

An Introduction to Kant's Ethics

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CAMBRIDGE
UNIVERSITY PRESS

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A BEGINNING: KANT'S POLITICAL THEORY

IF we wish to learn Aristotle's ethical theory, we can turn to his famous *Nicomachean Ethics*. To learn the fundamentals of Utilitarianism, we can read John Stuart Mill's *Utilitarianism*. Students are usually introduced to Immanuel Kant's moral theory by reading his treatise with the strange title *Foundations* (sometimes translated as *Groundwork*) *of the Metaphysics of Morals*. Reading just this work can be misleading, however, for unlike Aristotle and Mill, Kant did not present his entire moral theory in a single book. The reason for this is that his philosophical system represented such a break with the past that it took him years to develop all its components.

If we wanted to learn everything he wrote about morality in his mature works, we would need to read his monumental *Critique of Pure Reason* (1781, revised in 1787), the *Foundations of the Metaphysics of Morals* (1785), his *Critique of Practical Reason* (1788), his *Critique of Judgment* (1790 and 1793), his *Religion within the Limits of Reason Alone* (1793), and his *Metaphysics of Morals* (1797) (for which the *Foundations* was an introduction), as well as *An Answer to the Question: "What Is Enlightenment?"* (1784), *On the Use of Teleological Principles in Philosophy* (1788), and *On the Proverb: That May Be True in Theory but Is of No Practical Use* (1793). During these same years he also published a number of other important works on, among other topics, politics and anthropology, such as *Idea for a Universal History from a Cosmopolitan Point of View*, *Speculative Beginning of Human History*, *What Is Orientation in Thinking?*, *The End of All Things*, *Perpetual Peace*, and *Anthropology from a Pragmatic Point of View*. This

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list does not include everything he wrote, but it gives an idea of what someone would need to read in order to master all the details of Kant's moral philosophy.

Clearly a person looking only for an introduction to Kant's moral theory cannot be expected to read all these, and that is why the *Foundations* is almost always the first and only book most students read. This still leaves us with the problem of avoiding misunderstandings, and trying to alleviate that difficulty is the purpose of this volume. The strategy used to minimize misunderstandings is to approach Kant's moral theory through his political theory. We will begin by discussing some of the issues that preoccupied him as he thought about morality.

Machiavelli. One challenge Kant had to face originated with Niccolò Machiavelli's infamous *The Prince*, written in 1513. Today much of Machiavelli's advice may seem to be simple good sense, for example, his insistence that even in peacetime a ruler needs a large and loyal military force. But he also claimed that because politics requires the effective use of power, when necessary a ruler may and should, for example, lie and break his word. The ruler "must be prepared to act immorally when this becomes necessary."

Machiavelli's claim "I have described things as they really are" was not particularly startling, for everyone knew that moral norms had been often ignored in political life. What made his claim special was the fact that no one before him had publicly *said* immorality might be acceptable, even obligatory.

Before him, philosophers had held that the center of human moral life lay within the circle of one's intimates – one's family and friends – so that moral enlightenment meant extending the standards of morality first to larger groups such as one's community, then to the state. Therefore, the same values held for a person both at home and in the public forum, and a good ruler was expected to be a moral paradigm for the people he

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ruled. But Machiavelli rent public life apart from private life. However, since people are always impressed by appearances, he also added that the prince needs to be concerned about how he is *perceived*. He needs to cultivate a *reputation* for compassion, good faith, integrity, and religious devotion.

Frederick the Great. The second set of problems was defined for Kant by the fact that he lived all his life under tyrants, most of it under Frederick the Great, who ruled Prussia from 1740 to 1786. While still a prince himself, Frederick studied Machiavelli's book, and with some encouragement from Voltaire, he even wrote a work "refuting" Machiavelli. (Voltaire believed that Machiavelli would have advised a prince-disciple to write a book publicly attacking him.) When he unexpectedly inherited the throne just as his book was being published, Frederick asked Voltaire to destroy all the copies of the book he could find!

As king, Frederick showed he had learned a good deal from his study of Machiavelli. He turned Prussia into a vast army camp that he supported by a program of economic development and taxation. He so enlarged Prussia by seizing neighboring land that today he is known as the founding father of modern Germany. Machiavelli would have smiled, had he been able to hear Frederick quoted as saying: "If there is anything to be gained by being honest, let us be honest. If it is necessary to deceive, let us deceive."

