7.1. Kant’s Contribution:

Kant’s moral theory undoubtedly deserves special appreciation owing to its immense contribution towards the development of the understanding of the concept of morality. The greatest and most significant contribution made by his theory is that morality presupposes an inter-subjective world and therefore, it must be applicable to all rational (human) beings. This is of great significance because morality cannot be confined to any particular society. In this sense, it is a priori i.e., universal and necessary.

The second most important contribution of Kant’s moral theory is that the moral law is intrinsically valuable and hence morality is a virtue.

Thirdly, the theory being duty based, it gives utmost importance to the ‘motive of duty’. This implies that duty is to be done for the sake of duty out of the reverence for the moral law.

Lastly, Kant’s moral theory deserves special appreciation for its valuable contribution for the aspect of dignifying humanity. This implies that humanity is to be viewed as an end in itself. Throughout his moral theory, the aspect of dignifying humanity has been given the utmost importance. This is likely since human being seems to hold the central position as such. Towards this, Kant emphasized that each human being is said to enjoy the autonomy wherein he acts as the author as well as the ruler, being the subject of the moral law.

7.2. Critical Review of Kant’s Moral Theory:

In the present work, my modest effort has been directed to critically review Kant’s moral theory from possible angles in order to
raise some pertinent questions which need to be addressed to strengthen the theory.

May I now be permitted to bring them to the fore which are placed in the following paragraphs wherein the relevant portion has been incorporated from the respective chapters:

(a) The testability method adopted by Kant is the principle of self-contradiction of will. I would like to point out that in the ‘maxim of lying’ the so-called ‘self contradiction’ arises due to the tussle between two different types of will, namely, the ‘prudential will’ and the ‘rational will’. The prudential will allows human being to be used merely as ‘means’, while the rational will uses the human being as an ‘end-in-itself’ (i.e., dignifying humanity). But it is clear that the relation between the above two wills could be the form of p.q. (p = prudential will, q = rational will) instead of the form p. ∼ p and hence their relation is not mutually exclusive. To clarify the example of ‘maxim of lying’ given by Kant in the light of the ‘humanity as an end-in-itself’, it is explicated that the agent avails the opportunity when he borrows money from someone else knowing fully well that he will not be able to repay, he is guided by his prudential will at this juncture because it suits him. As a result, he used human beings merely as means including the agent himself. But in his own turn, when he realizes that as a rational being he should not be cheated or he should not be used ‘merely as means’, he evaluated this by virtue of his rational will only. In other words, considering the above example that the ‘maxim of lying’ is immoral, it has been found that in the first part, i.e., ‘let everybody deceives everyone else’ (consistently) which includes the agent also when he is in an advantageous position. Consequently, he allows everybody to
deceive others when he permits himself to do so. It is due to considering the human beings based upon his prudential will. While in the second part, when he realizes that as a rational being he should not be cheated, i.e., he does not want to be deceived, it is due to the consideration of the ‘humanity as an end-in-itself’ based upon his rational will. Thus at the moment, when his rational will comes to his rescue and protect him from the fray that as a rational being he should not be used merely as means, the conflict of will arises which should not be viewed as ‘self-contradiction of will’. Hence, the so-called self-contradiction arises due to the tussle or conflict between two different types of will, i.e., the prudential will and the rational will. Hence considering the humanity as an-end-in-itself, the agent cannot will to be deceived which is due to his rational consideration alone.

Kant said, “Lying “violated the dignity of the humanity in one’s own person” (AK 6.429)”

Therefore, the above situation does not seem to be the self-contradiction of will. It may be noted that the self-contradiction of will must conform to the laws of thought which the present situation does not comply with.

Further, it may not be out of place to mention that the above-referred self-contradiction of will is unable to identify the ‘transgression of duty’ as the formal principle of test condition. Hence, it is clear that the test of ‘self-contradiction of will’ is questionable.

