

## **Deontologists insist on moral rules. Does this mean they cannot be particularists?**

By Sandra Yorke-Mitchell

In considering whether deontologists can be particularists I am going to consider two different interpretations of deontology and come to a different conclusion for each of them. According to Kantian deontology, I am going to argue that a deontologist in this very strict interpretation of deontology cannot be a particularist. I am then going to discuss W D Ross's views on prima facie duties and conclude that if one takes this view on deontology it is possible to be a deontologist and a particularist. I am also going to briefly discuss the criticism levelled at both Ross and Dancy and try to counteract it.

Dancy introduced the idea of particularism (Shafer-Landau, p772). He maintained that moral truths were context sensitive and that we were governed more by rules of thumb than by moral absolutes. A simple example of this is 'Do not lie'. Most people would accept this as a good way to live, but we may well find good reason for lying sometimes; for example if we wanted to avoid hurting someone, or we wanted to save someone's life. Therefore, 'Do not lie' is a rule of thumb rather than a moral absolute.

Kantian deontology, on the other hand is based on his concept of the categorical imperative or 'law of morality' (ibid, p492). He states that the categorical imperative 'is limited by no condition, and as absolutely although practically necessary, can be called quite strictly a command' (ibid, p491). He has a number of formulations of this moral law and we will consider two below and how they relate to particularism.

The first moral law states that we should 'act only in accordance with that maxim through which you can at the same time will that it become a universal law' (ibid, p493). An example he uses of this law is 'Do not lie'. It is our moral duty not to lie. If we did not all abide by this we would lose the concept of trust, and society would be the worse for it. He regards this as an inviolable law. To illustrate this, imagine we are living in a corrupt society and we are hiding an upright politician whom someone is trying to assassinate. If the potential assassin came to our home and asked if the politician were there, according to particularism, we would say no. We would consider the context of this situation and be prepared to lie, even though our rule of thumb would be not to lie. Kant, however, would maintain that we should not lie ever, and therefore, even in this situation, we should reply that the politician was in fact hiding in our home. This can be seen to be a view diametrically opposed to particularism i.e. no attention is paid to the context of the situation...the moral law is applied regardless. This is clearly incompatible with particularism.

Kant's second moral law states that we should 'use humanity, whether in your own person or in the person of any other, always at the same time as an end, and never merely as a means' (ibid, p496). What he is meaning here is that we should not use other people as pawns. They should be aware of the facts and be able to contribute their views to any situation in which they are implicated. An example of this would be the following. Imagine that your car had been hijacked and the hijackers had made contact and said that they would return the car if you left a suitcase of cash at a certain place and that you should not contact the police. Kant would say that if you agreed to do this, you should deal with the hijackers honestly and deliver on the promise that you made to them. A particularist would say that because of the circumstances, it would be all right to lie to the hijackers and use them as a means to an end. It would be all right to make a false promise to them and then have the police waiting when they went to retrieve the cash. Again, in this example, a Kantian deontologist could not be a particularist.

However, in the examples above, we have been dealing with a very strict interpretation of Kantian deontology. There are other philosophers, who have developed more accommodating versions of deontology to overcome some of the moral dilemmas faced in the examples above. W D Ross is one such person.

Ross introduces the concept of 'prima facie duties' (ibid, p757). These duties are conditional, as opposed to absolute, duties. So, if an act has a conflict of duties inherent in it, any one of these prima facie duties could be the most relevant one for that particular circumstance. The prima facie duties which he suggests are fidelity, reparation, gratitude, justice, beneficence, self-improvement and non-maleficence. If we look at the

hijacking example above, we have promised the hijackers that we will not contact the police and we will leave the cash in a suitcase for them. Here the prima facie duty of fidelity comes into play, i.e. the promise we made to the hijackers. However, in this scenario, there is also the duty of justice, i.e. the hijackers are engaging in an illegal act, which is in itself maleficent. In viewing the particular circumstances, the duty of justice would be more important than the duty of fidelity and we would therefore break our promise to the hijackers and inform the police.

In the other example above, we talked about a scenario where we were hiding a politician from a potential assassin. Again, the duty of fidelity would be relevant - we should not lie. However, in this circumstance, the duty of non-maleficence would become even more important; we should protect the life of the politician, even at the expense of lying to the assassin.

In both these examples we can see that the context of the scenario has played an important part in the outcome chosen. In these circumstances, Ross's prima facie duties could be seen as 'rules of thumb'. In normal circumstances, we would regard these as moral duties, but we need to look at the context in which they occur to see what the preferred outcome should be. In doing so, we could violate some of these prima facie duties, but this is something Ross accepts and can explain. For this reason, I think that Ross's version of deontology is compatible with particularism.

An argument that could be made against this is that Ross very much supports the concept of moral duties, even if they are conditional, rather than absolute, whereas Dancy maintains there are no moral absolutes, only rules of thumb. This would seem to be a fundamental difference in thinking. However, I hope I have shown in the examples above, that by applying the prima facie duties to the specific context, one could make an argument for them becoming rules of thumb rather than moral absolutes.

A criticism that could be levelled at both these theories is what David McNaughton calls 'an unconnected heap of duties'. Ross does not help us prioritise or rank his prima facie duties. We need to establish for ourselves what the relevant duties are in each circumstance, and which should triumph. Similarly, particularism has come in for criticism because it provides no structure to assist one in making a moral decision - each situation has to be evaluated on its own merits. However, both Ross and Dancy have a similar approach to counteracting this criticism. Ross maintains that when 'we have reached sufficient mental maturity' (ibid, p759) we should be able to discern which duties are relevant in a particular situation and be able to make the correct judgement. Dancy also talks about how we develop concepts of right and wrong moral actions as we mature (Dancy podcast). He maintains we are guided by positive and negative reinforcement from our parents and society to recognise these, and through this we learn to make moral decisions. As we get more sophisticated, we can make more complex decisions based on the context in which we are making the decision. I would therefore say that both Ross and Dancy believe that we develop the skills for making moral decisions through learning. This is what gives us the structure and insight for making sensible moral judgements, even if there is not a set procedure to do so.

In conclusion, I would therefore say that, based on the discussion above, a strict interpretation of deontology as espoused by Kant, would be incompatible with particularism, but that a more accommodating version of deontology, such as that proposed by Ross, can live side by side with particularism.

## **Bibliography**

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- 2) Jonathan Dancy on Moral Particularism Philosophy Bites, podcast