (5 May 2008). Fact sheet lists the following as a reference: Tjaden P, Thoennes N. “Extent, nature, and consequences of intimate partner violence: findings from the National Violence Against Women Survey”. Washington (DC): Department of Justice (US); 2000. Publication No. NCJ 181867. Available from: URL: www.ojp.usdoj.gov/nij/pubs-sum/181867.htm

we are required to respond to the different kinds of violence. I also argue that Kantian moral theory succeeds in explaining both our societal obligations to those who have experienced IPV and our obligations to end IPV. These obligations are not clear on an account of IPV based on an ethic of care.

II. Violence in Personal Relationships

Before discussing the philosophical considerations and analysis of what we think of as “domestic violence,” it is important to try to be clear about exactly what kind of behaviors are included in the term. We usually think of domestic violence as physical violence between two partners who are living together. We also typically think of women as the victims of domestic violence, and statistics seem to support this conclusion: In 2001, women accounted for 85 percent of the victims of intimate partner violence (588,490 total) and men accounted for approximately 15 percent of the victims (103,220 total).²⁶² A quick Google search of “domestic violence” turned up the following examples: the page entitled, “Who are the Abusers?” at www.domesticviolence.org, states that “In most cases, men abuse female victims.”²⁶³ The “Domestic Violence Facts” sheet at the National Coalition Against Domestic Violence (NCADV) website states that “The majority (73%) of family violence victims

²⁶² Bureau of Justice Statistics Crime Data Brief, Intimate Partner Violence, 1993-2001, February 2003. <http://www.ojp.usdoj.gov/bjs/abstract/ipv01.htm>

²⁶³ <http://www.domesticviolence.org/who-are-the-abusers/> (31 March 2008). Domesticviolence.org also includes the fact that men can be abused by women as well.

are female. Females were 84% of spousal abuse victims and 86% of abuse victims at the hands of a boyfriend.”²⁶⁴

There are other statistics in sociological literature which seem to point to women being just as likely to abuse men as men are to abuse women.²⁶⁵ These statistics are often cited by groups who claim that in domestic situations, women’s violence against men is at least as much of a problem as men’s violence against women. Another Google search on “battered men” turned up the following examples of web pages that use these statistics to support similar claims: The group “Respecting Accuracy in Domestic Abuse Reporting,” or RADAR, starts its Media Fact Sheet with the statement: “Women are just as likely as men to engage in partner aggression.”²⁶⁶ The website Batteredmen.com has a page on family violence that contains the following information:

Violence against family members is something women do at least as often as men! There are dozens of solid scientific studies that reveal a startlingly different picture of family violence than what we usually see in the media. For instance:

1. Women are three times more likely than men to use weapons in spousal violence.
2. Women initiate most incidents of spousal violence.²⁶⁷

When thinking about domestic violence as a moral problem, the differing statistics complicate our understanding of how we as a society should respond to domestic

²⁶⁴ http://www.ncadv.org/unsorted/topicspecificfactsheets_231.html, Domestic Violence Statistics link (31 March 2008). The NCADV handout cites the U.S. Department of Justice, Bureau of Justice Statistics, “Family Violence Statistics,” June 2005 as the source of these statistics.

²⁶⁵ Straus, Murray and Gelles, Richard. “Societal Change and Change in Family Violence from 1975 to 1985 as Revealed by Two National Surveys.” *Journal of Marriage and the Family*, 48.3 (August 1986): 465-479. See page 470 especially. See also Straus, Murray. “The Controversy Over Domestic Violence by Women: A Methodological, Theoretical, and Sociology of Science Analysis.” *Violence in Intimate Relationships*. Eds. X.B. Arriaga and S. Oskamp. Thousand Oaks, CA: Sage, 1999. 17-40, especially 19.

²⁶⁶ http://www.mediadar.org/media_fact_sheet.php (31 March 2008).

²⁶⁷ <http://batteredmen.com/batsewel.htm> (31 March 2008). The website goes on to list other statements about women’s role in family violence against elders and children.

problems. The public policies that we frame and enact, including the distribution of resources to address domestic violence, will be affected by which set of statistics we think illustrates the problem of domestic violence.

According to Professor of Sociology Michael P. Johnson, many of the studies and analyses done on IPV contain a key mistake in the analysis of the data. Johnson outlines two schools of thought in the analysis of IPV: the family violence perspective, and the feminist perspective.²⁶⁸ The findings of studies by these two groups often seem contradictory. For example, one study done from the feminist perspective reported that data from the National Crime Survey for 1973-75 showed that 97% of assaults on adults in the family were assaults made by husbands on their wives.²⁶⁹ Studies done from the family violence perspective have shown that women were just as likely to be violent towards their husbands.²⁷⁰ Johnson argues that the difference in these findings results from the fact that, though the two groups both study IPV, they are studying two different types of violence. In 1995, Johnson divided IPV into patriarchal terrorism, which he describes in his later work as intimate terrorism (IT), and common couple violence which he later refers to as situational couple violence (SCV). I refer to these types of IPV as intimate terrorism and situational couple violence.²⁷¹

²⁶⁸ Johnson, Michael P. "Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence Against Women." *Journal of Marriage and the Family* 57 (May 1995): 283-294. p. 283

²⁶⁹ Ibid. 285

²⁷⁰ Ibid.

²⁷¹ In the article, "Domestic Violence in the 1990s: Making Distinctions," Johnson and Ferraro also include violent resistance (the response of women to their partner's intimate terrorism) and mutual violent control (where both partners are involved in intimate terrorism) as types of IPV. Johnson also switches from his past use of "patriarchal terrorism" to the use of "intimate terrorism" in this article. See Johnson, Michael P. and Ferraro, Kathleen J. "Domestic Violence in the 1990s: Making Distinctions," *Journal of Marriage and the Family*. 62.4 (Nov. 2000): 948-963. I do not address violent resistance, nor do I address mutual violent control separate from intimate terrorism. This is not to say these topics should not be addressed, but simply that I do not have the space to do so here. For the switch from using "common

As Johnson and Ferraro define it, “the distinguishing feature of IT is a pattern of violence and nonviolent behaviors that indicates a general motive to control.”²⁷² The nonviolent behaviors or control tactics include “emotional abuse, using children, using male privilege, economic abuse, threats, intimidation, and blaming.”²⁷³

An example of this kind of IPV can be found in the novel *Black and Blue* by Anna Quindlen. Here, Quindlen tells the story of Fran Benedetto.²⁷⁴ Fran, a nurse, is married to Bobby Benedetto, a police officer who is physically and emotionally abusive. Bobby has been abusive almost since the beginning of the relationship. Bobby’s abuse and attempts to control Fran are examples of the behaviors Johnson defines as characteristic of IT. In the following passage, Fran reflects on how Bobby has abused her during their relationship:

Sometimes Bobby even made me believe that I was guilty of something, that I was sleeping with every doctor at the hospital, that I made him slip and bang his bad knee. That I made him beat me up, that it was me who made the fist, angled the foot, brought down a hand hard. Hard. The first time he hit me I was nineteen. I can hear his voice now, so persuasive, so low and yet somehow so strong, making me understand once again that I’m all wrong. Frannie, Frannie, Fran, he says. That’s how he begins. Frannie, Frannie, Fran. The first time I wasn’t your husband yet. You were already twenty, because it was the weekend after we went to City Island for your birthday. And I didn’t hit you. You know I didn’t hit you. You see, Fran, this is what you do. You twist things. You always twist things.²⁷⁵

couple violence” to “situational couple violence,” see Johnson, Michael. “Violence and Abuse in Personal Relationships: Conflict, Terror, and Resistance in Intimate Partnerships,” *The Cambridge Handbook of Personal Relationships*. Eds. Anita L. Vangelisti and Daniel Perlman. New York: Cambridge, 2006. p. 557-576.

²⁷² Johnson, “Domestic Violence in the 1990s” 949.

²⁷³ Johnson, Michael P. and Leone, Janel M. “The Differential Effects of Intimate Terrorism and Situational Couple Violence: Findings from the National Violence Against Women Survey.” *Journal of Family Issues* 26.3 (April 2005): 322-349. p. 324. Johnson and Leone base this list on Pence and Paymar’s Power and Control Wheel in Pence, E. and Paymar, M. *Education Groups for Men who Batter: The Duluth Model*. New York: Springer, 1993. p. 185.

²⁷⁴ Quindlen, Anna. *Black and Blue*. New York: Dell, 1998.

²⁷⁵ *Ibid.* 3-4

After one particularly bad incident of abuse where Bobby has broken her nose, Fran takes her son Robert and goes to her sister's house. Bobby follows her there and says that he is taking her and Robert home. Fran refuses to go and refuses to let Bobby take Robert.

Then Bobby looked at my face, looked at it good, looked at it with a cold, cold look that he, for all the things he'd done to me, had never given me before. And like he'd been rehearsing it he said, real quiet, "What are you gonna do, Fran? Call the cops?" ... He was gloating, really, although for once you couldn't read his mood in his voice. He was telling me that I was trapped, that I was chained in some basement he'd created, a basement with flowered ironstone dishes all laid out neatly in the cupboards, with silk flowers in a vase on the dining-room table. He was telling me that I'd never get away, that he could do what he wanted and I couldn't do a thing about it.²⁷⁶

Bobby's physical abuse towards Fran and his attempts to control her by convincing her that she was wrong, that the abuse was her fault, and that she had no escape fit Johnson's explanation of IT. These actions are all part of a pattern of Bobby's attempt to control Fran. Fran makes her decisions, even routine personal choices, on the basis of what she thinks Bobby wants because she is afraid that doing the wrong thing will instigate violence:

I could tell you what Bobby liked and didn't like, what might set him off and how much. But I couldn't have told you as much about myself. I was mostly reaction to Bobby's actions, at least by the end. My clothes, my makeup: they were more or less his choice. I bought them, of course, but bought them with one eye always on Bobby's face. And his hands.²⁷⁷

²⁷⁶ Quindlen *Black and Blue* 217

²⁷⁷ *Ibid.* 20

Situational couple violence, on the other hand, includes partner violence that does not take place within a larger pattern of controlling behaviors.²⁷⁸ This does not mean that SCV is not about control at all at the situational level; it simply means that, looking at the behaviors at the over-arching relationship level, an incident of SCV is not part of a general pattern to establish coercive control.²⁷⁹ SCV often follows a verbal argument where one partner feels pushed over the limit by some put down or accusation and strikes out in response.²⁸⁰ Examples of SCV can be found in *Cat on a Hot Tin Roof* and *A Streetcar Named Desire*, both by Tennessee Williams.