(b) The primordial concept of Kant’s moral theory is ‘duty’. Hence, his theory is known as ‘duty based’. Kant, throughout his work, tried to establish the principle of dignifying humanity which is the essence
of morality, wherein human being will always be used as an ‘end’ not ‘merely as means’. Use of human being ‘merely as means’ implies ‘transgression of duty’, or to say, the encroachment of the rights of humanity. The said ‘encroachment of the rights of humanity actually generates the scope for performing duty by adopting moral maxim from the situation. Hence it can be stated that ‘duty’ is primarily intended to ‘nullify’ the encroachment of the rights of humanity. Therefore, it can be concluded that the ‘rights of the humanity’ should have been the primordial concept and the duty is supposed to protect the ‘rights’ from its being encroached. It follows that ‘encroachment of the rights of humanity is necessary to ‘duty’. Should not it, therefore, be contemplated that the right is ‘precursor’ to duty?

(c) Moral maxims are chosen from the situation in compliance with the ‘supreme principle of morality’. These moral maxims are having their contents. Therefore, my question is unless there are some relevance in the contents themselves prior to making compliance with the law which are intrinsic to the moral law, can it be possible for ‘the categorical imperative’ to make them into ‘moral maxims’ simply by giving its sanctions?

Moreover, the supreme moral principle or the ‘categorical imperative’ being a formal criterion, how does it validate the moral maxims which are having their ‘contents’?

(d) The principle of universalisability adopted in Kant’s moral theory is found to fall short in distinctively separating the domain of various types of maxims. As a result, there exists ‘overlapping’ among the different types of maxims, i.e., morally required, morally prohibited and morally permissible maxims.
Now, it should be clear that the morally prohibited maxims, i.e., morally wrong maxims are opposite to both, morally right as well as morally permissible maxims, whereas morally required (or right) maxims and morally prohibited maxims are apodictic in nature, morally permissible maxims are not so. Thus, there seems to exist no clear cut line of demarcation between ‘morally required’ or ‘morally prohibited’ and ‘morally permissible’ maxims.

Therefore, someone may raise a question that how can the ‘principle of universalisability be capable to provide itself as the necessary as well as the sufficient condition of morally right maxims alone, while both morally right maxims and morally permissible maxims are universalisable? For this reason, William K. Frankena’s objection against the principle of universalisability as to ‘the maxim of whistling when alone’ is yet to be resolved. This being so, how can a rational being identify what is his ‘duty’ and what is ‘not’? In other words, ‘what is morally right’ is a ‘duty’ and ‘what is morally permissible’ is ‘not a duty’ while the both belong to the moral law. Consequently, the aspect of ‘defining duty’ becomes ambiguous.

Moreover, it is worthwhile to mention that in Kant’s moral philosophy, there is no place for ‘morally non-permissible maxims’ contrary to ‘morally permissible maxims’, since the chance of recurrence of the former might exist in similar occasion.

(e) Kant’s moral theory considers a rational being himself as an author (law maker) as well as a ruler. It implies that the will (rational) determines itself as an author for the first time. But, when the law comes as an ‘obligation’ (ought) to a rational being, implying that the same will determines itself for the second time when it imposes its own law upon itself.
Now, my question is why does the law come to the author as an ‘obligation’? Should it then be questioned whether the rational being is the law maker?

(f) Kant has presupposed ‘freedom’ as a property of noumenal self. But duty is to be performed in this phenomenal world, which is determined by the laws alien to moral law. Freedom as a property of a ‘rational will’ means a ‘freewill’ independent of inclination, which is supposed to be guided by the moral law in the intelligible world. It implies that both the worlds are law abiding. Therefore, there arises a dichotomy between the two said worlds and there is no passage between them. Consequently, it gives rise to a paradox; i.e., freedom is in the noumenal world but there lies no scope for duty, while, duty is to be done in this phenomenal world where there is no freedom. Hence, my question is: how can a rational being be enabled to perform duty in response to the obligation of the moral law? Should not one, therefore, conclude that while one does not comprehend the practical unconditioned necessity of the moral imperative, one certainly does comprehend its incomprehensibility? Thus the question of performing moral duty in the world of experience remains to be made clear.

