

# Are Deontology and Teleology Mutually Exclusive?

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**ABSTRACT.** Current discussions of business ethics usually only consider deontological and utilitarian approaches. What is missing is a discussion of traditional teleology, often referred to as "virtue ethics." While deontology and teleology are useful, they both suffer insufficiencies. Traditional teleology, while deontological in many respects, does not object to utilitarian style calculations as long as they are contained within a moral framework that is not utilitarian in its origin. It contains the best of both approaches and can be used to focus on the individual's role within an organization. More work is needed in exposing students and faculty to traditional teleology and its place in business ethic's discussions.

People having even a passing acquaintance with moral philosophy have probably met with the distinction between deontological and teleological approaches to moral questions. "A deontological norm is one that evaluates an act by a characteristic that cannot be gathered from its consequences" (McCormick, 1973, p. 62).

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Deontological approaches to ethics attempt to ascertain the content of duty without considering the consequences of particular ways of acting. Generally speaking, deontologists have thought that moral principles are ascertained through some sort of logical test of consistency, as Kant maintained; or they have thought of the moral rightness of actions as directly intuited, as H. A. Pritchard (1949), for example, held.

Teleological approaches to ethics, on the other hand, morally evaluate actions by looking to their consequences – right actions being right because they tend to have good consequences, wrong actions being wrong because they tend to have bad consequences. Thus, for teleologists, evaluations of consequences as good or bad provide the premises for inferring the norms of right acting. Arthur Andersen's educational programs in business ethics<sup>1</sup> have probably done as much to popularize this distinction as any other contributor, but Arthur Andersen is not alone: Most writers in business ethics seem eager to pay their respects to the distinction (Beauchamp and Bowie, 1993; Donaldson and Werhane, 1993). With tables of contents that look almost liturgical in their repetitive sameness, deontology is introduced with Immanuel Kant, teleology with Jeremy Bentham or John Stuart Mill. Teleology is quickly identified with some variety of utilitarianism and perhaps prettified in the latest, fashionable economic dressing – for our money, a fair enough assessment of developments in the law and economics movement, although recently there have been calls for change (Solomon, 1992; Wolfe, 1991). Invariably, the apparent contradiction between deontology and teleology is emphasized, each approach is subjected to battering-ram criticism, and, in the rubble that

remains, bewildered students, marvelling at so much effort squandered with so little to show for it, scavenge for something useful to carry away. Their antecedent moral skepticism and relativism seems confirmed in their minds, and their already too feeble grip on moral truth is further loosened, perhaps irretrievably. Their brief exposure to moral philosophy often leaves them worse off than they were before (Wolfe, 1991). There ought to be a better way, a safe passage between the Scylla of deontology and the Charybdis of utilitarianism.

There is such a way. On the one hand, utilitarianism is, at its root, a milquetoast descendant of the traditional teleological approach to ethics that originated in antiquity and came to prevail in medieval times.<sup>2</sup> Deontology, for its part, has strained unsuccessfully to recapture the moral absolutes that once inhabited that same teleological tradition; but it has left much that is essential behind. Both modern approaches are subject to maladies from which their much heartier and more robust ancestor was spared. At the same time, the truth that is missed in utilitarianism, and (some say) is found in deontology, is also found – and found much more richly – in traditional teleology.

Almost in the Hegelian sense, the traditional teleology is a synthesis of the thesis of deontology and the antithesis of utilitarianism. It is a synthesis that, as any good synthesis should, absorbs the truth from the thesis and antithesis, while leaving behind their falsity and insufficiency. One can only conclude that in arriving at deontology and utilitarianism history took a wrong turn and marched away from truth. Odd. First comes the synthesis, then the thesis and antithesis: Hegel stood on his head in a way Marx never envisioned.

This introduction is a sort of retrospective that must now be followed by a delivery of the goods promised. At least, as it is said in sales law, a conforming tender must be made, with the reader left to decide whether acceptance is proper. It must be shown that what is true in deontology and utilitarianism is not original, and what is original in them is not true.

