

# Need, Care and Obligation

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All humans experience needs.<sup>1</sup> At times needs cut deep, inhibiting persons' abilities to act as agents in the world, to live in distinctly human ways, or to achieve life goals of significance to them. In considering such potentialities, several questions arise: Are any needs morally important, meaning that they operate as morally relevant details of a situation? What is the correct moral stance to take with regard to situations of need? Are moral agents ever required to tend to others' well-being by meeting their needs? What justification or foundation, if any, can be given for requiring moral agents to respond to others' needs?<sup>2</sup>

In answering these questions, my argument will take place in several parts. I begin explanatorily, describing care ethics for those unfamiliar with this particular ethical approach. This discussion reveals that care ethicists assert the moral importance of needs. Their position, however, does not offer comment on whether or not we are required to respond to the needs of others. I propose that our human interdependence and finitude give rise to an obligation to care for a certain subset of needs, namely, the constitutive needs of others. Through analysis of both the *Groundwork* and the *Metaphysics of Morals*, I present an interpretation of Kant's duty of beneficence that lays the foundation for the duty to care. After acknowledging the strengths of the Kantian approach, I cite one of

<sup>1</sup> I would like to thank Soran Reader for her very helpful comments on this article.

<sup>2</sup> As a variety of philosophers have it, the scope or extent of our obligation to help others runs the gamut between two extreme positions: the minimal libertarian position that we must only respect the rights of others, leaving charity as optional, not mandatory, and a maximal position like that of Peter Singer's, through which we are required to give to the needy until we are diminished to their level of need. Thomas Hill identifies these two extreme positions in 'Meeting Needs and Doing Favors'. See T. Hill, Jr., *Human Welfare and Moral Worth: Kantian Perspectives* (Oxford: Clarendon, 2002), 201–243. The Singer position (a consequentialist one) can be famously found in his earlier piece, 'Famine, Affluence, and Morality', *Philosophy and Public Affairs* 1, No. 1 (Spring 1972), 229–43. Singer has somewhat modified his position in more recent work. See P. Singer, *One World* (New Haven: Yale University Press, 2002).

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its most significant shortcomings: although helpful in clarifying the foundation and scope of the duty to care, Kantian ethics requires supplementation with regard to content. Insights from feminist care ethicists provide indispensable enhancement, promoting a robust sense of the content of the duty to care, as represented by two elements: (1) the importance of moral perception and moral judgment in establishing how best to care for others and (2) dignifying care, a notion demonstrating that it is not enough *that* we meet the needs of others, as *how* we do so seriously affects both the agency and dignity of those in need.

### 1. Care Ethics: Methods and Themes

The appearance of Carol Gilligan's *In a Different Voice*<sup>3</sup> and, soon after, Nel Noddings' *Caring*<sup>4</sup> marked the emergence of a new moral theory called care ethics. In different ways, both Gilligan and Noddings aimed to uncover the moral methodology and themes inherent in the experiences of women, emphasizing the unique contribution that a 'feminine' approach to ethics can provide.<sup>5</sup> Feminist elaborations of Gilligan's work in particular presented care ethics as an alternative to the so called 'justice perspective', characterised by notions of rationality, autonomy, equality and independence. Such themes, some feminist philosophers have charged, establish a 'masculine' mode of ethics prevalent in the moral theories of many canonical thinkers. Commenting on the origin of this mode of philosophizing, Margaret Urban Walker observes that 'philosophical ethics, as a cultural product, has been

<sup>3</sup> C. Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982). See also C. Gilligan, 'Moral Orientation and Moral Development' in *Women and Moral Theory*, ed. E. F. Kittay and D. T. Meyers (Totowa, NJ: Rowman and Littlefield, 1987), 19–33. To understand the theoretical framework that Gilligan was arguing against, see L. Kohlberg, *The Philosophy of Moral Development: Moral Stages and the Idea of Justice* (San Francisco: Harper and Row, 1981).

<sup>4</sup> N. Noddings, *Caring: A Feminine Approach to Ethics and Moral Education* (Berkeley: University of California Press, 1984).

<sup>5</sup> Cf. S. Ruddick, *Maternal Thinking: Toward a Politics of Peace* (New York: Ballantine Books, 1989). In this work, Ruddick draws upon women's maternal experience to articulate new ethical and political insights about peace.

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until recently almost entirely a product of some men's thinking'.<sup>6</sup> Care ethics explicitly challenges this status quo by questioning assumptions concerning, for example, what constitutes moral reasoning, what counts as an ethical issue, and what makes for good moral practice.

In addition to its critical enterprise, care ethics also offers a series of innovative philosophical insights, four of which I treat here.<sup>7</sup> These insights concern the themes of particularity, dependence, interdependence and need. Discussion of these four themes lays the groundwork for a comprehensive definition of care and for an understanding of the relationship between need and care, both of which I provide at the end of this section.

Care ethicists name **particularity** as one feature of their unique moral approach. Caring for others means tending to them in their particularity, responding to them not as abstract 'moral patients' or 'subjects', but rather as unique individuals with distinctive life stories and circumstances. At the core of such an approach one finds significant attention to and respect for forms of difference—expressed through a person's race, class, gender, sexual orientation, religious affiliation, age, physical and mental ability, etc.—that permeate and mould the realities of persons requiring care. The contrast Seyla Benhabib draws between the generalised and the concrete other highlights the particularity inherent within care ethics, while also revealing its dissimilarity from the generalised approach inherited from the early modern era. Benhabib portrays two understandings of self-other relations. As she explains, 'the standpoint of the generalised other requires us to view each and every individual as a rational being entitled to the same rights and duties we would want to ascribe to ourselves. In assuming this standpoint, we abstract from the individuality and concrete identity of the other ... Our relation to the other is governed by norms of *formal equality* and *reciprocity*'.<sup>8</sup> The focus of this perspective draws from the commonality we share with others, which serves as

<sup>6</sup> M. U. Walker, 'Moral Understandings: Alternative 'Epistemology' for a Feminist Ethics' in *Justice and Care: Essential Readings in Feminist Ethics*, ed. V. Held (Boulder: Westview, 1995), 139.