In the play, *Cat on a Hot Tin Roof*, Williams tells the story of a successful Southern family facing the impending death of the head of the family, Big Daddy. Part of the story revolves around one of Big Daddy's sons, Brick, and Brick's relationship with his wife, Maggie. Brick played football with his best friend, Skipper, until Brick was injured. Maggie, who had traveled with the team while Brick was playing, continued to travel with the team while Brick was in the hospital. During this time, Maggie sleeps with Skipper. In the scene described below, Maggie has decided that she has to confess her infidelity to Brick, who has hurt his ankle and is on crutches.²⁸¹ Brick informs her that Skipper already told him, but Maggie insists on recounting her tale to him. Brick tells her repeatedly to "shut up about Skipper," and when she insists on telling the story, he responds by saying, "what you're doing is a dangerous thing to do.

²⁷⁸ Johnson and Leone, "Differential Effects..." 324

²⁷⁹ Johnson, Michael P. mpj@psu.edu "Re: Question about the distinction between IT and SCV." 3 April 2008. Personal e-mail. (4 April 2008).

²⁸⁰ Doherty, William. bdoherty@umn.edu "Re: A question on IPV." 3 April 2008. Personal e-mail. (4 April 2008).

²⁸¹ Williams, Tennessee. *Cat on a Hot Tin Roof*. New York: New Directions, 1975. Maggie and Brick's scene is in Act I, pp. 56-62

You're—you're—you're—fooling with something that—nobody ought to fool with."²⁸²

Maggie starts by talking about Brick's friendship with Skipper and how she and Brick used to double-date with Skipper in college, and Brick interrupts her to say, "Maggie, you gotta stop this."²⁸³ Maggie just continues, and Brick interrupts her again to say, "Maggie, you want me to hit you with this crutch? Don't you know I could kill you with this crutch?"²⁸⁴ Maggie continues her story, and Brick assumes that she is questioning the nature of his friendship with Skipper, accusing him and Skipper of having a sexual relationship. Maggie denies that she is doing this, and continues recounting her story:

Margaret:...you got a spinal injury—couldn't play the Thanksgivin' game in Chicago, watched it on TV from a traction bed in Toledo. I joined Skipper. The Dixie Stars lost because poor Skipper was drunk. We drank together that night all night in the bar of the Blackstone and when cold day was comin' up over the Lake an' we were comin' out drunk to take a dizzy look at it, I said, "SKIPPER! STOP LOVIN' MY HUSBAND OR TELL HIM HE'S GOT TO LET YOU ADMIT IT TO HIM!"—one way or another!

HE SLAPPED ME HARD ON THE MOUTH!—then turned and ran without stopping once, I am sure, all the way back into his room at the Blackstone...

--When I came to his room that night, with a little scratch like a shy mouse at his door, he made that pitiful, ineffectual little attempt to prove that what I had said wasn't true...

*[Brick strikes at her with [his] crutch, a blow that shatters the gemlike lamp on the table]*²⁸⁵

The stage direction where Brick strikes at Maggie is one of several incidents that occur as Maggie continues to talk. In this case, Brick has warned Maggie to stop talking repeatedly, but Maggie continues to talk. Brick feels threatened and responds to Maggie

²⁸² Williams *Cat on a Hot Tin Roof* 56

²⁸³ Ibid. 58

²⁸⁴ Ibid. 59

²⁸⁵ Ibid. 60 (emphasis in original)

by lashing out violently. Though the stage directions seem to indicate that he never hits her (he strikes “at her; misses” and “strikes at her again”), we could easily imagine the scenario to be one where Brick does indeed hit Maggie. In this case, Brick’s violent behavior is not part of his effort to control his relationship with Maggie or her life but is his response to the situation because he feels as though she has pushed him over the edge. We see this because he repeatedly tells her to stop talking, and even warns her that he could kill her with his crutch, but she continues to talk.

SCV is not always one-sided. In *A Streetcar Named Desire*, there is an incident of SCV between two minor characters, Eunice and Steve, who live upstairs from the main characters, Stella and Stanley.

[Eunice’s voice shouts in terrible wrath.]

Eunice: I heard about you and that blonde!

Steve: That’s a damn lie!

Eunice: You ain’t pulling the wool over my eyes! I wouldn’t mind if you’d stay down at the Four Deuces, but you always going up.

Steve: Who ever seen me up?

Eunice: I seen you chasing her ‘round the balcony—I’m gonna call the vice squad!

Steve: Don’t you throw that at me!

Eunice *[shrieking]*: You hit me! I’m gonna call the police!

*[A clatter of aluminum striking a wall is heard, followed by a man’s angry roar; shouts and overturned furniture. There is a crash; then a relative hush.]*²⁸⁶

In this scene, both Eunice and Steve act violently—Eunice, while making her accusations of infidelity, and Steve, in response to Eunice’s violence. Again, the violence here is not part of an ongoing attempt to control the other person but is a response to a particular situation.

²⁸⁶ Williams, Tennessee. *A Streetcar Named Desire*. New York: New Directions, 1974. Scene 5, p. 86. (emphasis in original)

Though the examples of Brick and Maggie and Steve and Eunice are examples of single incidences of SCV, SCV may occur repeatedly in a relationship. The frequency and severity of incidences of violence between IT and SCV may be the same; the main difference is that the violence in IT is part of one partner's attempt to control the other and the violence in SCV occurs as a response when specific conflicts escalate to violent behavior.²⁸⁷ Johnson believes that most people use the term "domestic violence," they apply it to cases that most closely fit his definition of IT.²⁸⁸ That is, when people think of domestic violence, they tend to think of relationships where one partner, usually the man, is abusive and controlling.

Though violence of any kind in a relationship is wrong, understanding the varying degrees of seriousness of these types of violence helps us to structure social policy and institutions in order to better serve individuals who are affected by IPV. Individuals involved in relationships who suffer from violence that is IT will have different needs than those in relationships involving SCV. For example, because of the overall pattern of control in IT, including economic control, individuals who suffer from IT will have a need for economic assistance to leave their abusers and to become independent. The differences between IT and SCV will also affect what services should be offered to those who opt to stay in abusive relationships. Depending on the severity of the violence, it might be reasonable to recommend anger management courses to

²⁸⁷ Johnson and Leone, "Differential Effects..." 324

²⁸⁸ Johnson, Michael P. "Domestic Violence: It's Not About Gender—Or Is It?" *Journal of Marriage and Family* 67 (December 2005): 1126-1130. p. 1127.

those engaged in SCV, while the same suggestion to a woman who experiences IT would be inappropriate and might actually risk further severe violence to the woman.²⁸⁹

Given its emphasis on personal relationships and caring, we might think that an ethic of care would be able to provide a robust explanation of the problems with IPV and how society should respond. In its current forms, though, it seems that an ethic of care does not have the ability to provide such an account. Though care ethicists since Noddings have given much more plausible accounts of the problem of IPV in relationships, they fall short in their explanation of our societal responsibilities to respond to IPV. In this chapter, I argue that Kantian moral theory, with its emphasis on autonomy, provides a more robust and persuasive account of our societal obligations to those who experience IPV. Since IPV affects individuals physically, psychologically, socially, and economically,²⁹⁰ it is an important issue for society at large. Understanding these effects in addition to understanding of the different types of IPV will also help us frame the public policies that affect those who experience IPV.

III. An Ethic of Care and Intimate Partner Violence

In this section, I explain the arguments that care ethicists have given against IPV. I argue that, because of its emphasis on relationships and giving care to intimates, an ethic of care cannot provide a satisfactory explanation for what our moral response as a society ought to be to the problem of IPV.

²⁸⁹ Johnson “Domestic Violence...” 1129

²⁹⁰ See Johnson and Ferraro, “Research on Domestic Violence in the 1990s” p. 957-959 for a discussion of these effects. See also Johnson “Violence in Personal Relationships” p. 567-568 for a further discussion of health consequences, including psychological health.

III. A. Noddings's Original Analysis

In *Caring*, Nell Noddings did address what actions a woman in an abusive relationship ought to take and how her actions should be morally evaluated. As one of the first to write about an ethic of care, Noddings defined a woman's withdrawal from her relationship with an abusive husband as something that diminishes the caring the woman gives: "Feeling, thinking, and behaving as one-caring mark ethical behavior; but when caring must retreat to an inner circle, confine itself, and consciously exclude particular persons or groups, the ideal is diminished, that is, it is quantitatively reduced."²⁹¹ There is a question about what Noddings means when she says that the ideal of caring is "quantitatively reduced." It appears that she simply means that we are no longer providing as much care as we were providing or could provide. Whatever she means by this statement, it is clear that she thinks our withdrawal from personal relationships affects our ability to act morally: "There can be no greater evil, then, than this: that the moral autonomy of the one-caring be so shattered that she acts against her own commitment to care."²⁹² There is a question about care here—if we withdraw from a relationship with someone in order to protect our ability to care for ourselves, are we still acting in a way that is morally diminished? It seems as though the answer for Noddings is yes, because we are excluding someone intentionally from the group of people for whom we care. Even when we withdraw from a relationship in order to protect ourselves, our caring is still ethically diminished.

²⁹¹ Noddings *Caring* 114

²⁹² *Ibid.* 115

Noddings's description seems counter-intuitive. As Sarah Hoagland argues, we would think that removing ourselves from abusive relationships would lead to an enhancement, not diminishment, of our ethical selves.²⁹³ Noddings disagrees with Hoagland's assessment: "It is better to saturate the evil-doer with our presence than to withdraw."²⁹⁴ Noddings does, however, make allowances for instances where physical abuse is involved: "One exception to this [that it would be better not to leave relationships] would be the case of direct personal abuse where physical withdrawal is necessary for self-protection."²⁹⁵

Though Noddings believes we are allowed to withdraw from abusive relationships that are physically harmful, she believes we have a moral obligation to end abuse and thus we are morally obligated to stay in abusive relationships in order to effect a positive change in the abuser:

From the perspective of caring, however, we are ethically called to stop abuse—not to encourage it by supposing we deserve ill-treatment. Accepting such behavior is a perversion of caring for it encourages uncaring behavior from the abuser. An appropriately caring response from an abused woman should be, I will not allow you to do this to *me, you, us*. Given the power relations in this society, she may not be able to carry through on her commitment "not to allow," but there is nothing in the ethic of caring itself that disables her. Women in abusive relations need others to support them—to care for them. One of the best forms of support would be to surround the abusive husband with loving models who would not tolerate abuse in their presence and who would strongly disapprove of it whenever it occurred in their absence. Such models could support and re-educate the woman as well, helping her to understand her own self worth.²⁹⁶

²⁹³ Hoagland, Sarah. "Some Thoughts about 'Caring'." *Feminist Ethics*. Ed. Claudia Card. Lawrence: University Press of Kansas. 246-263.

