

0001 MICHAEL SANDEL: Last time we began by trying to navigate our way through  
0002 Kant's moral theory.  
0003 Now, fully to make sense of Kant's moral theory in The Groundwork,  
0004 requires that we be able to answer three questions.  
0005 How can duty and autonomy go together?  
0006 What's the great dignity in answering to duty?  
0007 It would seem that these two ideas are opposed, duty and autonomy.  
0008 What's Kant's answer to that?  
0009 We need someone here to speak up on Kant's behalf.  
0010 Does he have an answer?  
0011 Yes?  
0012 Go ahead.  
0013 Stand up.  
0014 MATT: Kant believes you only act autonomously when you are pursuing  
0015 something only in the name of duty and not because of your own  
0016 circumstances, such as--  
0017 You're only doing something good and moral, if you're doing it because of  
0018 duty not because of something of your own personal gain.  
0019 MICHAEL SANDEL: Now, why is that acting--  
0020 what's your name?  
0021 MATT: My name is Matt.  
0022 MICHAEL SANDEL: Matt, why is that acting out of freedom?  
0023 I hear what you're saying about good.  
0024 MATT: Because you choose to accept those moral laws on yourself, and  
0025 they're not brought on from outside on to you.  
0026 MICHAEL SANDEL: OK, good.  
0027 Because acting out of duty is following a moral law--  
0028 MATT: That you impose on yourself.  
0029 MICHAEL SANDEL: --that you impose on yourself.  
0030 That's what makes duty compatible with freedom.  
0031 MATT: Yeah.  
0032 MICHAEL SANDEL: OK, that's good, Matt.  
0033 That is Kant's answer.  
0034 That's great.  
0035 Thank you.

0036 So Kant's answer is it is not insofar as I am subject to the law that I have  
0037 dignity, but rather insofar as with regard to that very same  
0038 law, I'm the author.

0039 And I'm subordinated to that law on that grounds that I took it, as Matt  
0040 just said, I took it upon myself.

0041 I willed that law.

0042 So that's why, for Kant, acting according to duty and acting freely,  
0043 in the sense of autonomously, are one and the same.

0044 But that raises the question, how many moral laws are there?

0045 Because if dignity consists in being governed by a law that I give myself,  
0046 what's to guarantee that my conscience will be the same as your conscience?

0047 Who has Kant's answer to that?

0048 Yes?

0049 KELLY: Because a moral law trend is not contingent upon subjective  
0050 conditions, it would transcend all particular differences between people  
0051 and so it would be a universal law.

0052 And in this respect, there'd only be one moral law  
0053 because it would be supreme.

0054 MICHAEL SANDEL: That's exactly right.

0055 What's your name?

0056 KELLY: Kelly.

0057 MICHAEL SANDEL: Kelly.

0058 So Kelly, Kant believes that if we choose freely, out of our own  
0059 consciences, the moral law, we're guaranteed to come up with one and the  
0060 same moral law?

0061 KELLY: Yes.

0062 MICHAEL SANDEL: And that's because when I choose, it's not me, Michael  
0063 Sandel, choosing.

0064 It's not you, Kelly, choosing for yourself.

0065 What is it exactly?

0066 Who's doing the choosing?

0067 Who's the subject?

0068 Who's the agent who's doing the choosing?

0069 KELLY: Reason.

0070 MICHAEL SANDEL: Well, reason--

0071 KELLY: Pure reason.

0072 MICHAEL SANDEL: Pure reason, and what you mean by pure

0073 reason is what exactly?

0074 KELLY: Well, pure reason, it is--

0075 like you were saying before, it is not subject to any external conditions

0076 that may be imposed on it.

0077 MICHAEL SANDEL: That's great.

0078 So the reason that does the willing, the reason that governs my will when I

0079 will the moral law is the same reason that operates when you choose the

0080 moral law for yourself.

0081 And that's why it's possible to act autonomously to choose for myself, for

0082 each of us to choose for ourselves, as autonomous beings, and for all of us

0083 to wind up willing the same moral law, the categorical imperative.

0084 But then there is one big and very difficult question left, even if you

0085 accept everything that Matt and Kelly have said so far.

