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Of Ducks and Men

1. The main topic of Rüdiger Bittner's book *Doing Things for Reasons* is action theory. We learn what it is to have reasons for action and how acting in response to reasons should be construed; we learn to what extent these reasons are elements of our mental life (and in particular that they aren't mental at all). Almost at the end of the book, however, in chap. 12, all of a sudden we learn something more. We receive an answer to the very core question of anthropology: who we are, as men and women, and what is so special about us – or rather that there is nothing special about us. It is this last part of the book, easily overlooked, that I want to concentrate on in my contribution.

2. Why is it philosophically interesting to ask who we are? Obviously, there are numerous good reasons for this question, starting from sheer curiosity up to concrete dilemmas in applied ethics. The point of Bittner's answer becomes most apparent, however, if we read it as a response to a particular current of philosophical tradition, which is marked by two characteristics: first by an initial skeptical suspicion that any insight into the essence of man will be bleak, and second by the soothing conclusion that in the final analysis the initial suspicion was unfounded.

A particularly vivid example of this tradition is to be found in Blaise Pascal's *Pensées*, where Pascal writes (in the context of many other similar remarks):

> Man is but a reed, the most feeble thing in nature; but he is a thinking reed. The entire universe need not arm itself to crush him. A vapour, a drop of water suffices to kill him. But, if the universe were to crush him, man would still be more noble than that which killed him, because he knows that he dies and the advantage which the universe has over him; the universe knows nothing of this.
>
> All our dignity consists, then, in thought. By it we must elevate ourselves, and not by space and time which we cannot fill. (1958, §347)

According to Pascal, when man, who initially regarded himself as king of nature, is faced with the vastness of the universe, its astronomic size and endless microscopic subtlety, he is thrown back on the humble conclusion that in fact he is anything but a king. Rather, man (and woman, by the way) is a cosmic orphan, lost in space and time, somewhere in between eternities, defenceless like a blade of grass that might be bent and snapped at any time, accidentally, in passing. Then, however, rising from the ruins of his pride man suddenly starts to realise how blockheaded, ignorant and clumsy all these mighty powers surrounding

him in fact are. Only man has knowledge; they don't. So, despite his weakness, he is justified in feeling superior. Although he isn't the king of nature, he has something much more precious to show, knowledge and reason that raise and dignify him high above everything else in the world.

3. This scheme – man, apparently a wretched creature, turns out to be the pride of creation – can be found recurrently in the history of philosophy, in diverse versions that differ, first, with respect to the grounds of the apparent misery of man (whether it is his poor biological endowment, his mortality, his being at the mercy of destiny, or his being an original sinner), and secondly with respect to the features which will nevertheless raise man from insignificance (e. g. his being distinguished by God, or having reason). In any case the ugly duckling emerges as a beautiful swan.

According to Bittner, however, this view is thoroughly mistaken, on both sides, regarding the apparent misery of man as well as regarding his resurrection into the highest ranks.

> The picture of rational agents emerging here [i. e. in the course of the book] may be summed up by saying that they are worldly creatures through and through. [...] The world is their element, and they do not raise their heads above it. (2001, §314)

We, as men and women, float with the way the world goes, Bittner claims, neither standing out nor sinking down to irrelevance.

In order to explain what Bittner is driving at and how radical he wants us to depart from the ugly ducklings and beautiful swans of traditional philosophy, let me remind you of another prominent representative of this tradition, Immanuel Kant, who writes in the famous *Beschluss* of his *Critique of Practical Reason:*

> Two things fill the mind with ever new and increasing admiration and awe, the oftener and more steadily we reflect on them: the starry heavens above me and the moral law within me. [...] The former view of a countless multitude of worlds annihilates, as it were, my importance as an animal creature [...]. The latter, on the contrary, infinitely raises my worth as that of an intelligence by my personality, in which the moral law reveals a life independent of all animality and even of the whole world of sense [...]. (AA V, 161; 1956, 166)

Evidently, Kant's view is very similar to Pascal's. Once again, we seem to be doomed to irrelevance, before, thanks to our faculty of reason, we return into our top-ranking position. What is different, though, is that according to Kant it is not mere knowledge that elevates us but, as he puts it, the moral law within us.