Tall order. Our hope in this short paper is only to make a substantial beginning of performance.

First, however, before the good news of the synthesis can be sprung, the thesis and the antithesis have to be understood and their insufficiencies indicated. That should be short work, since deontology and utilitarianism are already widely understood. Present memory need only be refreshed or, at the most, past memory recalled.

## Deontology

“It is impossible to conceive of anything in the world, or indeed out of it, which can be called good without qualification save only a good will.” This is Kant’s (1964, p. 64) stirring beginning to his *Groundwork of the Metaphysics of Morals* and the opening shot of deontology.

It should not be overlooked that the statement has an initial strangeness, one that tends to wear off. Older moralists (St. Thomas Aquinas (1848) in particular) had always carefully distinguished the goodness of the inner act (criminal lawyers now call it the *mens rea*) from the goodness of the external act (called the *actus reus*) (McInerney, 1982; 1992). The simple thought, for traditionalists, was that what is intended is one thing, what is done is something else – the moral character of an action might not match the moral character of the intent with which it is done. Crimes committed for laudable motives are still crimes, i.e. bad acts done for good ends. Robin Hood is said to have stolen from the rich to give alms to the poor, for instance, but his acts of robbery remain no less wrong. Conversely, good acts can be done for bad ends: giving alms to the poor, a good act considered in itself, may be done for the evil end of humiliating the recipient.

Kant’s preoccupation with good will is strange because intent was traditionally viewed as only one aspect to be considered in reaching an overall moral assessment of a particular human action. External actions were traditionally thought to have their own antecedent moral character as good, bad, or neutral, separate and apart from the moral character of the end for which they are chosen. This familiar distinction between the goodness of the internal and external actions evaporates with Kant’s enthronement of good

will as the sole unqualified good. It never seems to reappear, although, remarkably, it is rarely missed.

At any rate, understanding Kant's deontology requires understanding what he means by "good will." It means acting out of respect for the moral law, i.e., for the sake of duty (Kant, 1964, p. 74). Good will means acting *for the sake of* duty, mind you, not merely *in accord with it*. People's actions often externally conform to duty's requirements for no other reason than blind inclination. Yet there is no moral merit in following morally unguided inclinations, even when such inclinations result in external actions consistent with morality. People may have nonmoral reasons for acting as morality requires: Rosa Parks, for instance, is said to have sat in the front of the Birmingham, Alabama, bus just because her feet hurt and there were no other empty seats: not that she wanted to protest the segregation of the races. And, no doubt, she acted rightly, albeit for a morally irrelevant reason.

It is sometimes correctly said that Kant accords priority to "the right" over "the good." This is what makes for his deontology, his placement of duty first. In contrast, the teleological approach to morals first identifies the sorts of goods human actions ought to protect and realize, then evaluates actions as right or wrong according to their effects. Wrong actions tend to be harmful, and right ones tend to be beneficial. Kant reverses this ordering, even defining good will as a sort of right acting, i.e., acting with duty in mind, for its own sake. And, recall, all he requires for good will is action on a maxim that may or can be universalized – let the chips fall where they may. Let justice be done though the heavens fall. The observance of duty thus becomes for him an end-in-itself, detached from all practical results, binding in the same measure on angels as on man.

That there is something very attractive about Kant's insistence on the absolute demands of duty, no one can deny. One of the most deep-seated moral convictions is that there are ways of treating people that can never be allowed, no matter how dire the circumstances. Kant captures this conviction. Indeed, criminal law is absolutist to a degree that seems Kantian: Murder<sup>3</sup> is always

and everywhere forbidden, for instance.<sup>4</sup> It is entirely fair to say that substantive criminal law reflects Kant's absolutism much more than utilitarianism's incessant balancing of consequences.

