5. WHAT MATTERS IS THE MOTIVE / IMMANUEL KANT

If you believe in universal human rights, you are probably not a utilitarian. If all human beings are worthy of respect, regardless of who they are or where they live, then it's wrong to treat them as mere instruments of the collective happiness. (Recall the story of the malnourished child languishing in the cellar for the sake of the "city of happiness.")

You might defend human rights on the grounds that respecting them will maximize utility in the long run. In that case, however, your reason for respecting rights is not to respect the person who holds them but to make things better for everyone. It is one thing to condemn the scenario of the suffering child because it reduces overall utility, and something else to condemn it as an intrinsic moral wrong, an injustice to the child.

If rights don't rest on utility, what is their moral basis? Libertarians offer a possible answer: Persons should not be used merely as means to the welfare of others, because doing so violates the fundamental right of self-ownership. My life, labor, and person belong to me and me alone. They are not at the disposal of the society as a whole.

As we have seen, however, the idea of self-ownership, consistently applied, has implications that only an ardent libertarian can love—an unfettered market without a safety net for those who fall behind; a minimal state that rules out most measures to ease inequality and promote the common good; and a celebration of consent so complete that it permits self-inflicted affronts to human dignity such as consensual

cannibalism or selling oneself into slavery.

Even John Locke (1632–1704), the great theorist of property rights and limited government, does not assert an unlimited right of self-possession. He rejects the notion that we may dispose of our life and liberty however we please. But Locke's theory of unalienable rights invokes God, posing a problem for those who seek a moral basis for rights that does not rest on religious assumptions.

Kant's Case for Rights

Immanuel Kant (1724–1804) offers an alternative account of duties and rights, one of the most powerful and influential accounts any philosopher has produced. It does not depend on the idea that we own ourselves, or on the claim that our lives and liberties are a gift from God. Instead, it depends on the idea that we are rational beings, worthy of dignity and respect.

Kant was born in the East Prussian city of Konigsberg in 1724, and died there, almost eighty years later. He came from a family of modest means. His father was a harness-maker and his parents were Pietists, members of a Protestant faith that emphasized the inner religious life and the doing of good works.[1]

He excelled at the University of Konigsberg, which he entered at age sixteen. For a time, he worked as a private tutor, and then, at thirty-one, he received his first academic job, as an unsalaried lecturer, for which he was paid based on the number of students who showed up at his lectures. He was a popular and industrious lecturer, giving about twenty lectures a week on subjects including metaphysics, logic, ethics, law, geography, and anthropology.

In 1781, at age fifty-seven, he published his first major book, *The Critique of Pure Reason*, which challenged the empiricist theory of knowledge associated with David Hume and John Locke. Four years later, he published the *Groundwork for the Metaphysics of Morals*, the first of his several works on moral philosophy. Five years after Jeremy Bentham's *Principles of*

Morals and Legislation (1780), Kant's *Groundwork* launched a devastating critique of utilitarianism. It argues that morality is not about maximizing happiness or any other end. Instead, it is about respecting persons as ends in themselves.

Kant's *Groundwork* appeared shortly after the American Revolution (1776) and just before the French Revolution (1789). In line with the spirit and moral thrust of those revolutions, it offers a powerful basis for what the eighteenth-century revolutionaries called the rights of man, and what we in the early twenty-first century call universal human rights.

Kant's philosophy is hard going. But don't let that scare you away. It is worth the effort, because the stakes are enormous. The *Groundwork* takes up a big question: What is the supreme principle of morality? And in the course of answering that question, it addresses another hugely important one: What is freedom?

Kant's answers to these questions have loomed over moral and political philosophy ever since. But his historical influence is not the only reason to pay attention to him. Daunting though Kant's philosophy may seem at first glance, it actually informs much contemporary thinking about morality and politics, even if we are unaware of it. So making sense of Kant is not only a philosophical exercise; it is also a way of examining some of the key assumptions implicit in our public life.

Kant's emphasis on human dignity informs present-day notions of universal human rights. More important, his account of freedom figures in many of our contemporary debates about justice. In the introduction to this book, I distinguished three approaches to justice. One approach, that of the utilitarians, says that the way to define justice and to determine the right thing to do is to ask what will maximize welfare, or the collective happiness of society as a whole. A second approach connects justice to freedom. Libertarians offer an example of this approach. They say the just distribution of income and wealth is whatever distribution arises from the free exchange of goods and services in an unfettered market. To regulate the market is unjust, they maintain, because it violates the

individual's freedom of choice. A third approach says that justice means giving people what they morally deserve—allocating goods to reward and promote virtue. As we will see when we turn to Aristotle (in Chapter 8), the virtue-based approach connects justice to reflection about the good life.

Kant rejects approach one (maximizing welfare) and approach three (promoting virtue). Neither, he thinks, respects human freedom. So Kant is a powerful advocate for approach two—the one that connects justice and morality to freedom. But the idea of freedom he puts forth is demanding—more demanding than the freedom of choice we exercise when buying and selling goods on the market. What we commonly think of as market freedom or consumer choice is not true freedom, Kant argues, because it simply involves satisfying desires we haven't chosen in the first place.

In a moment, we'll come to Kant's more exalted idea of freedom. But before we do, let's see why he thinks the utilitarians are wrong to think of justice and morality as a matter of maximizing happiness.

