

IS KANTIAN ETHICS LEFT DEFENSELESS IN THE FACE OF EVIL?

Matthew Stapleton (Marshall University)

matthewstapleton@juno.com

Abstract: Within this essay the question of whether Kantian ethics is left defenseless in the face of evil is unfolded. Some thinkers claim that it is not advisable to rigorously adhere to the categorical imperative. That is to say, it is prudent only to follow the categorical imperative, acting in such a way that you may will that the maxim of your actions becomes a universal law, when one is dealing with other ethical beings. However, when dealing with evil, it is claimed that we should develop other special principles that allow for consequences favorable to the ethical party. This essay takes exception with this claim, demonstrating that for Kant such a problem would not have even appeared. Furthermore, this essay argues that to deviate from the moral principle does damage to the truth and humanity as a whole.

According to Kant to act ethically is to act not only *in conformity with* but also *from the motive of duty*. This motive, the motive of duty, is “the necessity to act out of reverence for the law”, a law that I give myself “to never act except in such a way that I can also will that my maxim should become a universal law”¹. Under the ideal condition that every rational being acts in accordance with the categorical imperative I think hardly anyone would disagree that Kantian ethics is thoroughly well thought out and provides for the possibility of determining in every scenario what is the right course of action. However, as Kant himself recognized, within the world there is the presence of a radical and pervasive evil. While we may be content to act ethically we can be sure that other rational beings do not always restrict their actions to the categorical imperative and are free to act in ways harmful to others.

One of the most incisive criticisms of Kantian ethics says that the ethical subject is left defenseless in the face of evil. That is to say, when one is treated unethically by another some believe, as, for example, Benjamin Constant did, that a strict adherence to

¹ (Ak 4:400, 403) Hereafter, Kant’s writings will be cited according to volume:page number in *Kants Schriften*, Ausgabe der königliche preussischen Akademie der Wissenschaften (Berlin: Walter de Gruyter, 1902-), abbreviated as ‘Ak’. Volume:page

the categorical imperative is inadvisable either because of the harmful consequences that will follow, or that the other person by acting unethically has forfeited her contract with society and the right to ethical treatment. Is it the case that Kantian ethics is open to such an attack? This is the question we will attend to here, first examining not only Kant's famous outline of his ethics in the *Groundwork*, but also his response to the question of whether the ethical subject has a right to lie from altruistic motives. Some have suggested that if Kant is open to such an attack, then when dealing with evil we must use separate principles apart from the categorical imperative.² With this in mind the rest of this essay will concern itself with whether or not the categorical imperative applies when dealing with evil or if we must make exceptions to the rule.

In the unpacking of his ethical system Kant wishes to establish a principle by which any action can be determined to be morally right or wrong. Seeing that this principle has to be able to speak to any circumstance – no matter who is involved, what manner of action is to be taken, or even the results—it must be a purely formal principle.

Understandably, writing in the *Groundwork of the Metaphysics of Morals*, Kant begins his analysis of ethics with the will. He says, “It is impossible to conceive anything at all in the world, or even out of it, which can be taken as good without qualification, except a *good will*” (Ak 4:393). The will governs how we use power, wealth, and honor, either to help others or to manipulate them as a means to another end. Even control over the emotions, sobriety, and moderation Kant names as susceptible to evil uses given that the will is not kept in check. To bolster this claim, he says, “A good will is not good because of what it effects or accomplishes—because of its fitness for attaining some proposed end: it is good through its willing alone—that is, good in itself” (Ak 4:394). Apparently the will in deciding which course of action to take must rely on reason to direct it. Reason, however, cannot guide “the will safely as regards its objects and the satisfaction of all our needs” (Ak 4:396).

Many times the reasonable or ethical course of action does not lead to happiness or prosperity in other areas life. Therefore the “true function [of reason] must be to produce a will which is good, not as a means to some further end, but in itself” (Ak

² Korsgaard, Christine M. “The Right to Lie: Kant on Dealing with Evil.”, *Philosophy and Public Affairs*, Vol. 15, No. 4. (Autumn, 1986), pp. 325-349.

4:396). When we consider the will “exposed” “to certain subjective limitations and obstacles” this conception of the will we call duty (Ak 4:397). When our actions are governed apart from consideration of any subjective inclinations and the ends that may result Kant says that we truly begin to act ethically. Furthermore, he adds, it is not enough merely to conform our actions to duty, but we must also act from the motive of duty. As is well known Kant gives us the categorical imperative in four formulas. The first is the Formula of Universal Law. It is, “I ought never to act except in such a way that I can also will that my maxim should become a universal law” (Ak 4:402).