Yet there is also something repellent about Kant's approach. It smells of fanaticism, and, in fact, his Categorical Imperative leaves ample room for fanaticism. Boiled down to familiar terms, the Categorical Imperative commands us to do as we would be done by. Never act on a maxim that one would not consent to be a part of a system of moral rules binding upon everyone. The objection to Kant's test of moral maxims is not that it is mistaken. Hardly anyone wittingly denies the Golden Rule. Rather, the objection to Kant's moral philosophy is that it is entirely too permissive, allowing morally horrendous maxims to pass muster (Grisez, 1983).

As examples, one sees no knock-down argument against racial genocide or chattel slavery in the Golden Rule. I might be a Nazi or a slave holder and reason that, were I an enlightened Jew or Negro, I would consent to extermination or enslavement as my just dessert. Indeed, John Hospers (1961), pushing the logic of the Categorical Imperative to its almost comic limits, imagines how it would apply to a sado-masochist: He should not hesitate to inflict pain upon others since he would welcome their infliction of pain upon himself.

In sum, the Golden Rule (and Kant's Categorical Imperative), although no doubt a necessary moral measure, is far from a sufficient test of practical maxims. It commands us to do as we would be done by, but leaves the question of how we should be done by unanswered, even unaddressed. Explained differently,

[t]he assumption Kant makes is that moral virtue or perfection consists in the rejection of desire in moral action. This conception is developed at length into a full fledged moral theory with all the attendant distinctions, such as acting from duty versus acting according to duty, self-interest as prudence and not morality, and the obedience to rules for their own sake. Thus, for Kant, a person who overcomes contrary inclinations and actions from duty is morally superior to one who does his duty and likes it (Rasmussen and Den Uyl, 1991, p. 38).

Therefore, I am to do as I would be done by: But how do I know how I would be done by? What sorts of harms ought I to protect myself against? I must first know how I should allow myself to be treated before I can know how I may allow myself to treat others. A missing identification of the true and comprehensive human good and the included basic goods of life, knowledge, play, aesthetic experience, friendship, religion and practical reasonableness, is needed to get started (Finnis, 1988).

It is possible to couch the same point in familiar legal terms. The "equal protection of laws"<sup>5</sup> cannot, standing alone, be a sufficient test of legal justice: Many unjust laws pass its test easily. Equal injustice under law is a real possibility. Unfair discrimination, particularly unfair self-preference, is only one way of being unjust.<sup>6</sup> Yet equal protection is Kant's only test of the maxims upon which people act, and it is too slender a base upon which to ground much, if any, moral content. Is utilitarianism a more adequate starting point?

### **Utilitarianism**

As was stated earlier, teleological approaches to morals are now often identified with some variety of utilitarianism. Utilitarians morally assess individual actions (or sometimes policies, laws or rules of action) by their consequences, the best being those that produce the greatest proportion of good over evil. If substantive criminal law has a Kantian deontological flavor, widely used judicial balancing tests have a utilitarian one. And cost/benefit critiques of governmental regulations, which are essentially utilitarian, are nowadays familiar to almost everyone.

Except perhaps for business majors, for whom the groundwork for utilitarianism has already been cleared by their economics courses, students often wonder what question utilitarianism answers: It comes at them like a bolt from the blue (Wolfe, 1992). Yet it is really best understood in the light of Jeremy Bentham's originally planned use of it. He intended utilitarianism as an engine of social change, employed to change

the laws, especially as to criminal penalties, of early nineteenth-century England. Laws, he thought, must be measured by their "utility", their contribution to general social welfare. They must be reformed as need be to make for "the greatest happiness of the greatest number." It may be, for instance, that the incidence of pickpocketing is actually increased through the public hanging of pickpockets because of the opportunities for pickpocketing afforded by the large crowds that gather to view such spectacles: If so, then the general welfare would appear to be harmed by this form of punishment. In fact, criminal penalties across the board must be adjusted for maximal net social benefit. Nothing could sound more plausible.

