

and such a way; because the greater the number of conditions added, the greater the number of ways in which the principle may fail, so that it be not right to restore or not to restore.

Consequently, we must say that the natural law, as to the first common principles, is the same for all, both as to rectitude and as to knowledge. But as to certain more particular aspects, which are conclusions, as it were, of those common principles, it is the same for all in the majority of cases, both as to

rectitude and as to knowledge; and yet in some few cases it may fail, both as to rectitude, by reason of certain obstacles (just as natures subject to generation and corruption fail in some few cases because of some obstacle), and as to knowledge, since in some the reason is perverted by passion, or evil habit, or an evil disposition of nature. Thus at one time theft, although it is expressly contrary to the natural law, was not considered wrong among the Germans, as Julius Caesar relates.

READING QUESTIONS

1. What is "natural" about the natural law?
2. What are the fundamental human goods according to Aquinas? How does Aquinas attempt to support his claims that these are goods?
3. What moral obligations does Aquinas mention as following from each of the human goods?

DISCUSSION QUESTIONS

1. Do you think that Aquinas's list of fundamental human goods is complete? Why or why not?
2. Do you think that Aquinas's natural law theory allows for killing in self-defense? Why or why not?

IMMANUEL KANT

The Moral Law

Kant is one of the most important philosophers of the Western world. In the selection below from his 1785 *Groundwork (Foundations) of the Metaphysics of Morals*, he presents and illustrates what he takes to be the fundamental principle of morality, the Categorical Imperative, which (he argues) is implicit in the moral thinking of ordinary men and women. He first argues that this principle can be made explicit by reflecting on the concept of a good will. Kant then proceeds to explain the difference between two types of imperatives—hypothetical and categorical—the latter being distinctive of morality. Then, having explained the very

idea of a categorical imperative, Kant formulates his fundamental principle in a variety of ways—in terms of *universal law*, *humanity as an end in itself*, and *the kingdom of ends*, providing sample applications of the Categorical Imperative to questions about the morality of suicide, making false promises, allowing one's talents to rust, and helping others in need.

Recommended Reading: See Kantian moral theory, chap. 1, sec. 2C, for further explanation of Kant's theory.

THE GOOD WILL

Nothing can possibly be conceived in the world, or even out of it, which can be called good, without qualification, except a Good Will. Intelligence, wit, judgment, and the other *talents* of the mind, however they may be named, or courage, resolution, perseverance, as qualities of temperament, are undoubtedly good and desirable in many respects; but these gifts of nature may also become extremely bad and mischievous if the will which is to make use of them, and which, therefore constitutes what is called *character*, is not good. It is the same with the *gifts of fortune*. Power, riches, honor, even health, and the general well-being and contentment with one's condition which is called *happiness*, inspire pride, and often presumption, if there is not a good will to correct the influence of these on the mind, and with this also to rectify the whole principle of acting, and adapt it to its end. The sight of a being who is not adorned with a single feature of a pure and good will, enjoying unbroken prosperity, can never give pleasure to an impartial rational spectator. Thus a good will appears to constitute the indispensable condition even of being worthy of happiness.

There are even some qualities which are of service to this good will itself, and may facilitate its action, yet which have no intrinsic unconditional value, but always presuppose a good will, and this qualifies the esteem that we justly have for them, and does not permit us to regard them as absolutely

good. Moderation in the affections and passions, self-control, and calm deliberation are not only good in many respects, but even seem to constitute part of the intrinsic worth of the person; but they are far from deserving to be called good without qualification, although they have been so unconditionally praised by the ancients. For without the principles of a good will, they may become extremely bad; and the coolness of a villain not only makes him far more dangerous, but also directly makes him more abominable in our eyes than he would have been without it.

A good will is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition, that is, it is good in itself, and considered by itself is to be esteemed much higher than all that can be brought about by it in favor of any inclination, nay, even of the sum-total of all inclinations. Even if it should happen that, owing to special disfavor of fortune, or the niggardly provision of a step-motherly nature, this will should wholly lack power to accomplish its purpose, if with its greatest efforts it should yet achieve nothing, and there should remain only the good will (not, to be sure, a mere wish, but the summoning of all means in our power), then, like a jewel, it would still shine by its own light, as a thing which has its whole value in itself. Its usefulness or fruitlessness can neither add to nor take away anything from this value....