Life under Frederick was harsh. He regarded all those under him as his chattel, to be used as he liked. Publicly he held that the sovereign should be the "first servant" of the people; privately he had only contempt for what he called the "rabble." The nobles fared a little better than the peasants, but Frederick still allowed them only one choice of occupation: to serve as officers in his army.

Although Frederick's power was absolute, he still followed Machiavelli's advice about cultivating a reputation as a benev-

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olent and tolerant ruler, a reputation that survives to this day. His biographers tell us that although he secretly despised the clergy, he cynically tolerated them because they preached the divine right of the king to the people's obedience. He also tolerated theological and philosophical controversies as long as the disputants still did what he ordered.

Kant never referred to Frederick's youthful foray into political philosophy.¹ When he did mention Frederick, he praised him as an enlightened ruler who allowed freedom of discussion, quoting him as saying, "*Argue as much as you want and about what you want, but obey!*" Kant's praise was not entirely misplaced, for Frederick William II, who ascended the throne in 1786, was far less tolerant of freedom of opinion than his father. Kant knew Frederick William's censors would be reading whatever he wrote,² and so he adopted an uncharacteristically self-deprecatory tone in his later political writings, suggesting at least to a superficial reader that his proposals (which could have been interpreted as treasonous) should not be taken seriously. He did this so successfully that even today the importance of his political writings is often not recognized.

The Enlightenment. Kant's intellectual world was also shaped by the Enlightenment, an intellectual movement promoted by profound advances of the "new" Newtonian science. Although Frederick had proclaimed himself a champion of the Enlightenment, it repudiated doctrinaire authoritarianism, whether political or religious. It put its faith instead in the power of reason, believing that reason would create a future of unending progress in the human condition. Kant's thinking was not only influenced by the Enlightenment; he was one of its leaders in Germany. As he later wrote, learning to make the decisions for oneself on the basis of one's own thinking is much more easily described than done, because it is so much easier to be lazy and let others do one's thinking for one. Renouncing a lifetime of

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“immature” dependence on authority and beginning instead to stand on one’s own feet require a good deal of courage.

KANT’S LIFE

The relevant details of Kant’s biography take little space. He was born in 1724 in Königsberg, the capital of East Prussia and one of Frederick’s garrison towns. Kant knew what it was like to live as a peasant, since he came from peasant stock himself. (His father was a harness maker.) Because he showed such promise, Kant was able to attend a school called the Collegium Fredericianum, an institution run by Pietists. Pietism was an eighteenth-century fundamentalist movement within German Protestantism (similar to Methodism in the English-speaking world), to which Kant’s parents also subscribed, that minimized the authority of the church and stressed individual moral conduct. He then attended the University of Königsberg, also staffed mainly by Pietists. The influence of this religious background is reflected in Kant’s beliefs in the existence of God, in the dignity of each person, and in a universal moral code.

Kant spent most of his adult life on the faculty of the University of Königsberg. When he died in 1804, his countrymen flocked to his funeral, honoring him for the political ideals he had championed even while living under an absolute, militaristic monarchy, such as the equality of everyone before the law and the nobility of a just international peace. Today he remains one of the most influential philosophers of the “modern” period.

LIBERALISM

Kant’s political writings have affinities with those of a group of writers whose philosophical thought underlies the fundamental documents of the American Republic. They included David

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Hume and Adam Smith in Scotland, John Locke in England, Edmund Burke in Ireland, Friedrich Schiller and Wilhelm von Humboldt in Germany, Baron de Montesquieu and Alexis de Tocqueville in France, and James Madison, John Marshall, and Daniel Webster in what became the United States of America.

Common to these men was the conviction that absolutist governments, whether tyrannies or monarchies, intrude much too far into the citizens' lives: Ordinary people have no voice in determining their own destiny and no power to control that destiny if they have a voice. This criticism holds true not only for rulers with little or no concern for their people but also for paternalistic governments that benevolently but still despotically assume responsibility for the happiness of their citizens. Such states only exacerbate natural human tendencies to selfishness and sloth, thereby encouraging dependence and servility.