<sup>7</sup> Analysis of the role of the emotions and reconceptualization of the public/private split serve as two further examples of significant themes in care ethics.

<sup>8</sup> S. Benhabib, 'The Generalized and The Concrete Other: The Kohlberg-Gilligan Controversy and Moral Theory' in *Women and Moral Theory*, ed. E. F. Kittay and D. T. Meyers (Totowa, N.J.: Rowman & Littlefield, 1987), 163. Emphasis in the original.

the grounds upon which we can claim equal rights and respect. In contrast, 'the standpoint of the concrete other ... requires us to view each and every rational being as an individual with a concrete history, identity, and affective-emotional constitution ... Our relation to the other is governed by the norms of *equity* and *complementary reciprocity*'.<sup>9</sup> With this second standpoint—one care ethicists readily embrace—moral agents hold the responsibility to respond to others while maintaining a keen awareness of those others' concrete specificity: how they understand themselves, what motivates them, and what they want.

A second feature emphasised in care ethics is **dependency**, understood as situations of significant reliance on others that all persons undergo during the course of their lives. Human finitude necessarily gives rise to myriad circumstances of dependency; illness and injury serve as just two cases in point. In addition, dependencies often function as bookends bracing either side of a life: infants are born into radical dependency, while the elderly often encounter it in their waning days. As such, the human experience of dependency is unavoidable. Such a series of observations stands at significant odds with a more traditional picture of the moral agent as autonomous and independent. Although many humans exhibit the capacity of rationality and the accompanying possibility of autonomy, *all* human beings will undoubtedly experience dependency, a fact with noteworthy ethical ramifications. The foundational assumption of the rationality and autonomy of human beings motivates one story about moral agency, one in which often the trick is to adjudicate conflicting moral claims of independent agents. The certitude of dependency, however, tells another story, one in which how we do or do not care for one another in our shared moments of dependence marks a matter of great moral importance.

Care ethics, in underscoring not only the inevitability but also the moral significance of human dependence, calls for an analysis of human **interdependence**. According to the care perspective, persons are not fundamentally independent. Rather, they are *mutually* dependent. Our unavoidable dependency means that if we are to survive, let alone thrive in leading lives that are recognizably human, others must respond to our dependent selves by meeting our needs through their caring actions. During certain life moments, failure on the part of others to so respond could amount to our demise. But I am not solely a dependent being who needs

<sup>9</sup> Ibid., 164.

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others to bolster my well-being; others, in their inevitable dependence, also need my assistance, hence solidifying the mutuality of the relation. For some care ethicists, our interdependence connects closely with the emotional capacities of empathy and sympathy, moral skills that aid in establishing identification with the plight of others. By conceptualizing ourselves as fundamentally independent of others, we risk stunting cultivation of these, and related, moral emotions. Moral emotions of this nature are clearly a boon in ethical situations hinging on response to needs. But does it make philosophical sense to say that one is required either (a) to feel an emotion like empathy or sympathy or (b) to cultivate within themselves the tendency to feel such emotions? Care ethics, in taking human interdependence as a theme, stirs up these and related engaging questions.

The fourth thematic focus of care ethics is **need**. As the discussion above suggests, talk of need features prominently in the care ethics discourse. More so than other philosophical perspectives, care ethics investigates the subject matter of need in conjunction with both nurturing responsiveness to and responsibility for needs.<sup>10</sup> Although individual occurrences of need may vary widely (and, indeed, being sensitive to this variance constitutes good care), all humans experience needs. In some sense, care ethics begins from the realization of the role of needs and their significance for our intersubjectively constituted, interdependent selves, then moving forward to consider how others' needs can best be met. Thus, care ethics brings about the recognition of needs as morally important.

Although deeply indebted to need discussions in the care ethics literature, this essay also draws upon a second philosophical perspective provided by Immanuel Kant. While not frequently celebrated for its treatment of human need, Kant's practical philosophy incorporates insightful discussions of need and obligation, primarily in conjunction with the duty of beneficence. Within the series of needs that a human being can possibly experience, I share Kant's focus on what some have called 'true needs' (Kant's *wahre Bedürfnisse*) and what I refer to as *constitutive*

<sup>10</sup> Alison Jaggar, drawing on a comment from Sara Ruddick, comments that beyond responding to needs, 'participants in caring relations also strive to delight and empower each other'. A. Jaggar, 'Caring as a Feminist Practice of Moral Reason' in *Justice and Care: Essential Readings in Feminist Ethics*, ed. Virginia Held (Boulder: Westview, 1995), 180.

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*needs*.<sup>11</sup> What are constitutive needs? Constitutive needs arise in the context of agency-threatening events or circumstances to which another person must respond in order to cultivate, sustain, or restore the agency of the one in need, as well as to help the individual in need to avoid (further) harm. Such needs can be said to be constitutive in two ways: (1) it is in meeting them that the agency of the one in need is established or re-established, as the case may be, and (2) the needs experienced are generally essential or fundamental to the person in need. I understand constitutive needs to be needs that a person cannot satisfy without the help of others, which is to say that constitutive needs make those in need necessarily dependent upon others to meet their needs. In addition, not responding to such needs often results in serious harm for the individual in need. Constitutive needs can be thought of as ends that agents cannot forgo. They are ends that individuals must attain if they are to exist as agents. In this sense, they function as one of the keys to human agency. Given that humans are finite, experiencing constitutive needs during the course of a lifetime is inevitable and therefore, constitutive needs are inescapable. In order for humans to continue setting subjective ends for themselves—understood to be a characteristically human capability—constitutive needs must be cared for. Other forms of need, such as instrumental needs,<sup>12</sup> do not necessarily require a moral response. Constitutive needs do.

By explaining how need and care relate to one another, the exact nature of **care** becomes clear. Simply put, to have a need is to require care.<sup>13</sup> ‘Care’ constitutes a morally appropriate reaction to another’s needs. When a moral agent identifies and responds to a needy individual, the series of actions that moral agent performs to establish or sustain the needy other’s agency are caring actions. In this regard, Diemut Bubeck’s definition of ‘caring for’ is quite instructive. Bubeck writes, ‘caring for is the meeting of the needs of one person by another person where ... interaction between carer and cared for is a crucial element of the overall activity and where

<sup>11</sup> I employ this term rather than ‘true needs’ (1) to avoid confusion, as ‘true needs’ are multiply defined in the literature and (2) because ‘constitutive’ better captures the dual sense I am trying to convey of a certain set of needs that have the power to establish agency as well as being essential for agency.