Kant exemplifies this law in several ways. The only one that we will consider here is whether on some occasions it is ethical to tell a false promise. In the *Groundwork* Kant says:

“Take this question, for example. May I not, when I am hard pressed, make a promise with the intention of not keeping it? Here I readily distinguish the two senses which the question can have—Is it prudent, or is it right, to make a false promise? ... Suppose I seek...to learn in the quickest way and yet unerringly how to solve the problem ‘Does a lying promise accord with duty?’ I have then to ask myself ‘Should I really be content that my maxim (the maxim of getting out of a difficulty by a false promise) should hold as a universal law (one valid both for myself and others)? And could I really say to myself that every one may make a false promise if he finds himself in a difficulty from which he can extricate himself in no other way?’ I then become aware at once that I can indeed will to lie, but I can by no means will a universal law of lying; for by such a law there could properly be no promises at all” (Ak 4:402).

Applying the two criteria of the categorical imperative, *necessity* and *universality*, to the question of whether or not it is ethically right to make a lying promise Kant discovers that we may indeed will to lie, but not will a universal law of lying. Kant considers the same problem—that of telling a lie for fear of possible bad outcomes—in another place in this corpus. However, another wrinkle is added to the context.

In Kant’s fictitious scenario, given in an essay entitled *On a Supposed Right to Lie from Altruistic Motives*, a murderer is pursuing your friend. In order to escape the murderer your friend takes refuge in your house. Yet, the murderer, being very cunning, suspects that he might have gone into your house. Instead of sneaking into the house, as a murderer would probably do, he attempts a more direct approach. He comes to the door, knocks, and asks you if your friend has taken refuge in the house. Let us take note of a couple of factors that play into such an extreme example. First, this person is a murderer and therefore the guiding maxim of his will is evil. The person as far as you

know intends to kill your friend. Second, you are placed in the impossible decision of either acting ethically, thus giving away the hide out of your friend, or acting unethically, thus making yourself just as culpable as the murderer.

Kant's answer to the dilemma is astonishing to many. He says that it is one's duty to tell the truth. "To be truthful (honest) in all declarations, therefore, is a sacred and absolutely commanding decree of reason, limited by no expediency" (Ak 8:425). Kant's defense is two-fold. He claims that there is no way of knowing what the outcome of the lie or telling the truth will be. "After you have honestly answered", he comments, "the murderer's question as to whether his intended victim is at home, it may be that he has slipped out so that he does not come in the way of the murderer, and thus that the murder may not be committed. But if you had lied and said he was not at home when he has really gone out without your knowing it, and if the murderer has then met him as he went away and murdered him, you might be justly accused as the cause of his death" (Ak 8:427). Within a situation such as this, there are many variables that are not within one's domain of control. Both the murderer and the friend are just as free as you. If you are honest the murderer may change his plans to murder your friend, and if you lie your friend might be murdered anyway. Not unlike theoretical reason, practical reason is also limited and the scope of its knowledge is not all encompassing. His second defense for telling the truth in all situations is the same as the reason given in the *Groundwork*. Although by telling a lie a person may indeed bring about circumstances that benefit a limited group of people, on the whole the lie does an injustice to humanity since it degrades the integrity of telling the truth. It violates the categorical imperative to tell a lie, even to help one's friend out of a difficult situation.

Kant opens this essay by voicing the comments of one of his antagonists, the French orator Benjamin Constant. Constant agrees with Kant that it is a duty to tell the truth. However, Constant adds, this duty "would make any society impossible if it were taken singly and unconditionally" (Ak 8:425). According to Constant there are some occasions where the other party is not entitled to the truth. "To tell the truth", he says, "is thus a duty; but it is only in respect to one who has a right to the truth. But no one has a right to a truth which injures others" (Ak 8:425). Constant is a consequentialist, from the Kantian vantage point, seeing that not only does his ethical stance take into account what

ought to be done, but also the consequences of doing such. Following his reasoning, if the telling of a truth will eventuate unfavorable circumstances for the one telling it or a friend that truth should be withheld. Kant would retort that reason is not sufficiently serviceable for guiding the will safely as regards its objects and therefore reason's goal is not to attain a particular consequence, but to produce a will good in itself. While Constant's ethics seeks out the best outcomes, Kant's seeks to produce a will good in itself.