What people living in a totalitarian state lack above all is freedom, the freedom to pursue their lives and happiness as *they* see fit. According to liberalism, then, liberalism as opposed to the illiberality of tyranny, the proper function of government should be limited to protecting life and liberty.³ This political philosophy, therefore, is committed to what is often called the "neutrality principle"; it recognizes that each person has the freedom, the capacity, and the responsibility to form his or her own conception of happiness and to seek that happiness, each in his or her own way, so long as this is done in a lawful fashion. Consequently, it is not the function of the state to try to balance the interests of different groups so as to promote the greatest happiness of the greatest number of its citizens. (That would later be the view of Utilitarians such as John Stuart Mill.) Rather, the role of civil laws conforming to that principle is to protect each person's freedom from interference by others. Laws are mainly concerned with happiness only insofar as they limit what anyone may do in its pursuit to the

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condition of allowing all others the same freedom to pursue their ideas of happiness.

In a series of essays that appeared throughout his career, Kant set out his proposals for a liberal state. John Gray has summed up the four main philosophical tenets underlying liberalism in his book with that title:

1. It is *individualistic*, in that it asserts the moral primacy of the person against the claims of any social collectivity.
2. It is *egalitarian*, inasmuch as it confers on all . . . the same moral status.
3. It is *universalist*, affirming the moral unity of the human species and according [only] a secondary importance to specific historic associations and cultural forms.
4. It is *meliorist* in its affirmation of the corrigibility and improbability of all social institutions and political arrangements.⁴

These four characteristics give us an admirable way in which to organize Kant's political theory.

THE RATIONALE FOR THE STATE

We can best approach Kant's political theory by asking: Why do we need a government at all? Why do we need laws? As Kant saw it, the most basic answer is: because people are always inclined to act egoistically, always wanting what is in their own interest, however that might affect others. History shows again and again that humans can and do act in the most reprehensible ways toward one another, treating each other merely as things, merely as a means of satisfying their own inclinations. For Kant, this lesson of history was reinforced by his religious background, for Pietism stressed the doctrine of Original Sin, with its emphasis on the dark, barbarous side of

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human nature. We all have what he called "an inextirpable propensity for evil": we all are tempted to pursue our own desires, whatever the cost to others. This is not a belief Kant was alone in holding. Although they did not all connect this view with religious doctrines as Kant did, most other political thinkers, both before and after him, agreed with his estimation of human nature and of the consequent need for civilizing political structures.

Like Thomas Hobbes, Kant recommended that we think of what life would be like in an "original state of nature," a lawless situation in which there would be no government and in which everyone could pursue his or her own desires without any constraints on how that might be done. The result? All would be at war with all, for everyone would be forced to live in a constant status of hostility toward and fear of others. Kant was well aware that states typically arise out of armed conflict, but he still suggested that, like Hobbes and Rousseau, we at least initially think of the state as if it had arisen out of a social contract with its citizens. If people actually had once lived in a state of nature, they would finally have been motivated, if only out of fear of even more awful evils, to leave this condition of constant conflict and enter into a social contract for a society that could protect their lives and their property as well as provide a peaceful tribunal for resolving disputes.

True to the liberal tradition, then, Kant regarded the fundamental task of government as negative, as imposing those constraints that are necessary to protect and promote each person's freedom. The legal system of the state must constrain both the power of the sovereign and the citizens' unregenerate desires in order to establish the conditions under which people can live together in peace as a community. The basic laws of the legal code therefore should set out negative obligations, *duties* prohibiting people from interfering with the freedom of their fellow citizens. (Few terms have more importance than

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“duty” in Kant’s political theory, and, as we shall see, in his ethical theory as well.)

For Kant, then, the most basic function of civil law is not to grant entitlements but to lay down obligations. Whatever the benefits arising from living in the state, Kant believed that citizenship should be construed as a *task*, a responsibility to contribute to those moral conditions necessary if political security and order are to endure and flourish. By contrast, rights are derivative: they arise only from corresponding duties that the state enforces.

THE UNIVERSAL PRINCIPLE OF JUSTICE

Hobbes had argued that people will yield the freedom they possess in the state of nature to civil authority only if they believe it is in their best personal interest to do so. He therefore held that the justification for any state must be egoistic in nature. He further held that the state will have the power necessary to constrain the universal tendency to selfish and unruly behavior only if the power and authority of the sovereign, whom he compared to a leviathan, a “mortal god,” are absolute.