<sup>12</sup> Instrumental needs are required for ends other than (1) avoiding harm or (2) cultivating, maintaining or restoring agency.

<sup>13</sup> J. Tronto, *Moral Boundaries: A Political Argument for an Ethic of Care* (New York: Routledge, 1993), 120.

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the need is of such a nature that it cannot possibly be met by the person in need herself.<sup>14</sup> Elaboration on several aspects of Bubeck's definition provides further clarification of the term. First, the process of caring involves two positions, namely, that of the one who has a need (the 'cared for' or 'care receiver') and that of the one who meets the need of the other (the 'carer', 'caregiver' or 'care taker'). Second, the process is inherently interactive. Although Bubeck initially stipulates that the interaction between caregiver and care receiver must be 'face-to-face', she later qualifies this position to include other forms of interaction and communication.<sup>15</sup> Third, 'self-care' is not possible under Bubeck's rubric. Care must necessarily be other-directed. Fourth, Bubeck distinguishes between caring activities and other activities of love and friendship. Care need not involve the affection present between friends or lovers, although it might. Feelings of affection may or may not be present in the caregiver when meeting the care receiver's needs. Fifth, though other care ethicists have provided much broader definitions of care, Bubeck restricts her consideration of care to humans.<sup>16</sup>

In discussing care, it is important to register two immediate concerns. First, not every act performed in response to need qualifies as care. An individual's reaction to another's need may be brutal, insufficient, or just plain insensitive. Much effort must take place in the instance between the identification of another's need and the performance of a fitting response thereto. Joan Tronto observes that 'what is definitive about care ... seems to be a perspective of taking the other's needs as the starting point for what must be done.'<sup>17</sup> The caring act originates with an accurate perception of and understanding of the needs of the other. This understanding should be gained as much as possible from the needy other's description of his or her own needs. Caring responses, therefore, do not share territory with paternalism. In order to

<sup>14</sup> D. E. Bubeck, *Care, Gender and Justice* (Oxford: Clarendon, 1995), 129. For a broader definition of care, see *Ibid.*, 102–105.

<sup>15</sup> Bubeck notes that 'the important point is that certain kinds of communication in themselves constitute care ... whether such communication is immediate or mediate' (*Ibid.*, 129).

<sup>16</sup> For a perspective on caring for non-human entities, see M. A. Warren, *Moral Status: Obligations to Persons and Other Living Things* (Oxford: Oxford University Press, 1997).

<sup>17</sup> *Op. cit.* note 13, 105.

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respond in ways emblematic of caring, on my definition, moral agents must advance the *self-determined* ends of those in need to the fullest extent possible.

Second, numerous feminist philosophers have questioned the political implications of care ethics, wondering ‘whether maternal paradigms, nurturant responsiveness, and a bent toward responsibility for others’ needs aren’t [women’s] oppressive history, not [their] liberating future, and whether “women’s morality” isn’t a familiar ghetto rather than a liberated space’.<sup>18</sup> In essence, some feminists worry that care ethics may further subjugate rather than empower women. Inasmuch as care ethics valorises the ‘feminine virtue of care’, and inasmuch as the activities and responsibilities historically linked with care have been closely tied to women’s oppression, the charge that care ethics draws upon the feminine in a way that renders it unfeminist appears to some extent justified.

As demonstrated above, within the care ethics framework, needs clearly register as morally important. By design, caring actions and attitudes address the needs that others experience. Needs often serve as the catalyst for care. Caring can begin from the other’s needs when determining which actions to pursue. Surely, then, needs carry moral weight in an ethic of care. But identifying their moral importance does not necessarily mean that responding to needs must be a matter of obligation. That is, the existence of an individual’s morally significant need cannot be said to automatically entail an obligation on the part of others to meet this need. Further argumentation would be required to establish such an obligation. Thus, a critical question remains. Are moral agents required to care for the needs of others? And if so, for exactly which needs of which others and when?

It is in conjunction with feminist concerns that an impulse to attach obligation to care—by establishing that there is a duty to care for the needs of others—can initially seem unwise. If care ethics carries with it the danger of further oppressing women by reinforcing the societal expectation that they exhibit the ‘virtue’ of care,<sup>19</sup> making it a matter of obligation may stir worries that women will become locked in by and loaded down with a *moral requirement* to care for others, hence reifying societal expectations into inescapable demands of moral law. Although these reservations

<sup>18</sup> Op. cit. note 6, 140.

<sup>19</sup> For an interesting discussion of care and oppression, see C. Card, ‘Gender and Moral Luck’ in *Justice and Care: Essential Readings in Feminist Ethics*, ed. Virginia Held (Boulder: Westview, 1995), 79–98.



certainly deserve careful consideration, they are ultimately unwarranted. Contrary to some expectations, establishing the duty to care serves feminist goals by making caring a matter of obligation by which all humans, not just female ones, are bound. Such a requirement has potentially liberatory effects, as in conjunction with the duty to care the burdens of care would be more equally distributed, therefore lessening the weight on women's currently overloaded shoulders.

How might the duty to care be established? Given that a number of care ethicists understand care and obligation to be fundamentally at odds with one another, an ethic of care does not provide resources adequate for the task. According to some, the emotions necessary for and central to the act of caring cannot coexist with a sense of caring out of duty.<sup>20</sup> From this perspective, making meeting needs a matter of obligation would destroy the aim of care ethics. Given such objections to connecting obligation with care, alternative philosophical assistance is required.