What is more—Constant's argument ultimately falls within the domain of Kantian ethics, and relies upon the understanding of good and evil embodied there. What do we mean or imply when we say that a particular outcome is more desirable than the other possible outcomes? Do we not mean that the particular outcome is good, even morally so? Yes we do. Returning to Constant's argument that the truth must be denied to those who do not have a right to it in order to sustain society—the outcome that he has deemed good and desirable—, it is natural to ask how does he know, or what criteria are used to determine that, this outcome is good. According to Constant in order to determine that it is good not to tell the truth to the deceiver the consequences must be examined. But, how are we to determine if the consequences are in turn good? If Constant is true to his logic, he will be sucked into the infinite regress of asking about the consequences, the consequences of consequences, and so on. The only way to escape such a predicament is to fall back onto *a priori* criteria, or a formal principle for the good, apart from empirical considerations. And if *a priori* criteria are employed in one instance—to determine if a consequence is good—then they must also be employed in the original scenario in which Constant argued that they should not be employed in—to determine whether the truth should be told in every scenario. Thus his position is self-refuting.

What is interesting about Constant's comment, though, is the distinction he tacitly makes. This distinction is between those who have a right to the truth and those who do not have a right to the truth. How we are to distinguish between the two and what criteria are to be used to do so, we are not told. He does say that no one is entitled to a truth, which would injure others. Nevertheless, I do not believe Constant could hold onto such a principle for deciding who has a right to the truth very long. As he states this principle in a very absolutist and dogmatic manner, one example is enough to demonstrate the

unsuitability of it for a universal principle. With that in mind, the following example is intended as a refutation of Constant's claim that our right to truth is contingent upon whether that truth will injure others.

Certain necessary structures of society seek out the truth even when the truth has possible injurious outcomes for some parties. One particular sector of society that does so is the judicial system. Within the judicial system the court seeks out the truth of the charges brought against the defendant. If the charges are found to be true then the defendant may have to serve a sentence and in rare instances may be put to death for her crimes. The truth does not always bring peace; sometimes it brings a sword.

Even though the criteria given by Constant for determining who and in what circumstances people have a right to the truth fails under scrutiny, the legislation of access to the truth can be a powerful tool to suppress groups that the majority group wishes to silence. At first it seems appealing to deny the truth to criminals because supposedly they have forfeited their right to the truth. Yet, the concept of what it means to be a criminal or an outsider is very fluid and can easily be molded so as to keep a certain group in power. The right to the truth was wielded as a weapon against blacks, Jews, homosexuals, and other minorities within the last century. This shows that Reason as much as high-powered weapons may be used as a means of terror. Our defense against evil cannot also be subterfuge of the truth. Evil cannot be overcome by evil itself, only by the good.

How is the claim that all of humanity, regardless of race, sexual orientation, and other distinctions, even that of moral character, has a right to the truth to be supported? When Kant considers how it is that his ethical system can rightly be said to apply to all humans he frames it in a rather peculiar fashion. Being a philosopher that lived in the Enlightenment, Kant is concerned with humanity's ability to reason. The ability to reason allows humans to decide which action of a possible set of alternatives is the ethical action to perform and to direct the will accordingly. Considering that Kant's morality is based upon a relationship between the will and Reason it cannot be said that this particular morality applies only to humans. It applies to all rational beings of whatever constitution. Kant insists, "For the purpose of achieving this proof [of the universality of the moral principle] it is of the utmost importance to take warning that we should not

dream for a moment of trying to derive the reality of this principle from the special characteristics of human nature. For duty has to be a practical, unconditioned necessity of action; it must therefore hold for all rational beings (to whom alone an imperative can apply at all), and only because of this can it also be a law for all humans wills” (Ak 4:425). Not only is it impendent upon all human wills to act in accordance with duty, but also it is necessary that we do so toward all other rational beings.

It is amazing that the question of whether Kantian ethics is open to this sort of attack arises at all. Consider the example Kant gave us in the *Groundwork*. Within this context the subject took it upon herself to make a false promise. This false promise was intended to secure money on loan without the intention of paying it back. Said differently, the person asks to borrow money on the condition that they will in the future pay it back, however, knowing all along that they do not intend to pay the borrowed money back. It is evident that this action is unethical because the person wishes to avoid harm by deceiving another. The situation is only complicated once it is added that the person being deceived is a deceiver as well. With the affirmation that all humans considered as rational beings without contingency are entitled to the truth it is easy to see that we cannot escape the dilemma by merely claiming that the murderer has given up their right to the truth.

In conclusion, I would like to suggest that the question of whether Kantian ethics is left defenseless in the face of evil only appears if we assume the perspective of the consequentialist. Kant believes that all humans are corrupted by a radical evil. This is evinced in his essay *Religion Within the Boundaries of Mere Reason* (Ak 6:20). Given that this is true, then at no time would we be given the opportunity to claim that the other party has forfeited their right to truth, because all humans would be equally culpable and as a consequence would have all forfeited this right. In addition, it is just as likely that when we act ethically to other ethical beings that we will be harmed as when we do so to immoral ones. Kant does offer us a way of overcoming evil, but it is the same as the one he offers for overcoming the propensity for evil within the self, that is, overcoming it with good.

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