

Topic: 1 (Spinoza)  
number(24)

### **Freedom, Security and Multiculturalism in Modern Societies**

There is a painting by the Belgian surrealist René Magritte depicting the concept of human liberty as a room with one window opening onto a bright blue sky with clouds like puffs of smoke and another onto a Renaissance-style female nude. In the middle of the boxlike room, where the three walls are as intimidating as the windows are liberating, there is a cannon aimed at the viewer of the painting. Magritte's perspective on human liberty invites reflection on the concepts of freedom vs. security, which is a central dilemma for thinkers who have aimed at creating the best form of state. How far can a state allow its individuals to be free? Is there, or should there be a limit to freedom, and where and how can a state draw the line between what is a necessary limit to freedom and what would be described as an infringement upon the "natural" rights of human beings? In modern societies the cannon has been turned towards "the other," who is intruding upon the scene with different notions of liberty, as well as to the window depicting the infinity of the sky, which can be interpreted as the freedom of society as a whole.

The transition between Spinoza's idea that the aim of a government is not "to rule, or restrain, by fear, nor to exact obedience" but that it is to make sure that "everyman... may live in all possible security" has not been treated as the contrast that Spinoza expresses it to be. A tradition of philosophers have argued that exacting obedience, if not inspiring fear, is a necessary condition for achieving "all possible security," which Spinoza holds up as the aim of a state, and not contradictory to its achievement as Spinoza argues. Plato, in *The Republic*, visualizes the ideal society as one where a group of men with presupposed wisdom, i.e. the philosopher kings, have the right, as well as the responsibility of ruling the masses. Because of their knowledge and experience, they are regarded as having better judgment than the rest of the people. In the Cave Allegory, Plato uses the metaphor that these men have seen sunlight, while the rest of society is made of people who can only see its shadow. Plato's oligarchic description of the ideal state can easily be exploited and turned into the tyranny of a group of people given limitless power. Even if these philosopher kings prove incorruptible – which is highly unlikely – there is no proof that their decision will be the best for the people. In the light of the modern idea of democracy, it is easy to dismiss Plato's republic as anti-democratic, and therefore as having lost its validity in the politics of modern societies. However, it must be kept in mind that Plato also had the best interest of the people in mind and he would support the idea that his republic aimed to grant "all possible security" to its people.

People have a tendency for obedience. This may be an inherent quality or it may be socially constructed, but it has been proved to exist. The Milgram Experiments, conducted by psychologist Stanley Milgram in the 1960's, have asked subjects to ask certain questions to another subject (one of the experimenters in disguise) who was tied to electrodes. The questioning person was then asked to give the answering subject an electric shock each time he gave the wrong answer. Slowly the voltage of the shocks was increased, but the person conducting the experiment ordered the interrogator to keep giving the shocks. Even when the interrogator saw the other person writhing in obvious pain, he continued to give the shocks simply because he was ordered to do so. Totalitarian regimes have found the combination of people's tendency to obey and the Platonic vision of a group of people holding all authority to

conveniently serve tyrannical purposes. In fact, the Nazi regime relied more on the routine of officers doing what they were told, or what was set as their duty, rather than on pure evil. This is the situation coined by Hannah Arendt as the banality of evil. It exemplifies the catastrophic results of Plato's idea taken to extremes. Spinoza's judgment that the state must not be based on obedience has proved accurate, but the idea of "living in all possible security" remains to be reconciled with the idea of liberty.

In *The Social Contract*, Rousseau argues that there must be a contract between the people and the state, whereby people consent to give up certain rights, or accept limits to their freedom in order to benefit from the social privileges that the state can provide. Although Rousseau's ideas are pro-democracy, he still belongs to the tradition in political philosophy that follows the line of Plato. In other words, Rousseau does not support the full liberty of the individual; he values communal wealth and harmony, or communal rights, over the rights of the individual. Spinoza's description of everyman's "natural right to exist without injury to himself and others," raises the question of what it means to injure others. Others (or society) might be injured by James Joyce's *Ulysses* and it may be argued (in fact it has been argued) that the obscenity of this work is a threat to society's security. Rousseau's philosophy would support the suppression of Joyce and the censorship of *Ulysses* over Joyce's natural right to express himself freely. He as an individual must give up his right to say what he thinks if he is regarded as a threat to society. As much as Rousseau aims to maintain the functioning of the state and of society through sacrifices on the part of the people, he fails to reconcile individual liberties with social welfare.