Every schoolchild knows that Bentham originally identified happiness with pleasure, unhappiness with pain. No less than with Kant, there is here from the outset a foreboding sense of strangeness that tends to get lost. What, after all, does the justice of laws have to do with how generally pleasing they are to those affected by them? In any event, not all pleasures are created equal, as John Stuart Mill (1967) pointed out early on. The pleasures of reading poetry seem to differ qualitatively from those of playing pushpin, Bentham (1962) notwithstanding. Should higher grade pleasures not count for more? How, in any event, did pleasure, whatever its grade, come to be identified as the sole ultimate good? Is doing the right thing nothing more than calculative efficiency in pleasing people?

These are foundational questions that many utilitarians (particularly those working in economics) have always tried to avoid, preoccupying themselves instead with efforts at solving technical problems, especially the measurement of pleasure. The problem is obvious and immediate: Social welfare (or total pleasure, or "the greatest happiness of the greatest number") would seem to have to be measured if it is to be the test of actions, policies, and laws. Yet a moment's reflection reveals that pleasures are incommensurable, that they cannot, as Bentham thought they could, each be translated into so many "utiles" and simply added up. Much, if not most, of the history of utilitarian thought has been

devoted to attempting to get around this problem.

A major advance was made when preference satisfaction took the place of pleasure as the goal of action and policy. At the same time it became evident that, while cardinal measures of utility are impossible, individuals can and do rank alternatives ordinally, as more, less, or equally satisfying. People clearly forgo the satisfaction of some preferences to pursue others. They identify marginal increases in pleasure even though cardinal measures must always elude them.

The quest for an adequate metric of social welfare continued. Figuring the *overall* level of preference satisfaction seemed to require more than each individual's ranking of their own utilities (*intrapersonal* comparisons); it seemed also to require comparisons of one person's utilities with other people's (*interpersonal* comparisons). A change in the existing allocation of resources might be preferred by one person and not by another – yet there seemed to be no way, without comparing the effect on one person's satisfaction with other people's results, to know whether the reallocation increased or decreased the overall level of satisfaction.

Enter the Pareto tests (Coleman, 1980). While avoiding any direct measure of total utility, one allocation of resources can be recognized as superior to another if anyone is made better off by it and no one is made worse off. Indeed, a Pareto optimal allocation is one where no one can be made better off without someone being made worse off. Of course, as a practical matter, as Richard Posner points out, the only way to know if someone is made “better off” by a resource reallocation is if he consents to it. That being so, Posner (1983) notes, the Pareto approach becomes useless for most policy questions: It is usually impossible even to identify, much less to secure the consent of, everyone affected by an action, law, or policy.

Posner has his own ingenious solution to the problem of an adequate social metric. He equates the “value” of people's preferences with their willingness to pay to have them satisfied (Posner, 1983). Unlike the utility of satisfying preferences, which will remain imponderable forever, the value of satisfying them has the notable advan-

tage of being measurable in money. Wealth (the total value of satisfied preferences) thus replaces utility for Posner as the quantity that actions, policies and laws must maximize.

And the beat goes on: Posner, having formulated perhaps the most powerful version of utilitarianism so far, has also brought it into clear focus for a wide audience. He has made real progress, we think, on the measurement problem that has so plagued utilitarianism in the past. He is also sensitive to the notorious “moral monstrousness” of traditional utilitarianism: His new and improved version is perhaps much less monstrous than earlier ones. No doubt, his product looks glossy by comparison with Bentham's crude original.

But the fruit does not fall very far from the tree. Something morally essential is lost in all varieties of utilitarianism, including even the most recent. All of them do unacceptable violence to the insight behind the old saying that “the end does not justify the mean” – in the words of St. Paul, that evil may not be done that good may come of it.

Of course, only an end can justify a means. What else? But the sense of the saying is that there are means that cannot be justified by any end, that there are ways of acting that are morally prohibited no matter how much good might be yielded by allowing exceptions in hard cases. Whatever other insufficiencies afflict Kant's effort in moral philosophy, at least it has the considerable merit of attempting to capture and protect the sense of this old saying. Indeed, that is its chief attraction over utilitarianism, which loses grip on the saying entirely. For utilitarians, anything goes, nothing is entirely forbidden, and everything can be rationalized by the shifting sands of expected good and evil consequences. “Woe to those who creep through the serpent-windings of Utilitarianism,” said Kant. He hit the nail on the head.