## 2. Kantian Beneficence

In searching for help with the present task, it is Immanuel Kant who answers the call. Through the duty of beneficence, Kant demonstrates that there is an obligation to respond to the needs of others, hence replying affirmatively to the question of central importance: Must moral agents care for others by meeting their needs? In short, Kant's account lays the groundwork for and explains why there is a duty to care. In so doing, Kantian moral theory reinforces normative justification for further investigation into moral claims of and responses to human need.<sup>21</sup>

<sup>20</sup> This line of critique is captured in a general objection against Kantian ethics that charges it does not allow adequate room for the moral significance of the emotions. For a general description of a feminist take on this issue, see V. Held, 'Introduction' in *Justice and Care: Essential Readings in Feminist Ethics*, ed. V. Held. (Boulder: Westview, 1995), 1–3 and V. Held, 'Feminist Ethical Theory' in *Conduct and Character*, ed. M. Timmons. 4th ed. (Belmont, CA: Wadsworth, 2002), 237–243.

<sup>21</sup> Inherent in the turn to Kant is the recognition that feminist ethicists have been hasty in their condemnation of Kant. Despite feminist ethicists' caricature of Kantian moral philosophy as a rule-bound, overly-individualistic, unreasonably autonomous perspective of empty formalism with no bearing on actual moral situations in the real world, a rigorous approach behooves one to return to the source where answers

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In the *Doctrine of Virtue*<sup>22</sup> Kant poses the question of present interest: 'but beyond *benevolence* in our wishes for others (which costs us nothing) how can it be required as a duty that this should be practical, that is, that everyone who has the means to do so should be *beneficent* to those in need?'<sup>23</sup> (*MS* 6: 452; 201) This question evokes several central features of the Kantian duty of beneficence, features to bear in mind when delineating the Kantian take on need and response thereto.

First, duties of love, of which the duty of beneficence is one, are wide duties. Wide duties carry with them an imperfect obligation to act. (The wider the duty, in fact, the more imperfect the obligation to act, as Kant notes. (*MS* 6: 390; 153.)) Second, with ethical duties (the duty of beneficence included), the moral law provides agents only with a *maxim of actions*, thus not detailing exactly which actions one should carry out in order to fulfil the duty.<sup>24</sup> Agents must judge which actions are in accordance with the maxim of actions prescribed by the moral law (*MS* 6: 390; 153). Third, in discussing the duty of beneficence, Kant employs the term 'love' in a special and technical way, one purposely positioned at a distance from individuals' affective involvement with one another. In employing the word *love*, Kant intends what he terms a love of

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may be found. (In conjunction with this charge, it is notable that the common feminist interpretation of Kantian autonomy has remarkably little to do with what Kant actually wrote on the subject, inasmuch as it borrows rather heavily from a developmental psychological perspective. This is not to say that such an approach is uninteresting, but only to point out that it promulgates a common misreading of Kant.) In this case, the return is to Kant's duty of beneficence, to see, in conjunction with a detailed and thorough reading, what answers lie therein.

<sup>22</sup> This question is found in a section entitled, 'On the Duty of Love to Other Human Beings.'

<sup>23</sup> I. Kant, *Die Metaphysik der Sitten* (1797), *Kants gesammelte Schriften, herausgegeben von der Deutschen Akademie der Wissenschaften* (formerly Königlich Preussischen Akademie der Wissenschaften, vol. 6. Berlin: Walter de Gruyter. Translated as *The Metaphysics of Morals*. M. J. Gregor (trans.) (Cambridge: Cambridge University Press, 1991). *Die Metaphysik der Sitten* will be cited as *MS*, with the volume and page number from the Prussian Academy edition followed by the page number from the English translation.

<sup>24</sup> Kant cautions that a wide duty should not be understood as allowance to make exceptions to the maxim of actions, but rather only to limit one maxim of a duty by another.

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human beings (*Menschenliebe*), or practical love, rather than love as taking pleasure or delight in others (*MS* 6: 450; 199).<sup>25</sup> Thus, for Kant, moral agents cannot be obligated to feel a certain way toward the needy others they encounter. Simply put, the emotion of love is not a matter of obligation. One cannot be morally expected to experience certain emotions toward another human being. 'Love', Kant writes, 'is a matter of *emotion*, not of willing and I cannot love because I *will* to, still less because I *ought* to (be constrained to love); therefore a *duty to love* is an absurdity' (*MS* 6: 401; 161). Fourth and finally, there is an important difference that holds between the duty of benevolence and its close compatriot and subject of the current inquiry, namely, beneficence. Kant distinguishes one from the other in a section of the *Doctrine of Virtue* entitled, 'On Duties of Virtues to Others'. One can capture the difference between benevolence and beneficence by examining what each requires of agents in terms of practical action. Whereas the duty of benevolence, which commands the abstract wishing for the well-being of all humans, 'costs us nothing', beneficence requires that individuals with the means to do so take action by responding to true needs present in others (*MS* 6: 452; 201). In responding to another's needs, moral agents are to do so such that they make the well-being and happiness of needy others their end (*MS* 6: 452; 201). In responding to another's constitutive needs, moral agents' actions are such that they take up and promote another's ends as their own.

### 3. The Kantian Answer

How can it be required as a duty that everyone who has the means to do so should be beneficent to those in need? Explanation of this element in the Kantian moral system provides the much-needed foundation for any moral approach wishing to take seriously a duty to care in the face of need. Kant writes, 'the reason that it is a duty to be beneficent is this: since our self-love cannot be separated from our need to be loved (helped in the case of need) by others as well,

<sup>25</sup> On the topic of *Menschenliebe*, Kant writes, 'die Menschenliebe (Philanthropie) muß, weil sie hier als praktisch, mithin nicht als Liebe des Wohlgefallens an Menschen gedacht wird, im tätigen Wohlwollen gesetzt werden und betrifft also die Maxime der Handlungen.' Kant here notes that love of others that is practical is active benevolence, or beneficence, and has to do with the maxim of actions.

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we therefore make ourselves an end for others; and the only way this maxim can be binding is through its qualification as a universal law; hence through our will to make others our ends as well. The happiness of others is therefore an end that is also a duty' (*MS 6*: 393; 156). Finite rational beings, in light of their finitude, will require the help of others when they experience need. When I require help, I make myself an end for others inasmuch as they, in helping me, take on my ends as their own. For Kant, my need to be helped by others relates to my need to help others. In addition, the maxim associated with beneficence can only be binding when qualifying as a universal law. This means that when I encounter others experiencing need, in helping them I take on their ends as my own.