At first blush, this is a surprising justification. While Pascal's assumption that knowledge is superior to ignorance is intuitively convincing, being subjected

to a law seems to be evidence for an inferior position and not for a higher rank. Why should someone be honoured by being subordinated to a law? Even more surprising, however, Kant shares this concern. For him, too, it is humiliating to be subjected to a law. Hence, emphasizing the existence of a moral law tends to strengthen the appearance of human nothingness instead of securing human superiority. The moral law in itself could not save our pride. The picture changes, however, when it becomes clear what being subjected to the moral law entails. Kant makes this very clear in Section Two of the *Groundwork of the Metaphysics of Morals:*

> From what has just been said it is now easy to explain how it happens that, although in thinking the conception of duty we think of subjection to the law, yet at the same time we thereby represent a certain sublimity and dignity in the person who fulfills all his duties. For there is indeed no sublimity in him, insofar as he is subject to the moral law, but there certainly is insofar as he is at the same time lawgiving with respect to it only for that reason subordinated to it. (AA IV, 439/40; 1998, 46)

Insofar as we are subjected to law we are degraded. We are not free to act at liberty but have to obey instead. Yet, what is special about the moral law is that we are not only ruled by law, we are also those who make the law and are ruled by law because we ourselves are the lawgivers, and hence we have the majesty of a legislator. Again, we observe the transition from the ugly duckling to the beautiful swan, in this case: from the mere subject of law to the lawgiver.

Evidently, Kant's claim is based on the premise that we are indeed authors of the moral law, which sounds like cultural or social arbitrariness, or like "ethical republicanism" as Bittner has dubbed Kant's thesis in his habilitation *Moralisches Gebot oder Autonomie*. (1983, §87) To my mind, however, this would be a misunderstanding. Basically, what Kant has in mind is to be found in a short, catchy phrase at the beginning of Section 3 where he summarizes the upshot of the first two sections of the book: "a free will and a will subject to moral laws are one and the same".

To see why Kant believes this, it is helpful to recollect his argument in the first two sections of the book. In Section 1 Kant demonstrates that it is possible to deduce, merely from our common understanding of what morality is, the following moral law: "I am never to act otherwise than so that I could also will that my maxim should become a universal law". In Section 2 he demonstrates that based on a different premise, namely that we want to act rationally, we can deduce the famous advice: "Act only on that maxim whereby thou canst at the same time will that it should become a universal law." Evidently, both demands that result from the two deductions are equivalent. What morality demands reason demands as well.

One might think that this insight is already sufficient to liberate man from his humiliating role of being subdued to the moral law. If the law is confined to the demand of acting reasonably, one could venture, it does not really interfere with liberty. Quite the opposite, reason's being so important could be read as support for the assumption of human superiority. Kant, however, is more cautious. The concurrence of the demands of reason and morality can only provide us with the special status we are longing for, if we are able to obey these demands, in short: if we can indeed justifiably regard ourselves as reasonable beings. There is a serious obstacle for this assumption, however, that threatens to kick us into insignificance again: our principled lack of freedom in a determined world. As long as we have to understand ourselves as being an integral part of the causally determined way the world goes, we cannot according to Kant actually regard ourselves as reasonable. Nor would it help to confine human liberty to mere freedom to act, i.e. the capability of doing what one wants to do, as some compatibilists suggest, because, as Kant puts it in a famous analogy in the *Critique of Practical Reason:*

> And, if the freedom of our will were nothing else than the latter, i.e., psychological and comparative and not at the same time also transcendental or absolute, it would in essence be no better than the freedom of a turnspit, which when once wound up also carries out its motions of itself. (AA V 97; 1956, 100 f.)

Here it is again, the threat of dropping into insignificance, this time down to the level of a mechanical barbecue gadget. If our freedom were confined to doing what we want to do, then according to Kant we could act on our own only inasmuch as a turnspit acts on its own, namely without anybody from the outside having to turn a crank. But Kant is convinced that there is more to our freedom than the liberty of a mechanical turnspit. Instead, we are 'absolutely free', as he puts it in the sentence quoted. And he also explains how this should be understood:

> Since the conception of causality brings with it that of laws in accordance with which, by something that we call a cause, something else, namely an effect, must be posited, so freedom, although it is not a property of the will in accordance with natural laws, is not for that reason lawless but must instead be a causality in accordance with immutable laws, but of a special kind. [...] Natural necessity was a heteronomy of efficient causes, since every effect was possible only in accordance with the law that something else determines the efficient cause to causality; what, then, can freedom of the will be other than autonomy, that is, the will's property of being a law to itself? (AA IV 446 f.; 1998, 52)

Kant takes it for granted that free agency consists in an agent initiating, causing an action. Causation, however, entails the existence of a covering law (e.g. a nat-

ural law), according to which, given the cause, the effect is not arbitrary. Yet, since it is specific for free rational action not to be brought about from the outside, in accordance with natural laws, rational action is only possible if there is a different law, covering the action, which originates from within the person herself, i.e. the respective law must be self-given by the agent. Kant's term for such a kind of causality by self-legislation is 'autonomy'; and it is autonomy that Kant has in mind when he appeals to the moral law within, which makes us so admirable compared to everything else in the world, since, as he says in the *Critique of Practical Reason:* "[...] the moral law expresses nothing else than the autonomy of the pure practical reason [...]." Hence, Kant's claim that we are authors of the moral law is not primarily an ethical claim, a plea for "ethical republicanism", but the conclusion from a very strong metaphysical claim, namely our 'trancendental' freedom to cause actions deliberately, not merely as a result of the validity of natural law.

It is intriguing to assume that we only need to give rein to reason and hence inevitably act morally well – yet it is perhaps too intriguing to be true. As Bittner points out in *Moralisches Gebot oder Autonomie*, it is essential to morals to make demands on the agent, which is not true of Kant's moral law. "Moral laws cannot be held against someone reluctant since they gain their validity from this person's self-legislation." Bittner 1983, §124; my translation) Therefore, according to Bittner, Kant has not established that we are morally bound by the demands of reason.

This criticism is directed at Kant's normative ethics but it is not necessarily a challenge to the idea that what is so special and particularly wonderful in us humans is to be found in autonomy. As Bittner explains it in the last chapter of *Doing Things for Reasons* Kant's idea of autonomy fits well into a traditional understanding of human agency that at least goes back to Plato's simile of the charioteer. According to this understanding what is characteristic for agents is the way they are determining, goading, controlling, and surveying their doings. With respect to her actions, it is assumed, the agent is master; and whenever she isn't quite that, a multitude of philosophical problems arise (usually subsumed under the label of 'weakness of will') which in turn occasionally provoke radical solutions, for example equating the 'weak willed' agent with a drunk or anancastic person.

4. Today this understanding of agency is still very influential, and the term 'autonomy' plays an important role in it. While 'autonomy' is only rarely used for a special kind of causality, it is typically employed for designating the special relationship with oneself, i.e. the special kind of mastery that distinguishes human agents not only from the inanimate world but also from other animate

beings. Harry Frankfurt has described this feature in his influential article "Freedom of the Will and the Concept of a Person", which provides one of the classical expressions of the so-called hierarchical concept of autonomy. The paper starts with the very question who we are and what is so special about us. And its well-known answer reads: at least we are not just wantons. A wanton is someone who is moved by his desires "to do certain things, without its being true of him either that he wants to be moved by those desires or that he prefers to be moved by other desires." (1998, 16) A wanton is someone who "does not care about his will" (1998, 16). And obviously, Frankfurt claims, we are not like that. We are not wantons, we are persons, which means: agents who care about their will and therefore do not merely let themselves be moved by their desires. As persons we take care that our will leads us into the right direction – unless bad luck, like an addiction, limits our freedom of will. It is this special faculty of supervising ourselves that distinguishes us from the rest of the world. As Bittner puts it: "The soul contains kings and people because one part, thanks to its superior knowledge, tells the other what to do." (2001, §297) Therefore, as agents who do not merely comprise soul people but also soul kings, i.e. higher-order evaluations, we are ranked high above mere wantons.

Again we find a way to see ourselves as superior beings, high above the inferior wantons, although this is not metaphysically grounded as in Kant but psychologically. Yet although Frankfurt's hierarchical concept of a person was very influential, it had a particularly weak point. It could not justify its glaring favouritism with respect to the higher parts of the soul. Why prefer the reflexive, second-order attitudes to where our wants may lead us, to these first-order wants themselves? Why should self-mirroring and self-dominance turn the ugly duckling wanton into the beautiful swan person?