²⁹⁴ Noddings "A Response" 124

²⁹⁵ Ibid. 125

²⁹⁶ Ibid. (emphasis in original)

In this passage, Noddings seems to suggest that the optimal moral response to abuse is for the abused to try to change her abuser as part of her caring for him and that the community around them respond by supporting her in this project. It seems as though Noddings is saying that, even if a woman leaves an abuse relationship because of physical violence, she still has some kind of moral obligation to try to change her abuser (or at least this is the ideal response).

III.B. General Criticisms of an Ethic of Care's Response to Abusive Relationships

Although personal relationships can be enriching experiences in our lives, the same relationships also make us vulnerable to physical and emotional abuse because of the high level of trust and dependence that characterize them. By focusing on care in personal relationships as a source of moral value, an ethic of care seems to ignore the abuse that can be part of such relationships. Some philosophers have claimed that the focus on care in personal relationships makes an ethic of care unable to condemn violence or abuse in relationships because it seems to assume that all personal relationships and the care given in them are valuable. As Marilyn Friedman notes, partiality toward (including the special treatment of) those in personal relationships with us cannot simply be taken for granted as good. Partiality needs some defense, because there are particular personal relationships which are morally problematic or which contain morally problematic elements.²⁹⁷ If an ethic of care starts from the assumption that all relationships are morally good, the kind of defense of partiality for which Friedman calls will not be included. It is not clear how an ethic of care could

²⁹⁷ Friedman *What are Friends For?* 41-42

differentiate between those relationships which are morally good and those which are morally problematic or even immoral. According to Friedman,

Care ethics tends to ignore the distinctive forms of violence and violation to which women, far more than men, have been subjected. The lamentably familiar examples include incest, rape, sexual harassment, and domestic battering. Although a care ethic certainly condemns any form of violence and brutality, it is by no means clear what response it will advise for a women or girl who has been the victim of, say, rape or battering by someone close to her.²⁹⁸

Friedman is not the only one to question the ability of an ethic of care to respond to violence in personal relationships. Claudia Card also argues that not all attachment in personal relationships is valuable.²⁹⁹ Using care as an ethical standard distorts the fact that there are some relationships which should be ended or left. “Elevating caring to an ethical ideal threatens to valorize the maintenance by carers of relationships that ought to be dissolved or those from which a carer should be able to withdraw without being in any way ‘ethically diminished’.”³⁰⁰ In discussing the problem of violence against women for an ethic of care, Michele Moody-Adams argues that it is the centrality of relationships and the connections in those relationships to an ethic of care which make the theory inadequate in explaining the problems of abuse. Because an ethic of care focuses on the relationship between two people, it cannot recognize the harm that one person does to the other person as an individual separate from the relationship itself.³⁰¹ That is, the abuser in personal relationships seems to ignore the fact that the abused is an individual and not present merely for the pleasure or use of the abuser because of the

²⁹⁸ Friedman, Marilyn. *Autonomy, Gender, Politics*. New York: Oxford, 2003. 149

²⁹⁹ Card, Claudia. “Gender and Moral Luck.” *Identity, Character and Morality*. Eds. Owen Flanagan and Amelie Rorty. Cambridge, MA: MIT, 1990. 199-218.

³⁰⁰ Card, Claudia. “Caring and Evil.” *Hypatia* 5.1 (Spring 1990): 101-108.

³⁰¹ Moody-Adams, Michele. “Gender and the Complexity of Moral Voices.” *Feminist Ethics*. Ed. Claudia Card. Lawrence, KS: Kansas, 1991. 125-212. 203

relationship. If an ethic of care is to be a viable moral option for understanding the moral duties in relationships, then it must be able to address the serious problem of violence in personal relationships.

III. C. A Current Response to Abusive Relationships from an Ethic of Care

One of the major criticisms of an ethic of care is that it does not have the ability to condemn cases of violence or abuse in personal relationships. Because an ethic of care places such a high moral importance on personal relationships, there is doubt about whether it could ever see or judge any personal relationship to be immoral or wrong. Part of this criticism comes from Nel Noddings' explanation of what a woman in an abusive relationship ought to do.

Many care ethicists following Noddings rejected her view of how a woman who experiences domestic violence ought to act. Joan Tronto, for example, writes, "Nodding's response reveals an ignorance of the nature of domestic violence: that abusive husbands deliberately isolate themselves and their wives from others, that victims are often secretive about the fact that they are abused, that abusers often do not think of themselves as abusers."³⁰² If these facts are taken into account, Nodding's response to IPV is inappropriate and an ethic of care could give a very different response to what a woman experiencing IPV ought to do.

In her latest book, *The Ethics of Care: Personal, Political, Global*, Virginia Held addresses the question of what kind of guidance an ethic of care would give to a woman who experiences domestic violence. She argues that an ethic of care can

³⁰² Tronto *Moral Boundaries* 60

recognize that violence exists in personal relationships and that part of the function of an ethic of care is to evaluate the caring that occurs in relationships, including care for oneself³⁰³:

Caring for oneself in an existing or potential relation is part of what concerns those advocating an ethic of care for relational persons. So is the evaluation of relations *as* caring—or as abusive, damaging, and morally deleterious. Any priority given to caring relations presumes they are relations characterized by such values as trust and mutual consideration and that they are, indeed, caring relationships. As care ethicists have made clear, care ethics does not advocate the actual family relations of patriarchal societies but the morally valuable aspects of human relationships of which we can sometimes get a glimpse when we pay attention to the relationships we experience.³⁰⁴

What this means for Held, practically speaking, is that in cases of spousal abuse, we should not conclude that an ethic of care would advise the wife to stay in the relationship with her abusive husband. “To maintain a relation in conditions like these should be seen as a failure to properly care for oneself and for one’s children if there are any.”³⁰⁵ Nor, it seems, should we assume that the spouse who leaves an abusive relationship is practicing a form of morally inferior caring. Instead, leaving would be a way of practicing care for oneself.

While Held sees the most fruitful way of dealing with abusive relationships as examining the abused’s responsibility to care for herself, this raises questions which Held does not answer. Held states that part of the purpose of an ethic of care is to “address questions about whether and how and why we ought to engage in activities of

³⁰³ At a recent FEAST Conference, Joan Tronto also expressed the opinion that any reasonable theory of care must include a duty to care for oneself. Though Tronto was not speaking specifically in response to questions of what a woman in a situation of domestic abuse ought to do, presumably the duty to care for oneself would be part of that analysis on her view. (Question and Answer period, FEAST Conference Sept. 27-30, 2007).

³⁰⁴ Held *The Ethics of Care* 135

³⁰⁵ *Ibid.*

care, questions about how such activities should be conducted and structured, and questions about the meaning of care and caring. It especially evaluates relations of care.”³⁰⁶ Exactly what good caring is, though, is not a question she addresses. Although she advocates for women in abusive relationships to leave those relationships on the grounds that staying would be a “failure to properly care for oneself,” exactly how this would be a failure is not clear. Although leaving the abusive relationship could be considered part of caring for oneself, it still seems as though it would also be a failure to care for the abuser.

If we are to assess the morality of personal relationships through the caring that is characteristic of them, then any withdrawal of caring seems to be morally problematic. Noddings indicates this when she says the care given by a woman who leaves an abusive relationship is ethically diminished. Furthermore, how we are to balance care of self with care of others is not clear. As Eva Kittay has noted, “the work of caring for dependents, whether paid or unpaid requires—morally, sometimes legally, and as an excellence of the work itself—attention to the needs and concerns of another, often to the exclusion of one’s own.”³⁰⁷ Kittay is speaking here of dependency relationships where one person is fully or almost fully dependent on a caretaker (like young children or those who are disabled), not of relationships between two independent adults. As Kittay notes, there will be times when our care for dependents takes precedence over care for one’s self. If we know this occurs in some situations of care for intimates, it is reasonable to question whether there are other situations of care between intimates that

³⁰⁶ Held *The Ethics of Care* 46

³⁰⁷ Kittay *Love’s Labor* 41

also require one to subordinate one's self-care to care for the other. If there are different expectations for when we should attend to our own needs as part of self-care over the needs of intimates, these expectations are not clear.

Though Held explains that a woman in an abusive relationship has a responsibility for self-care which justifies her leaving the relationship, she does not fully explain whether the abused would be justified also in discontinuing care to the abuser. Even though an abused woman leaves her abuser, she still may be legally married to him and so retains some kind of personal relationship with him. If they divorce and they have children, then she still shares a personal relationship with him because he is the father of her children. Even if there are no children, the fact that they *were* married reflects some kind of personal relationship. If we want to say that she is no longer responsible for caring for her former spouse in the same way she was when they were married, some explanation must be given.

Perhaps citing the divorce itself is reason enough for a care ethicist who holds Held's view to say that partners no longer have the same kind of responsibility to care for each other that they had when they were married. But even a divorce does not seem sufficient grounds to claim that the woman's obligation to care for her former spouse is radically reduced. If the ground of her reduced responsibility to care for her abusive former spouse really is her obligation to care for herself (and any children), then we need some kind of explanation of why the responsibility to care for oneself trumps the responsibility to care for the abusive ex-spouse. The abuse itself may be enough to determine the relationship as morally problematic, but it does not seem to be enough to ignore the fact that there is a personal relationship between these individuals and thus,

on the view of an ethic of care, an obligation to care for the individuals in the relationship. The problem here seems to be the inability of an ethic of care to explain why care for self will trump care for others *in some cases and not in others*.