...Thus the moral worth of an action does not lie in the effect expected from it, nor in any principle of action which requires to borrow its motive from this

expected effect. For all these effects—agreeableness of one's condition, and even the promotion of the happiness of others—could have been also brought about by other causes, so that for this there would have been no need of the will of a rational being; whereas it is in this alone that the supreme and unconditional good can be found. The pre-eminent good which we call moral can therefore, consist in nothing else than *the conception of law in itself, which certainly is only possible in a rational being*, in so far as this conception, and not the expected effect, determines the will. This is a good which is already present in the person who acts accordingly, and we have not to wait for it to appear first in the result.

THE SUPREME PRINCIPLE OF MORALITY: THE CATEGORICAL IMPERATIVE

But what sort of law can that be, the conception of which must determine the will, even without paying any regard to the effect expected from it, in order that this will may be called good absolutely and without qualification? As I have deprived the will of every impulse which could arise to it from obedience to any law, there remains nothing but the universal conformity of its actions to law in general, which alone is to serve the will as a principle, *i.e.* I am never to act otherwise than *so that I could also will that my maxim should become a universal law*. Here, now, it is the simple conformity to law in general, without assuming any particular law applicable to certain actions, that serves the will as its principle, and must so serve it, if duty is not to be a vain delusion and a chimerical notion. The common reason of men in its practical judgments perfectly coincides with this, and always has in view the principle here suggested. Let the question be, for example: May I when in distress make a promise with the intention not to keep it? I readily distinguish here between the

two significations which the question may have: Whether it is prudent, or whether it is right, to make a false promise? The former may undoubtedly often be the case. I see clearly indeed that it is not enough to extricate myself from a present difficulty by means of this subterfuge, but it must be well considered whether there may not hereafter spring from this lie much greater inconvenience than that from which I now free myself, and as, with all my supposed *cunning*, the consequences cannot be so easily foreseen but that credit once lost may be much more injurious to me than any mischief which I seek to avoid at present, it should be considered whether it would not be more *prudent* to act herein according to a universal maxim, and to make it a habit to promise nothing except with the intention of keeping it. But it is soon clear to me that such a maxim will still only be based on the fear of consequences. Now it is a wholly different thing to be truthful from duty, and to be so from apprehension of injurious consequences. In the first case, the very notion of the action already implies a law for me; in the second case, I must first look about elsewhere to see what results may be combined with it which would affect myself. For to deviate from the principle of duty is beyond all doubt wicked; but to be unfaithful to my maxim of prudence may often be very advantageous to me, although to abide by it is certainly safer. The shortest way, however, and an unerring one, to discover the answer to this question whether a lying promise is consistent with duty, is to ask myself, Should I be content that my maxim (to extricate myself from difficulty by a false promise) should hold good as a universal law, for myself as well as for others? and should I be able to say to myself, "Every one may make a deceitful promise when he finds himself in a difficulty from which he cannot otherwise extricate himself"? Then I presently become aware that while I can will the lie, I can by no means will that lying should be a universal law. For with such a law there would be no promises at all, since it would be in vain to allege my intention in regard to my future actions to those who would not believe this allegation, or if they over-hastily did so, would pay me back in my own coin. Hence

my maxim, as soon as it should be made a universal law, would necessarily destroy itself....

IMPERATIVES: HYPOTHETICAL AND CATEGORICAL

Everything in nature works according to laws. Rational beings alone have the faculty of acting according to the conception of laws, that is according to principles, *i.e.*, have a will. Since the deduction of actions from principles requires reason, the will is nothing but practical reason. If reason infallibly determines the will, then the actions of such a being which are recognized as objectively necessary are subjectively necessary also, *i.e.*, the will is a faculty to choose *that only* which reason independent of inclination recognizes as practically necessary, *i.e.*, as good. But if reason of itself does not sufficiently determine the will, if the latter is subject also to subjective conditions (particular impulses) which do not always coincide with the objective conditions; in a word, if the will does not *in itself* completely accord with reason (which is actually the case with men), then the actions which objectively are recognized as necessary are subjectively contingent, and the determination of such a will according to objective laws is *obligation*, that is to say, the relation of the objective laws to a will that is not thoroughly good is conceived as the determination of the will of a rational being by principles of reason, but which the will from its nature does not of necessity follow.

The conception of an objective principle, in so far as it is obligatory for a will, is called a command (of reason), and the formula of the command is called an Imperative.