But why must this maxim qualify as universal law? Kant claims that our self-love cannot be separated from our need to be helped in the case of need. Finite rational beings have an interest in their own continued existence. In order to go on exercising one's agency as a rational being, certain needs, namely constitutive needs, must be met. They must be met so that finite rational beings can sustain themselves as such and can continue to set ends for themselves. Finite rational beings will sometimes require the help of others, because of the existence of constitutive needs that they cannot themselves fulfil and of certain ends that they cannot achieve without assistance. Some needs will be agency-threatening. In order to ensure humans' continued existence, the possibility that others will respond to them beneficently must exist.<sup>26</sup> Humans are finite in terms of their rationality. But they are also finite in other ways. As embodied and existing in the world, they will be both vulnerable and needy in a variety of ways over the span of a lifetime.

It is in light of this finitude and because rational beings, as rational, will their own continued existence, that finite rational beings must help one another in cases of need as they practice the duty to care. Unlike deception, a principle of nonbeneficence or mutual indifference—that one never helps another in need and therefore never receives the help of others when in need—could,

<sup>26</sup> At the core of this explanation is the notion that within the spectrum of kinds of agency considered by Kant, not only rational beings, but also finite rational beings exist. Indeed, Kant's practical philosophy pertains not simply to humans, but to 'finite rational beings as such', though human beings are one kind of finite rational beings to which Kant frequently refers.

without inconsistency, serve as a universal law (as Kant notes in the *Groundwork*, to be treated shortly) (*G* 4: 423; 32).<sup>27</sup> Finite rational beings, however, could not will that this be so, as doing this would destroy the conditions of their willing their own continued existence. As finite, they will necessarily experience needs that they cannot themselves meet and will then require the help of others. Under a universal principle of nonbeneficence, such help would not be available to them, thus bringing about their own possible destruction. As universal, the principle of mutual indifference cannot serve all finite rational beings as a principle of action.<sup>28</sup>

A specific example may help to illustrate why finite rational beings are obligated to respond to each others' constitutive needs,

<sup>27</sup> I. Kant, *Grundlegung zur Metaphysik der Sitten* (1785), *Kants gesammelte Schriften, herausgegeben von der Deutschen Akademie der Wissenschaften* (formerly Königlich Preussischen Akademie der Wissenschaften), vol. 8. (Berlin: Walter de Gruyter). Translated as *Grounding for the Metaphysics of Morals* J. W. Ellington (trans.) (Cambridge: Hackett, 1981). *Grundlegung zur Metaphysik der Sitten* will be cited as *G*, with volume and page number from the Prussian Academy edition followed by the page number from the English translation.

<sup>28</sup> One objection that might be raised at this point concerns the charge that featuring the finitude of finite rational beings treads on the territory of anthropology, which, in the midst of a metaphysics of morals, is not advisable. As Kant notes in the Introduction to the *Metaphysics of Morals*, 'a metaphysics of morals cannot be based upon anthropology but can still be applied to it' (*MS* 6: 217; 10). A metaphysics of morals cannot look to empirical conditions and details of human life in establishing itself; it cannot be derived from anthropology. Onora O'Neill, however, explains that 'although moral philosophy can abstract from anthropology, it cannot abstract from finitude. For the concept of duty is central to morality, and is defined in terms of [what Kant calls] "a good will exposed, however, to certain subjective limitations and obstacles" (*G*, IV, 397)'. O. O'Neill, *Constructions of Reason: Explorations of Kant's Practical Philosophy* (Cambridge: Cambridge University Press, 1989), 71. These subjective limitations and obstacles are part and parcel of finitude. Indeed, the duty of beneficence must not (and perhaps cannot) be established for non-finite rational beings, as without needs produced by finitude, they would not have occasion to care for one another and therefore there would be no reason for an obligation establishing such care. Human beings, however, are not only rational beings, but also finite beings. As such, the situation of their dependence and need means that obligations are necessary for them. Obligations arise in the face of human imperfection. Whereas non-finite rational beings could will that nonbeneficence be made a universal law, finite rational beings, because of the subjective limits of their willing, cannot do the same.

that is, why they have a duty to care. In the *Groundwork*, Kant provides an account of non-universalizable non-beneficence or mutual indifference involving the formulation of the Categorical Imperative commonly referred to as the formula of the law of nature. One can read it as revealing and illustrating Kant's position on dependency and response to human need. Kant depicts a man who 'finds things going well for himself but sees others (whom he could help) struggling with great hardships ...' (*G* 4: 423; 32). As Kant tells it, the man responds to need present in other individuals by saying, '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 also have no desire to contribute anything to his well-being or to his assistance when in need' (*G* 4: 423; 32). The man of mutual indifference takes the stance that individuals can have as much happiness as heaven bestows upon them or as they can generate themselves. He will neither obstruct their given happiness in any way, nor begrudge them it. To underscore a feature of the example important for the present discussion, recall that the man of mutual indifference stipulates, 'I shall take nothing from them', indicating that he will not call upon others to meet his needs. But in addition, he will not respond to needs present in others.

To Kant's mind, a universal law of nature generated from such a maxim 'could subsist in accordance with that maxim', (*G* 4: 423; 32) (that is, it passes the contradiction in conception test), but could not actually function as a law of nature (it fails the contradiction in volition test). Why does Kant hold this position? In willing that this maxim become a universal law of nature, the will of such a man would contradict itself because situations will inevitably arise in which the man of mutual indifference must call for others' help to meet his own needs. He is inevitably dependent upon others. The vulnerability of this finite rational being ensures that at some point (indeed, at numerous points) he will require others in order to meet his constitutive needs. Alan Wood illuminates the premise behind the *Groundwork* indifference example, namely, 'that we humans are highly dependent and interdependent beings, whose ends, projects, and general well-being are vulnerable not only to the violation of our rights by others but to many other misfortunes, and they include many ends that we can achieve only through a voluntary participation of others in our ends that goes beyond what we can

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demand of them by right.<sup>29</sup> It is not enough that individuals not interfere in one another's lives. Well-being for finite rational beings can only come about in a world involving beneficence. Perhaps most poignantly, the man of mutual indifference cannot will that he never help another because willing thusly amounts to willing his own possible downfall and destruction. He cannot be assured that in future scenarios he will not require the help of others in meeting his constitutive needs. Given the limitations of his natural powers, to will so as to foreclose this probability amounts to potentially removing the very conditions of possibility of his own willing. The contradiction is generated in conjunction with the limitations characteristic of finite, rational beings. It is in light of their finitude, vulnerability, and interdependence that human beings have a duty to care for one another.