But Kant argued that the overriding characteristic of a *good* state is, as Aristotle had also thought, justice, and clearly justice is not guaranteed merely by the fact of absolute governmental power. He therefore held that, whatever might originally motivate people to submit to civil authority, the ultimate *justification* for a society of free citizens must be *moral* in nature. Since moral convictions are so often based on different and conflicting religious or other cultural norms, how might it be possible to generate a system of laws that would be morally acceptable to everyone?

Kant’s solution was to propose a prepolitical principle of legislation, based on reason alone, that he called the “Universal Principle of Justice.”⁵ This principle, which has the role of reg-

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ulating the entire formal legal structure of society, states that only those civil arrangements are just (or right) that allow the most freedom for everyone alike. Stated as an imperative for the citizens, it commands: "Behave in such a way that your choices are compatible with the greatest amount of external freedom for everyone."

Such a principle may not seem to be a very promising basis for a just social union, but it in fact turns out to be surprisingly powerful. Because it underlies all the laws of the state, it requires that the essential legal structure protect the maximum freedom of all the citizens to pursue their own happiness and well-being by limiting lawful actions to those to which all members of a state can consent. It therefore is the antithesis of tyranny, in which the "rightness" of civil laws is dictated by sheer power and the people are subject to the arbitrary whims of whoever happens to possess that power. It also provides a foundation for the obligation of the people to live in a law-abiding fashion. As we shall see, the Universal Principle of Justice in an enriched form is also the fundamental moral norm for our personal life as well.

Finally, since this principle is the basis for any morally acceptable code, Kant maintained that it should be recognized and respected by every political body and in every political system. What can ultimately validate the universal binding force of this principle? Not the church, which too often had tyrannically supported the status quo or at least had not protested it. Not the king, who had too often promoted his own desires by claiming to have the divine right to be the voice of God in earthly matters. Not the feelings and self-interest of the people, because in the case of conflicts between people with different feelings and interests, the only resolution would be through force; and if force is the ultimate validation of civil authority, Hobbes's view would prevail, not Kant's.

Given the foundational character of this principle as well as his commitment to the Enlightenment, Kant held there can

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only be one ground for the Universal Principle of Justice: the authority of reason alone, as evidenced in the moral thinking of ordinary people. They are all bound by moral obligations, and they therefore must innately possess a fundamentally correct understanding of morality and its norms (404).⁶ The ability to think for oneself, to determine for oneself what is morally right and morally wrong, is, he wrote, "inherent" in everyone by virtue of the human capacity for reasoning. What we find by an appeal to reason, he continued, is that the denial of the principle generates an absurdity: "Any action that clashes with everyone's freedom is just." *That* would be a prescription for civil chaos rather than a principle constraining just such civil chaos. The appeal to the authority of reason alone, actually an appeal to the principle of noncontradiction, therefore proves the correctness of the Universal Principle that laws of justice must be principles to which everyone can rationally assent, whatever other moral beliefs they might have.

There is a certain circularity here, since it is the power of moral reason that underlies its own law. This is not invidious, however, for basing morality on anything outside itself would destroy morality.

A SYSTEM OF LAWS

To summarize, then, as Kant saw it, a state can be based either on force, on the arbitrary desires of a despot, or on the rule of law, itself based on respect for every citizen and on the rational ability of each person to be self-governing, to make decisions and take responsibility for himself or herself. Civic duties are fundamentally negative rules of cooperation, limiting how people may behave toward each other. Underlying the legal structure of such a state must be the Universal Principle of Justice, which requires that civil laws ban conduct that would make communal collaboration impossible and which insists

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that the most basic laws are those each person can agree to and obey.

Like the Universal Principle of Justice, substantive laws immediately derived from it must be recognizable a priori – that is, as Kant put it, by reason alone. Since they are laws that ordinary people are obligated to obey, they must be laws that everyone of average intelligence can recognize as right and binding on them. Such fundamental laws forbid any behavior that would infringe on the person of others, on their status of equality, on their ability to be self-determining and to function responsibly and with dignity, or on anything to which they have title, such as property, as well as legislating the obligation of parents to care for their children. Taken together, these subsidiary principles make up a system of what Kant called the laws of natural justice.⁷

Because of the generality of such principles, there is a need for further, more definite legislation, what Kant called “positive laws,” having the force of law only after being enacted, to make matters of right more definite. Positive laws specify what is required in matters that are otherwise arbitrary, pertaining, for example, to rules of the road and to procedures for acquiring and transferring property. They may vary from place to place and take into account, for example, local customs, cultural beliefs, and economic factors, but they should not conflict with the Universal Principle of Justice. Since the state has both the right and the duty to enact such laws, obedience to them should also be recognized as a civic duty and, from the point of view of ethics, as a moral obligation as well.

