Duties and Deontological Ethics

A duty is a moral obligation that an agent has towards another person, such as the duty not to lie. Etymologically, duties are actions that are due to someone else, such as paying money that one owes to a creditor. In a broader sense, duties are simply actions that are morally manditory. Medieval philosophers such as Aquinas argued that we have specific duties or obligations to avoid committing specific sins. Since sins such as theft are absolute, then our duty to avoid stealing is also absolute, irrespective of any good consequences that might arise from particular acts of theft. From the 17th to the 19th centuries, many philosophers held the normative theory that moral conduct is that which follows a specific list of duties. These theories are also called deontological theories, from the Greek word deon, or duty, since they emphasize foundational duties or obligations. We find one of the first clear indications of this view in The *L*aw of War and *P*eace (1625) by Dutch philosopher Hugo Grotius (1583-1645). For Grotius, our ultimate duties are fixed features of the universe, which even God cannot change, and comprise the chief obligations of natural law. Some moral theorists at the time based their list of duties on traditional lists of virtues.

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Traditional Duty Theory

In *On the Law of Nature and of Nations* (1672), German philosopher Samual Pufendorf (1632-1694) *refined three particular components of duty theory*. First, Pufendorf adopts a position that scholars now call "*the correlativity of rights and duties*." *On this view, every right that I have implies a duty on your part to respect* my *right*. For example, *if* I *have a right to own* my car, *then you have a duty not to steal* my car. From *a moral standpoint*, Pufendorf believed *that duties were more important than rights*. Second, Pufendorf distinguished between perfect and imperfect duties. Perfect duties are obligations that are precisely defined, and dictate our proper conduct everywhere at all times, such as the duty not to steal. Imperfect duties, by contrast, such as the duty to be charitable, are not fixed, but open as to when and how we perform this duty. Third, Pufendorf provided a detailed categorization of all duties into three main groups: duties to God, duties to oneself, and duties to others. In the selection below, from The Duty of Man and Citizen (1673), Pufendorf argues that duties to others are the most foundational of the three, since this most immediately follows the mandate of natural law that we are to be sociable. Concerning our duties towards God, he argues that there are two kinds: (1) a theoretical duty to know the existence and nature of God, and (2) a practical duty to both inwardly and outwardly worship God. Concerning our duties towards oneself, these are also of two sorts: (1) duties of the soul, which involve developing one's skills and talents, and (2) duties of the body, which involve not harming our bodies such as through gluttony or drunkenness, and not killing oneself. Concerning our duties towards others, Pufendorf divides these between absolute duties, which are universally binding on people, and conditional duties, which are the result of contracts between people. Absolute duties are of three sorts: (1) avoid wronging others; (2) treat people as equals, and (3) promote the good of others. Conditional duties are far reaching and involve every aspect of social contracts and agreements. The first of these is to keep one's promises.

Pufendorf's division of moral duties quickly became a standard tool among moral theoriests for determining moral conduct. For example, Hume opens his essay

"On Suicide" with the statement that "If suicide be criminal, it must be a transgression of our duty either to God, our neighbour, or ourselves." German philosophers, such as Christian Wolff (1679-1754) and Alexander Gottleib Baumgarten (1714-1762), followed Pufendorf's key distinctions. Philosophers at this time also distinguished between direct duties and indirect duties. For example, I have a direct duty to show you respect, since you are immediately entitled to respect. By contrast, I have only an indirect duty to be respectful to the bodies of dead people; the dead person himself has no immediate entitlement to respect, but acting disrespectfully towards a corpse will negatively impact the living relatives of the dead person.