We spoke earlier of a teleological tradition that is older and more adequate than either deontology or utilitarianism, and we particularly complained of the modern tendency to identify teleology with utilitarianism. The time has come to introduce this venerable oldster.

### Traditional teleology

Georg Henrik von Wright (1963, p. vi) once made a distinction that makes a good starting point for reflection. Defending teleology, he distinguished

between two main variants of this position in ethics. The one makes the notion of the good relative to the *nature* of man. The other makes it relative to the needs and wants of individual men. We could call the two variants the 'objectivist' and the 'subjectivist' variant respectively. I think it is right to say that Aristotle favored the first. . . . [The second] is, I think, more akin to that of some writers of the utilitarian tradition.

Textbook distinctions between deontology and teleology typically identify teleology with one of its modern subjectivist variants (i.e., some form of utilitarianism), leaving the traditional objectivist variant undefined, even unmentioned. The resulting tunnel-vision makes deontology and utilitarianism appear to be the only players on the field – both, as it turns out, so crippled as to be of little use. A third player is needed (Newton, 1991; Solomon, 1992).

That third player is traditional, objectivist teleology. Utilitarianism is widely understood, but, unfortunately, traditional teleology is not. Comparing and contrasting utilitarianism and traditional teleology, subjectivism and objectivism, should help in understanding the latter.

First the comparison. There is much upon which utilitarians and traditional teleologist seem to agree: that a happy life is the final and ultimate end of all human action; that all other ends are sought for the sake of happiness; that happiness is never sought as a means to any other end; that happiness is the one end that is not also a means; that happiness is the end behind all ends and means; that a happy life is the all-encompassing, comprehensive good in which every assorted lesser good must find its place (Rasmussen and Den Uyl, 1991; McInerney, 1992).

They also agree that human beings, of necessity, pursue their own happiness. People desire only what appears to them desirable and worthy of their desire – good, that is. Of course, what looks good may not be good, looks being deceiving. For that reason humans must submit

their actions to rational guidance if they are to realize the true human good and not be misled by appearances. Indeed, moral guidance is nothing but guidance in the ways of reasonability (Aristotle, 1991; Gratsch, 1985).

So much verbal agreement between utilitarianism and traditional objectivist teleology can seem impressive, but it obscures important underlying differences. The problem is that the same words are often used with entirely different meanings. The rival understandings of happiness, moral rectitude, rationality, and the general welfare are cases in point.

Utilitarians think of the happiest life as the one with the highest possible overall level of satisfied desires. An egalitarian democracy of desires reigns: One desire, one vote. For his part, Bentham went so far as to think of people as pleasure maximizers, his premise being one of psychological egoistic hedonism (Bentham, 1962). To this day, utilitarians recognize no external, *independent* test of which desires are right, which wrong; which natural, which acquired; which of real, genuine goods, which of merely apparent goods. Lacking any such independent test, an internal measure of coherence is all that remains to them: Those pleasures are best that are in keeping with the largest available package of pleasures.

This conception of happiness seems awfully strange to a traditional teleologist. Given the sort of creature humans are, they realize happiness through participation in a fairly short list of basic goods: friendship, learning, play, work and leisure are familiar examples. Indeed, John Finnis's (1988) enumeration of the basic forms of human good, which seems to us well thought out, includes most of these. People find their fulfillment through realizing and partaking in these goods: Through them, they can "be all that they can be." The objective requirements of humans as rational animals provide the external, independent tests of desires that is lacking in utilitarianism. Human nature is the basis for a correspondence test of moral truth for traditionalists. Utilitarians later replaced it with a coherence test. To explain, a judgment is true in a correspondence sense if it conforms with reality. A judgement is true in a coherence sense if it coheres with other judgments that are generally

accepted as true. The difference is between the truth of a judgment measured against reality, versus its truth measured by its fit with the overall web of belief. Once the knowability of reality as it is in itself is surrendered, or even seriously called into question, the working understanding of truth slides away from correspondence toward coherence. Thus, the working understanding of moral truth slipped toward a coherence test once an understanding of the needs of human nature ceased to be the starting point for moral reflection.