### 4. Strengths of the Duty of Beneficence and the Duty to Care

As I have demonstrated, the Kantian duty of beneficence explains how it is that we are obligated to respond to the constitutive needs of others through the duty to care. Kant's account offers numerous strong points, demonstrating how his practical philosophy provides useful treatments of the concept of need. My comments concerning these strengths are divided into five points.

First, the duty of beneficence, because it is a wide duty, involves an imperfect duty to act. As an imperfect duty, it offers only a maxim of actions,<sup>30</sup> not specifying exactly which actions agents must perform to fulfil the duty and leaving agents with the job of judging whether or not the particular actions they contemplate performing are in accordance with the maxim the moral law prescribes. This is important because when moral agents exercise imperfect duties in particular situations, they are able to exhibit sensitivity as they reflect upon whether or not a specific action fits under the maxim associated with beneficence. The duty to care,

<sup>29</sup> A. Wood, *Kant's Ethical Thought* (New York: Cambridge University Press, 1999), 95.

<sup>30</sup> A maxim of actions, can here be understood in conjunction with O'Neill's depiction of maxims as that which 'can ... be interpreted as the *fundamental* principles which guide actions, policies and practices' O. O'Neill, *Faces of Hunger: An Essay on Poverty, Development and Justice* (London: George Allen and Unwin, 1986), 132.

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therefore, allows for a wide variety of possible caring responses to need and can promote forms of caring that respond to agents as differently situated.

Second, although the obligation associated with beneficence is universal in the sense of binding all finite rational agents, it does not require that agents meet every need present in the world (an obvious impossibility), that is, it is not owed to every needy person. This is because the scope of imperfect duties is not clearly defined. As such, it avoids an overload of obligations problem.

Relatedly and thirdly, although 'it is impossible to assign determinate limits to the extent of this sacrifice', (*MS* 6: 393; 156) as Kant acknowledges, he also makes it clear that in being beneficent, an agent should not fully sacrifice his or her own welfare. The duty to care incorporates a fair degree of self-regard and a measured consideration of the extent to which self-sacrifice is possible while still maintaining one's effectiveness as a moral agent. Later in the *Metaphysics of Morals*, Kant queries, 'how far should one expend one's resources in practicing beneficence? Surely not to the extent that he himself would finally come to need the beneficence of others' (*MS* 6: 454; 202). Agents are obliged to respond to the constitutive needs of others. But doing so to the extent that in promoting others' self-determined ends and happiness an agent utterly sacrifices his or her own ends and happiness (and therefore welfare) should not occur, as when elevated to a universal law, such a course of action is not tenable. Thus, Kant does not urge a full sacrifice of the caregiver's needs and life projects to the needs of the recipient of care.

Fourth, in treating the duty of beneficence, one can see a unique form of reciprocity at the heart of the duty to care. Importantly, this version of reciprocity moves beyond an exchange model where one person helps another, thereby placing the first person in her debt to return the favour at some immediate or later point in time. Instead, under the rubric of the duty to care, a more flexible model of help in the face of dependence is present. Obligations exist between those in need and those able to give care such that those who can give care should and those who require care will receive it. Given the realities of human finitude, those providing care one moment may be the very individuals to require care in the next.<sup>31</sup>

<sup>31</sup> Cf. J. Ebbinghaus, 'Interpretation and Misinterpretation of the Categorical Imperative', *Philosophical Quarterly* 4 (1954): 97–108 and E. F. Kittay, *Love's Labor: Essays on Women, Equality, and Dependency* (New York: Routledge, 1999).



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Fifthly, beneficence as an imperfect duty is action-oriented, providing an objective for the moral agent of securing (or restoring or maintaining, as the case may be) the agency of the one in need. In general, obligations call for actions and, as such, can be associated with what Onora O'Neill calls 'action-centered reasoning'.<sup>32</sup> The point of the duty of beneficence in particular is to help needy others whose capacities have been lessened or harmed to maintain or regain their ability to act as agents and to advance their own self-determined ends. In the process of doing so, agents exercising the duty of beneficence take up the self-determined ends of the one in need as their own. The duty of beneficence commands that I promote others' happiness in accordance with their self-determined, self-defined ends (hence avoiding paternalistic practices).<sup>33</sup> As Kant notes, 'I cannot do good to anyone in accordance with *my* concepts of happiness ... thinking to benefit him by forcing a gift upon him; rather, I can benefit him only in accordance with *his* concepts of happiness' (*MS* 6: 454; 203). Moral agents are to aid others in need in their attempts to promote ends that those needy individuals understand as a condition of their own happiness. In practising the duty care, caregivers must endeavour to advance the self-determined ends of the one in need; caregivers are to promote the happiness of the care receiver not in accordance with what the caregiver thinks is best, but rather in accordance with the care receiver's own conception of what constitutes his or her own happiness.<sup>34</sup>

### 5. The Content of the Duty to Care

The foregoing account presents Kant's role in establishing the foundation and scope of the duty to care. Although a Kantian approach proves helpful in these two respects, it also carries with it significant limitations. While Kant offers useful insights regarding both foundation and scope, he falls short when addressing the

<sup>32</sup> O. O'Neill, 'Rights, Obligations and Needs', *Logos* 6 (1985), 39.

<sup>33</sup> It is important to note, however, that I cannot promote *any* end that another selects for him or herself. I can only promote another's lawful end. It is not morally permissible for individuals to encourage others in ends that are destructive to them.

<sup>34</sup> In caregiving scenarios, situations of incapacitation do arise in which the one in need is not capable of determining what his or her ends and happiness should be. Such cases, however, are not my current focus.