Few actual states will enact a system of laws that does not fail in one way or another to promote justice. In such cases, changes must be made, Kant wrote, but “not immediately or impetuously,” only gradually and prudently so as not to deny the plebiscite the respect due it.

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THE DIGNITY OF THE INDIVIDUAL

We can now understand how, first and foremost, liberalism is committed to recognizing the dignity and worth of each and every human person. This concept may seem obviously right to us today; we find statements of it in such fundamental documents as the Bill of Rights and the Charter of the United Nations as well as in Martin Luther King's "Letter from a Birmingham Jail." But at the time Kant was writing, it was a deeply radical proposal, opposed both to the then most prevalent kind of government, tyranny, as well as to the traditional conviction that what confers dignity on a person is only one's social position and rank – being royalty or nobility. To the contrary, Kant argued, what gives *every* person dignity is neither social status nor special talents nor accomplishments but the innate power of reason, the capacity of each individual to think and choose, not only to shape his or her own life but also to protect and promote reciprocal respect by enacting laws that can form the legal structure of life for everyone (438, 440). Kant called this power and responsibility to act on the Universal Principle of Justice "autonomy." In Kant's liberal political theory, the power of autonomy is what gives every person moral authority and status against the might of the state.

It is important to emphasize that the basis for autonomy does not lie in each person's feelings. Because desires are contingent and vary so much from person to person and even during each person's life, they cannot be a stable and reliable basis for universal rules of conduct able to sustain the fabric of society (442). In fact, according to Kant, appealing for practical guidance to anything that lies outside a person's reason, whatever it might be, is the very antithesis of autonomy, that is, heteronomy (441–3). The institutions of society must be regulated by laws based on reason; only they will consistently protect freedom and ensure justice.

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The notion of reciprocal respect underlies two further, coordinate principles of liberalism: equality and universality.

EQUALITY

To be just, the liberal state must also be *egalitarian* in the sense of recognizing that everyone has the same innate moral status. Recognizing that everyone has the ability to be autonomous means that the fundamental laws of the state should apply to everyone equally, with no exceptions made in favor of the wealthy or the powerful, the gifted or the educated. There should be no legally privileged class nor should there be any special protected interests. Likewise, there should be no legally underprivileged class, for no one has the civil (or moral) right to use others *merely* for his or her own purposes. Rather, everyone is entitled to equal respect before the law.

According to Kant, civil egalitarianism does not mean the government must try to ensure equality in possessions and power that can be gained by a combination of talent, industry, and luck, any more than it should penalize those who happen to be physically or mentally superior in order to achieve what today is often referred to as "an even playing field." As he saw it, the promotion of economic egalitarianism is, first of all, unworkable, because everyone has different and conflicting interests and aims; what is more important, the effort to achieve economic equality would also require continual violations of justice and civil liberty. What political egalitarianism does require is equality of opportunity in the sense that everyone must be permitted to strive for and, if possible, attain whatever status to which he or she aspires within the opportunities of a free society; and no one may unlawfully hinder others' aspirations.

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UNIVERSALITY

The principle of equality also implies a principle of universality. Since justice demands a juridical condition that protects each person's freedom by protecting everyone's freedom, the administration of justice must be impersonal: it may not discriminate between persons on the basis of contingent particularities, including whatever special needs and interests different individuals may happen to have. The statue of Justice symbolically wears a blindfold because the law should apply to everyone alike, without regard for race, religion, sex, or national origin. As Gray puts it, the liberal state is "*universalist*, affirming the moral unity of the human species and according [only] a secondary importance to specific historic associations and cultural forms."

This characteristic runs directly contrary to a popular view today, the claim that cultural pluralism is more fundamental and more important than the moral unity of society as a whole. According to this view, the special interests of the various national and ethnic and religious groups making up the state should all be given special privileges in the public forum. But Kant in effect argued that regarding cultural diversity as primary would imperil the very existence of the state, for that would violate the demand of justice that the most fundamental civil laws of society be genuinely *universal*, applying to everyone alike. From this follows an equally important corollary: to hold universally, such laws also must bind *absolutely*. If they do not, Kant maintained, they will soon be turned into generalities, with all sorts of exceptions made for particular individuals or groups who believe they are deserving of special exceptions and advantages under the law.