If the foundation of moral caring for an ethic of care is personal relationships and the care given in them, then we need a story that fits into this picture to explain why we need to care for ourselves. We could either say that we have some kind of relationship with ourselves (though what kind of relationship that would be is not entirely clear), or we could say that the obligation to care for ourselves comes from our obligation to care for others in personal relationships with us. Certainly, failure to care for one's self adequately will eventually affect one's ability to care for others. Not eating properly, getting adequate sleep, or attending to our own emotional and physical health will take a toll on what we can and cannot do for others. So, in that sense, caring for oneself is relational because it affects our ability to care for others. This picture of caring makes caring for ourselves seem to be only instrumental.

Held claims, though, that our obligation to care for ourselves is not instrumental. That is, our obligation to care for ourselves does not stem from the fact that we must take care of ourselves in order to take care of others.³⁰⁸ Rather, we should care for ourselves because we should extend caring to all humans, and we are human. Therefore, we should care for ourselves. So, even though Held claims a woman in an abusive relationship should leave the relationship partly because staying would be a failure to care for both herself and her children, the failure of caring here is not instrumental.

³⁰⁸ Conversation with Virginia Held, FEAST conference, September 29, 2007.

Care ethicist Rita Manning has a different explanation of how an ethic of care can explain that IPV is a moral problem. According to Manning,

Some critics have worried that abusive relationships would be accepted by an ethic of care. Presumably, the fear is that if we are committed to sustaining relationships, we will support all existing relationships, even abusive ones. I think this worry is misplaced. An abusive relationship isn't a caring one. Abusers in an abusive relationship do not have an understanding of their partners' good nor do they support their partners in pursuit of their projects, commitments, and other relationships.³⁰⁹

Presumably, for Manning, the fact that someone in an abusive relationship is not receiving the care she reasonably thought she would receive in the relationship would be justification for leaving that relationship. Instead of focusing on self-care, as Held does, Manning focuses on the failure of care on the part of the abuser. Though Held herself argues that a woman should leave an abusive relationship because of her responsibility to care for herself, the same kind of argument that Manning makes—that abuse is a failure to care—is open to Held. In describing why caring relationships have moral priority, Held writes: “Any priority given to caring relations presumes they are relations characterized by such values as trust and mutual consideration and that they are, indeed, caring relationships.”³¹⁰ Held could argue, then, that a woman in an abusive relationship could leave because the relationship she is in is not characterized by trust and mutual consideration and thus is not a caring relationship. In addition to considerations of self care, the woman could leave the relationship because her husband is failing to care for her because he is not providing the conditions necessary for a caring relationship.

³⁰⁹ Manning *Speaking from the Heart* 103

³¹⁰ Held *The Ethics of Care*. 135

Abusing someone in a personal relationship is a moral failing. Whether it is best described a *failure to care*, though, remains to be seen. Care ethicists could characterize the problem as a failure to care in one of two ways: either because it damages or undermines the relationship itself, or because of the effect it has on the person receiving the care. Given that care ethics emphasizes personal relationships as the foundation of our understanding of moral treatment, the first answer seems more likely.

But this misses something important about the nature of abuse. As Michele Moody-Adams notes,

[C]entral elements of the care perspective turn out to be inadequate to the task of explaining or justifying the respect due to the integrity of individuals. A conception of the self as defined not through separation from but through interconnection with others is oddly unhelpful in deciding what is morally wrong with rape, abuse, and sexual harassment. Surely one of the principle features of such actions—what makes them so damaging beyond any physical harm they may or may not cause—is that they embody the perpetrator’s refusal to respect the integrity and *separateness* of the victim. The rapist who says of his victim that “when she said ‘no’ she meant ‘yes’,” fails to respect the integrity of this woman’s expressed wishes, as well as her separateness of person.³¹¹

Moody-Adams rightly notes that a moral theory whose foundation is our connection to others in personal relationships with us does not place enough emphasis on our status as separate individuals. As separate individuals, we have certain rights and claims to certain kinds of treatment not because of our connection to others but as individuals in our own right. Though we are all part of personal relationships, and who we are is defined partially by those relationships, we are not defined wholly by those relationships.³¹² It may be the case that we are mostly or even primarily defined by the

³¹¹ Moody-Adams “Gender and the Complexity of Moral Voices” 203

³¹² The following discussion raises many questions about identity, self-definition, and the formation of the self. Though these questions are interesting, I do not intend this to be a formal discussion on any of

relationships we have, but we are not primarily defined by any one particular relationship. I love my partner, and part of my identity is as his wife. But, if anything were to happen to the relationship (if we were to get divorced), I would go on being who I am even with that relational tie broken. Certainly, I have been shaped by our relationship, and that would not change even if the relationship were to end. As for the relationship I would have with my partner, our obligations to each other might change to the extent that there would be certain things I could no longer expect of him (living together, having joint finances), but there are some things that would not change. He would still owe me a level of respect that is at least commensurate with what he owes to strangers (likely more). What is important is that, in some sense, I am separate from our relationship. The treatment an intimate owes me, then, is not wholly constituted by the relationship we share. Even strangers have some obligations to me, as discussed in Chapter Two.

A full explanation of what is wrong with IPV combines two points: 1) an understanding of what the abuser has done wrong in failing to act appropriately in his relationship to his partner, and 2) an understanding of his failure to act appropriately towards his partner as a separate human being. Rita Manning offers this explanation of the moral failing of the abuser and claims that an ethic of care gives a better explanation of this failing than the language of rights alone:

The language of rights says that the abused partner's rights, perhaps to bodily integrity and liberty, are being violated by the abuser. The victim of abuse is justified in demanding that these rights be respected and acting to secure them. An ethic of care deepens the critique. It's not just that the abuser has violated the

these questions. Rather, I simply aim to point out that, though a particular personal relationship may influence my understanding of who I am to a large degree, that relationship is not entirely constitutive of who I am.

rights of the victim of the abuse; the victim of abuse is deprived of the care that it was reasonable to expect in such a relationship. The jealousy of the abuser and the subsequent isolation of the victim of abuse compounds the abuse; the victim is deprived of care that is typically available only in partnering relationships in our society, and at the same time is unable to develop a partnership relationship that would satisfy the need for care, intimacy, and acceptance.³¹³

Manning's analysis seems right in that it combines the aspects of looking at IPV as a problem between separate individuals and also as a problem for the relationship itself. This view, however, is not necessarily unique to an ethic of care. The view that I have presented of Kantian moral theory can also explain the moral failing of IPV as an issue for the relationship and as an issue between individuals. In my analysis, the abuser commits a wrong because he fails to show proper respect for his partner. He fails to meet his relationship obligations because the abuse and accompanying behaviors show he does not treat his partner in a way that shows her that he values her and their relationship. Part of this is because the abuse also reveals that he does not have respect for her as an individual separate from him.

IV. Contrasting the Kantian Explanation of IPV with an Ethic of Care

Explanation

The discussions of abuse in the literature of an ethic of care do not separate out the different forms of IPV. Still, making the distinction between intimate terrorism, or IT, and situational couple violence, or SCV, in our analysis of IPV is useful for understanding the differences between the approaches to IPV taken by an ethic of care and Kantian moral theory. Most of the descriptions of IPV given by care ethicists refer

³¹³ Manning *Speaking from the Heart* 103-104

to incidences of IT because they mention at least some of the controlling behaviors that Johnson associates with incidences of IT (Tronto mentions isolation, Manning mentions isolation and jealousy). It seems, then, that an ethic of care analysis of abuse is most often focused on IT. Though both an ethic of care and Kantian moral theory can conclude that SCV and IT are morally wrong, Kantian moral theory can explain the difference in the wrongness between the two types—that SCV is wrong because it is a failure of respect, but IT is both a failure of respect and an attempt to strip the other person of her autonomy. Attempting to strip someone of her autonomy is certainly a failure of respect because showing Kantian respect in part means showing respect for someone's autonomy, but it also more than this. Failing to respect someone's autonomy can take many forms, from making a decision for another person which we believe is in their best interest even when they have expressed a different preference to acts of severe violence. In the case of IT, not only is the perpetrator failing to show respect for the victim's autonomy, but he is also attempting to take her autonomy away by subjugating her. By trying to strip her autonomy, he attempting to strip her of the very thing that Kant thinks gives us dignity and makes us worth of respect (as discussed in Chapter Two).

The best way to think about how a care ethicist might respond to a woman who is involved in a relationship that is characterized by incidents of SCV is to look at Virginia Held's analysis of abuse and the responsibility to care for oneself. If the incidents of SCV are severe enough to the point where they compromise one's ability to care for oneself or one's children, then it seems as though the care ethicist would tell the woman that she has a responsibility to leave the relationship or to make other provisions

that allow her to meet her responsibility to care for herself. In addition, if the incidents of violence are regular or frequent, Manning's analysis will be helpful because it seems as though the abuse in the relationship is a failure to care properly for the other person. The issue, though, is that even one incidence of physical violence appears to be a failure to care properly for the other person, at least in that particular situation.

But when, then, does a failure to care justify a person's leaving the relationship? Based on Manning's analysis, it would appear to be when the failure to care is ongoing—that is, when the failure to care shows that abusers “do not have an understanding of their partners' good nor do they support their partners in pursuit of their projects, commitments, and other relationships.”³¹⁴ But there are plenty of relationships where partners do not support each other in certain projects, commitments, or other relationships. The internet abounds with message boards on which individuals who are trying to lose weight by exercising and eating healthfully often complain that friends and family sabotage their efforts.³¹⁵ In many cases, one person in a couple may have a friend that his or her partner does not like and though the partner may not actively interfere with that relationship, he or she may not actively support it, either. Though these are not examples of IPV, under Manning's definition of what constitutes a failure to care, it seems as though the activities described do just that. Would these failures to care justify one's leaving a personal relationship? I do not mean to say that SCV is equivalent to the preceding examples of failures to care—clearly, violence is more serious. But if the previous examples and SCV are all considered specific

³¹⁴ Manning *Speaking from the Heart* 103

³¹⁵ See the forums of www.weightwatchers.com, www.sparkpeople.com, and www.videofitness.com for examples.

instances of failures to care rather than systematic instances of failures to care, it is not clear if they justify one's leaving the relationship according to Manning's version of an ethic of care. SCV and IT are both instances where the person committing the violent act is failing to care for the victim, but the failure to care in IT is a more systematic failure to care and so seems to be a reason to leave, on Manning's definition of a failure to care. But the answer to the question of whether SCV, which is not systematic in the same way, would justify leaving is not as clear.

