

*duty to care for their aging parents. This essay demonstrates that the Kantian duty of beneficence, when functioning as the philosophical foundation of filial obligation, allows for ample light to be shed upon and for proper analysis to take place of these four issues.*

# Filial Obligation, Kant's Duty of Beneficence, and Need

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## Setting up the Problem

Do adult children have a particular duty, or set of duties, to their aging parents? What might the normative source and content of filial obligation be? Questions of this ilk have a rich philosophical history, as figures as diverse as Locke, Pufendorf, Sidgwick, and Hume have sought to delineate just what such duties might entail.<sup>1</sup> In addition to a lengthy list of philosophical explorations, the duty to honor one's elders functions strongly in several cultural traditions, traditions that have sought to ensure the material, physical, and emotional support of their oldest members through means largely internal to the family.<sup>7</sup> Recent challenges to the notion of filial obligation, however, both in the philosophical literature<sup>9</sup> and in current cultural practices, call forth doubts concerning the foundations of and extent of duties to

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one's aging, frail parents and necessitate a reexamination of the reasoning that establishes duties to them.

This examination seems particularly critical given demographic and socioeconomic patterns that indicate the presence of a rapidly growing elderly population and expected future limitations on the resources necessary to sustain them. We stand at a simultaneously fascinating and potentially disastrous crossroads: The notable increase in quality of life and access to health care over the past century has produced some impressive statistics that attest to the mounting crisis. In the United States, since the turn of the last century, the number of people over the age of 65 has increased from 3 million to 35 million, an increase of more than 10-fold.<sup>13</sup> In one sense, then, science, public policy, and medicine have served us well: We are living better lives that span increasingly longer periods of time. However, as the old begin to outnumber the young in the United States, our society encounters monumental moral questions of intergenerational justice, questions that perhaps no other culture in history has needed to broach (ref. 14, pp. 315–316).

Concomitant with the increased means for sustaining and continuing life is a peculiar deterioration of the traditional assumption of filial obligation. Stephen Post asserts that “[o]ne of the mainstays of Western morality is that adult children who have benefited from responsible and conscientious parents are obligated to care for the latter as they grow old.”<sup>15</sup> But the binds of traditional obligation can slacken and fall by the wayside, perhaps in the face of what Post calls “the unprecedented strains of an aging society.”<sup>16</sup> Norman Daniels’ comparative analysis of the practicalities of caring for the aging at the turn of the twentieth century versus now reveals a significantly increased demand upon adult children and their families:

[A] child’s obligations to care for a frail parent were far less likely to be called upon at the turn of the century, since so

few people lived to be the frail elderly. These obligations were also likely to be burdensome over a much shorter period of time, since expected lifespan for the elderly was shorter. What burdens were imposed were more likely to be shared by a greater number of children per aged parent. From demographic considerations alone, it is clear that the need for care by frail, elderly parents in the past is not strictly comparable to the much greater need today (ref. 8, p. 24).

A century ago, adult children faced the relatively unlikely possibility of providing (what was often) short-term care for their elderly parents, with a number of sibling shoulders present to share the burden. Today, adult children and their families struggle as they provide no less than 80% of all long-term care of elderly individuals experiencing some level of disability.<sup>17</sup> The required degree and duration of caretaking have altered significantly over the course of the twentieth century, causing some individuals to re-examine not only the content of filial obligation but also the derivation of duties to aging parents.

In this chapter, I take on a similar task, but in a philosophical vein. After briefly reviewing several standard explanations of adult children’s duties to their aging parents and citing their shortcomings, I explore an alternative account of the obligation adult children have to care for their increasingly frail parents. Understanding filial obligation through the Kantian duty of beneficence brings to the fore morally relevant features of the adult child/aging parent relationship that other accounts tend to underemphasize or altogether overlook. I conduct an exegesis of the duty of beneficence in both *The Doctrine of Virtue* and the *Groundwork*, paying special attention to four features that the adult child/aging parent moral relationship calls to mind: relations of dependency and situated need, nonvoluntary moral relations and obligations, limits on caring, and promoting the self-determined ends of the one in need.

### Previous Arguments for Filial Obligation

Several clusters of argumentation for duties to one's elders emerge from the philosophical literature.<sup>18</sup> As the main point of this chapter is not to review and critique previous theories, I will only briefly characterize three clusters, pausing to examine key limitations of each, in an effort to contextualize my treatment of filial obligation through the duty of beneficence. The three main clusters are gratitude, virtue, and friendship.<sup>19</sup>

#### *Gratitude*

Gratitude, various philosophers have argued, is the proper response of an adult child to an aging parent and provides the ground upon which that child is to honor, respect, and materially support a parent as he or she ages. In this line of thinking, filial obligation arises as a form of gratitude toward one's parent(s). We have certain duties to our parents that we fulfill as a means of demonstrating our gratitude for the guidance, instruction, love, and material sustenance they provided for us during our formative years. Without them, the argument goes, we would not have been able to become the adults we are today. Because this is the case, we owe them our respect and our care as they enter a stage of life often fraught with vulnerability. Arguments for filial obligation through the idea of gratitude include two different emphases: that filial obligation functions as a corollary to parental obligation and that filial obligation demonstrates our gratitude for the good things our parents did for us.

#### *Corollary to Parental Obligation*

Parents have an obligation to care for their children. Adult children, some writers assert, therefore have a corollary obligation to care for their parents as they become elderly and enter into their "second childhood." Parents spent years of their lives tending to the needs of their children. Why, then, would not adult children be obliged to care for the growing group of needs that their parents develop as they become frail?