REPUBLICANISM AND THE GENERAL WILL

In a tyranny, the ultimate authority behind the law is supplied by sheer coercive power. Kant regarded the Universal Principle

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of Justice as providing the only alternative to the tyrannical exercise of power: the authority of government rests with the rational consent of the governed. He therefore concluded that the ideal government must be a republic, in which the people obey laws they together could have legislated through their representatives. Such a government may have any of three forms of sovereignty – monarchy, aristocracy, or democracy – as long as the constitution is republican at least in spirit. Only a government that is republican in spirit will respect all its citizens as free, equal, and autonomous individuals and will restrict civil law to universal negative principles of justice and will enact positive laws compatible with such principles, laws therefore that could be chosen by every autonomous person. Only a liberal republic will protect life and property and ensure an environment of reciprocal respect within which each person can lawfully pursue whatever activities he or she wishes, unimpeded by others.

What will keep a representative government from degenerating into a democratic tyranny that ignores the rights of minorities is the requirement that the executive and judicial branches be constitutionally insulated from direct popular pressures that could reintroduce arbitrary privileges on behalf of the majority at the expense of a minority – or vice versa. The legislative authority, however, should remain with the people, who represent “the general will” or “the united will of the people,” expressions Kant borrowed from Rousseau.

These expressions should not be taken as referring to the actual preferences of the citizens, for it is just such self-serving desires that, by focusing on private or special interests, tend to promote favoritism and to subvert the passage of just and impartial laws. Nor did his adoption of these expressions mean that Kant thought that the enactment of laws requires an actual popular unanimity of the citizenry. Even within a civil society, people remain in an “ethical state of nature,” so often concerned only with their own desires that empirical unanimity is

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not a genuine possibility. The will to which Kant was referring is the Universal Principle of Justice, present in the rational will of every citizen, in contrast to the "particular will," which is based on each person's special interests. This is a norm that obligates the legislature to attend to questions of justice by asking, not whether any proposed piece of legislation will agree with the popular will of the electorate, but whether it could arise rationally out of a contractual agreement with the people: Can the people rationally consent to this law and rationally impose it on themselves, no matter what the cost? Such a question concerns the public and common good, not the private and particular good, and guarantees justice, for each chooses for all.

Kant also connected the Universal Principle of Justice with the notion of the general will by means of what he called the "Principle of Publicity." This principle does not insist that every policy a ruler adopts must be stated publicly (Kant recognized that diplomatic negotiations often need to be carried out in a confidential manner). Rather, since laws still need to conform to the general will even when they have been enacted by someone other than the citizens, the Principle of Publicity functions essentially as a negative test of the moral acceptability of laws not enacted by the people: any maxim of a legislator is unjust if publicly stating it would arouse such universal opposition as to frustrate its purpose. (As we shall see, this test is a version of the Categorical Imperative, which, in matters of justice, rejects any maxim proposed by an individual that cannot be stated also as a law for everyone without generating a contradiction and, in that sense, arousing universal opposition.)

Kant wrote that, given the selfishness typical of human nature, we "cannot count on" everyone always to respect the person and property of others (438). So the state may and often must use coercion to counteract such abuses. It might seem that any use of force would be incompatible with republican ideals, but Kant believed that the legitimacy of using coercion to pro-

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fect freedom can be shown to be just by an appeal to the ultimate norm of rationality, the principle of noncontradiction. It is self-evident, he held, that whatever "counteracts the hindering of an effect promotes this effect and is consistent with it"; and so force used to protect freedom is consistent with everyone's harmonious exercise of freedom of behavior. This, Kant thought, is the only coercion that may be exercised against the citizens by the state.