However, on a Kantian analysis, we can distinguish between IT and SCV. In cases of SCV, the problem is that the abuser fails to show the respect his partner deserves simply because she is human being:

But a human being regarded as a *person*, that is, as the subject of a morally practical reason, is exalted above any price; for as a person (*homo noumenon*) he is not to be valued merely as a means to the ends of others or even to his own ends, but as an end in himself, that is, he possesses a *dignity* (an absolute inner worth) by which he exacts *respect* for himself from all other rational beings in the world. He can measure himself with every other being of this kind and value himself on a footing of equality with them. Humanity in his person is the object of the respect which he can demand from every other human being, but which he also must not forfeit.³¹⁶

In cases of IT, the abuser similarly fails to show respect for his partner, but because of the controlling behaviors associated with IT, he is also attempting to strip her of her autonomy. That is, not only does the perpetrator of IT fail to show respect for the fact that his partner is an autonomous being, he is also actively working to take away her ability as a moral agent to make and to carry out her own life plan. This does not mean that SCV does not ever affect an agent's ability to act autonomy—a discrete act of

³¹⁶ *MM* 6:435

severe violence could end up affecting an agent's ability to act autonomy because of the extent of the injury suffered. If Johnson is correct that violence in IT is used in order to establish a pattern of control, however, then any act of IT will be an attempt to strip the victim of her autonomy. Since the violence in SCV is in response to a specific situation, acts of SCV can have that effect but are not necessarily aimed toward that end. Though both SCV and IT are morally wrong, IT seems to be wrong on two levels: first, on the level that physical violence harms another person and so does not show respect for that person, and second, that IT is a deliberate attempt to strip another person of her autonomy. Not only is the abuser failing to act the way we think those in personal relationships ought to act, but he is deliberately trying to control his partner's actions and choices, including the ends she sets for herself.

Though both an ethic of care and Kantian moral theory conclude that SCV and IT are morally wrong, the description of the wrongness of IT given by Kantian moral theory seems to highlight an important aspect that is missed when IT is examined in light of an ethic of care: IT is not just a problem with the relationship itself but is an attempt to strip another of her autonomy, that is, IT is a direct attack on another individual's agency. Looking at IT as a failure to care seems to miss this aspect of IT, or at least not to give it the importance it deserves.

At this point in a Kantian analysis, it may seem reasonable to address the duties of the individuals within a relationship where IPV occurs. Specifically, we could address the moral failings of the abuser. We can also address Kant's duty of self-respect and the duty not to be servile. Although I will say a little about the moral failings of the abuser, I do not wish to undertake the second topic here for a couple of reasons. First, though

the duty of self-respect and the duty not to be servile are important in Kantian moral theory, there is a question about how they would apply to victims of IPV because of the psychological issues associated with IPV generally and specifically with IT. The means by which the abuser chooses to exercise control, such as intimidation, threats, and coercion undermines the autonomy of the victim and also could also affect her sense of agency and her self-respect. Psychological symptoms that overlap with post-traumatic stress disorder (PTSD) are found among women who experience IT. Studies of how many women who experience IT suffer from PTSD range from 33% to as high as 84%.³¹⁷ Given these complications, an analysis of the duty of individuals in an abusive relationship would have to proceed very carefully. Though this analysis could prove interesting, it is not one I have space to undertake here.

Aside from psychological issues, there are other impediments to leaving a relationship, both psychological and practical. Johnson, Caughlin, and Huston have recognized that there are many reasons people stay married or stay with their partner, even when the relationship is abusive. They recognize that people may stay out of personal commitment, moral commitment, or structural commitment. Personal commitment can include attraction to one's partner, to the relationship itself, or to one's identity as part of a couple.³¹⁸ Moral commitment, or "the sense that one is morally obligated to continue a relationship,"³¹⁹ has three parts: first, a person's values about the

³¹⁷ Arias, Ileana. "Women's Response to Physical and Psychological Abuse." *Violence in Intimate Relationships*. Eds. Ximena B. Arriaga and Stuart Oskamp. Thousand Oaks, CA: Sage, 1999. 139-162.

³¹⁸ Johnson, Michael, Caughlin, John, and Huston, Ted. "The Tripartite Nature of Marital Commitment: Personal, Moral and Structural Reasons to Stay Married." *Journal of Marriage and the Family*. 61.1 (February 1999): 160-177. 161

³¹⁹ *Ibid.*

morality of discontinuing a relationship (for example, taking literally the marriage vow “until death do us part”); second, a moral obligation to another person based on a promise to stay in the relationship; or third, continuing a relationship because of a moral commitment to consistency of values. (Johnson et. al. give the phrase, “Winners never quit, and quitters never win” as an example of a commitment to consistency of values).³²⁰ Structural commitment includes alternative circumstances available to the individual if s/he were to leave the relationship, social pressure, termination procedures (the difficulty of the actions necessary to dissolve the relationship), and the irretrievable investment one may feel s/he has made to the relationship which will be wasted should the relationship end.³²¹

The different aspects of leaving an abusive relationship are reflected in the following passage from *Black and Blue*:

People can talk about self-respect all they want, and people do plenty, usually when they're talking about someone else's business. But whenever I thought about leaving, sometimes as much as leaving Bobby I thought about leaving my house. Balloon shades and miniblinds [sic] and the way I felt at night sleeping on my extra-firm mattress under my own roof that we'd hot-tarred the year after Robert was born—all of it helped keep me there....Small things: routine, order. That's what kept me there for the longest time. That, and love. That, and fear. Not fear of Bobby, fear of winding up in some low-rent apartment subdivision with a window that looked out on a wall....It took me a dozen years of house pride and seventeen years of marriage before I realized there were worse things than a cramped kitchen and grubby carpeting.³²²

Any responsible moral analysis of intimate partner violence needs to take into account the present realities for women who are being abused that might prohibit them from

³²⁰ Johnson, Caughlin, and Huston “The Tripartite Nature of Marital Commitment” 161

³²¹ Ibid. 161-162

³²² Quindlen, *Black and Blue* 209-210

leaving or make leaving difficult. A Kantian moral theory might supply many reasons why a woman in an abusive relationship ought to leave, but there are often practical considerations that make leaving almost impossible. These reasons have some bearing on the moral responsibility of women who stay in abusive relationships; it is difficult to hold someone morally responsible for not doing an action which it is extremely difficult to do. Women in abusive relationships may lack the self-confidence needed to leave an abusive partner who has tried to reinforce feelings of inadequacy and dependency. Women often lack the financial resources to leave, especially if there are children involved. Furthermore, women may fear that leaving will actually result in more abuse or more severe abuse. Indeed, research has shown that women who leave abusive relationships are actually at greater risk for being killed by their partners than those women who do not leave.³²³ Part of taking these factors into account includes looking at society and how it contributes to perpetuating or creating circumstances that make it difficult and sometimes almost impossible for women to leave abusive relationships.

V. The Duties of Society to Response to IPV

An additional part of our concern, though, is how we as moral agents should respond to the moral problem of IPV, particularly IT and SCV. Though an ethic of care and Kantian moral theory can both explain what we ought to do in response to individuals who experience IT and SCV, I argue that Kantian moral theory gives us a more concrete model of what we as a society should do. Kantian moral theory better explains our societal obligations to abused women and to set up a society that is not

³²³ *Violence and the Family: Report of the American Psychological Association Presidential Task Force on Violence and the Family*. Washington, DC: American Psychological Association, 1996. 36

only better equipped to respond to individual instances of abuse but does not create social conditions that contribute to or tolerate abuse.

The goal of this discussion is to contrast how an ethic of care and Kantian moral theory require us to respond to IPV not just as individuals but as a society. IPV is a problem that arises in personal relationships, but it is not a problem that affects us only on an individual level: IPV affects us as a society and it also impacts other social problems. For example, in a section entitled “Social Consequences of Partner Violence” of their review of domestic violence literature in the 1990s, Johnson and Ferraro claim that “for many women violence may be the *precipitating* factor for poverty, and it is surely a barrier to raising income and employment status.”³²⁴ Understanding IPV and the different kinds of it will have implications for social policies that we create that affect those who are victims of IPV, particularly the women who are victims of IT :

Just as intimate terrorism and situational couple violence have different outcomes, they probably have different causes and remedies. Only research that attends to these differences can effectively inform social policy, educational efforts, and intervention strategies. For example, because women subjected to intimate terrorism are more likely to suffer psychologically, sustain injuries, and miss work, they are at an increased risk of being unable to achieve and maintain self-sufficiency (Leone, Johnson, Cohan, & Lloyd, 2004). Thus, social policies that temporarily or permanently restrict a woman’s income (such as time limits on receipt of temporary aid to needy families) may be especially detrimental to women entrapped in intimate terrorism because they are already at risk for being unable to secure self-sufficiency. These are the very women who are most likely trying to escape from their partner, and social policy needs to contribute to their self-sufficiency, not undermine it.³²⁵

Though Johnson and Leone are particularly concerned about social policy in the above quote and I am concerned about moral obligations, the point they raise is still

³²⁴ Johnson and Ferraro “Research on Domestic Violence...” 959

³²⁵ Johnson and Leone, “The Differential Effects...” 346

applicable. In order to understand our moral duties to those who experience IPV, particularly IT, we must understand the effects of IPV on the agency of its victims. Part of how we understand the effects will be through the explanation of what is morally wrong with IT and SCV according to Kantian moral theory.³²⁶ The explanation of how an ethic of care explains the moral wrongness and how Kantian moral theory explains the wrongness is given above.

A care ethicist would argue that we have a responsibility to care for abused women, physically and emotionally. We do this by being attentive and responsive to their needs in the context of their particular situation. This includes trying to see the situation from their perspective.³²⁷ While this definition of caring would be useful in allowing us at a personal level to determine how we can help women who suffer abuse, it is not very helpful when thinking how we as a society should respond to these women and what our societal obligations towards ending abuse are.

The problem a proponent of an ethic of care encounters when trying to explain how we as a society should respond to IPV is similar to the problem encountered when trying to give an account of a principle of beneficence that includes beneficence to strangers. We may lack a clear and direct relationship with many women who are being abused because they are, for all intents and purposes, strangers to us. Translating our responsibility to care for intimates into a responsibility to care for all others, especially at the societal level, is a difficult move. If we interpret care as an ethical obligation that calls on us to respond to the other in ways that are attentive to the other's context-

³²⁶ An explanation of how an ethic of care explains the moral wrongness and how Kantian moral theory explains the moral wrongness is given above.