Parental and filial obligations share one significant similarity: They are both wide in scope. This means that they can be fulfilled by a number of actions on the part of the one obligated, so long as the dependent is adequately provided for and the duty is therefore fulfilled. Nevertheless, an important difference exists between the two obligations: Parents choose to have children and hence assume the duties associated with the relationship both knowingly and voluntarily. Children of parents do not have this same luxury. As they are apt to remind their parents when of the sulky age of nine and not wanting to tend to their daily chores, they did not ask to be born to their parents. (When faced with the dreaded and deeply arduous task of toilet bowl cleaning, they, in fact, may tell their parents that they did not ask to be born at all.) The nature of a parent's relation to a child is voluntary, whereas a child's relation to a parent is nonvoluntary. Duties, however, can arise through roles that we do not enter into knowingly, as is the case with the many relationships we have not actively selected but in which we find ourselves, nonetheless (including that of grandparent, aunt, fellow traveler, fellow townsperson). Arguing for the existence of filial obligation as a corollary of parental obligation without addressing the voluntary/nonvoluntary status distinction of the two roles and their accompanying duties leaves something wanting in terms of soundness of argument. Acknowledging this difference, in fact, removes the possibility of understanding filial obligation as a direct corollary of parental obligation, inasmuch as the conditions giving rise to the duties vary significantly (in terms of being voluntary or nonvoluntary).

#### *Gratitude for Good Things Done*

A second aspect of understanding filial obligation as a form of gratitude emphasizes that filial obligation should serve as a form of demonstrating gratitude for the good things that parents did for their children as they were growing up. In performing their parental duty to their children, parents provided for them. In adulthood, then, children are to reciprocate by performing filial duties to their aging parents *because* of the good that parents

did for children in originally performing their parental duties. Such considerations can include complicated calculi designed to determine exactly what an adult child owes an aging parent based upon what that parent did for the child. Computing what is owed, however, can be a messy moral endeavor. To illustrate this point, consider the following example. If Mom was a loving stay-at-home parent who fulfilled and even exceeded her duties to her kids and Dad was a stay-away-from-home workaholic, traveling incessantly in an effort to outrun his fears of domestic drudgery, although still providing materially for the family, how is an adult child to take these differences into consideration when determining how to treat his mother and father as they become dependent in old age? Do the mom and the dad deserve different forms of care as a representation of the proper reciprocity for the care given or withheld many years before? Pushing this problem further (to an arguably preposterous extreme), one wonders if adult children who were actively and severely harmed by their parents during their childhood are then obliged to reciprocate the harm by damaging them in later life.<sup>21</sup>

### *Virtue*

Another way of attempting to explain why adult children should perform filial obligations for their aging parents is by noting that such activities are *virtuous* activities, ones worth cultivating and worthy of moral commendation. On this view, filial obligation is a moral virtue and perhaps a smaller part of a larger moral ideal. All of this may very well be true. The problem lies in the lack of explanatory power regarding that which we hoped to explain in the first place: Where in this formulation does the obligation lie? Recognizing that caring for our parents is a morally virtuous activity and explaining why it functions as a duty are two different endeavors. Simply citing the laudable nature of a practice does not necessarily elucidate the normative roots of that practice. In addition, the supposedly virtuous activity of

caring for aging parents may or may not be a morally worthy act depending on, among other elements, why agents decide to engage in the action in the first place. If, for example, an adult child delivers homemade meals four times a week to her increasingly immobilized father in order to encourage him to give her a larger share of the inheritance, many ethicists may wish to clarify that such an act of supposed "caring" is more accurately identified as an egotistical and perhaps even immoral act.

### *Friendship, Not Filial Obligation*

In a relatively recent development over the past two decades, a number of philosophers have maintained that adult children have *no* duties to their aging parents. Moving against a strong current of cultural tradition, several authors have denied the existence of filial obligation altogether. They have done so by challenging that fulfillment of parental duties entitles aging parents to receive care from their adult children or by noting that the care parents give to their children often stems from reasons that have nothing to do with duty, such as the pleasure they derive from watching their children flourish and succeed. As such, the argument that children of these parents have reciprocal duties to care for them as they age is untenable inasmuch as their parents did not act to fulfill their duty in the first place. In particular, Jane English, after acknowledging serious limits of and difficulties with filial obligation, suggests that adult children can be understood to have a duty to care for their aging parents, but only as based upon mutual friendship. Although this is an interesting alternative, English's account fails in two significant respects. First, not all adult children have strong friendship relations with their parents. In the absence of such a relation, an adult child may still feel obligated to care for his or her frail parents. Second, there may be significant differences "in intimacy, origin, and complexity" (ref. 8, p. 32) between a parent/child friendship and other kinds of friendships, as Daniels notes.

### Kant's Duty of Beneficence

The gratitude, virtue, and friendship accounts, although interesting in their own right, generate various difficulties, as outlined earlier. In addition, they fail to adequately address and emphasize several morally significant features of the adult child/aging parent relationship, both features necessarily given by the form of the relationship and those morally desirable in the relationship. First, and perhaps most importantly, the relationship between an adult child and his or her aging parents is one of *dependency* brought about because of the increasing frailty and *need* of that parent. At its core, the performance of filial duty occurs in the face of a particular event: a presence of need on the part of the aging parent and a response to this need on the part of an adult child. Second, the obligations that adult children have to aging parents occur in the context of a relationship with their parents that, although often not coercive in nature, is also not voluntarily assumed. Third, because of an easy tendency toward paternalistic care of elderly individuals, the content of the obligation should safeguard against such treatment. Fourth, as dependency relations between adult children and aging parents can involve an immense degree of sacrifice on the part of the caretaker, an acknowledgment of duties should be accompanied by a concurrent acknowledgment of the necessary limitations of duties. Addressing these four issues is essential in offering a coherent account of the normative source of, nature of, content of, and scope of adult children's duty to care for aging parents. The Kantian duty of beneficence, when functioning as the philosophical foundation of filial obligation, allows for ample light to be shed upon and for proper analysis to take place of these four issues. I will first offer a general exegetical overview of the duty of beneficence and will then employ a Kantian framework to treat each of the four issues in turn.

### The Duty of Beneficence in Groundwork of the Metaphysics of Morals and The Metaphysics of Morals

Kant addresses the duty of beneficence in *The Doctrine of Virtue* in a section entitled, "On the Duty of Love to Other Human Beings." To begin, a duty of love is a wide duty (an imperfect duty), meaning that the moral law does not tell us exactly which actions to carry out in order to fulfill this duty, but rather provides only a maxim of actions. Moral agents are to judge which actions occur in accordance with the maxim of actions that the moral law prescribes.<sup>22</sup> Kant explains that by "love" he is not referring to the affective relation of one individual to another or to "pleasure in the perfection of others. . . [or] delight in them."<sup>24</sup> For Kant, there cannot be an obligation to have a certain emotion or to feel a certain way. Therefore, loving one's aging parents in the sense of having feelings of love toward them cannot be commanded and cannot be the motivation of a filial duty.