This situation is one of the inherent flaws of modern societies and results in clashes of opinion and controversy, which is often solved by suppression and censorship. Isaiah Berlin acutely summarizes the situation in his essay entitled "On Freedom." Berlin divides the concept of freedom into two: Positive freedom and negative freedom. Although it can be argued that freedom is not so simple as to be divided into two, the categorization is convenient for the case at hand. Negative freedom is the sense of freedom conventionally understood: The freedom of the individual to live free from restraint. The liberal, individual-based tradition following Locke adheres to such a definition of freedom. Positive freedom, on the other hand, is what Rousseau would have defined as freedom: It is the freedom of society to be free from offense, injury, or threat. Positive freedom necessitates the limiting of the individual for the general good. To give an example, in the case of the fatwa declared by Iran against Salman Rushdie due to the presumably insulting description of Mohammed in *The Satanic Verses*, negative freedom would defend that Rushdie has the right to write what he thinks and that the Iranian state has no right to persecute him. Positive freedom, on the other hand, would argue that the Muslim community has the right to be free from insult, and since their religion, which is the core of their identity, was insulted, Rushdie has committed a breach of their freedom.

It is impossible to come to the conclusion that one or the other of the sides in such a case is absolutely right. Both sides are right from their own perspective. Spinoza's ultimate aim of man's "natural right to exist and work, without injury to himself and others" is insufficient in solving this dilemma. A man's natural right to exist (or express himself) may involve injury to others. If injury to others is taken as the standard for setting limits to human freedom, it is easy to end up with the tyranny of the majority, whereby what the majority considers offensive can be used to suppress minority groups and their members.

Multicultural societies, where values and traditions differ from one ethnic or religious group to another, are faced with the problem of having to judge and unite these diverse cultural groups by a single set of laws assumed to be true for all. Spinoza mentions the "natural right to exist." There are other rights assumed to be natural, and aimed at creating a better society for all individuals, but it can be argued that these rights take as their basis

certain Western values based on individuality, which may not be shared by minority groups that want to preserve their communal identities and express themselves in terms of this group identity. (Kymlicka) A state may declare an official language and decree that everyone must be educated in this language, while a minority group may want their children to learn their own language at school as a way of protecting and continuing their linguistic tradition. This is a harmless enough request to make. Then again, a minority group may also say that according to their tradition if somebody from a different clan kills a member of their own clan, tradition dictates that they take revenge and kill somebody else from the other clan, thus creating a blood feud where “civil blood makes civil hands unclean” (*Romeo and Juliet*). This is not such a harmless request. It directly contradicts each man’s “natural” right to exist (although that particular group may not describe this as a natural right). How far should the state permit the laws and values of cultural groups within society to be practiced and amalgamated into the laws of the state?

While Will Kymlicka identifies and discusses the problem at length, he does not propose a solution. Forcing minorities to conformity would lead to a process of otherizing. “You are different,” the state would have declared. “Therefore you are wrong. You must accept the rules I set.” This is not a constructive approach. Reconciling Spinoza’s desire for security with his condition of existing without injuring others can only be achieved through a mutual intercommunal dialogue. The Iranians must question the reasons why Rushdie may have written *The Satanic Verses* and Rushdie must try to understand the bond between Iranians and their religious belief. The state should try to see that education in a different language at schools might not be a threat to national security and the clans mentioned must see that killing each other forever is not going to resolve the feud. Multiculturalism is essential in a democracy and democracy should be an inclusive rather than an exclusive regime. To return to the Magritte metaphor, different cultural groups should each give a hand to lift the cannon out of the room and out through the window with the blue sky, so that the nude lady looks on into the empty room without besmirching her Eve-like purity.

**Topic 1.**  
number(20)

## **1. Introduction**

In today's world people basically live in societies administered within states. When we think about the functions of government of such a state it is worth considering what are its origins, because from the reasons for its creation we can infer its supposed functions. The philosophical concept that casts some light on this problem is the issue of state of nature and social contract, which I will analyse in my essay.

It can be also implied from the quotation in the topic that the existence of the government somehow originates from some human natural rights (as it is stated – to exist and work), and so I will pay some attention to this notion, considering whether there actually is something like natural human rights and what exactly are they.

Finally it is worth analysing whether Spinoza is actually right in his analysis of the function of the government. I will try to show possible other approaches to the role of a state. Hence the general question we shall consider is whether it is possible to set up some working government with sensible functions even if the concepts of state of nature and natural human rights will turn out to be nonsensical or at least unprovable.

## **2. Origins of the states – state of nature**

Spinoza believes that the aims of the state can be inferred from its origins, foundations. This leads us to concept of state of nature and the social contract that follows. State of nature is a philosophical concept describing the life of humans before the establishment of any form of government, and was an extremely popular issue in the time of Enlightenment and even earlier. The leading philosophers analysing this problem were Hobbes, Locke and Rousseau. Hobbesian point of view would probably be close to the one proposed by Spinoza, as he presented state of nature as a war of everyone against everyone else (people injure each other), there is total lack of security and peace and scarcity of natural resources. From this image Hobbes developed his concept of social contract: he stated that all people meet to do something against the state they live in, and they collectively agree to give their natural freedom to a governor, who from now on gains almost dictatorship power. This state, although close to oppression, is still more favourable than a state of nature. People are led by *fear* to do it, so the most important function of the state is to liquidate fear and ensure peace.