All imperatives are expressed by the word *ought* [or *shall*], and thereby indicate the relation of an objective law of reason to a will, which from its subjective constitution is not necessarily determined by it (an obligation). They say that something would be good to do or to forbear, but they say it to a will which

does not always do a thing because it is conceived to be good to do it. That is practically *good*, however, which determines the will by means of the conceptions of reason, and consequently not from subjective causes, but objectively, that is on principles which are valid for every rational being as such. It is distinguished from the *pleasant*, as that which influences the will only by means of sensation from merely subjective causes, valid only for the sense of this or that one, and not as a principle of reason, which holds for every one.

A perfectly good will would therefore be equally subject to objective laws (*viz.*, laws of good), but could not be conceived as *obliged* thereby to act lawfully, because of itself from its subjective constitution it can only be determined by the conception of good. Therefore no imperatives hold for the Divine will, or in general for a *holy* will; *ought* is here out of place, because the volition is already of itself necessarily in unison with the law. Therefore imperatives are only formulae to express the relation of objective laws of all volition to the subjective imperfection of the will of this or that rational being, *e.g.*, the human will.

Now all imperatives command either *hypothetically* or *categorically*. The former represent the practical necessity of a possible action as means to something else that is willed (or at least which one might possibly will). The categorical imperative would be that which represented an action as necessary of itself without reference to another end, *i.e.*, as objectively necessary....

FIRST FORMULATION OF THE CATEGORICAL IMPERATIVE: UNIVERSAL LAW

There is therefore but one categorical imperative, namely, this: *Act only on that maxim whereby thou canst at the same time will that it should become a universal law.*

Now if all imperatives of duty can be deduced from this one imperative as from their principle, then, although it should remain undecided whether what is called duty is not merely a vain notion, yet at least we shall be able to show what we understand by it and what this notion means.

Since the universality of the law according to which effects are produced constitutes what is properly called *nature* in the most general sense (as to form), that is the existence of things so far as it is determined by general laws, the imperative of duty may be expressed thus: *Act as if the maxim of thy action were to become by thy will a universal law of nature.*

FOUR ILLUSTRATIONS

We will now enumerate a few duties, adopting the usual division of them into duties to ourselves and to others, and into perfect and imperfect duties.

1. A man reduced to despair by a series of misfortunes feels wearied of life, but is still so far in possession of his reason that he can ask himself whether it would not be contrary to his duty to himself to take his own life. Now he inquires whether the maxim of his action could become a universal law of nature. His maxim is: From self-love I adopt it as a principle to shorten my life when its longer duration is likely to bring more evil than satisfaction. It is asked then simply whether this principle founded on self-love can become a universal law of nature. Now we see at once that a system of nature of which it should be a law to destroy life by means of the very feeling whose special nature it is to impel to the improvement of life would contradict itself, and therefore could not exist as a system of nature; hence that maxim cannot possibly exist as a universal law of nature, and consequently would be wholly inconsistent with the supreme principle of all duty.
2. Another finds himself forced by necessity to borrow money. He knows that he will not be able to repay it, but sees also that nothing will be lent to him, unless he promises stoutly to repay it in a definite time. He desires to make this promise, but he has still so much conscience as to ask himself: Is it not unlawful and inconsistent with duty to get out of a difficulty in this way? Suppose, however, that he resolves to do so, then the maxim of his action would be expressed thus: When I think myself in want of money, I will borrow money and promise to repay it, although I know that I never can do so. Now this principle of self-love or of one's own advantage may perhaps be consistent with my whole future welfare; but the question now is, Is it right? I change then the suggestion of self-love into a universal law, and state the question thus: How would it be if my maxim were a universal law? Then I see at once that it could never hold as a universal law of nature, but would necessarily contradict itself. For supposing it to be a universal law that everyone when he thinks himself in a difficulty should be able to promise whatever he pleases, with the purpose of not keeping his promise, the promise itself would become impossible, as well as the end that one might have in view in it, since no one would consider that anything was promised to him, but would ridicule all such statements as vain pretenses.
3. A third finds in himself a talent which with the help of some culture might make him a useful man in many respects. But he finds himself in comfortable circumstances, and prefers to indulge in pleasure rather than to take pains in enlarging and improving his happy natural capacities. He asks, however, whether his maxim of neglect of his natural gifts, besides agreeing with his inclination to indulgence, agrees also with what is called duty. He sees then that a system of nature could indeed subsist with such a universal law although men (like the South Sea islanders) should let their talents rust, and resolve to devote their lives

merely to idleness, amusement, and propagation of their species—in a word, to enjoyment; but he cannot possibly will that this should be a universal law of nature, or be implanted in us as such by a natural instinct. For, as a rational being, he necessarily wills that his faculties be developed, since they serve him, and have been given him, for all sorts of possible purposes.