Here, we encounter an oft-acknowledged general limitation that comes with Kantian ethics: For Kant, emotions cannot serve as the motivation for actions if those actions are to be considered morally worthy. Thus, the movement within several schools of ethical thought (including virtue ethics and care ethics) to accord emotion a central role in terms of moral motivation is mistaken, according to Kant. Concerning filial obligations specifically, the duty of beneficence is a duty of love understood as responding to the needs of others and promoting their ends, not as an affective attachment. For present purposes, this limitation is not a serious one, as acts of "love" as we commonly understand them most certainly include the acts generated through the duty of beneficence.

With the word *love*, Kant refers to what he calls "practical love." He first defines the maxim of *benevolence* as practical love, noting, however, that benevolence results in beneficence.<sup>25</sup> To clarify, benevolence is a duty that all human beings have to one another to love one another in the sense of taking an interest in

each other's well-being (regardless of whether or not we deem that other to be worthy of love).<sup>26</sup> Put the other way around, benevolence commands that human beings cannot be indifferent to one another. Kant notes that to wish for the welfare of fellow humans "costs us nothing,"<sup>27</sup> unlike benevolence understood in a practical way, namely as beneficence.

#### *Benevolence Compared to Beneficence*

Benevolence demands more from moral agents than does beneficence. This is why Kant says that benevolence is "the greatest in its extent, but the smallest in its degree."<sup>28</sup> In exercising my duty of benevolence, I am to love and wish for the well-being of all humans. However, doing so does not require much of me practically. Instead of benevolence's abstract well wishing of others, beneficence requires that all those with the means to do so respond to others in need. Instead of benevolence's experience of satisfaction concerning the happiness of others, beneficence makes "the well-being and happiness of others my end."<sup>29</sup> Both of these factors—taking up and promoting others' ends as my own and responding to the needs of others—are central elements of an agent's performance of a duty of beneficence.

#### *Promoting Others' Ends*

The duty of beneficence commands that I promote others' happiness in accordance with their self-determined, self-defined ends. Kant does offer the caveat that I am to promote another's lawful end, thus stipulating that I am not to encourage another in ends that are destructive or demeaning to the agent. For example, if I encounter an alcoholic who has very clearly defined for himself that to be drunk much of the time is what will make him happiest, I cannot take up this end of his as my own and soak him in drink. As this end is not lawful, such actions on my part are not morally permissible. Beyond unlawful instances, however, Kant explains that "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 him only in accordance with his concepts of happiness."<sup>30</sup> According to this quote, mother may know best, but a good friend cannot and should not "know best." They, rather, are to aid me in my own search to promote ends that I understand as a condition of my happiness. In doing so, they advance my end. The duty of beneficence, therefore, must involve understanding what others take to be their own happiness and then endeavoring to benefit them in accordance with such a conception.

Relevant to the present discussion is the fact that some aging individuals enter into a period of their lives when, as a result of dementia, for example, they are no longer competent and therefore cannot be considered rational beings capable of determining their own ends. A key to the duty of beneficence as applied to filial obligation is that the adult child is to respond to the need of the aging parent by understanding what that aging parent takes to be his or her own ends and by promoting those ends. When aging parents are no longer able to do this, what good is the duty of beneficence? Certainly, we would want to say that adult children should still respond to the needs of their aging parents, but they will have to do so in accordance with their understanding of the ends their parents would have endorsed. Kant does provide some guidance on this matter in the above quote where he states that an agent cannot do good to anyone in accordance with his or her conception of happiness with the exception of young children and the insane. Presumably, incompetent aging parents would fall in to this same category, and yet there does seem to be one difference worth noting: whereas young children have not yet reached a point of maturity in which they can determine their own ends and whereas the insane do not and perhaps never did have this capability, aging parents did. Therefore, it seems reasonable to suggest that adult children would, at the point where their parents are no longer able to articulate their own desired ends, attempt to act in accordance with their understanding of what their parents would have wanted.

### Need

Under beneficence, advancing others' ends occurs in conjunction with a recognition on my part of their need. Moral agents are to acknowledge and respond to the needs of others. With beneficence, I have a duty to respond to those I encounter who are in situations of need. Thus, such an obligation is not voluntarily assumed. It is not possible for me to decide who I will meet and to whom I will extend my care. I do not contract with another regarding the terms of my response and I will not know in advance which parties will require my help. In accordance with the duty of beneficence, I am to respond when need is present. (There are, however, limitations on when and how I must do so, limitations that I address later.)

### Herman's Interpretation of Kantian Need and Dependency

Barbara Herman provides a very helpful explanation of need in conjunction with Kant's treatment of the duty of beneficence in the *Groundwork*. Herman studies Kant's example of a man who, in the midst of his own flourishing, creates a maxim of indifference to other people's need.<sup>31</sup> Kant explains that although such a way of thinking elevated into a universal law of nature "could subsist in accordance with that maxim," it is not possible that a principle of indifference (or nonbenevolence) could function as a law of nature.<sup>33</sup> Why? Kant writes that "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 he would deprive himself, by such a law of nature springing from his own will, of all hope of the aid that he wants for himself."<sup>34</sup> Beyond some criticisms that this passage displays inconsistencies in Kant's moral system in terms of revealing a prudential foundation or an inherent egoism,<sup>35</sup> this passage can be understood as framing Kant's understanding of fundamental human need and dependency.