HOPE AND A LEAGUE OF NATIONS

Many Enlightenment thinkers believed in the inevitable historical progress of the human race, but the actual historical record gave Kant (and still gives us) little reason to think that the moral character of the human species will ever change substantially for the better. Because he was acutely aware of what seemed to him to be a universal propensity for people to prefer evil to good, Kant believed that people cannot be relied upon to contribute to progress toward civil justice out of moral motives. But he also thought this tendency was not totally unredeemed, for those same egoistic and antisocial impulses that motivate people to compete for superiority over each other can bring about progress as an unintended consequence, so that the human species will still, if erratically, "make continual progress toward the better." What counts here as "better" is not universal happiness and contentment (the government in George Orwell's *1984* later embraced that goal) but laws that conform more closely to the Universal Principle of Justice and conditions that are more conducive to a life in which the dignity of persons can be defended and promoted.

Kant's view here reflects the final characteristic of liberalism – its *meliorism*. Liberalism was, and is, a fundamentally hopeful political philosophy that holds that, even if we take a somewhat negative view of human nature and despite the wrongs that occur in the course of time, justice and peace will prevail. (The

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enormous evils committed since the Enlightenment do not seem to support such optimism.)

Kant's political philosophy was not limited to discussions of the internal affairs of individual states, for he believed that the highest political good requires global peace secured by just agreements between states. In his most famous political essay, *Perpetual Peace*, he described states as "moral persons" with the same obligations toward each other as any other persons. Like individuals living apart from a juridical condition, states also initially exist in an international, lawless state of nature, always actually at war or continually preparing for war, and they, too, tend to resist yielding their power to another political body. But once again Kant relied on motives of self-interest, rather than on moral motivation, to promote international stability and peace.

He believed that the same self-interest that could drive individuals from the state of nature to a juridical society will drive nations toward an international federation, a league of nations in the form of a worldwide republic of sovereign powers. Once that is accomplished, mutual economic dependence will keep them there, and the unsocial, now nationalistic desire to surpass others will induce countries to promote the education of their own citizens so they can compete more effectively with other nations. Ironically enough, Kant wrote, materialism and avarice, social exploitation and stratification, all may be "indispensable means to the still further development of human culture" and then of moral consciousness, leading to international law securing the rights of all the states.

KANT'S MORAL THEORY

Before examining Kant's moral theory in detail, we need to summarize the ways in which his political liberalism captured the main themes of his moral theory. We will begin by setting

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out what Kant learned from the philosophical descendants of Machiavelli.

First, moral norms cannot be based on experience. What experience shows is that people have engaged in all sorts of conduct; and appealing to experience simply destroys the possibility of constructing a moral point of view. In both the preface to the *Foundations* (387–91) and the first pages of its second section (406–12), Kant focused on the need for a “pure moral philosophy completely cleansed of anything empirical.”

Second, it is crucial to situate morality firmly within the public forum. There it consists fundamentally in standards of justice prohibiting policies others cannot rationally accept and therefore articulating norms fit to serve as laws within a state that respects all its citizens. As a consequence, in the *Foundations* Kant’s first formulation of the Categorical Imperative, the Formula of Universal Law, requires us to test proposed basic moral maxims by the criterion of whether they can serve as public laws for everyone (413, 421).

Third, necessity is never an adequate excuse for violating moral standards, for they hold universally and absolutely. It hardly seems an accident that in the *Foundations* Kant used the Formula of Universal Law to test just those policies Machiavelli had proposed – of lying and of making lying promises – for their moral acceptability (e.g., 402–3, 422).

Finally, effectiveness is not a measure of moral character, for, as Machiavelli had seen, effectiveness can be used to justify immorality. It is no accident, then, that in the *Foundations* Kant emphasized that effectiveness is a prudential – an amoral, rather than a moral – norm; it is not a test for identifying the “good will” (394–6, 415).

What did Kant learn from the Enlightenment? He learned that the basis for the dignity of each person, and so the most fundamental authority for each person’s life, is her or his own reason. Each has the power of autonomy and therefore the right and the responsibility to be self-governing, in control of

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his or her own destiny insofar as that is possible. Consequently, each person's dignity is inalienable and limits the rightful exercise of power by both the state and the church. This doctrine appears most dramatically in the *Foundations* in the second formula of the Categorical Imperative, the Formula of Respect for the Dignity of Persons.

What did Kant learn from Frederick the Great and his son? He learned that tyranny wrongly treats its citizens as mere things, some to be favored, others not, but all to be used only to serve the ruler's desires. The first formula of the Categorical Imperative therefore insists that just laws must apply to everyone without exception. Those laws are, originally at least, negotiations, not imposed simply to use people but legislated to protect everyone's freedom. As we shall see, the second formula also insists that no one be treated merely as a means to achieve someone else's aims.