Utilitarians and traditional teleologists also differ in their understanding of what makes for moral rectitude, or the rightness of human actions. Utilitarians are left to figure the rightness of actions by how generally pleasing they are. Of course, because what pleases and displeases varies so much from person to person, time to time, and place to place, utilitarian identifications of right and wrong sorts of actions are highly fluid.

On the other hand, reliance on human nature as the basis of morality stabilizes the traditional teleologist's assessments of right and wrong. Given the identification of the true human good and certain basic human goods that make it up, a universal rule protecting those goods can be formulated: Respect every basic human good in each of your actions (Aristotle, 1991). In particular, never intentionally harm a basic good: "First of all, do no harm!" More specific rules protect specific goods over a wide range. From the recognition that life is good comes the realization that murder is wrong; from the knowledge that property is good comes the prohibition of theft; and so on to complete a list of moral rules that includes most of the Ten Commandments.

Another point to note is how radically differently utilitarians and traditional teleologists think of rationality and reasonableness. Rationality for utilitarians essentially amounts to efficiency in allocating resources to maximally satisfy preferences. Indeed, the economic concept of rational man reflects the modern triumph of this understanding of rationality (Aristotle, 1991).

In contrast, traditional teleologists, from Aristotle on, make use of a "prudent man" standard – in all essential respects the ancient equivalent of the "reasonable man" standard

lawyers use today. Reasonable people steer clear of acting as morality forbids, while at the same time affirmatively developing the natural virtues – prudence, courage, temperance, and justice – that morality (and, for that matter, their own self-respect and happiness) requires.

It is easy to see that the utilitarian standard of rationality sometimes collides with the traditionalist's standard or reasonability. To see this, consider Alan Donagan's example, cited by Richard Posner (1983, p. 57):

It might well be the case that more good and less evil would result from your painlessly and undetectedly murdering your malicious, old and unhappy grandfather that from your forbearing to do so: he would be freed from his wretched existence; his children would be rejoiced by their inheritances and would no longer suffer from his mischief; and you might anticipate the reward promised to those who do good in secret. Nobody seriously doubts that a position with such a consequence is monstrous.

The utilitarian standard of rationality would seem to approve of the monstrous murder contemplated, although the traditionalist's standard of reasonability never would: An innocent human life, a basic good, may never intentionally be destroyed.

It should be noted, finally, how different are the utilitarian and traditional teleologist's conceptions of the general welfare. Utilitarians think of the general welfare as nothing but the overall level of satisfaction – the highest possible level being the proper aim of government and rulers. Indeed, this way of thinking of the general welfare is the source of the title of utilitarians, ever since John Stuart Mill (1978) wrote *On Liberty*, toward libertarian causes: Total happiness would seem to be maximized when people's freedom to satisfy their preferences is unfettered by legal constraints to the greatest extent consistent with maximal equal liberty for all.

Traditional teleologists, on the other hand, instead of speaking of the general welfare, tend to draw on the traditional notion of the common good (Finnis, 1988). The common good is the end a community's rulers must seek to realize for its members if they are to have their best chance at happiness, defined as "lasting and justified

satisfaction with one's life as a whole" (Murray, 1988, p. 34). It is misconceived as total happiness: It is, rather, the good available for the common use of a community's members in their separate pursuits of happiness. Indeed, so distant is the standard of the common good from that of overall satisfaction that it must trump the latter when they conflict. Minorities, for instance, have rights even democratic majorities must respect (Rasmussen and Den Uyl, 1991; Finnis, 1988). And everyone knows that doing the right thing is often unpopular.