For Kant, the possibility of requiring aid and of experiencing need is inescapable. "That is, for any end, it is not possible for an agent to guarantee in advance that he can pursue this end successfully without the help of others."<sup>36</sup> There are ends that rational agents cannot forgo, namely ends "that are necessary to sustain oneself as a rational being" such as "the continued exercise of one's agency as a rational being."<sup>37</sup> Needs that human agents must have fulfilled in order to continue functioning as rational, Kant names "true needs." These "true needs" must be met in order for humans to persist in setting ends for themselves, a characteristically human capability. In addition, meeting true needs is a condition for human willing. As one cannot guarantee that one will never require the help of others in meeting "true needs," it is, therefore, a contradiction to will nonbeneficence (that one never helps another in need and therefore never receives the help of others when in need), because willing this equals willing one's own possible demise. Doing so contradicts a duty to oneself. Herman explains: "The willing of a world of nonbeneficence thus conflicts with the practical consequences of the conditions of human rationality: the natural limitations of our powers as agents."<sup>38</sup> In conjunction with these natural limitations, we must act both toward others and toward ourselves in specific ways: We must act toward needy others so as to help them and we must act toward ourselves so as not to remove the condition of exercising our rational capacity, setting ends, and willing.

Beyond helping others in need, the duty of beneficence reveals something larger:

It defines a *community* of mutual aid for dependent beings. Membership in the community is established as much by the vulnerability (and the possibility of being helped) as by rationality (and the capacity to help). . . I may not be indifferent to others not because I would thereby risk the loss of needed help (this is not a duty of fairness or reciprocity) but because I cannot escape our shared condition of dependency.<sup>39</sup>



Herman's interpretation of Kant is such that the need to which Kant refers indicates the presence of a larger community of dependent beings requiring mutual aid. Whereas with Kant one normally expects rationality to be a qualification of moral considerability, one does not expect vulnerability to function similarly. Although certainly we must be cautious to avoid over-ascribing significance to vulnerability in the Kantian framework, it is noteworthy that within the duty of beneficence itself, not only our rationality and our concomitant ability to help others but also our vulnerability and the associated need for help define the moral community.

#### *Universality, Reciprocity, and Limits on Responding to Need*

The maxim to act beneficently toward others does not involve a conflict of will; it is universal. It commands all rational humans to help others in need achieve their ends and happiness as they define them. It does so in light of agents' abilities to help others and their own inevitable need. Whether or not this universal principle invokes the notion of reciprocity can be debated. What is certain, however, is that Kant does not offer a standard account of reciprocity in conjunction with the duty of beneficence in which *A* gives *x* to *B* and then expects that *B* will later give *x* (or something deemed equivalent to *x*) in return to *A*, either immediately or at a later point in time. This kind of reciprocity rests upon a notion of direct exchange. Julius Ebbinghaus concedes that Kant is commenting upon reciprocity, but

"not, however . . . on an arbitrarily arranged reciprocity of a deal in cattle, but on a situation entirely withdrawn from human choice, namely, that 'help' is a human relation with two terms: there is always one partner who gives help and another who receives it. Consequently nothing can alter the fact that if we lay down the conditions for giving help, we also lay down conditions for receiving help."<sup>40</sup>

Ebbinghaus illuminates the very structure of dependency, in which one person helps and another receives help, while leaving open the exact terms of how this is to occur. (Recall that the duty of beneficence is a wide duty.) Reciprocity, when taking place in accordance with the duty of beneficence, does not specify an exchange, but rather delineates a relation of help. Within this broader view of reciprocity, it can take on a meaning other than that of a cattle-exchange deal, namely, a meaning better suited to account for the realities of dependency relations. Addressing this very issue, Eva Kittay advances the notion of "reciprocity-in-connection," in which the "chain of obligations linking members of a community creates a sense of reciprocity between those who give and those who receive that raises the expectation that when one is in a position to give care, one will, and when that person is in need another who is suitably situated to give care will respond" (ref. 41, p. 68). Kittay's description resonates strongly with the Kantian account, inasmuch as she argues that in a community of dependent rational beings, need is met and care is given as it arises in that community. Through the duty of beneficence, Kant guarantees that when need arises, it will be met. Agents all share the inevitability of needing and the ability to give care.

Asserting this, however, does not amount to asserting that all people with any kind and degree of need are automatically entitled to our help. The duty to aid others is not unlimited in the sense that a moral agent must in every instance respond to every form of other individuals' needs. Doing so would mean that the agent would forfeit a duty to herself by constantly sacrificing her own needs in order to meet the needs of others, so much so that she could not advance her own ends. Kant clearly provides a limit to guard against this problem within the duty of beneficence. He questions, "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."<sup>42</sup> Thus, in giving aid to others, agents should not do so to such an extent that they themselves end up needing the assistance of others. Their caring



for another should not result in an onset or increase of need for them. The giving must be balanced so that beneficent agents do not, as a result of their beneficence, come to require the beneficence of others. Herman echoes this limitation in a slightly different way than Kant, explaining that "we are not obliged to help everyone, or everyone we can, because the point of the duty of mutual aid is to sustain dependent beings in the (permissible) activity of their lives."<sup>43</sup> For Kant, the point of beneficence is to take up the ends and happiness of others in need in order to help them advance their "life projects," so to speak, but not to do so at the expense of the agent's own "life projects."

How do we determine to which needs we are to respond? Agents must view the morally relevant features of particular situations and judge whether a specific case is one in which they are commanded to respond. It is fair to say, however, that agents are obliged to help other individuals experiencing the "true needs" mentioned earlier. So, for example, if I am heading to work one morning, late for a meeting crucial to my career, I do not have an obligation to stop to help a businessman in front of me who has tripped, inadvertently distributing his very important notes across Main Street. I do, however, have an obligation to stop and assist an elderly gentleman who trips and falls in front of me, fracturing frail bones in the process. Both individuals experience need. The nature of their need, however, differs significantly. The need of the second individual can be identified as a "true need" and therefore commands my response.

### Special Relations

A significant question for Kant remains. Given the strength and importance of impartiality in Kantian ethics, to what extent does Kant allow for us to tend to the needs of our nearest and dearest? In other words, does the duty of beneficence allow us to acknowledge and adequately account for what moral theorists often refer to as "special relations"? In his explanation of beneficence, it does seem as if Kant upholds the principle of impartial-

ity. He speaks about the needs of general, rather than specific, others. The duty of beneficence is universal and, as such, potentially involves our relations with all others, not only kin.