Problems with *T*raditional *D*uty *T*heory. One problem with traditional duty-based ethics involves the list of prescribed duties. What was self-evident in the 17th and 18th centuries seems less self-evident today. *T*he existence and nature of God are more widely questioned now, hence it is speculation to claim that we have a set of duties toward God. Advocates of personal liberty question the traditional duties to ourselves. For example, the right to suicide is now widely defended, and the right to self-rule implies that I can let my faculties and abilities deteriorate if I so choose. Finally, many of the traditional duties to others have also been under fire. *D*efenders of personal liberty question our duties of benevolence, such as charity, and political duties, such as public spirit. For some, the traditional list of self-evident duties needs to be reduced to one: the duty to not harm others. Another problem with traditional duty theory is that there is no clear procedure for resolving conflicts between duties. Suppose I am placed in a situation where I must choose between feeding myself to avoid starvation, or feeding my neighbor to keep her from starving. Consequentialist theories provide a clear formula for resolving this conflict: the morally correct choice is the one which produces the greatest benefit (either to myself, or to society at large). *T*raditional duty theory, by contrast, does not offer a procedure for determining which obligation is primary. Without such a procedure, it is inadequate in its present form.

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Kant and Ross

German philosopher Immanuel Kant (1724-1804) draws on duty theory both in his early *Lectures on Ethics* (1780), and also in his later and more systematic ethical writings: *The Foundations of the Metaphysics of Morals* (1785), *The Critique of Practical Reason* (1788), and *The Metaphysics of Morals* (1798). In many of these ethical writings, Kant adopts the distinction between perfect/imperfect duties and direct/indirect duties. He also endorses the distinction between duties to oneself and duties to others, although he sees the traditional duties to God as more of a matter natural religion and less of a matter ethics. Kant further refines the notion of duty by arguing that moral actions are ultimately based on a single, "supreme principle of morality" which is objective, rational, and freely chosen: the categorical imperative. Although the categorical imperative is a single principle, Kant gives four formulations of it:

- The Formula of the Law of Nature: "Act as if the maxim of your action were to become through your will a universal law of nature."
- The Formula of the End Itself: "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end."
- The Formula of Autonomy: "So act that your will can regard itself at the same time as making universal law through its maxims."
- The Formula of the Kingdom of Ends: "So act as if you were through your maxims a law-making member of a kingdom of ends."

In the 19th century, Pufendorf's traditional view of duties fell into decline. German philosophers followed Kant, and British philosophers gravitated towards utilitarianism, which offered a completely different account of the nature of moral obligation. The last serious attempt to revive duty-based ethics is W.D. Ross's *The Right and the Good* (1930). Like his 17th and 18th century counterparts, Ross argues that our duties are "part of the fundamental nature of the universe." Accordingly, Ross falls into the deontological (or nonconsequentialist) camp of ethicists. Ross believes that when we reflect on our actual moral convictions they reveal the following set of duties:

- Fidelity: the duty to keep promises
- Reparation: the duty to compensate others when we harm them
- Gratitude: the duty to thank those who help us
- Justice: the duty to recognize merit
- Beneficence: the duty to improve the conditions of others

- Self-improvement: the duty to improve our virtue and intelligence
- Nonmaleficence: the duty to not injure others

Although some of these duties are the same as those of traditional duty-based ethics, such as beneficence and self-improvement, Ross does not include duties to God, self-preservation, or political duties. By appealing to our actual moral convictions, Ross attempts to address the problem of including principles that are not duties by our standards today. This list is not complete, Ross argues, but he believes that at least some of these are self-evidently true.

He also addresses the problem of choosing between conflicting moral duties. For Ross, the above duties are prima facie (Latin for first appearance) insofar as we are under obligation unless a stronger duty shows up. If I am torn between two conflicting actions, such as preventing myself from starving or a neighbor from starving, I am under obligation to follow only the strongest of the two duties. Ross argues that there is no obvious priority among the principles, hence it will not necessarily be clear which is the stronger duty. To choose between conflicting duties, we must use our own insight on a case by case basis. For critics, the weakness in Ross's theory is that it rests too heavily on spontaneous moral intuition. We are given neither a definitive list of duties, nor a clear procedure for prioritizing our duties. Thus, only an immediate moral intuition will tell us both our possible duties and our primary obligation in the situation at hand.