4. A fourth, who is in prosperity, while he sees that others have to contend with great wretchedness and that he could help them, thinks: What concern is it of mine? Let everyone be as happy as Heaven pleases, or as he can make himself; I will take nothing from him nor even envy him, only I do not wish to contribute anything to his welfare or to his assistance in distress! Now no doubt if such a mode of thinking were a universal law, the human race might very well subsist, and doubtless even better than in a state in which everyone talks of sympathy and good-will, or even takes care occasionally to put it into practice, but, on the other side, also cheats when he can, betrays the rights of men, or otherwise violates them. But although it is possible that a universal law of nature might exist in accordance with that maxim, it is impossible to *will* that such a principle should have the universal validity of a law of nature. For a will which resolved this would contradict itself, inasmuch as many cases might occur in which one would have need of the love and sympathy of others, and in which, by such a law of nature, sprung from his own will, he would deprive himself of all hope of the aid he desires....

SECOND FORMULATION OF THE CATEGORICAL IMPERATIVE: HUMANITY AS AN END IN ITSELF

...Now I say: man and generally any rational being *exists* as an end in himself, *not merely* as

a means to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end. All objects of the inclinations have only a conditional worth; for if the inclinations and the wants founded on them did not exist, then their object would be without value. But the inclinations themselves being sources of want are so far from having an absolute worth for which they should be desired, that, on the contrary, it must be the universal wish of every rational being to be wholly free from them. Thus the worth of any object which is *to be acquired* by our action is always conditional. Beings whose existence depends not on our will but on nature's, have nevertheless, if they are nonrational beings, only a relative value as means, and are therefore called *things*; rational beings, on the contrary, are called *persons*, because their very nature points them out as ends in themselves, that is as something which must not be used merely as means, and so far therefore restricts freedom of action (and is an object of respect). These, therefore, are not merely subjective ends whose existence has a worth *for us* as an effect of our action, but *objective ends*, that is things whose existence is an end in itself: an end moreover for which no other can be substituted, which they should subserve *merely* as means, for otherwise nothing whatever would possess *absolute worth*; but if all worth were conditioned and therefore contingent, then there would be no supreme practical principle of reason whatever.

If then there is a supreme practical principle or, in respect of the human will, a categorical imperative, it must be one which, being drawn from the conception of that which is necessarily an end for everyone because it is *an end in itself*, constitutes an *objective* principle of will, and can therefore serve as a universal practical law. The foundation of this principle is: *rational nature exists as an end in itself*. Man necessarily conceives his own existence as being so: so far then this is a *subjective* principle of human actions. But every other rational being regards its existence similarly, just on the same rational principle that holds for me: so that it is at

the same time an objective principle from which as a supreme practical law all laws of the will must be capable of being deduced. Accordingly the practical imperative will be as follows: *So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as means only....*

We will now inquire whether this can be practically carried out.

To abide by the previous examples:

Firstly, under the head of the necessary duty to oneself: He who contemplates suicide should ask himself whether his action can be consistent with the idea of humanity *as an end in itself*. If he destroys himself in order to escape from painful circumstances, he uses a person merely as *a mean* to maintain a tolerable condition up to the end of life. But a man is not a thing, that is to say, something which can be used merely as a means, but must in all his actions be always considered as an end in himself. I cannot, therefore, dispose in any way of a man in my own person so as to mutilate him, to damage or kill him. (It belongs to ethics proper to define this principle more precisely so as to avoid all misunderstanding, e.g., as to the amputation of the limbs in order to preserve myself; as to exposing my life to danger with a view to preserve it, &c. This question is therefore omitted here.)

Secondly, as regards necessary duties, or those of strict obligation, towards others; he who is thinking of making a lying promise to others will see at once that he would be using another man *merely as a mean*, without the latter containing at the same time the end in himself. For he whom I propose by such a promise to use for my own purposes cannot possibly assent to my mode of acting towards him, and therefore cannot himself contain the end of this action. This violation of the principle of humanity in other men is more obvious if we take in examples of attacks on the freedom and property of others. For then it is clear that he who transgresses the rights of men, intends to use the person of others merely as means, without considering that as rational beings they ought always to be esteemed also as ends, that is, as beings who must be capable of containing in themselves the end of the very same action.