*The Doctrine of Virtue*, however, includes an important moment when Kant addresses the interplay of the duty of beneficence and special relations. In considering how to reconcile the precept to "love your neighbor as yourself" with his observation that "one human being is closer to me than another,"<sup>44</sup> Kant explains that universal benevolence is still possible while leaving room for acknowledgment of the needs of special relations. He writes, "For in wishing I can be *equally* benevolent to everyone, whereas in acting 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)."<sup>45</sup> The duty of benevolence requires that I wish for the well-being of all humans. In carrying out actions through the duty of practical, active benevolence, or *beneficence*, however, Kant grants that I can "vary the degree greatly in accordance with the different objects of my love" without violating the universality of the maxim, which is presumably preserved on the level of universal benevolence. Thus, under the duty of beneficence, I must not necessarily distribute my attentions equally. In essence, this amounts to preserving formal universality via the duty of benevolence while allowing for some degree of partiality and recognition of special duties in our daily dealings. This seeming inconsistency in an otherwise impartial ethics may be clarified through the following illustration. Although (under the duty of benevolence) I wish equally for the well-being of my aging father and an acquaintance's father living in another state, in active, practical benevolence (i.e., beneficence), the needs of my father are much more present to me and I am therefore better able to respond to them than to the needs of my acquaintance's father.<sup>46</sup> Moreover, in accordance with the stipulation that Kant offers in *The Doctrine of Virtue*, doing so is morally permissible.

In this explanation, however, it is important to note that the motive to act toward my father as I do is not a motive deriving from the affective connection I have to him, but rather is a motive of duty, namely the duty of beneficence. This is not to say that, according to Kant, my affective attachment to my father can play no role in my care of him, but only that, in order to have moral worth, it cannot serve as the motive for that action. This feature is the case is an important safeguard provided by an understanding of filial obligation in conjunction with the duty of beneficence: Because the motive is one of duty, an adult child is morally obligated to care for her or his aging parents even in moments of strain when affective connection waivers. If the motive to act to care for the needs of my father were based solely on my affective connection to him, there could then be room for a morally unacceptable variance in the kind of care I gave to him, say, in moments of frustration with his cranky and cantankerous demeanor. This issue is an especially sensitive one in dependency relations in which the charge's level of vulnerability to abuse at the hand of the caretaker is high.

One final point: Although Kant acknowledges that in acting, moral agents can vary the degree of attention they give to the needs of others in accordance with "the different objects" of their love, this does not justify *always* placing the needs of special relations above others' needs. In certain circumstances, true need present in nonspecial relations can understandably require a moral agent's attention, even to the exclusion of attention given to other kinds of need experienced by special relations. Thus, for example, the true need of a stranger can trump a less dire form of need in my own aging parent.

### Features Drawn from Kant

Deriving filial obligations from a duty of beneficence, although not a typical approach to the issue, offers an increased focus on several morally relevant features of the adult child/aging parent rela-

tionship. The four on which I will focus (as mentioned earlier) are dependence and need, promoting the ends of the aging parent, the noncoerced, yet not voluntary nature of the relationship, and limitations on filial obligations in accordance with duties to oneself.

### The Relevant Event: Dependence and Situated Need

The duty of beneficence, especially as interpreted by Herman, calls to the fore the inevitabilities of human dependency and vulnerability. Both human vulnerability and rationality are key elements of the duty of beneficence. Thus, not only are aging parents morally considerable as abstract rational entities but also are so in light of their particular situated needs. Such needs and vulnerabilities have not always received adequate attention in modern moral philosophy. Beginning by acknowledging the fundamentally vulnerable nature of human beings and the relations that sustain humans in the face of such vulnerability leads us along a very different path with regard to understanding the nature of moral agents. The Kantian duty of beneficence, because it commences with response to the needs of others, allows for an understanding of duties to aging parents through the events and situation of the dependency relation where need forms the basis of the relation.

Within Kant's writing, as we have seen, there is a tension between general needs of humans and particular needs of special relations. While acknowledging in a general way that need comprises some element of the normative source of caring for others, what is ultimately significant is the need of which I am aware, namely the needs of those to whom I relate. Understanding duties in the context of such need is important for duties that adult children have to their aging parents because it avoids some of the problems encountered by other explanations of filial obligations. No calculating must determine how much I owe my aging parents and no strong bond of mutual friendship must exist between us in order for me to have a duty to care for them. Instead, their need functions as that which calls forth filial obligation. Adult

children are obliged to care for their aging parents not to complete a reciprocal agreement of exchange and not merely because doing so is virtuous. Rather, adult children must care for their aging parents because they, too, are bound to experience degrees of dependency.

Although perhaps beyond the scope of Kant, recent ethicists interested in questions of vulnerability and dependence have explored these concepts further, illuminating not only the various kinds of need for which a dependency relation is to provide but also the various vulnerabilities that arise in the context of the dependency relation itself (see refs. 41 and 47). Both types of consideration are important for the adult child/aging parent relation. One can argue that "true needs" actually include a number of different kinds of needs. Of course, serious physical injury presents a case of "true need" inasmuch as the continued existence of one's agency as a rational being comes into question. In growing older, maintaining one's dignity can also be said to be a "true need," as a seriously damaged sense of dignity could significantly compromise the capability to set and meet ends (where setting and striving toward one's own ends constitutes one quintessential activity of a rational being). Thus, "true needs" can arguably include not only physical but also emotional and psychological needs. Adult children, in caring for their elderly parents, have a duty to ensure more than simply just that their parents keep out of harm's way. As the duty of beneficence is a wide duty, the adult child must determine exactly which actions to select in order to meet the "true needs" of his or her parents and will have to do so in accordance with his or her judgment of the situation at hand. Responding to the need of an individual is always a case of responding to situated need.