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concrete content of the duty to care. Through the principle of beneficence, Kant provides the grounds upon which to establish *that* one must respond to the needs of others, but he has unfortunately little to say about exactly *how* one is to respond. Consequently, a complete account of the duty to care requires supplementation. This moment makes clear care ethics' indispensable role in crafting the duty to care. At this juncture, care ethics steps forward, offering rich resources for fashioning the content of the duty to care. As the literature demonstrates, care ethicists such as Groenhout,<sup>35</sup> Kittay,<sup>36</sup> and Tronto<sup>37</sup> have excelled in analyzing relationships of dependency, articulating what count as good forms of care, while also examining elements of oppression and abuse that can arise in caring relationships. This essential knowledge constitutes the substance of promoting another's well-being in responding to their needs.

Thus, care ethics and Kantian ethics, rather than being understood as standing in opposition to one another, relate symbiotically. Care ethics provides the initial necessary awareness of the moral importance of needs, hence flagging the area of concern. Next Kantian ethics offers a way to ground the duty to care, while also delimiting the scope of this duty. Care ethics then takes the lead, providing the substantive details of what moral agents are to do in fulfilling their duty to care. But as we will see below, Kantian ethics does offer a few limited suggestions concerning content. Thus, the two approaches complement one another, and when combined, overcome limits found in each other. Ultimately, the relationship between the two can be characterised as one of mutual benefit.

### 6. Moral Judgment and Moral Perception

In what follows, I treat two content-oriented suggestions that an ethic of care, and to a lesser extent Kantian ethics, have to offer. I first address the skills of moral perception and moral judgment,

<sup>35</sup> R. E. Groenhout, *Connected Lives: Human Nature and an Ethics of Care* (New York: Rowman & Littlefield, 2004).

<sup>36</sup> Op. cit. note 31.

<sup>37</sup> J. Tronto, 'Women and Caring: What Can Feminists Learn About Morality from Caring?' in *Gender/Body/Knowledge*, ed. A. M. Jaggar and S. R. Bordo (New Brunswick: Rutgers University Press, 1989), 172–187.

then turning to dignifying care, a concept I develop to capture the moral significance of the manner in which we meet others' needs.

Joan Tronto has raised the question of whether or not moral agents are able to properly recognise forms of need when they encounter them. It is competence in moral perception that enables them to do so.<sup>38</sup> Tronto notes that perceptions of need can simply be wrong. What is the moral import of such a failing of moral perception? Are moral agents blameworthy when they do not properly identify forms of need? Are they, moreover, culpable for responding unsympathetically when faced with others' needs? Difficulties in the midst of the needs meeting process can arise even for individuals with fine skills of moral perception. A person may succeed in perceiving many different forms of need and may be sympathetically disposed toward the individual in need, but may not have the ability to analyze the needs recognised so as to enact effective responses that suit the one in need. Tronto presents one safeguard against such difficulties in her four stages of caring by incorporating a stage with a specific focus on the care-receiver. This stage determines whether or not needs are met from the perspective of the one receiving care. Such a move cautions caregivers against privileging their definitions of need, which may or may not map onto care receivers' understanding and experience of their own needs.

Regarding Kant in particular, his discussions of beneficence offer rather limited guidance concerning quandaries of assessing and responding adequately to needs. As moral principles alone cannot do the job, it is moral judgment that serves as the key component in orchestrating practical efforts of moral perception and proper contextual response to need situations. Although it would be incorrect to say that Kant allows no role for moral judgment rendered through awareness of context (analysis of the *Metaphysics of Morals* demonstrates that moral judgment as practiced by individuals does involve contextual awareness<sup>39</sup>), searching for additional philosophical help on the matter proves prudent. Care ethics has done much to draw attention to and fill the gap between moral principles and moral practices, in part because of its innovative treatment of moral perception and moral judgment.

<sup>38</sup> Op. cit. note 13, 106–8 and 137–41.

<sup>39</sup> See B. Herman, 'The Practice of Moral Judgment' in *The Practice of Moral Judgment* (Cambridge: Harvard University Press, 1993), 73–93.

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Discussions of moral perception and moral judgment are particularly relevant to the duty to care, especially when keeping its relationship with the duty of beneficence in mind. As an imperfect duty, the duty of beneficence does not tell an agent exactly what she or he must do in order to fulfil the duty (as I noted above). Instead, the duty dictates that moral agents must adopt a general end or maxim. In the case of beneficence, the maxim is one of mutual aid and the ends are the happiness and well-being of the one in need. Given that Kant provides little guidance concerning both how moral agents are to identify situations in which the principle applies and exactly how one is to carry it out once the necessity of moral action is determined, turning to discussions of moral perception and moral judgment is helpful.

Moral judgment and moral perception are distinct, yet closely related, moral operations, both of which aid in elucidating core features of sympathetic response to need.<sup>40</sup> According to Lawrence Blum, moral judgment can be captured via two different characteristics: (1) 'to know what a given rule calls upon one to do in a given situation'<sup>41</sup> and (2) 'the recognition of features of a situation as having moral significance and thus as being features which must be taken into account in constructing a principle fully adequate to handle the situation'.<sup>42</sup> Supplementing (1) and (2), moral perception also involves (3) 'the perceptual individuating of the 'situation' as a morally significant one in the first place'.<sup>43</sup> All three features have ramifications for the duty to care.

Starting with feature (2), in order to meet the needs of another person, one must first identify that the other is experiencing a constitutive need. If and how one achieves this moment depends upon one's perception of a particular situation. Care ethics generally advocates a heightened degree of attentiveness to those present in our moral lives. Such attentiveness, and the training to become so,<sup>44</sup> appears to be required by the duty to care, inasmuch

<sup>40</sup> My discussion here is indebted to Lawrence Blum's work. See L. Blum, 'Gilligan and Kohlberg: Implications for Moral Theory', *Ethics* **98**, No. 3 (April, 1988), 472–91 and L. Blum, 'Moral Perception and Particularity', *Ethics* **101**, no. 4 (July 1991), 701–25.