The Trouble with Maximizing Happiness

Kant rejects utilitarianism. By resting rights on a calculation about what will produce the greatest happiness, he argues, utilitarianism leaves rights vulnerable. There is also a deeper problem: trying to derive moral principles from the desires we happen to have is the wrong way to think about morality. Just because something gives many people pleasure doesn't make it right. The mere fact that the majority, however big, favors a certain law, however intensely, does not make the law just.

Kant argues that morality can't be based on merely empirical considerations, such as the interests, wants, desires, and preferences people have at any given time. These factors are variable and contingent, he points out, so they could hardly serve as the basis for universal moral principles—such as universal human rights. But Kant's more fundamental point is that basing moral principles on preferences and desires—even

the desire for happiness—misunderstands what morality is about. The utilitarian's happiness principle "contributes nothing whatever toward establishing morality, since making a man happy is quite different from making him good and making him prudent or astute in seeking his advantage quite different from making him virtuous."[2] Basing morality on interests and preferences destroys its dignity. It doesn't teach us how to distinguish right from wrong, but "only to become better at calculation."[3]

If our wants and desires can't serve as the basis of morality, what's left? One possibility is God. But that is not Kant's answer. Although he was a Christian, Kant did not base morality on divine authority. He argues instead that we can arrive at the supreme principle of morality through the exercise of what he calls "pure practical reason." To see how, according to Kant, we can reason our way to the moral law, let's now explore the close connection, as Kant sees it, between our capacity for reason and our capacity for freedom.

Kant argues that every person is worthy of respect, not because we own ourselves but because we are rational beings, capable of reason; we are also autonomous beings, capable of acting and choosing freely.

Kant doesn't mean that we always succeed in acting rationally, or in choosing autonomously. Sometimes we do and sometimes we don't. He means only that we have the capacity for reason, and for freedom, and that this capacity is common to human beings as such.

Kant readily concedes that our capacity for reason is not the only capacity we possess. We also have the capacity to feel pleasure and pain. Kant recognizes that we are sentient creatures as well as rational ones. By "sentient," Kant means that we respond to our senses, our feelings. So Bentham was right—but only half right. He was right to observe that we like pleasure and dislike pain. But he was wrong to insist that they are "our sovereign masters." Kant argues that reason can be sovereign, at least some of the time. When reason governs our will, we are not driven by the desire to seek pleasure and avoid

pain.

Our capacity for reason is bound up with our capacity for freedom. Taken together, these capacities make us distinctive, and set us apart from mere animal existence. They make us more than mere creatures of appetite.

What Is Freedom?

To make sense of Kant's moral philosophy, we need to understand what he means by freedom. We often think of freedom as the absence of obstacles to doing what we want. Kant disagrees. He has a more stringent, demanding notion of freedom.

Kant reasons as follows: When we, like animals, seek pleasure or the avoidance of pain, we aren't really acting freely. We are acting as the slaves of our appetites and desires. Why? Because whenever we are seeking to satisfy our desires, everything we do is for the sake of some end given outside us. I go this way to assuage my hunger, that way to slake my thirst.

Suppose I'm trying to decide what flavor of ice cream to order: Should I go for chocolate, vanilla, or espresso toffee crunch? I may think of myself as exercising freedom of choice, but what I'm really doing is trying to figure out which flavor will best satisfy my preferences—preferences I didn't choose in the first place. Kant doesn't say it's wrong to satisfy our preferences. His point is that, when we do so, we are not acting freely, but acting according to a determination given outside us. After all, I didn't choose my desire for espresso toffee crunch rather than vanilla. I just have it.

Some years ago, Sprite had an advertising slogan: "Obey your thirst." Sprite's ad contained (inadvertently, no doubt) a Kantian insight. When I pick up a can of Sprite (or Pepsi or Coke), I act out of obedience, not freedom. I am responding to a desire I haven't chosen. I am obeying my thirst.

People often argue over the role of nature and nurture in shaping behavior. Is the desire for Sprite (or other sugary drinks) inscribed in the genes or induced by advertising? For

Kant, this debate is beside the point. Whenever my behavior is biologically determined or socially conditioned, it is not truly free. To act freely, according to Kant, is to act autonomously. And to act autonomously is to act according to a law I give myself—not according to the dictates of nature or social convention.

One way of understanding what Kant means by acting autonomously is to contrast autonomy with its opposite. Kant invents a word to capture this contrast—*heteronomy*. When I act heteronomously, I act according to determinations given outside of me. Here is an illustration: When you drop a billiard ball, it falls to the ground. As it falls, the billiard ball is not acting freely; its movement is governed by the laws of nature—in this case, the law of gravity.

Suppose that I fall (or am pushed) from the Empire State Building. As I hurtle toward the earth, no one would say that I am acting freely; my movement is governed by the law of gravity, as with the billiard ball.

Now suppose I land on another person and kill that person. I would not be morally responsible for the unfortunate death, any more than the billiard ball would be morally responsible if it fell from a great height and hit someone on the head. In neither case is the falling object—me or the billiard ball—acting freely. In both cases, the falling object is governed by the law of gravity. Since there is no autonomy, there can be no moral responsibility.

Here, then, is the link between freedom as autonomy and Kant's idea of morality. To act freely is not to choose the best means to a given end; it is to choose the end itself, for its own sake—a choice that human beings can make and billiard balls (and most animals) cannot.