In the debate following Frankfurt's article, a number of answers were suggested, most prominently Frankfurt's own proposal who added to his picture the idea of the importance of idiosyncratic preferences ('what we care about') that are also supposed to distinguish persons from non-persons. But being quirky will not make you a king. Hence, the question is still open why the mechanisms of self-control and guidance should ground our high self-esteem.

5. This question brings us back to Bittner, who provides us with a particularly radical answer:

> On the present conception, by contrast, there is no need for a distinction between leading and inferior parts within the soul. The whole agent follows this or that path the world is offering, and domination within agents ends. [...] Rational agents are animals sniffing

> their way through the world. They are not in control. They are given to what they encounter. (2001, §297)

Any pretension is mistaken that thanks to the faculty of giving orders to ourselves, of keeping ourselves in check, we are somehow superior to other beings who do not have an internal watchdog breathing down their necks. Freedom according to Bittner is not to be found in the power of internal watchdogs but in their nonexistence.

> Rational agents are, in this sense, free: not subject to master or law within. The ducks, though presumably they sometimes do for reasons what they do, do not govern themselves, nor are they called upon to heed laws implicit in their kind of agency. We are like them, the idea is, going about our business unbroken. No doubt the business is different: in being unsubordinated within ourselves we resemble them. The inner state of rational agents is anarchy. (2001, §313)

Instead of trying desperately to uncover the swan within us, even at the expense of degrading us to being subjected to ourselves, we should better accept that we are embedded in the world seamlessly, without any distance, like the sniffing dog or the ducks in the pond. As we should have known already, from the early days of Darwin, neither the mighty heavens nor our animate nature are reasons for feeling wounded in our pride; hence there is no need to resort to reason, autonomy or morals for rehabilitation. There is nothing to be ashamed of in being part of nature. As Bittner puts it: "Why not allow ourselves to grow actions the way trees grow leaves?" (2001, §308)

To my conviction this is the anthropological core of Bittner's action theory. As agents we are like ducks, but these aren't ugly ducklings longing for their transformation into beautiful swans, they are paradigmatic representatives for all animate beings, following their paths through life, back and forth, attracted or repelled from whatever the pond is offering them.

Admittedly, I have told the story in a flowery language, more flowery then Bittner himself, and I have ignored numerous questions raised and answered by the book. In the remaining part of my contribution, however, I want to concentrate instead on one objection, which is discussed by Bittner, too. If the distinguished status of human beings really were an anthropological fiction, if there really were no autonomy, as Bittner explicitly states (cf. 2001, §315), shouldn't this insight have far-reaching consequences for our moral claims to consideration and respect?

Here we encounter a concept that already occurred in two of the citations, but on which I haven't yet commented, the concept of dignity. Pascal and Kant both saw themselves as being concerned with human dignity, which is

threatened by the mighty cosmos or by the rigor of the moral law, unless philosophy succeeds to re-establish it, e. g. in Kant's famous claim: "Autonomy then is the basis of the dignity of human and of every rational nature."

Bittner's response to these defenses of dignity is straightforward, though. If we assume, following Kant and other philosophers, that human dignity depends on our distinguished status (e. g. of being autonomous), which endows us with unmatched value, then it is one consequence of Bittner's anthropology that human beings don't have dignity at all. Hence he concedes:

> If we are not doing better in principle than the ducks, then we may as well forget about human dignity. [...] 'Humanity' is a term lacking all honorific overtones and moral significance; it is a term like 'anthood'. (2001, §§315 f.)[1]

Humanity, human dignity, these are according to Bittner reminiscences from the obsolete picture of the beautiful swans and ugly ducklings. Yet, as he is ready to admit, this seems to be a steep price to pay for his conception of agency. After all, human dignity was less a philosophers' idea than a political and intellectual reaction to numerous humiliations, prosecutions and harassments during the 19th and the first half of the 20th century. It is therefore hardly conceivable that such a concept could simply be filed away as being philosophically mistaken. John Steinberg's novel *Of Mice and Men* for example, from which I borrow the title of my contribution, tells us the sad story of the desperate lives and broken dreams of American seasonal workers during the Great Depression. To lead a life as they did, one is inclined to say, is not humane, it is not in accord with human dignity. The same is true, even more so, for the martyrdom of millions of victims under the sway of Hitler and Stalin, in reaction to which human dignity gained an outstanding position in post-war declarations and constitutions. In the light of its historical background, it sounds almost absurd to give up the concept of human dignity.