### **Deontology or Teleology: Mutually Exclusive?**

Although we have not yet directly addressed the question we started with, our answer to it should be evident. Traditional, objectivist teleology is not deontological in its approach (it does not place the right ahead of the good), but it is deontological in many of its results: Certain ways of treating people are always forbidden, let the chips fall where they will (McInerny, 1982). On the positive side, everyone is obliged to develop certain virtues. Indeed, Aristotle implied that only a life of virtue is within our control, all other genuine goods are not entirely within our control.

Yet, in another way, objectivist teleology is quite undeontological in considering good will as only one element in the moral assessment of human action. The tendency of an action to be beneficial or harmful places it objectively as right or wrong in the first place, separate and apart from the subjective intent with which it is done. Indeed, the traditionalist begins his identification of moral goodness from the objective pole. Giving alms to the poor is not good because people of good will do it, for example; rather, people of good will give alms because it is good (McInerny, 1982).

Traditional objectivist teleology bears a superficial resemblance to utilitarianism, another, but quite different, teleological position. No objectivist has any objection to utilitarian-style efficiency calculations, so long as they are contained within a moral framework that is not utilitarian in its origin. To the contrary, preferences that are

morally allowable should be satisfied as efficiently as possible.

Winding up, it must be emphasized that everyday moral reasoning makes use of a few exceptionless moral norms that are as universal and unchangeable as any norms ever promised by the deontological tradition. These moral absolutes are, however, more securely grounded in traditional, objectivist teleology than they ever could be in deontology. At the same time, much of everyday reasoning amounts to the familiar utilitarian balancing of good and evil consequences. Thus, both deontological and teleological results coexist side by side in traditional objectivist teleology and in common sense, any appearance to the contrary being the result of the mistaken reduction of teleology to utilitarianism and subjectivism.

Traditional teleology offers the best of both deontology and utilitarianism without the insufficiencies or perversions of either. Students brought aboard for brief tours of deontology or utilitarianism will, unfortunately, probably miss the one boat that does not leak.

### **Notes**

<sup>1</sup> Arthur Andersen & Co., the large accounting firm, initiated a "Conference on Teaching Business Ethics" in the summer of 1988. As of 1993, participants from more than 220 institutions have participated in the sessions. This paper is not meant to criticize Arthur Andersen's approach to teaching business ethics. Rather, its intent is to focus on the larger problem of failing to include traditional teleology in current ethical discussions.

<sup>2</sup> For purposes of this article, the tradition originates in Aristotle and is advanced in the works of St. Thomas Aquinas, hereinafter referred to as "traditionalists." While we recognize that there are important differences between the two philosophers, the focus of this paper is on their similarities.

<sup>3</sup> Murder is defined in the common law as "the killing of another human with malice aforethought." It does not refer to all killings.

<sup>4</sup> This statement must be qualified somewhat. John Finnis (1983), notes that the *Model Penal Code*, arts. 2 and 3, provides for a necessity defense to homicide that is explicitly utilitarian in its rationale. Although the future of this defense remains open, it seems for now to be an anomalous utilitarian intrusion into



an overall fabric of substantive criminal law that is deontological.

<sup>5</sup> The fourteenth amendment to the U.S. Constitution states, in part, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

<sup>6</sup> Self-preference occurs where a rule is enacted to benefit the rulemaker at another's expense. One such rule in Oklahoma was a law that required a person to pass a literacy test before being allowed to vote unless a lineal descendant had voted before 1866. See *Guinn v. United States*, 238 U.S. 368 (1915). John Rawls in *A Theory of Justice* tries to solve this Kantian self-preference problem by imposing a "veil of ignorance" over individuals. In a veil of ignorance individuals cannot choose alternatives that unfairly benefit themselves since they do not know their "station" in life. This veil, then, restricts the range of choices individuals have since they may have to live with the choice. In the "grandfather clause" case, you would not know whether you were white or black, male or female, and therefore you would choose to allow every adult the right to vote.

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