³²⁷ Noddings *Caring* 14

dependent wants and needs, then our ability to care for those who are strangers is *diminished*: these are details of the other's situation we cannot fully know. We can act on what we *do* know—we can respond to the problem of abuse as a society by assuming that women might not want to be in abusive situations and that social conditions often make it difficult to leave such situations. Virginia Held thinks that care should be extended beyond friends and family; caring relations “can extend to fellow members of groups of various kinds, to fellow citizens, and beyond.”³²⁸ But why we should extend this care and how it meets the requirements for seeing others' situations in context and responding to their specific needs is unclear; we would be caring for many people we do not know and may never meet. Even representing our relationship with fellow citizens as one of “brothers and sisters of a particular country” does not relieve this problem because we still do not have the context-dependent knowledge of them an ethic of care claims we need in order to properly care for them.

Though she says she is “suspicious” of projects that try to outline why we ought to care for all others because she ultimately finds them to be question begging,³²⁹ Manning attempts to address this issue. She does not want to appeal to the ideas that all persons deserve to be cared for in virtue of their moral status, or that care is related to human happiness because she thinks these stances have “great difficulty accommodating animals or other creatures.”³³⁰ Instead, she appeals to a holistic philosophy as grounding our obligation to care for all others: “we are part of a connected whole and the proper response to this whole and its parts is to see it and them

³²⁸ Held *The Ethics of Care* p. 157

³²⁹ Manning *Speaking from the Heart* 158

³³⁰ *Ibid.* 159

as sacred. My obligation to care follows from my recognition that I am part of this connected whole and that its parts are also sacred.”³³¹ If we accept Manning’s explanation for why we have an obligation to care for others who are not intimates, then we would be required to respond to all others because we are all connected. This would mean that we have a responsibility to provide options for those women who are in abusive relationships and wish to leave them. This could include financial programs, housing programs, and a safe space for the women to stay after they have left their partners. But exactly what our obligations as a society are towards ending domestic violence is not clear. If care is focused on present relationships and the current state of the world, then our focus is on caring about and responding to what relationships and situations are like now. How care requires us to be concerned for the social structures and ideals that contribute to and perpetuate social conditions that allow or contribute to intimate partner violence is not clear. Thus, what we are responsible to do to end those conditions is also not clear.

Sally Scholz recognizes that in order to apply an ethic of care to the problem of IPV, we need some additional guidelines that will transform an ethic of care into an Ethics of Advocacy.³³² This is an example of how we might use an ethic of care to make changes on the societal level. Using Manning’s model, Scholz describes the four requirements she thinks are needed. First, an advocate who is working on behalf of those who are victims of domestic violence shows what Manning describes as “a disposition to care” by desiring to help those who are affected by domestic violence and

³³¹ Manning *Speaking from the Heart* 159

³³² Scholz, Sally. “Peacemaking in Domestic Violence: From an Ethics of Care to an Ethics of Advocacy.” *Journal of Social Philosophy*. 29.2 (Fall 1998): 46-58.

to meet their needs.³³³ Because of the effects of domestic violence on a person's self-esteem and sense of agency, "the advocate's disposition to care is a disposition to affirm the moral subjectivity of the person victimized by domestic violence."³³⁴ Though Scholz speaks of "domestic violence", I take it that her remarks apply particularly to those who are victims of IT, since she defines domestic violence as something that "entails coercive control of one individual by another."³³⁵

The second requirement of Manning's ethic of care is that an agent "care for," or that the agent perform caring acts for others. In this case, the advocate "cares for" those who are victims of IPV by speaking on their behalf. This can include many activities, including "taking the initial crisis call, assisting in the provision of safe shelter, child care, and legal services, and helping to restore the person's damaged self-esteem."³³⁶ Here is where Scholz cautions that care can sometimes become control; that is, that the advocate may make decisions for the person for whom she is advocating. Scholz points out that the advocate must let the victim make her own decisions, even if those decisions include the decision to return to the abusive situation.³³⁷

In addition to the guidelines above, Scholz also adds that we should "care in solidarity," which she defines as "requir[ing] that we see ourselves as caregivers within a wider context...It is important not only to see advocacy as on behalf of the particular individual victimized by domestic violence but also to look at how those actions may

³³³ Scholz "Peacemaking in Domestic Violence..." 53

³³⁴ Ibid.

³³⁵ Ibid. 47

³³⁶ Ibid. 53

³³⁷ Ibid.

affect other current and future people seeking help in the form of advocacy.”³³⁸ Scholz bases this on Manning’s descriptions of why we should care for distant others and the natural world in general.³³⁹ While Scholz recognizes that it is important to see our caring as something that may require us to be advocates for victims of IPV generally, she cautions that we not lose sight of the individuals in our fight against an unjust system.³⁴⁰

Scholz’s last guideline is that the advocate or caregiver must do what is required to maintain herself and also must recognize that the victim of IPV is the primary decision-maker.³⁴¹ The advocate must recognize that she is a role-model and “should display positive self-determination capacities and clear decision-making procedures.”³⁴² In order to allow its advocates to display these qualities, the advocacy agency is required to take steps to empower its advocates.³⁴³

There are a few important points to note in Scholz’s description of how we might transform an ethic of care into an ethics of advocacy. The first point to note is that Scholz’s third guideline adds the requirement that we “care in solidarity,” or that we see ourselves as caring not just for individuals but for all those who are victims of IT and need advocates. Scholz takes “caring in solidarity” to be connected to an ethic of care through Manning’s assertion that we are all connected, which is how Manning explains our obligations to care for those who are not intimates. Though Scholz’s

³³⁸ Scholz “Peacemaking in Domestic Violence...” 55

³³⁹ Ibid.

³⁴⁰ Ibid. 55

³⁴¹ Ibid. 55-56

³⁴² Ibid. 56

³⁴³ Ibid.

explanation of what “caring in solidarity” requires of us is a possible example of what Manning meant by our obligation to care for others, it is not entirely clear exactly how the obligation to work for social change comes out of the idea that we are to care for those who are not in personal relationships with us. Since caring requires that we “care for,” or that there be a recipient of our care, it seems as though caring requires us to have someone who is the object of our actions. In working to change society, there does not necessarily seem to be one specific individual who is the recipient of the care. Rather, it seems as though the goal is to make social policies or influence social policy in a way that makes us better able to provide care for others. For example, Scholz describes a lawyer who works with victims of abuse by explaining their legal rights to protection. The lawyer finds that, even though the women know their rights, they are often given the “runaround” by law enforcement agencies and the courts when they try to exercise those rights. The lawyer makes calls to the law enforcement agencies and courts on behalf of the individual women she has educated. Finally, the lawyer realizes that instead of repeating the process with each individual case, she would have more of an effect if she were to raise a class action lawsuit which challenged the policies of law enforcement agencies. The lawsuit is successful and results in the change of an unjust policy, thus allowing the lawyer to help many other victims of domestic violence, not just those with whom she comes into contact.³⁴⁴ In this example, many people will benefit from the work done by the lawyer, and there is not one person who is the clear recipient of the lawyer’s action. Because of this and what “caring for” requires, it is

³⁴⁴ Scholz 55, citing an example from Pleck, Elizabeth. *Domestic Tyranny: The Making of Social Policy Against Family Violence from Colonial Times to the Present*. New York: Oxford, 1987. 186-187

unclear whether the lawyer's actions count as "caring for" for an ethic of care, though they clearly count as "caring in solidarity" for Scholz.

Scholz's explanation of "caring in solidarity" is a good example of how we can supplement an ethic of care so that we are required to respond to IPV on a social level and not just an individual level (i.e. we need change on the level of social policies, not just on the level of changing the situation of individual victims of abuse). However, it is not clear how this still constitutes what Manning describes as "caring for." It is clear that the lawyer's actions allowed her to better care for the individual victims with whom she came into contact because, once they were informed of their legal right to protection, they were more likely to receive the needed assistance from law enforcement. But if caring is supposed to be something that is part of personal relationships and arises from the connection between individuals, then it is not clear how policy change itself is caring. While it could be the connection or intersection of caring and justice, as Held and Tronto have described, this is not obvious and needs further explanation.

Second, Scholz relies on the idea of the victim as a moral agent and the idea that the advocate must work to promote that capacity. Scholz describes the advocate's role as "to empower the person for whom he or she advocates,"³⁴⁵ where empowerment is defined as "'participation of an agent in decision making through an effective voice or vote.'"³⁴⁶ As part of empowering the victim of IT,

the advocate helps to provide an avenue or forum for discussing the things that affect the individual's life plans, project, or prospects, thereby

³⁴⁵ Scholz 48

³⁴⁶ Ibid. Scholz is quoting Iris Marion Young's definition of empowerment.

enabling the person to better decide for him/herself what course of action to take. To this end, the advocate must be careful so as not to become the decision maker, not to take away the self-determination of the person for whom she or he advocates. The advocate must be wary that his or her advocacy does not become control.³⁴⁷

Scholz's discussion of agency and the advocate's role in promoting that agency sounds similar to Onora O'Neill's discussion of our moral obligation to promote the autonomy of others as part of Kantian moral theory. The Formulation of Humans as Ends (FHE) requires us to treat all individuals as ends and never as mere means: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means."³⁴⁸ As explained in Chapter Three, treating others as ends in themselves means showing respect for their autonomy, or, as Onora O'Neill explains, "To treat others as ends in themselves we must not only avoid using them as mere means but also treat them as rational and autonomous beings with their own maxims. In doing so we must also remember that (as Kant repeatedly stressed, but later Kantians have forgotten) human beings are *finite* rational beings in several ways."³⁴⁹ One of the ways in which we are finite is our dependence on others, which can be either mutual dependence or one-sided. This dependence affects our ability to act autonomously. The FHE, O'Neill argues, requires us to act in ways that support and promote the autonomy of others:

To treat one another as ends in themselves such beings have to base their action on principles that do not undermine but rather *sustain and extend* one another's capacities for autonomous action. A central requirement for doing so is to share and support one another's ends and activities to

³⁴⁷ Scholz 48

³⁴⁸ *Grounding* 429

³⁴⁹ O'Neill, Onora. "Ending World Hunger" 98 (emphasis in original)

some extent. Since finite rational beings cannot generally achieve their aims without some support from others, a general refusal of help and support amounts to a failure to treat others as rational and autonomous beings, that is, as ends in themselves. Hence, Kantian principles require us...to...lend some support to others' plans and activities.³⁵⁰

O'Neill makes this argument to support her conclusion that a Kantian must act to alleviate hunger and poverty, which contribute to powerlessness: "Since hunger, great poverty, and powerlessness all undercut the possibility of autonomous action, *and the requirement of treating others as ends in themselves demands that Kantians standardly act to support the possibility of autonomous action where it is most vulnerable*, Kantians are required to do what they can to avert, reduce, and remedy hunger."³⁵¹ The key to this argument is that the FHE demands that we "act to support the possibility of autonomous action where it is more vulnerable." Given this, we can make an argument similar to O'Neill's argument in regard to IPV, particularly IT. As discussed previously, IT is aimed at attacking and subverting an individual's autonomy because it includes the use of coercion to create a feeling of powerlessness in the victim. The FHE requires us to treat others as ends in themselves. Since part of this is supporting the possibility of autonomous action, the FHE requires us as individuals and as a society to do what we can to avert or reduce IT.