0086 How is a categorical imperative possible?

0087 How is morality possible?

0088 To answer that question, Kant says we need to make a distinction.

0089 We need to make a distinction between two standpoints, two standpoints from

0090 which we can make sense of our experience.

0091 Let me try to explain what he means by these two standpoints.

0092 As an object of experience, I belong to the sensible world.

0093 There, my actions are determined by the laws of nature and by the

0094 regularities of cause and effect.

0095 But as a subject of experience, I inhabit an intelligible world.

0096 Here, being independent of the laws of nature, I am capable of autonomy,

0097 capable of acting according to a law I give myself.

0098 Now, Kant says that only from this second standpoint can I regard myself

0099 as free, for to be independent of determination by causes in the

0100 sensible world is to be free.

0101 If I were wholly an empirical being, as the utilitarians assume, if I were

0102 a being wholly and only subject to the deliverances of my senses, to pain and

0103 pleasure and hunger and thirst and appetite, if that's all there were to

0104 humanity, we wouldn't be capable of freedom, Kant reasons.

0105 Because in that case, every exercise of will would be conditioned by the

0106 desire for some object.

0107 In that case, all choice would be heteronomous choice, governed by the

0108 pursuit of some external end.

0109 When we think of ourselves as free, Kant writes, we transfer ourselves

0110 into the intelligible world as members and recognize the  
0111 autonomy of the will.  
0112 That's the idea of the two standpoints.  
0113 So how are categorical imperatives possible?  
0114 Only because the idea of freedom makes me a member of an intelligible world.  
0115 Now, Kant admits, we aren't only rational beings.  
0116 We don't only inhabit the intelligible world, the realm of freedom.  
0117 If we did, if we did, then all of our actions would invariably accord with  
0118 the autonomy of the will.  
0119 But precisely because we inhabit simultaneously the two standpoints,  
0120 the two realms, the realm of freedom and the realm of necessity, precisely  
0121 because we inhabit both realms, there is always potentially a gap between  
0122 what we do and what we ought to do.  
0123 Between is and ought.  
0124 Another way of putting this point, and this is the point with which Kant  
0125 concludes The Groundwork, morality is not empirical.  
0126 Whatever you see in the world, whatever you discover through science,  
0127 can't decide moral questions.  
0128 Morality stands at a certain distance from the world, from the empirical  
0129 world, and that's why no science could deliver moral truth.  
0130 Now, I want to test Kant's moral theory with the hardest possible case.  
0131 A case that he raises.  
0132 The case of the murderer at the door.  
0133 Kant says that lying is wrong.  
0134 We all know that.  
0135 We've discussed why.  
0136 Lying is at odds with the categorical imperative.  
0137 A French philosopher, Benjamin Constant, wrote an article responding  
0138 to The Groundwork.  
0139 Where he said, this absolute prohibition on lying is wrong.  
0140 It can't be right.  
0141 What if a murderer came to your door looking for your friend who was hiding  
0142 in your house, and the murderer asked you, point blank, is your friend in  
0143 your house.  
0144 Constant says, it would be crazy to say that the moral thing to do, in  
0145 that case, is to tell the truth.  
0146 Constant says, the murderer certainly doesn't deserve the truth.

0147 And Kant wrote a reply.

0148 And Kant stuck by his principle that lying, even to the murderer at the  
0149 door, is wrong.

0150 And the reason it's wrong, he said, is once you start taking consequences  
0151 into account, to carve out exceptions to the categorical imperative, you've  
0152 given up the whole moral framework.

0153 You've become a consequentialist or maybe a rule utilitarian.

0154 But most of you, and most of Kant's readers, think there's something odd  
0155 and implausible about this answer.

0156 I would like to try to defend Kant on this point, and then I want to see  
0157 whether you think that my defense is plausible.

0158 And I would want to defend him within the spirit of his  
0159 own account of morality.

0160 Imagine that someone comes to your door.

0161 You're asked the question by this murderer.

0162 You're hiding your friend.

0163 Is there a way that you could avoid telling a lie without  
0164 selling out your friend?

0165 Does anyone have an idea of how you might be able to do that?

0166 Yes?

0167 Stand up.

0168 SPEAKER 1: I was just going to say if I were to let my friend in my house to  
0169 hide in the first place, I'd probably make a plan with them.