(g) Lastly, the question raised by William K. Frankena regarding the failure of ‘the categorical imperative’ in providing the sufficient condition of moral maxim awaits solution. For example, whether ‘the maxim of never helping anyone’ is ‘immoral’ or not. But the categorical imperative cannot identify this to be an immoral maxims. Since being a formal criterion, it is unable to justify the ‘need for help’ arising in that situation.
Further, I can cite two maxims, ‘I will provide job by accepting bribe’ and ‘I will earn job by giving bribe’, clearly indicate that these are universalisable yet immoral. This is so because they reflect ‘transgression of duty’ — which cannot be identified by the testability method adopted in Kant’s moral theory. Noticeably, the above maxims do not reflect the self-inconsistency of will. The said immoral maxims cited by myself are also logically as well as empirically possible but they are morally prohibited because they reflect the ‘transgression of duty’. Therefore, the said examples seems to exemplify the inability of Kant’s theory to provide the sufficient condition of morality.

It entails from the above that ‘why should someone be moral?’ cannot be ‘answered’ unless someone (rational being) knows ‘why should not he be immoral?’ In other words, unless a rational being justifies ‘why should not he be immoral’, ‘how can he be moral?’ Hence, the answer to the question, ‘why does a rational being ought to do duty’, lies in the answer to the question ‘why not he ought not to do duty”? Perhaps, herein lies the answer to the objection raised by Frankena. But this objection still remains unresolved.

Hence, the categorical imperative fails to provide the sufficient condition for someone’s being moral. It only explains as to ‘how’ can someone be moral without justifying the grounds for ‘why’ should not someone be immoral?

The aforesaid unresolved and intriguing questions seem to pose newer challenges to Kant’s theory in its existing form. However, I would humbly submit that intense research work by the future scholars would be required to address the above queries towards resolving them in order to strengthen Kant’s moral theory. Else, similar effort is required to be
directed towards reaching a new theory which provides an acceptable solution, obviating these objections.

7.3. Some Insight into a Possible New Theory:

At this juncture, I feel fascinated to mention that Kant’s ‘kingdom of ends’, which may be imagined as the ‘kingdom of peace’. This is so because ‘peace’ is absolute which refers to such a social arrangement and represent that type of ‘inter-subjective world’, wherein the rights of everything are absolutely protected including that of the rights of the humanity implying that there are no possibilities of their being encroached. The ‘rights of the humanity’ referred here is a comprehensive concept which not only considers transactions between two or more human beings but also that between human beings and the environment in which they are said to exist. The duties and the responsibilities of human beings are found to encompass the other living as well as non-living entities encountered within the universe. In this sense, the ‘rights of the humanity’ is seemingly a much more elaborated concept in comparison to ‘human right’ which deals with those transactions that take place between two or more human beings.

‘Peace’ is intrinsically valuable since it is an ‘end in itself’. The journey of morality reaches its ultimate stage when ‘peace’ is attained. This is because the prime objective of morality is ‘peace’ through upholding the rights of the humanity. For all moral actions are intended to ultimately attain ‘peace’ and nothing else. The ‘kingdom of peace’, therefore, represents a unified and well balanced system wherein there is ‘ultimate security’ which never permits ‘transgression of duty’ and thereby ensures safe, secured and healthy living for each and everyone. This is so, because ‘peace’ is ‘unconditionally good’ and there is nothing which can replace it as an alternative. ‘Peace’ is absolutely good that
reflects the ‘balance’. In view of the above, it is now contemplated that there lies an ‘associative relationship among balance, peace and harmony. This is to say that if there is balance there is peace and there occurs the harmony. Conversely, when balance is disturbed it disturbs peace. Consequently, the harmony is lost. All the three concepts are realized by a rational being in terms of one another.

