

## Kant's Ethical Theory and the Right to a Child

<p><b>The Good Will</b> - The only good thing was the good will, a will that did its duty of following the right course of action. "A good will is not good because of what it effects or accomplishes... it is... good in itself."</p>	<p>When thinking of childless couples, it is easy to be moved by compassion for their situation. Kant believes this is wrong. You might think that a child would bring great joy and happiness. Kant would say this was irrelevant. The only right response is to use reason to work out which rules to follow and then, out of duty, to follow them. This is the good will.</p>
<p><b>Deontology - Duty:</b> there is an objective moral law that it is our duty to follow.</p>	<p>Our wishes, hopes etc. are subjective - we might each want different things with relation to surrogacy, for example. The moral law is objective - outside us - it tells us whether surrogacy is right or wrong. Once we have worked that out, we need to do what is right, not what we want.</p>
<p><b>Free Will, God and Immortality</b> - Kant presumes that we can act freely and that there is an afterlife and God. These cannot be proved through experience. In fact, they are things Kant says must be true for experience to make sense.</p>	<p>Some scientists might argue that we are genetically programmed to want to have children (if we were not, our genes would not have survived). They might not say whether it is right to have IVF, they may just say that people would choose to put themselves through IVF because of this genetic drive. Kant believes that rationality is in control, and that we can decide whether or not to follow our genetic impulses. Without this freedom to choose, there would be no point in discussing what we ought to do (ought implies can).</p>
<p><b>Synthetic A Priori</b> - Some things are known from experience (the sun is hot) - a posteriori. Some are known without experience (<math>1+1=2</math>: we don't test this to check that it's true) - a priori. Generally, a priori truths are analytic (true by definition) and a posteriori truths are synthetic (they actually say what the world is like). Kant says moral truths are synthetic a priori - they say what the world is like, but don't need to be proved by looking at the world.</p>	<p>utilitarians observe that we desire pleasure and avoid pain. To work out whether IVF was right or wrong, they would observe the amount of pleasure and pain caused when only 1 in 6 attempts is successful. This is a posteriori - what is right is verified through experience. Kant believes morality can't work this way (you can't jump from what <b>is</b> to what <b>should be</b> - you can't observe the world and decide from this what we ought to do). Moral truths tell us about the world e.g. IVF (they are synthetic) but don't rely on experience to be verified. IVF might be considered wrong because it treats spare embryos as a means to an end. We might think it's right because we would want a universal law that said all couples could have babies. These are known <b>a priori</b>. The success rate of IVF and other things known <b>a posteriori</b> are irrelevant.</p>
<p><b>Reason</b> - just as with Natural Law, Kant uses reason to work out moral rules.</p>	<p>We need to use reason in considering whether IVF is right or wrong. Our reason needs to decide whether an embryo is a person - if it is, reason tells us we shouldn't use an embryo merely as a means to an end, so producing spare embryos that are destroyed is wrong.</p>

<p><b>Categorical Imperatives</b> - these are rules that would be followed by any rational moral agent. They are duties - you should do your duty because it is your duty.</p>	<p>Some people think all imperatives are hypothetical – if you're willing to go through pregnancy to have your daughter's baby, then surrogacy is right. Kant says morality deals with absolutes – rules that have no 'if' element. We use the CI to work out a rule (e.g. commercial surrogacy is wrong) and then it is our duty to follow that rule, with no exceptions.</p>
<p><b>CI - Universalisability:</b> to work out if you should follow a maxim, make it into a universal rule. <i>I ought never to act except in such a way that I can also will that my maxim should become a universal law.</i></p>	<p>In 1985, Kim Cotton was paid £6500 to have a baby for an infertile couple. To work out whether this was right, we need to take the maxim "Kim Cotton should be allowed to have a baby for money" and universalise it. We get "All women should be allowed to have babies for money". We then ask:</p>
<ul style="list-style-type: none"> <li>• <b>Self Contradiction</b></li> </ul>	<p>Is it a self-contradiction? No, because it is possible to imagine a society where they do this. California is an example.</p>
<ul style="list-style-type: none"> <li>• <b>Contradiction of the will</b></li> </ul>	<p>Would you want to live in a society where women could have babies for money? Californians said yes – in the UK we said no. Kant asks us to imagine ourselves as anyone in that society. If we were unemployed and felt surrogacy was the only option, would we want it as an option? You can criticise Kant, saying that we will never agree on what is a contradiction of the will. However, Kant puts it a different way too:</p>
<p><b>CI - Law of Nature:</b> <i>Act as if the maxim of your action were to become by your will a universal law of nature.</i></p>	<p>Would you want a law of nature that meant that being paid a large amount of money resulted in having a baby for someone else? Maybe this would work. At the moment, nature produces a baby purely through the act of sex. A law of nature that said "If I consent to sex with a rich, childless man who wants a baby, I will have his baby and become richer" might be a good law. However, Kant asks us to think another way too:</p>
<p><b>CI - Ends in themselves:</b> <i>So act as to treat humanity, whether in your own person or in that of any other, in every case as an end in itself, never as means only.</i></p>	<p>Many would argue with the above. It doesn't sound like a universal law of nature. Can you really imagine a world like that? Desperate women would be having sex with the rich and powerful – it would be wrong. Kant asks us to treat all people as ends in themselves. Asking a poor person to have a baby for money would be using her as a means to an end. If she consented, she would be using herself as a means to getting rich, which would be wrong.</p> <p>In 1991, Kim Cotton gave birth to twins for an infertile friend. No payment was made. What would Kant say?</p>