While IT includes the use of violence as a means to strip the abused of her autonomy, SCV also includes violent acts, though the violence in SCV is a response to a particular situation. Thus a similar argument can be made that the FHE requires us to do what we can to avert or reduce SCV. Any violence at all will have a detrimental

³⁵⁰ O'Neill, Onora. "Ending World Hunger" 99 (emphasis added)

³⁵¹ Ibid. (emphasis added)

effect on the autonomy of the abused individual. Though SCV may not be the same attempt to strip an individual of her autonomy as in the case of IT, violence itself, even if it is just the threat of violence, undermines our sense of safety. It may also undermine our understanding of what our choices are, and thus may limit the ends that we set for ourselves in some situations. The injuries resulting from violence may also limit our ends. In the scene between Eunice and Steve from *A Streetcar Named Desire* above, Eunice's claim that she is going to call the police seems to indicate that she feels threatened by Steve. As noted earlier, although SCV is a different type of violence, incidences of SCV may be just as frequent or just as severe as incidences of violence in IT. Although SCV is different from IT, O'Neill's claim that the FHE requires us to act to support and promote the autonomous action of others who are vulnerable applies here as well. Violence of any kind in personal relationships shows a failing of respect that limits the possibilities for autonomous action. As such, we should work to reduce and end SCV and IT.³⁵²

Rather than supplementing Kantian moral theory as Scholz supplements an ethic of care to arrive at an ethics of advocacy for directing how an advocate should act towards victims of IT, something like an ethics of advocacy is already contained within Kantian moral theory. That is, Kantian moral theory itself not only explains what is wrong with IPV but also supplies us with guidance about how to meet our obligations towards victims of IPV.

As discussed above, Kantian moral theory requires us to act in ways that avert or reduce IPV. According to the FHE, we are to treat all individuals as ends and never as

³⁵² We are most likely morally responsible to work to reduce or end other types of violence as well, but my concern here is with SCV and IT.

mere means. As discussed previously, part of treating individuals as ends is showing proper respect for them, which includes not only recognizing their autonomy but acting in ways that would help promote the autonomous action of others who are vulnerable. O'Neill makes this point while focusing on how vulnerability caused by poverty and hunger limits the possibilities for autonomous action, but the same general argument applies to women who are in abusive relationships because they too are vulnerable and often face limited options for autonomous action, as discussed previously.

The obligation to promote the autonomy of abused women would mean structuring society and social institutions to allow women to leave abusive relationships with a minimum of risk and would give these women some place safe to go. Some of the services society needs to provide include financial support, protection for the woman and any children, and housing. Therapy should also be available to help the woman and any children regain a sense of agency and control over their lives and the situation. Just as we recognize and work to promote the autonomy of the abused, we must at the same time recognize the autonomy of the abuser by holding him responsible for his actions.³⁵³ The abuser would face penalties for the abuse, such as not being allowed access to the woman or children unless there was a marked change in his behavior (even then, limiting conditions might apply).³⁵⁴ Though specific recommendations for social policies would have to be made in connection to

³⁵³ See Morris, Herbert. "Persons and Punishment." *Punishment: Selected Readings*. Eds. Joel Feinberg and Hyman Gross. Encino, CA: Dickenson, 1975. pp. 74-87 for an argument that, as persons, we have a right to be punished and to deny this right is to deny all moral rights and duties.

³⁵⁴ There may also be legal obligations we have to punish the abuser, but my concern here is just with moral actions and not legal actions. For a discussion of whether we as a society are obligated to prosecute abusers, see Marilyn Friedman's "Domestic Violence Against Women and Autonomy" in Friedman's *Autonomy, Gender, Politics*. New York: Oxford, 2003. 140-159. See pp. 148-152 for her discussion of the possibility of legal obligations to prosecute abusers.

considerations about justice and law, the above discussion includes a few examples of what kinds of social change Kantian moral theory can recommend in terms of promoting the autonomy of victims of IPV within our society. There are most likely other changes we could make as well. The key point here, though, is that we have a moral obligation to work towards changes which reduce and end SCV and IT.

When thinking about women who desire to leave abusive relationships, our obligations as a society seem fairly straightforward: we should set up social institutions that will assist the women to leave and to re-build their lives. The question of our duties becomes tricky, though, when we are looking at women who do not want to leave abusive relationships. Although we want women not to be in relationships that are abusive, to simply remove them from these relationships is paternalistic. In order to respect the woman properly, we need to have social structures in place that make leaving a viable option. Still, the question remains: if the woman chooses to stay, do we still have obligations to her?

In examining this question, it is first important to note that the distinction between SCV and IT again makes a difference in how we understand the question. Many of the women who experience IT do leave their abusers, though the titles of many studies might indicate otherwise: “Although it is clear from decades of studies with agency samples that most women experiencing IT do eventually manage to escape..., we continue to see articles with titles such as, “Why Do They Stay?” even in cases in which two thirds of the women had in fact already left their abusive partner.”³⁵⁵ In comparison to women who experience SCV, women who are subjected to IT “are more

³⁵⁵ Johnson “Violence and Abuse in Personal Relationships” 568

likely to leave their husbands, leave them more often, and, when they leave, to seek their own residence or escape to locations that ensure safety.”³⁵⁶

The question of our obligations to women who stay in situations where they experience SCV or IT, though, might be complicated by Kant’s assertion that we are required to help others in their morally *permissible* ends. Having a personal relationship with someone is a permissible end, but staying in an abusive relationship might be seen as an impermissible end because it violates one’s duties to self. The question then becomes, as a society, do we have an obligation to assist women who choose to stay in abusive relationships? Because the reasons a woman may stay in a relationship are varied, the answer is yes. This is because we are supposed to recognize and promote the autonomy of others, including those who are vulnerable in an effort to change the abusive behavior of the partner and the woman’s sense of autonomy and self-confidence. So, as a society, we should offer some support services to a woman who stays. We would want to provide counseling for her and her partner. There should also be a place where she and any children are free to go if or when instances of abuse happen. We might hope that with outside support, a woman who is being abused might come to see that she does not need to be in an abusive relationship. But even if she does not leave, we should provide her with support in ways that will increase her ability to act autonomously.

Because of our general duties to promote the autonomy of individuals, as a society we have an obligation to take measures to end SCV and IT. In the immediate future, this includes providing institutions that support women who are in abusive

³⁵⁶ Johnson and Leone “The Differential Effects ...” 344

situations by either helping them leave or helping them find ways to manage staying in the relationship. But helping those who are abused is not enough. To fully promote the autonomy of those who would be at risk or who are vulnerable to abuse, we are responsible for creating a society that does not tolerate abuse and does not have attitudes and conditions that lend themselves to abusive situations.

Interestingly, social attitudes and conditions were what originally led Johnson to use the name “patriarchal terrorism” to describe the behaviors he later named intimate terrorism. “Patriarchal terrorism, a product of patriarchal traditions of men’s right to control “their” women, is a form of terroristic control of wives by their husbands that involves the systematic use of not only violence, but economic subordination, threats, isolation, and other control tactics.”³⁵⁷ He notes that he has chosen not to refer to these practices with the more commonly used “wife beating” or “wife battery” in order to avoid locating this behavior within marriages only.³⁵⁸ Johnson also notes that “I have chosen not to switch to a simple nongendered alternative, such as *partner*, because I am convinced that this pattern of violence is rooted in basically patriarchal ideas of male ownership of their female partners.”³⁵⁹ Though he presumably changed the term to “intimate terrorism” to note that women can also engage in these controlling behaviors towards their male or female partners, in an article published in 2006 he explains intimate terrorism by referring to intimate terrorist as “he.”³⁶⁰ Johnson explains this usage in the following footnote:

³⁵⁷ Johnson, “Patriarchal Terrorism and Common Couple Violence” 284

³⁵⁸ *Ibid.*

³⁵⁹ *Ibid.*

³⁶⁰ Johnson “Violence and Abuse in Personal Relationships” 559-561

I am going to use gendered pronouns here because the vast majority of intimate terrorists are men terrorizing female partners. That does not mean that women are *never* intimate terrorists. There are a small number of women who do terrorize their partners (Steinmetz, 1977-1978), and there are also women in same-sex relationships who terrorize their female partners (Renzetti & Miley, 1996).³⁶¹

Though Johnson is no longer using the term “patriarchal terrorism,” the fact that he notes that most intimate terrorists are men and that they consider such controlling acts justified on the grounds of male privilege³⁶² indicates that such patterns of behavior are supported by social norms and influence. One of the justifications he initially gave for his choice of the phrase “patriarchal terrorism” was that “the term...forces us to attend routinely to the historical and cultural roots of this form of family violence.”³⁶³ Because social norms and attitudes contribute to violence against significant others, as part of our moral obligation to stop IPV, we are required to change social structures and practices so that social conditions no longer contribute to or support abuse in partner relationships.

VI. Conclusion

In this chapter, I have discussed the difference between the way an ethic of care and Kantian moral theory would respond to the problem of IPV. Though both an ethic of care and Kantian moral theory would find that a woman is morally required to leave an abusive relationship, their analysis of the responsibilities of women in abusive situations and the responsibilities of others towards women in abusive situations differs.