6. Of course, Bittner is well aware of this aspect of human dignity, yet – as far as I understand him – he doubts that a genuinely hierarchical concept like dignity is suitable to express what is so awful and disgusting in the way these people were treated, and he suggests that his radically egalitarian anthropology could provide a much better framework for living together in peace than the traditional alternative, where we interact with one another just like rulers of sovereign (one man-)states do in international affairs and where dignity is a kind of diplomatic immunity, resulting from the authoritarian regime within.

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1 In the German version of the book it is not 'anthood' but 'Entheit' – 'duckhood'.

To a certain degree, I think, Bittner is right. Our conception of agency has an influence on the way we value our own behavior as well as the behavior of our fellows, on the way we raise our children and structure our personal relations, and hence finally on how militant or peaceful the world becomes. If we no longer take pride in putting ourselves down, we might also stop attempting to hold the reins with respect to other people, again making the world a better place.

I doubt, however, that such a positive development would be a satisfactory substitute for the universal claim right to be treated humanely, out of respect for human dignity. Men and women have to be treated differently from ducks, just because they are human. There is more to 'humanity' than to 'anthood' or 'duckhood'. In order to explain what I have in mind, let me first ask where Bittner went wrong. How can we still stick to the claim that there is something in us but not in ducks that gives us the protection of dignity, despite Bittner's convincing arguments against the traditional view of the superior value of humans?

The initial observation is that perhaps dignity is not so tightly connected with being something valuable as was frequently assumed in the traditional debate. Kant notoriously distinguished two kinds of value, price and dignity, the latter being incommensurably high so that it could not be traded in for other values. This is not the way we usually talk about dignity, however. In fact, there is even a certain tension between value and dignity. Sometimes respecting someone's dignity can demand not to get too close to this person, not to attempt seeing behind the curtain, not to evaluate her. In fact, it is part of her dignity not to be appraised.

The idea that respect may entail keeping a certain distance plays an important role in one of Bittner's recent papers, "Achtung und ihre moralische Bedeutung" ("Respect and Its Moral Importance"), in which he rightly claims that we should better not maintain that everybody has a duty to approach everybody else with a respectful attitude, since in the end this would void the concept of respect of all its meaning. Respect, Bittner claims, is certainly not the right attitude towards the people we love; and even with respect to other people it is a rather timid attitude, serving to avoid conflict or fight by not getting close to them from the outset. Bittner, therefore, suggests an alternative: "What is advisable, instead, is having the courage of attempting, again and again, to live together, thereby learning from old and new failures." (2009, 350, my translation)

If we had to read the obligation to respect human dignity as the demand to approach someone with a reserved, respectful attitude, it would not be very attractive to have human dignity, indeed. But there is a different, much more appealing reading of this obligation which, to my mind, Bittner could happily admit as well. As I said, the importance of the concept of human dignity in the mid-20th century resulted from the extensive and widespread experience of

numerous forms of violence. A considerable part of the violence was embedded in various forms of systematic social ostracism, degradation and humiliation. All of a sudden, numerous citizens and social groups in developed modern societies had to make the experience that even minimal standards of decent interaction were no longer upheld but systematically destroyed. Appeal to human dignity was meant as a reaction to this disturbing encounter.

Dignity in this context should not be construed as a kind of value but as a kind of importance, the importance of a society in which every man and woman is someone who counts. And the principle that human dignity is inviolable reflects the historical experience that many people no longer counted, that within society they were of no importance, that they could be exploited, cast out and chased away, penned up in ghettos, gulags and concentration camps, and finally annihilated.

It is a difficult question how to incorporate such an understanding of dignity into moral theory (see Stoecker 2010), in particular how to unwrap the idea of counting, but I take it for granted that its roots are not to be found in our biological endowment, nor in our distinguished value above everything else in the world, but in our social affiliation. To take up Bittner's simile again, the pond in which we swim is society, and treating ourselves with dignity is a feature of how we interact in this particular pond. Hence we have dignity, and the ducks don't.[2]

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