0170 So I'd be like, hey, I'll tell the murderer you're here but escape.

0171 And that's one of the options mentioned.

0172 MICHAEL SANDEL: But I'm not sure that's a Kantian option.

0173 You're still lying, though.

0174 SPEAKER 1: No, because he's in the house, but he won't be.

0175 MICHAEL SANDEL: Oh, I see.

0176 All right, good enough.

0177 One more try.

0178 JOHN: If you just say you don't know where he is because he might not be  
0179 locked in the closet, he might have left the closet.

0180 You have no clue where he could be.

0181 MICHAEL SANDEL: So you would say, I don't know, which wouldn't actually be  
0182 a lie because you weren't, at that very moment, looking in the closet?

0183 JOHN: Exactly.

0184 MICHAEL SANDEL: So it would be strictly speaking, true.

0185 And yet, possibly deceiving, misleading.

0186 JOHN: But still true.

0187 MICHAEL SANDEL: What's your name?

0188 JOHN: John.

0189 MICHAEL SANDEL: John.

0190 All right, now, John may be onto something.

0191 John, you're really offering us the option of a clever evasion that is

0192 strictly speaking true.

0193 This raises the question whether there is a moral difference between an

0194 outright lie and a misleading truth.

0195 From Kant's point of view there actually is a world of difference

0196 between a lie and a misleading truth.

0197 Why is that, even though both might have the same consequences?

0198 But then, remember, Kant doesn't base morality on consequences, he bases it

0199 on formal adherence to the moral law.

0200 Now, sometimes in ordinary life, we make exceptions for the general rule

0201 against lying with a white lie.

0202 What is a white lie?

0203 It's a lie to make--

0204 well, to avoid hurting someone's feelings, for example.

0205 It's a lie that we think of as justified by the consequences.

0206 Now, Kant could not endorse a white lie, but perhaps he could endorse a

0207 misleading truth.

0208 Suppose someone gives you a tie as a gift, and you open the box, and it's

0209 just awful.

0210 What do you say?

0211 SPEAKER 2: Thank you.

0212 MICHAEL SANDEL: Thank you?

0213 You could say thank you, but they're waiting to see what you think of it,

0214 or they ask you what do you think it?

0215 You could tell a white lie and say it's beautiful, but that wouldn't be

0216 permissible from Kant's point of view.

0217 Could you say--

0218 not a white lie, but a misleading truth--

0219 you open the box, and you say, I've never seen a tie like that before.

0220 Thank you.

0221 SPEAKER 2: You shouldn't have.

0222 MICHAEL SANDEL: You shouldn't have.

0223 That's good.

0224 Can you think of a contemporary political leader who engaged?

0225 You can?

0226 Who are you thinking of?

0227 Remember, the whole carefully worded denials in the Monica Lewinsky affair

0228 of Bill Clinton?

0229 Now, those denials actually became the subject of very explicit debate and

0230 argument during the impeachment hearings.

0231 Take a look at the following excerpts from Bill Clinton.

0232 Is there something, do you think, morally at stake in the distinction

0233 between a lie and a misleading carefully couched truth?

0234 BILL CLINTON: I want to say one thing to the American people.

0235 I want you to listen to me.

0236 I'm going to say this again.

0237 I did not have sexual relations with that woman, Miss Lewinsky.

0238 I never told anybody to lie, not a single time.

0239 Never.

0240 These allegations are false.

0241 BOB INGLIS: Did he lie to the American people when he said I never had sex

0242 with that woman?

0243 GREGORY CRAIG: He doesn't believe he did, and because of the way--

0244 let me explain, congressman.

0245 What he said was, to the American people, that he did

0246 not have sexual relations.

0247 And I understand that you're not going to like this, congressman, because you

0248 will see it as a hairsplitting, evasive answer, but in his own mind,

0249 his definition was not--

0250 BOB INGLIS: OK, I understand that argument.

0251 MICHAEL SANDEL: So there you have the exchange.

0252 Now, at the time, you may have thought this was just a legalistic

0253 hairsplitting exchange between a Republican who wanted to impeach

0254 Clinton and the lawyer who was trying to defend him.

0255 But now, in the light of Kant, do you think there is something morally at

0256 stake in the distinction between a lie and an evasion, a true

0257 but misleading statement?