In addition, in carrying out duties to their aging parents, adult children must be aware of the ways in which their parents are not only vulnerable to the threat of disease, injury, and loss of functioning but also to the very care that the adult children seek to give them; their aging parents are not dependent in a general sense

but are dependent on them to provide for their needs. The ways in which adult children meet the needs of their aging parents can, unfortunately, contribute to a further need, inasmuch as bad care produces shame. Kant had a solid awareness of this problem, although not in the specific realm of filial obligations. He notes that in giving to a pauper in need, it is our duty not only to give to him, but to do so in accordance with the acknowledgment that receiving charity may humble him ("since the favor we do implies that his well-being depends on our generosity, and this humbles him"<sup>48</sup>). Thus, we are to give to him in such a way that we "behave as if our help is either merely what is due him or but a slight service of love, and to spare him humiliation and maintain his respect for himself."<sup>49</sup> This lesson draws attention to the vulnerabilities of aging parents to adult children within the dependency relationship and provides a reminder that the duty of beneficence includes not only that care be given in response to need, but that it be given in such a way so as to avoid unnecessary humbling, or humiliation.<sup>50</sup>

#### *Content: Promoting the Ends of the Aging Parent (Nonpaternalistically)*

Kant provides not only a direct caution against humiliating treatment within relations of dependency but also an indirect (albeit unwitting) safeguard concerning paternalistic treatment of aging parents by their adult children caretakers. The duty of beneficence does not merely require that we respond to the needs of others, but that we do so by taking up their ends and happiness as they have determined them in order to help them promote such ends. As parents age and adult children assume an ever-greater responsibility for them, there can be a tendency to infantilize their parents, hence reducing the extent of their autonomy.<sup>52</sup> The duty of beneficence guards against this by stating that adult children are to care for their aging parents in accordance with what the aging parents (not what the adult children) determine their ends to be (with the appropriate guard against promoting another's unlaw-

ful ends, of course). This aspect of the duty ensures that aging parents do not prematurely surrender their autonomy.

Meeting needs while promoting ends of dependents, as determined by those dependents, helps in resisting a cultural tendency to unreflectively conceive of the elderly as members of a weak class, one that must be protected and sheltered from the normal activities of daily life. Doing so serves to isolate them more than to protect them. Developing upon Kant's account, one can open a space for consideration of the ways in which vulnerabilities are produced and maintained, and for a critique of the social mechanisms participating in this process. Although within the Kantian account there is no distinction between "natural" need and "generated" need, it is the case that as humans grow older, they inevitably experience certain "natural" vulnerabilities and dependencies. In addition to these "natural" needs, however, social and economic injustice may produce further "generated" needs that could be otherwise avoided. Any full account of the ethical relation between adult child and aging parent should include a discussion of this issue, although such a discussion lies beyond the scope of this chapter.

#### *Noncoerced, Yet Not Voluntary Relationships*

In presenting the duty of beneficence, Kant directly addresses a kind of moral relation omnipresent in our everyday interactions, although rarely adequately thematized in moral theory: Dependency relations (and the obligations associated with them) are often not relations of our choosing, although rarely are they relationships into which we are coerced. Kittay notes that "there are many obligations that appear to have the force of the moral, yet do not follow from voluntarily assumed associations."<sup>53</sup> One cannot say that the parties involved enter into the relationships willingly and knowingly. The relations are the result of happenstance and chance, not of freedom and choice. As such, investigating necessary limitations of scope is prudent in order to ensure that relationships of dependency and dependency obligations—ever-

present and without the explicit terms of a contract, for example—do not result in situations of damaging sacrifice.

The adult child/aging parent relationship serves as a clear example of one type of this relation. As noted earlier, it is difficult to assign corollary filial obligations to adult children with respect to their aging parents based upon those parents' earlier parental obligations because a parent's initial choice to have a child and thus to enter into relation with that child is voluntary in a way that a child's relation with a parent simply is not. Assignment of filial duties must occur while keeping in mind the nature of the relation between the parties. Kant's duty of beneficence deals primarily with nonvoluntary relationships (be it between a child and a parent or between a businesswoman walking to work and an elderly man who falls in front of her), and as such is particularly well-suited to define filial obligations.

#### *Scope: Limitations on Care—Duties to Oneself*

Kant's duty of beneficence, although commanding in terms of the absolute nature of the obligation of response to some forms of need, is also reasonable in that it recognizes that humans cannot respond to all needs that they encounter. To do so would mean certain and complete sacrifice of their own ends. Sacrificing such ends runs counter to duties that individuals have to themselves. Kant cautions that an agent should not give to so great an extent that the agent then requires the beneficence of others. When focusing on the adult child/aging parent relationship, this requirement, although certainly sound, can seem impossible inasmuch as an adult child may wonder, "If I don't care for Mom and Dad, who will?" Although questions such as this may have no immediate answer, the existence of the question may arise because of the unwillingness of others to take on their share of caring responsibilities. Much to Kant's imagined dismay, who responds to which needs is often not determined by the duty of beneficence, but rather by socialized roles and the expected responsibilities that result from them.

Many, if not most, of the caretakers of the elderly (both within and outside of the family) are women. Concerning the adult child/aging parent relationship, it is frequently expected that a female adult child will take on the burden of caring not only for her parents, but also for her in-laws, often forgoing career opportunities in the process. Although examination of familial patterns of gender injustice is not the topic of the present discussion, Kant's duty of beneficence points to one very significant realization about caretakers: In performing their duty of care in response to the needs of others, because of the extensive sacrifices they make, it is often they who are left in a vulnerable position and in need of care.

It is true that in accordance with Kant, necessary limitations on a duty to care occur both through the recognition that not every need constitutes a need to which one must respond and through the acknowledgment that one has a duty to promote one's own ends as well as the ends of those in need. As theoretical ethical concepts, they are interesting and useful. When applied to the realities of the world and the particularities of special relations, however, it seems that those not shouldering their fair share of the burden will need to do so in order to pick up the slack of those who need to be relieved of some of their duties. A responsible adult child would have difficulty turning to her wheelchair-bound, Alzheimer's-afflicted mother to say, "Sorry, Mom. You simply have too many needs. Not all of them are 'true needs' and therefore not all of them impose legitimate obligations on me. Therefore, I'm not obligated to meet all of your needs. Furthermore, I have sacrificed a great deal of my other aspirations to care for you, which I will no longer do to such a great extent." In a situation such as this, that adult child would most likely need to know that someone qualified and caring would be able to take over her former caretaking activities in order to feel ethically justified in relinquishing part of her overwhelming responsibilities. Helping her to do so demonstrates one way to care for caretakers:

to ensure that they have the means to continue to care for their charges while still advancing their own life projects.