The natural laws are intended to maintain the ‘balance’ through causal relations. The natural laws in this context include the ‘physical’ as well as the psychological laws.

When there occurs any disturbance to the natural laws either by psychological or by physical linkages, the ‘balance’ tends to get disturbed. Any disturbance to the balance ultimately culminates into one or the other form of ‘violation’ or of encroachment of the rights of the humanity. This is because the rational being realizes the ‘disturbance to balance’ as the ‘transgression of duty’, which results in the ‘violation’ of the rights of the humanity and consequently violation of the moral law which is intended to maintain ‘peace’. Therefore, it can be contemplated that the ‘disturbance to the balance’ is being realized by the rational being as ‘disturbance to peace’, wherein it warrants moral duties to be performed to nullify the said disturbance. This is to say that all forms of disturbance to the balance are being realized by the rational being as the disturbance to peace which certainly implies ‘transgression of duty’ leading to the encroachment of the ‘rights of the humanity’ that warrants moral duty.

Therefore, performing moral duty means an attempt to nullify the ‘encroachment’ of the rights of humanity or to say an attempt to restore ‘peace’. The ‘balance’ is being realized by the rational being as ‘peace’. It
is thus clear that there exists an associative relationship between ‘balance’ and ‘peace’ which are as the two faces of the same coin.

In my view, peace is the ultimate concept of morality. The moral law is nothing but that which defines ‘peace’. ‘Peace’ is to be understood as an arrangement which does not provide any room for ‘transgression of duty’ implying the ‘absolute protection’ to the rights of everything including that of humanity which is the ‘essence’ of morality. In reality, role of morality exists owing to frequent occurrence of the transgression of duty’ in the world of experience and that is why this world is found to fall short of reaching ‘peace’. While in the intelligible world, the rational being obeys the moral law just as they obey the natural law. In that world, there occurs no ‘transgression of duty’ and consequently, peace prevails there.

Therefore, the concept of ‘peace’ is ensuring the absolute protection of the rights of the humanity may pave the way for ushering a new idea in the understanding about the concept of morality by its applications with a view to dignifying the aspect of the ‘rights of humanity’ which will help in favourable transformation of the existing social system to shape it towards ensuring a safe, secure, healthy and peaceful living for one and all. It may be argued that this principle would prove the objective criterion of morality which would be such that it is to uphold the ‘rights of the humanity’ including the environment. In this way, it may be taken to represent the necessary as well as the sufficient condition for some one’s being moral. This presumes that immorality will necessarily ‘oppose’ upholding the rights of humanity or ‘encroach upon’ the rights of the humanity. Upholding ‘the ‘rights of humanity’ is to be understood as a comprehensive concept which means a rational human.
being will have the duties towards other human beings in addition to the environment in which he exists.

Thus the concept of morality is generated from the absolute concept of peace which is primordial and it ceases its journey at that stage when ‘peace’ is attained wherein morality merges into peace. The connection of an action upholding the rights of the humanity to the attainment of peace gives new information. This is to say that upholding the rights of humanity by a rational being implies the attainment of peace which is an end-in-itself. Hence peace implies an absolute protection of the rights of the humanity which is synthetic-apriori.

Therefore, Kant’s idea of constructing the ‘kingdom of ends’ might presuppose an idea of ‘kingdom of peace’ resulting in an absolute contentment where in virtue is its own reward which ensures absolute protection to the rights of the humanity. Hence morality is to uphold the rights of the humanity so as to dignify it. For Kant asserted, “Humanity, however, is worthy of respect, and even though somebody may be a bad man, the humanity in his person is entitled to respect.” As he said, “. . . he who has spent all his life in acts of kindness, and has but infringed the right of a single man, cannot wipe this out by all his acts of kindness”.

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Notes & References