0258 I'd like to hear from defenders of Kant.

0259 People who think there is a distinction.

0260 Are you ready to defend Kant?

0261 DIANA: I think when you try to say that lying and misleading truths are

0262 the same thing, you're basing it on a consequentialist argument, which is

0263 that they achieve the same thing.

0264 But the fact of the matter is, you told the truth, and you intended that

0265 people would believe what you were saying, which was the truth.

0266 Which means that it is not morally the same as telling a lie, and intending

0267 that they believe it is the truth, even though it's not true.

0268 MICHAEL SANDEL: Good.

0269 What's your name?

0270 DIANA: Diana.

0271 MICHAEL SANDEL: So Diana says that Kant has a point here.

0272 And it's a point that might even come to the aid of Bill

0273 Clinton, and that is--

0274 well, what about that?

0275 Someone over here.

0276 WES: For Kant, motivation is key.

0277 So if you give to someone because primarily, you want to feel good about

0278 yourself, Kant would say that has no moral worth.

0279 Well, with this, the motivation is the same.

0280 It's to sort of mislead someone else.

0281 It's to lie.

0282 It's to throw them off the track and the motivation is the same, so there

0283 should be no difference.

0284 MICHAEL SANDEL: OK, good.

0285 So here, isn't the motive the same, Diana?

0286 What do you say to this argument that, well, the motive is the same?

0287 In both cases, there is the attempt, or at least the hope, that one's

0288 pursuer will be misled.

0289 DIANA: Well, you could look at it that way, but I think that the fact is that

0290 your immediate motive is that they should believe you.

0291 The ultimate consequence of that is that they might be deceived and not

0292 find out what was going on.

0293 But your immediate motive is that they should believe you because you're

0294 telling the truth.



0295 MICHAEL SANDEL: May I help a little?

0296 DIANA: Sure.

0297 MICHAEL SANDEL: You and Kant.

0298 Why don't you say--

0299 and what's your name?

0300 I'm sorry.

0301 WES: Wes.

0302 MICHAEL SANDEL: Why don't you say to Wesley, it's not exactly the case that

0303 the motive in both cases is to mislead.

0304 They're hoping--

0305 they're hoping that the person will be misled by the statement, I don't know

0306 where they are, or I never had sexual relations.

0307 You're hoping that they will be misled, but, in the case where you're

0308 telling the truth, your motive is to mislead while at the same time telling

0309 the truth and honoring the moral law and staying within the bounds of the

0310 categorical imperative.

0311 I think Kant's answer would be--

0312 Diana, yes?

0313 DIANA: Yes.

0314 MICHAEL SANDEL: You like that?

0315 DIANA: I do.

0316 MICHAEL SANDEL: OK.

0317 So I think Kant's answer would be, unlike a falsehood, unlike a lie, a

0318 misleading truth pays a certain homage to duty.

0319 And the homage it pays to duty is what justifies that

0320 even the work of evasion--

0321 Diana, yes?

0322 You like?

0323 OK.

0324 And so there is something, some element of respect, for the dignity of

0325 the moral law in the careful evasion because Clinton could have told an

0326 outright lie, but he didn't.

0327 And so I think Kant's insight here is, in the carefully couched, but true

0328 evasion, there is a kind of homage to the dignity of the moral law that is

0329 not present in the outright lie, and that, Wesley, is part of the motive.

0330 It's part of the motive.

0331 Yes, I hope he will be misled.

0332 I hope the murderer will run down the road or go to the mall looking for my  
0333 friend, instead of the closet.

0334 I hope that will be the effect.

0335 I can't control that.

0336 I can't control the consequences, but what I can control is standing by and  
0337 honoring, however I pursue the ends I hope will unfold, to do so in a way  
0338 that is consistent with respect for the moral law.

0339 Wesley, I don't think, is entirely persuaded, but at least this brings  
0340 out, this discussion brings out, some of what's at stake, what's morally at  
0341 stake, in Kant's notion of the categorical imperative.

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