<sup>41</sup> *Ibid.*, Blum 1991, 709.

<sup>42</sup> *Ibid.*, 710–11.

<sup>43</sup> *Ibid.*, 714.

<sup>44</sup> Nel Noddings discusses attention to the other and generally how one learns to care. See *op. cit.* note 4 and N. Noddings, *Starting at Home: Caring and Social Policy* (Berkeley: University of California Press, 2002). In addition, see Ruddick *op. cit.* note 5 for discussions of attentiveness.

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as one must first be able to identify another's need in order to respond to it. Beyond care ethics, Barbara Herman offers an additional resource of a Kantian kind that concerns the identification of morally significant features of situations. Herman's 'rules of moral salience' detail how moral agents come to understand which features of a situation are morally relevant, and, as such, should be contained in maxims of action to be tested by the Categorical Imperative.<sup>45</sup>

Regarding feature (1), a moral agent may acknowledge that a person is in need, and may understand that given that this need is present, she is to respond. Even though this much moral work has gone off without a hitch, the agent may be flummoxed when it comes to figuring out how to apply the principle in the sense of discovering the best action to perform to meet the other's need.<sup>46</sup> But knowing how to meet the needs of others is a skill that can be cultivated. Moreover, it is a skill central to good forms of care, and therefore should be incorporated into one's manner of meeting needs. Practices involving sympathy and empathy—understood as moral emotions that bring needs to our attention and guide us in determining how best to respond—can aid significantly in our endeavours to support and promote another's well-being. Finally, feature (3) denotes a general sensitivity agents can develop that enables them to recognize in the first place that a particular situation has moral import. In the context of the duty to care, this feature amounts to awareness of the interconnected and interdependent nature of the human condition, through which moral agents can become attuned to the moral salience of constitutive needs as seen in the compromised agency of people in need.

### 7. Dignifying Care

The notion of dignifying care serves as the second content-oriented suggestion engendered by a care ethics orientation. One of the more interesting features of good care is how it calls forth the dignity of others, acknowledging and preserving their sense of their

<sup>45</sup> *Op. cit.* note 39. Further exploration of Herman's formulation in conjunction with the duty to care would be an interesting project to pursue.

<sup>46</sup> Tronto comments, 'Even if the perception of a need is correct, how the care-givers choose to meet the need can cause new problems' (*op. cit.* note 13, 108).

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own value in the process. It is not the case that caring actions toward others create dignity in them. Dignity as inherent worth and value resides in each and every human being independent of the kind of care bestowed upon them. Dignity can be conceptualized as a potential implicitly present in individuals; as such it reaches various levels of expression in persons depending on their life circumstances. Good care can bring forth the dignity of individuals, making explicit and actual what was implicit and potential. In short, good care can be dignifying. Certain forms of care acknowledge the inherent dignity of human beings, sustaining such dignity as the agency of those in need flourishes in the presence of another's caring actions. Through our capacity to care, we acknowledge the dignity of others. What is more, good care can empower the one in need to experience and express her own dignity fully. Thus, although care does not originate dignity in needy individuals, it magnifies, nurtures, and promotes the inherent dignity of those in need. It is in this sense that good care can be referred to as *dignifying care*.

Certainly not all care can be considered to be dignifying. Caretaking activities, when performed negligently or malevolently, demonstrate the power of care to be anything but dignifying. The *how* of needs response, that is, the manner in which one meets another's needs, is no less than crucial to the dignity of the agent. If needs are met in a way that demeans the one in need, then that individual can suffer additional damage, further compromising her already attenuated agency. In this scenario, her dignity and worth will in no sense be protected, let alone further fostered. Agents can be harmed by the incivility and humiliation of insulting care. Michael Ignatieff exposes the sense of the harm that a derogating and abasing manner of meeting needs produces:

Giving the aged poor their pension and providing them with medical care may be a necessary condition for their self-respect and their dignity, but it is not a sufficient condition. It is the manner of the giving that counts and the moral basis on which it is given: whether strangers at my door get their stories listened to by the social worker, whether the ambulance man takes care not to jostle them when they are taken down the steep stairs of their apartment building, whether a nurse sits with them in the

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hospital when they are frightened and alone. Respect and dignity are conferred by gestures such as these.<sup>47</sup>

Ignatieff reminds us that after recognizing that others require our aid to meet their constitutive needs, we can either respond minimally, providing for their needs in order to merely secure their survival, or we can respond robustly, caring for them so as to meet their constitutive needs and therewith preserve or foster their agency. In delineating the content of the duty to care, dignifying care recommends the latter course of action.

A final note on dignifying care: as Julius Ebbinghaus acknowledged, in discussing the duty of beneficence, Kant lays out the terms of what it is to give and to receive help, terms that are enhanced through my account of the duty to care.<sup>48</sup> The picture that emerges is not one in which there are two distinct groups—those who can care and those who cannot—forever etched in stone. In exploring the value of caring and the dignifying effect of care, one sees that the lines are not so clearly drawn. Those of us who lend our dignifying care to others in this particular moment may be the very ones to require the bolstering effect of dignifying care in the next. The value of caring and dignifying care form the warp and woof of interdependently interwoven lives and personalities, from which emerge moments when some are called upon to care, while others receive this care. Bound by the duty to care, we give as we can. Finite and inevitably dependent, we receive when in need.

### 8. Conclusion

This paper has featured the duty to care, an obligation that requires moral agents to respond to the constitutive needs of others. This duty combines useful elements of Kantian and care ethics, and reveals their possible symbiosis. Kantian beneficence offers a solid foundation for a universal obligation to respond to the constitutive needs of others. As such, Kant's theory builds upon care ethicists' claim that needs are morally important by establishing that moral agents are obligated to meet others' needs. But this move, absent further consideration of what comprises the content of the duty to care, is lacking. With the addition of care theorists' views on moral

<sup>47</sup> M. Ignatieff, *The Needs of Strangers* (London: Chatto & Windus, 1984), 16.

<sup>48</sup> Op. cit. note 31.

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perception, moral judgment and dignifying care, the duty to care moves from principle to practice, taking form as a robust moral component delineated in terms of foundation, scope and content.