THE RELATION BETWEEN PUBLIC AND PRIVATE MORALITY

Surveying Kant's political theory has served to introduce us to the fundamental Universal Principle of Justice, the moral basis for a just civil union. That principle, stated in the form of what, in the *Foundations*, Kant called the Categorical Imperative, is also the fundamental ethical norm for each individual's personal, private life – that is, what one does alone or to, with, or for others in the privacy of the home and in one's private associations. In neither our civic nor our private life, for example, may we violate the respect owed others. There therefore can be no notion of a "private morality" in the sense of a kind of morality *competing with* public morality. In fact, it would be precisely the decision to make one's inclinations exempt from public morality and supreme in one's life that would make a person morally reprehensible. Within the Kantian view, private morality in the sense of egoistic, antisocial self-centeredness means

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a decision to live in an ethical state of nature – lawlessly, outside the fundamental strictures of morality.

Because both are based on the Universal Principle of Justice, Kant held that although we need to *distinguish* between the public and private aspects of human life, they should not be *separated*. He was convinced, in fact, that personal morality cannot exist and flourish except within the context of civil society. Through its laws, the state promotes morality by realizing some moral ends such as freedom, thereby creating an environment within which moral living can flourish. However, even though public laws of justice extend to the whole of human moral life, such laws cannot fully encompass all that life, which also includes considerations of character as well as special personal relationships. That is why Kant did differentiate carefully between morality in the public and private realms.

He did so in the following way. The original Universal Principle of Justice and the domain of civil law are restricted to *actions* that affect others: what is essential to good public order is only correct behavior. So what Kant called the “doctrine of law” concerns *only* our “duties of outer freedom,” or “juridical obligations.” Civil authority can use coercion to enforce its laws, but it cannot and does not try to legislate or enforce whatever reasons and purposes citizens may have for obeying its laws. It may, for example, constrain the citizens from violating the respect due others, but it cannot insist that they do so *because* they respect them. (This is the limited truth in the saying that we cannot legislate morality.) For that reason the enforcement of mandatory civic duties does not officially appeal to moral motives but rests only on penalties for violations, prudential incentives that presumably everyone, even those lacking a strong moral character, will want to avoid.

The personal domain, by contrast, is much richer, for it includes the internal forum, that is, moral character, which is defined by internal law-giving. A person of good moral character is one who not only does what is right but does so from the spe-

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cifically ethical motive of dutifulness: because it is the dutiful thing to do. (Thus, the notion of "duty" has even more prominence in Kant's ethical thought than in his political theory.) Because all such duties are subject only to *self*-legislation and *self*-constraint, Kant called them "duties of inner freedom."

Finally, our personal ethical life also extends beyond mainly negative and universal moral duties to include significant positive and particular obligations. That is why Kant entitled the discussion of these duties "the doctrine of ethics."⁸ We will discuss these matters further in the following chapters.

NOTES

1. Kant seemed to make a point of never mentioning Machiavelli's name in his published writings. In his essay *Perpetual Peace*, for example, he criticized any ruler using the Machiavellian excuse of necessity to justify using whatever devious practices might promote his own private advantage, but he identified such a person only as "the supposedly politically practical man." He also deleted a reference to Machiavelli from the subtitle of a draft of his *Theory and Practice*, leaving only "Against Hobbes."
2. It may have been for similar reasons that Kant adopted the head-of-state immunity doctrine, which views the state and its leader as indivisible, so that an attack on the leader must be regarded as directed also at the state. Kant argued that there can be no right to forceful civil resistance to unjust laws nor any right of the people to depose or punish a ruler for unjust actions. On the one hand (as we shall see in Chapter 8), Kant thought that personal moral reformation requires a revolution in moral character; but on the other, he held that civil reformation should come about only gradually, by evolutionary reform, in order to avoid a reversion to the lawless state of nature.
3. Classical liberalism as depicted here is now generally referred to as "conservatism," in contrast to the "revisionist" liberalism held, for example, by Jeremy Bentham and John Stuart Mill and underlying President Franklin Roosevelt's New Deal. The latter kind of liberalism, mainly based on a Utilitarian type of justification, champions state interventionist policies typical of the modern welfare state, which assumes direct responsibility for the citizens' well-