³⁶¹ Johnson “Violence and Abuse in Personal Relationships” 570-571

³⁶² Ibid 560

³⁶³ Johnson “Patriarchal Terrorism and Common Couple Violence” 284

Because an ethic of care focuses on our responsibility to care for others, it is not entirely clear why our obligation to care for ourselves trumps an obligation to care for a partner if the partner is abusive. If the justification for the cessation or reduction of care to one's partner is because he is systematically not behaving in a caring way, then it is unclear how this analysis would apply to cases of SCV. Furthermore, it is difficult to see the difference in the wrong done by the abuser when looking at cases of SCV versus IT. On the contrary, Kantian moral theory clearly shows how both SCV and IT are wrong because they stem from a failure to respect the other person. Additionally, Kantian moral theory explains that IT is also wrong because it is an active attempt to strip another person of her autonomy.

Both a care ethicist and a Kantian would argue that we have a responsibility to both women who have left and women who remain in abusive relationships. What is not clear on an account of care ethics is why we *as a society* have a responsibility to care for those who experience IPV. The Kantian, on the other hand, can explain both our individual and societal obligations to those who experience IPV. The Kantian would argue that we have a duty to promote the autonomy of women who leave in addition to women who stay in abusive relationships. For the Kantian, we have an obligation to create a society where women are safe to leave abusive relationships and receive proper support. We also have an obligation to change social attitudes and practices so that they do not support or tolerate abuse in personal relationships. Though both an ethic of care and Kantian moral theory can provide an analysis of what is wrong with IPV, the Kantian account can further differentiate between the wrong done in SCV and the wrong done in IT. Being able to make this distinction has further consequences for how

we approach these different types of IPV—perhaps providing therapy in cases of SCV, while recognizing the importance of and making provisions for repairing damaged self-esteem and a sense of agency in cases of IT.

Conclusion

Our personal relationships are an important part of our lives. At the very least, moral theories should not have requirements which directly or indirectly prohibit having deep, meaningful relationships with intimates. Critics who claim that the impartiality in impartial moral theory is incompatible with our personal relationships argue that there is something fundamentally wrong about the way Kantian moral theory requires us to think of and act towards intimates. These critics argue that, because of its requirement of impartiality, Kantian moral theory cannot properly value personal relationships or the actions done because of them. As an alternative to impartial moral theories, an ethic of care, which focuses on our responsibilities or obligations to intimates, was developed.

An ethic of care is distinct from most major moral theories because it takes the care in personal relationships as the fundamental moral value. Moral interactions are caring interactions that focus on responding to the particular person in the particular context of that situation. Because moral responses in an ethic of care are so highly contextualized, the best responses will be the responses we have to those whom we know best—our intimates. The majority of care ethicists, though, also argue that care can be extended beyond the circle of our immediate relationships. They argue that we can also have caring responses to strangers, whether they are in our communities or in different countries far away from us.

The problem with an ethic of care, I have argued, is that it is not clear how our responses to strangers can be construed as caring responses. If good care is based on being attentive to situational context and I know very little about the context because I know very little about the person, then it appears that in most instances, though I may

provide care of some sort, it will not be the best kind of care. Furthermore, since an ethic of care focuses on the response of one individual to another, it is not clear how we can extend that focus to understand our obligations as a society to reduce or end certain social problems like IPV.

I want to be clear that I am not arguing about the value of care in general. As many care ethicists have rightly pointed out, none of us would be here without care. Care is an important and necessary part of life and there are ways in which care can be given that are better than others. Many of our interactions with intimates are sustaining *because* they are caring interactions. Care ethicists make an important point when they argue that not all moral problems should be seen as problems involving abstract, independent agents.

I do not think, however, that the impartiality in Kantian moral theory precludes the kind of caring interactions that care ethicists describe, nor does it fail to give moral value to these interactions. As I have argued, Kantian moral theory requires us to act on general principles. Part of what is required by a Kantian agent in acting on principles is taking into account the context of the situation to which the principle applies. When intimates are involved in particular situations, that fact is part of the context of the situation. It is not an overriding fact, but it is an important fact to take into consideration. Furthermore, the Categorical Imperative in the Formulation of Humanity as an End requires that we treat others as ends and never as mere means. As I have argued, if we ignore our personal relationships with intimates, we are treating them as mere means. As such, we have relationship obligations which require us to act in ways that show intimates that they and our relationships with them are important to us.

Even if care ethicists can accept that Kantian moral theory includes relationship obligations that govern how we treat intimates, they will most likely be wary of characterizing the interactions between intimates as *duties*. Good care, they will argue, is motivated by love. Even if we are thinking of a normative concept of good caring, such caring is not a duty but is based on a natural and loving response to our intimates. We may have a responsibility to give such care, but it is not a duty.

Part of this response seems to simply be a dislike for the word “duty” and what the concept implies. This stems partially from the misrepresentations of Kantian moral theory described in Chapter Two, where duties are thought of as applying universally and as admitting of no exception. If this the picture of duties—that they are rules and cannot take into account context or the individuality of persons—then it is easy to see why care ethicists, with their emphasis on responding to particular individuals and particular contexts, would object to using such a notion to describe the interactions between intimates.

Though it may not be clear why we would need a concept of a duty or relationship obligation to describe the ideal relationships between intimates, this concept is useful and important when we think of non-ideal situations. Particularly, it is useful when we think of those moments in relationships when we do not feel inclined to act for intimates but we do it anyway. It also provides us with a way to talk about what happens when the interactions in personal relationship goes seriously awry and become abusive. It is not enough to say that the abuser is violating a duty of respect that s/he has to everyone, and it is not enough to say that the abuse is a failure to care. To capture the nature of such abuse, it is important to recognize that it is a failure in both ways—it is a

failure to show respect for the other as a person *and* it is a failure to treat one's intimate as an intimate should be treated.³⁶⁴

In closing, I would like to briefly review and summarize the arguments I have made:

In Chapter One, I explained the different objections that have been made against the impartiality in Kantian moral theory—the psychological objection and the normative objection. I argued that the normative objection, in the form of the incompatibility criticism and the relationships-as-normative criticism, is the most compelling. I further argued that current Kantian responses to the normative objection have shown that personal relationships are compatible with Kantian moral theory, but that such answers do not address an important aspect of the relationships-as-normative criticism. The relationships-as-normative criticism questions the importance of personal relationships in impartial moral theories as compared to the importance we give them in our own lives. As part of this criticism, an ethic of care uses the care given to intimates as the foundation for a moral theory.

In Chapter Two, I argued that the impartiality in Kantian moral theory is necessary at the level of selecting general principles, particularly the Categorical Imperative and the principles that follow from it. Impartiality is not required at the level of making moral decisions as part of acting on those principles. From Kant's discussion of the duties involved in particular relationships, like the parent-child relationship, the relationship between spouses, and the relationship between friends, we can see that

³⁶⁴ For a different argument that centers around why we need a duty to care, see Miller, Sarah Clark. "The Duty to Care: Need and Agency in Kantian and Feminist Ethics." Diss. State University of New York Stony Brook, 2003. pp. 6-9

duties to intimates are part of Kantian moral theory. I argued further that a correct understanding of the Categorical Imperative in the Formulation of Humanity as an End (FHE) shows that we do have relationship obligations to intimates. The FHE requires that we treat humanity in others always as an end and never as a mere means. To treat a rational agent as an end and not as a mere means requires us to show respect for her autonomy, which includes her ability to set her own ends. Personal relationships are ends that we have. Showing respect for my intimate's end of our relationship means treating her in a way that is consistent with how we think intimates ought to be treated. To do this, I will have to consider my relationship with her and what I know about her to act in such a way that she can tell that I value her and that I value our relationship. Given this, we have obligations to intimates *because* they are in personal relationships with us.

One of the Kantian duties that is most often thought to be in tension with our desire to benefit intimates is our duty of beneficence. In Chapter Three, I examined the argument given by care ethicists that claims that Kantian moral theory will always require us to choose to act to benefit strangers over intimates. I argued that the Kantian principle of beneficence does not require this of us. Furthermore, tension between our ability to act to benefit strangers and our ability to act to benefit intimates is not inherently part of Kantian moral theory. Rather, this tension is the result of the practical limitation of resources we all face—limits of time, money, and the ability to make commitments. I argued that part of our Kantian duty of beneficence is acting in ways that benefit intimates. This does not mean that we should always give preference to acting to benefit intimates over strangers. We must do both if we are to show the

commitment to a principle of beneficence that Kantian moral theory requires. I also argued that one of the strengths of Kantian moral theory is that it can explain our obligation of beneficence to strangers. An ethic of care cannot explain such an obligation.

In Chapter Four, I turned to a problem that is inherent in some personal relationships, the problem of domestic violence, or intimate partner violence (IPV). Any moral theory that is applicable to personal relationships ought to have some way to account for this problem and to explain the responsibilities or obligations we have to work to end this problem both as individuals and as a society. After examining two kinds of IPV, situational couple violence (SCV) and intimate terrorism (IT), I argued that Kantian moral theory can differentiate between the wrongs done in SCV and IT while an ethic of care cannot. Kantian moral theory also explains our personal and societal obligations to work to reduce and end SCV and IT, while an ethic of care, even in the strengthened form of an ethics of advocacy, still does not accomplish this task.

An ethic of care brings to light an aspect of our lives that deserves moral attention—personal relationships and the connections in them. While an ethic of care does describe the kind of care that characterizes good relationships, it falls short of explaining the moral failings of relationships that are abusive. Though an ethic of care does give guidance to how particular moral agents should respond to intimates, it cannot justify a general principle of beneficence to strangers, nor can it give guidance regarding our obligations as a society to end the social problems of SCV and IT.

Though there are many types of abuse that can occur in personal relationships, I have looked only briefly at one type—intimate partner violence (IPV). Of the different

types of IPV, I have looked at two in particular: situational couple violence and intimate terrorism. Violent resistance, which is a type of IPV that takes place in response to intimate terrorism, is also a subject that deserves and needs philosophical attention. Emotional abuse between adult intimates and the different kinds of child abuse—physical and emotional—also warrant philosophical attention. These are difficult topics but they deserve to be discussed so that we can more fully understand what our obligations as individuals and as a society are to those who suffer from these kinds of abuse. The hope, of course, is that further philosophical work on these problems will be connected with activism—once we realize what our obligations are, we ought to act to fulfill them.

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