### Conclusion

The Kantian duty of beneficence offers a useful reframing of filial obligation. In exploring the viability of this ethical duty as a foundation for filial obligation, it has not been my intention to argue that it is entirely fault-free, solving all of the problems of past theories. Rather, in conjunction with the duty of beneficence, certain morally relevant aspects of the adult child/aging parent relationship can be treated more thoroughly than they can in conjunction with other philosophical foundations for filial obligation. In meeting duties to aging parents as duties of beneficence, adult children can respond ethically by focusing on the needs of their parents and by acknowledging the inevitable dependencies that befall us all. They do so not as "super agents" impervious to the strains of care, but as members of a community of dependence and as humans who have needs of their own, needs to which other agents are to respond in accordance with the duty of beneficence. Through the duty of beneficence, we can render an account of filial obligation that takes ample note of the difficulties arising from nonvoluntary relations and their associated nonvoluntary obligations. Within the relationship itself, in order to fulfill the duty of beneficence properly, adult children must promote their aging parents' ends and happiness as those aging parents conceive of them, a requirement that guards against paternalistic treatment of the elderly. Finally, in addition to acknowledging that adult children have limitations on the extent of care they can give to their aging parents, performing filial obligations in conjunction with the duty of beneficence reminds the adult children that within the community of dependence, they may very well one day find themselves on the receiving end of such care.

## Notes and References

<sup>1</sup>For a variety of historical perspectives on filial obligation, see the following: Pufendorf,<sup>2</sup> Locke,<sup>3</sup> Sidgwick,<sup>4</sup> Hume,<sup>5</sup> and Hobbes.<sup>6</sup> One should also note that explorations of filial obligation have a rich history in the Eastern tradition, including treatment by Confucius, among others.

<sup>2</sup>Pufendorf, S. (1717) *On the Law of Nature and Nations*, 3rd ed. (original date, 1672), Kennett, B., transl., Sare, London.

<sup>3</sup>Locke, J. (1960) *Second Treatise of Government*, Laslett, P., ed. (original date, 1690), Cambridge University Press, Cambridge.

<sup>4</sup>Sidgwick, H. (1966) *The Method of Ethics* (original date, 1874), Dover, New York.

<sup>5</sup>Hume, D. (1739) *A Treatise of Human Nature* (original date, 1739), John Noon, London.

<sup>6</sup>Hobbes, T. (1651) *Leviathan* (original date, 1651), London.

<sup>7</sup>In *Am I My Parents' Keeper?* Daniels (ref. 8, pp. 23–27) cautions that betraying the truth of the matter in that the actual arrangements of providing assistance for elderly members of families often involved financial or property incentives. Specific arrangements ensured that as they grew increasingly infirm, elderly members would receive care within their married children's homes in exchange for property rights. In addition, elderly members of families often "worked to earn their keep," in the sense of doing chores around the home or caring for their grandchildren.

<sup>8</sup>Daniels, N. (1988) *Am I My Parents' Keeper? An Essay on Justice between the Young and the Old*, Oxford University Press, New York. <sup>9</sup>See refs. 10–12.

<sup>10</sup>Blustein, J. (1982) *Parents and Children: The Ethics of the Family*, Oxford University Press, Oxford.

<sup>11</sup>Slote, M. (1979) Obedience and illusion, in *Having Children*, O'Neill, O. and Ruddick, W., eds., Oxford University Press, New York.

<sup>12</sup>English, J. (1979) What do grown children owe their parents? in *Having Children*, O'Neill, O. and Ruddick, W., eds., Oxford University Press, New York.

<sup>13</sup>This statistic is from the following government website: <http://www.agingstats.gov/chartbook2000/population.html>.

<sup>14</sup>Post, S. G. What children owe parents: ethics in an aging society, in *Thought: Rev. Culture Idea*, 64(255), 315–325.

<sup>15</sup>Ibid., p. 315.

<sup>16</sup>Ibid., p. 316.

<sup>17</sup>Ibid., p. 25.

<sup>18</sup>Norman Daniels provides a very useful discussion of the various moral foundations for filial obligations in *Am I My Parents' Keeper*, upon which I have drawn significantly in this section.

<sup>19</sup>Certainly, this list is not meant to be exhaustive; rather, it is meant to feature several of the central forms of argumentation. Other examples would include Sommers'<sup>20</sup> discussion of filial obligation in terms of "differential pull" and various care ethicists' approaches to filial obligation in terms of loving gratitude and mutual respect. This last approach, although similar to the gratitude approaches I discuss above, should be differentiated from them in light of care ethicists' critique of the owing idiom often present within traditional discussions of filial obligation and because of their distaste for the assumption that the relation between adult child and aging parent must be an onerous one.

<sup>20</sup>Sommers, C. H. (1987) Filial morality, in *Women and Moral Theory*, Kittay, E. F. and Meyers, D. T., eds., Rowman & Littlefield, New York, pp. 69–84. Originally printed in *J Phil.* 83(8), 439–456.

<sup>21</sup>Although I do not wish to suggest that, under some versions of reciprocity, parents who have abused their children therefore deserve to be treated poorly by their adult children as they age, I think it is necessary to acknowledge that even in the face of their aging parents' "true needs," certain children may be excused from fulfilling the duty of beneficence to their formerly abusive parents. Kant does not address such exceptions.

<sup>22</sup>*The Metaphysics of Morals, The Doctrine of Virtue*, 390; 153,<sup>23</sup> hereafter cited DV with the page number from the Prussian Academy edition followed by the page number from the English translation.

<sup>23</sup>Kant, I. (1991) *Die Metaphysik der Sitten* (1797), *Kants gesammelte Schriften, herausgegeben von der Deutschen Akademie der Wissenschaften* (formerly *Königlichen Preussischen Akademie der Wissenschaften* vol. 6. Walter de Gruyter, Berlin. Translated as *The Metaphysics of Morals*, Gregor, M. J., transl., Cambridge University Press, Cambridge.