Thirdly, as regards contingent (meritorious) duties to oneself; it is not enough that the action does not violate humanity in our own person as an end in itself, it must also *harmonize with* it. Now there are in humanity capacities of greater perfection which belong to the end that nature has in view in regard to humanity in ourselves as the subject: to neglect these might perhaps be consistent with the *maintenance* of humanity as an end in itself, but not with the *advancement* of this end.

Fourthly, as regards meritorious duties towards others: the natural end which all men have is their own happiness. Now humanity might indeed subsist, although no one should contribute anything to the happiness of others, provided he did not intentionally withdraw anything from it; but after all, this would only harmonize negatively not positively with *humanity as an end in itself*, if everyone does not also endeavor, as far as in him lies, to forward the ends of others. For the ends of any subject which is an end in himself, ought as far as possible to be *my* ends also, if that conception is to have its *full* effect with me.

... Looking back now on all previous attempts to discover the principle of morality, we need not wonder why they all failed. It was seen that man was bound to laws by duty, but it was not observed that the laws to which he is subject are *only those of his own giving*, though at the same time they are *universal*, and that he is only bound to act in conformity with his own will; a will, however, which is designed by nature to give universal laws. For when one has conceived man only as subject to a law (no matter what), then this law required some interest, either by way of attraction or constraint, since it did not originate as a law from his *own* will, but this will was according to a law obliged by *something else* to act in a certain manner. Now by this necessary consequence all the labor spent in finding a supreme principle of *duty* was irrevocably lost. For men never elicited duty, but only a necessity of acting from a certain interest. Whether this interest was private or otherwise, in any case the imperative must be conditional, and could not by any means be capable of being a moral command. I will therefore call this the principle of *Autonomy* of the will,

in contrast with every other which I accordingly reckon as *Heteronomy*.

THE KINGDOM OF ENDS

The conception of every rational being as one which must consider itself as giving in all the maxims of its will universal laws, so as to judge itself and its actions from this point of view—this conception leads to another which depends on it and is very fruitful, namely, that of a *kingdom of ends*.

By a *kingdom* I understand the union of different rational beings in a system by common laws. Now since it is by laws that ends are determined as

regards their universal validity, hence, if we abstract from the personal differences of rational beings, and likewise from all the content of their private ends, we shall be able to conceive all ends combined in a systematic whole (including both rational beings as ends in themselves, and also the special ends which each may propose to himself), that is to say, we can conceive a kingdom of ends, which on the preceding principles is possible.

For all rational beings come under the *law* that each of them must treat itself and all others *never merely as means*, but in every case *at the same time as ends in themselves*. Hence results a systematic union of rational beings by common objective laws, i.e., a kingdom which may be called a kingdom of ends, since what these laws have in view is just the relation of these beings to one another as ends and means....

READING QUESTIONS

1. Explain in your own words Kant's distinction between hypothetical and categorical imperatives. What makes an imperative hypothetical? What makes an imperative categorical?
2. The Universal Law formulation of the categorical imperative involves testing maxims, which Kant proceeds to illustrate with four examples. For each of his examples, try explaining in your own words how Kant's test is supposed to work in showing that certain maxims cannot be consistently willed as universal law.
3. Kant also applies the Humanity as an End in Itself formulation to the same four examples. For each of these examples, how does Kant use his principle to establish claims about the morality of type of action he considers?

DISCUSSION QUESTIONS

1. Suppose someone proposes to act on the following maxim: *Whenever I know that other athletes against whom I am competing are using performance-enhancing drugs, I too will take such drugs in order to have a chance at winning*. Apply Kant's Universal Law formula to this maxim to determine whether the action being proposed is morally right or wrong.
2. Suppose that Jones is terminally ill and he and his physicians are reasonably certain that he only has about a week to live. But his life during his remaining time will be *very* painful and misery-ridden. Jones and his family agree that it would be preferable for Jones to die a drug-induced painless death now than for him to linger on in misery for the next week or so. His physicians agree. Apply Kant's Universal Law and Humanity formulations to this case in order to determine whether (according to Kant's moral theory) it would be permissible for Jones to allow himself to be put to death in these circumstances.