<sup>24</sup>DV 449; 199, emphasis in the original. In "On Duties of Virtue to Others," Kant also treats *respect*, with which I will not concern myself here.

<sup>25</sup>DV 449; 199.

<sup>26</sup>DV 450; 200.

<sup>27</sup>DV 452; 201.

<sup>28</sup>DV 451; 200.

<sup>29</sup>DV 452; 201, emphasis in the original.

<sup>30</sup>DV 454; 203.

<sup>31</sup>The relevant, complete text of this example from the *Groundwork* is as follows: "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 also 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 admittedly could very well subsist and doubtless could subsist even better than when everyone prates about sympathy and benevolence and even on occasion exerts himself to practice them but, on the other hand, also cheats when he can, betrays the rights of man, or otherwise violates them. But even though it is possible that a universal law of nature could 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 he would deprive himself, by such a law of nature springing from his own will, of all hope of the aid he wants for himself." (ref. 32, p. 423; 32; hereafter cited G with page number from the Prussian Academy edition followed by the page number from the English translation.)

<sup>32</sup>Kant, I. (1981) *Grundlegung zur Metaphysik der Sitten* (1785). *Kants gesammelte Schriften, herausgegeben von der Deutschen Akademie der Wissenschaften* (formerly *Königlichen Preussischen Akademie der Wissenschaften* vol. 8. Walter de Gruyter, Berlin. Translated as *Grounding for the Metaphysics of Morals*, Ellington, J. W., transl., Hackett, Indianapolis.

<sup>33</sup>G 423; 32.

<sup>34</sup>G 423; 32.

<sup>35</sup>Herman<sup>36</sup> adequately entertains and defeats such criticisms in "Mutual Aid and Respect for Persons" from *The Practice of Moral Judgment*. Briefly, Kant interpreters and critics, such as Schopenhauer and Sidgwick, took this passage to display a deep inconsistency in Kant's moral system, as they believed Kant to be "making some kind of prudential appeal in arguing for a duty of beneficence and as depending in its conclusion on the contingent, empirical fact about human agents that they may encounter situations in which they need the help of others" (p. 45). This approach is problematic because Kant claims that the categorical imperative cannot have a prudential or empirical foundation. Moreover, the passage has been interpreted as being based on a kind of egoism, inasmuch as I agree to help others only because I want to secure the benefit of having them help me. In other places, Kant directly counters this possibility, such as in the *Doctrine of Virtue*, when he explains that in accordance with the duty of beneficence one is "to promote according to one's means the happiness of others in need, without hoping for something in return" (DV 453; 202).

<sup>36</sup>Herman, B. (1993) *The Practice of Moral Judgment*, Harvard University Press, Cambridge, MA.

<sup>37</sup>*Ibid.*, p. 55.

<sup>38</sup>*Ibid.*, p. 55.

<sup>39</sup>*Ibid.*, pp. 60–61.

<sup>40</sup>Ebbinghaus, J. (1954) Interpretation and misinterpretation of the categorical imperative. *Phil. Q.* 4, 97–108.

<sup>41</sup>Kittay, E. (1999) *Love's Labor: Essays on Women, Equality, and Dependency*. Routledge, New York.

<sup>42</sup>DV 454; 202.

<sup>43</sup>Herman, *The Practice of Moral Judgment*, p. 67.

<sup>44</sup>DV 450–451; 200.

<sup>45</sup>DV 452; 201, emphasis in the original.

<sup>46</sup>Sommers acknowledges a similar point in her discussion of equal and differential pull: "So too does the utilitarian or Kantian say that the ethical pull of a needy East African and that of a needy relative are the same but we can more easily act to help the relative. This theory of equal pull but unequal response save the



appearances for impartiality while acknowledging that, in practice, charity often begins and sometimes ends, at home" (ref. 20, p. 73).

<sup>47</sup>Goodin, R. (1985) *Protecting the Vulnerable: A Reanalysis of Our Social Responsibilities*, University of Chicago Press, Chicago.

<sup>48</sup>DV 448-449; 198.

<sup>49</sup>DV 449; 198.

<sup>50</sup>Anita Silvers has commented upon this aspect of Kant's ethics in the context of creating a mutual moral space between the young and the old. She writes, "Kant's observations remind us that drawing individuals into a mutual moral space requires engaging in social practices that maintain reciprocity between them regardless of how needy one is for assistance by the other" (ref. 51, pp. 220-221). On a related note, expanding upon the notion of obligation within dependency relations, Kittay has noted that not only do caretakers have obligations to treat their dependents in a respectful fashion, but those receiving care also have a set of obligations within the relationship, including respectful treatment of their caretakers (see ref. 41, p. 54).

<sup>51</sup>Silvers, A. (1999) Aging fairly: feminist and disability perspectives on intergenerational justice, in *Mother Time: Women, Aging, and Ethics*, Walker, M., ed., Rowman & Littlefield, Lanham, MD, pp. 203-226.

<sup>52</sup>I am not using the term "autonomy" here in a strict Kantian sense. I am using it in the less technical sense often employed in developmental psychology, for example.

<sup>53</sup>Kittay, *Love's Labor*, p. 60.

## Index

- A**
- Clinical trials,
    - animal trials, 68-71
    - consent and, 58-60
    - conventions (*See* Helsinki declarations, Nuremberg Code)
    - nontherapeutic defined, 63
    - dilemmas, 52-57, 75
    - safeguards, 61-69
    - excessiveness, 68-72
  - Controlled Substances Act (CSA), 132-133
- B**
- Beneficence. *See* Duty
- C**
- Canada Health Act (CHA), 4
  - Care homes. *See* Long-term-care facilities
  - Caring. *See Also* Health care, citizenship and, 11-13
    - defined, 6
    - facilities (*See* Long-term-care facilities)
    - moral obligation concerning, 31-32
    - right to, 13, 16-18
    - situations of, 9-10
  - Citizenship. *See* Caring
- D**
- Death,
    - Christian concepts of, 121-122
    - suicide and euthanasia (*See* Euthanasia)
  - Dementia, 38, 40-41,
    - research into, 60-61
  - Duty,
    - beneficence, 134, 172
    - doctor's duties, 72-74
    - parent-child duties, 150-155