Still, both Locke and Rousseau held different points of view on the idea of state of nature (Rousseau went to such an extreme that he claimed the state of nature is far better than any government, as it is most favourable for a man to be close to his natural position). Locke believed that in the state of nature people are free, equal, and there are actually no major conflicts among them. The state is established when people start to trade among themselves and they need some administrative structure that would guard these transactions and assure

that all people follow procedural justice. In this light people would not hurt each other in the state of nature, but still, with the establishment of government they again access to more possibilities so it is a more beneficial option. We can see that this perspective is very different from the one presented by Hobbes.

Can we then say that such thing as a state of nature really existed if we have such contrasting views on it? We can find a extensive critics of this very concept in the essay by D. Hume. He offers several arguments for which the idea of state of nature is nonsensical. First of all, we do not really have much historical examples for it (it would actually be much easier to find examples of states arising out of conquest or war, not some original position). Moreover, looking from the point of view of human psychology, it is much more natural for one to follow the tradition, the previous generation, than to subvert, suddenly return to the state of nature and establish new social contract. People usually do not think about the form of state they exist – they just go on living. So it does not in the end seem to be sensible to analyse the purposes of the government by looking on its origins – the empirist such as Hume would say that we have to look on what we have now, not to create some abstract theories of something we do not have proof of.

### **3. The functions of the government**

A. *“Strengthening natural rights”* - the idea of natural human rights, their origin and content

The concept of natural rights is somehow connected with the idea of state of nature – it assumes that there are some basic, primary features of man that are unalienable no matter of conditions. For Spinoza these natural rights are rights to exist and work; but for others there well can be equality, freedom and right to live (Locke). And again we face the problem of disagreements – if natural rights are the most basic features of man, why then do philosophers differ in describing them? Logically speaking, they should all be unanimous...

This leads us to the problem of origins of human rights – some philosophers say that they come from God, but this does not solve the discussion as we have even more problems with proving the existence of God himself. If then the rights come from humans, we should decide whether they always existed (as Spinoza suggests) or were created by humans themselves at some point. When we take into consideration the diversity of views on human rights, it would be probably more convincing to assume that in the end they were established by humans (this would explain why they differ in various parts of the world). Then the Human Right Organisation (1948) can be interpreted as social contract created to preserve rights seen as valuable by humans (that are: liberties rights, right to fair trial, welfare rights, minorities rights, security rights and equality rights). In the utilitarian perspective we could say that even if we cannot agree for any unanimous concept of origins of human rights, it is better to establish some non-permanent procedures so to oppose the horrible crimes that are going on currently. The consistency of philosophical attitude is then less important than preventing e.g. next genocides. In this light the function of the government should be to bring into life the rights outlined by the Human Right Organisation and to ensure that they are fulfilled within the state.

B. *“Right to exist and work”*

It is interesting to wonder why Spinoza chose these two particular human rights as the most basic ones for humans. Intuitively I think it is easy to agree that a government should do all to assure right to live for all humans and try to provide opportunities for work. Is it, however, only this that it should do? H. Arendt's concept would be quite a contrasting one. In her work "Human Condition" she outlined three basic areas of human life – labour, work and action. Labour is a thing that can well be performed by animals and is aimed to preserve life in the biological sense (so in a way it is this right to life). Work is something that humans do to create things not existing in the world of nature. But the most important sphere is *action* – it is crucial for human condition, and ability to perform action is the feature that makes us different from animals. It is the function of the state to ensure empty room for citizens to act (this is called disclosure), create public space in which citizens can practice their civic abilities, values, discuss, speak. So the crucial function of a state is to provide various civic liberties – freedom of speech, assembly, thought, free press.

In the end it is possible to reconcile these two attitudes (of Arendt and Spinoza). It seems that there must be some basic needs fulfilled for a person to be able to act. A human would not care for his freedom of speech if he was starving and had nowhere to live in. So probably Arendt presupposes existence of right to live and work and goes to more important for her value, that is action.

### C. "Without injury to himself or others"

I have already noticed that it is slightly unjustified to claim that humans would *for sure* hurt each other if no government existed (still, we do have police today that in a way performs the function of providing citizens with security). But there is some truth in this statement which was developed by Mill in his concept of a state and liberty. He claimed that each citizen can do what he wants (make use of his freedom) as long as it does not inflict the freedom of others. And it is the function of the state to ensure that no one breaks this rule.

## 4. Other functions of the state not mentioned by Spinoza

### A. Retribution

So far we showed the functions of the state in the light of state of nature and human rights. But is it only this that makes up the functions of the government? Spinoza's opinion against government restraining citizens could be understood as an argument against justice embodied in the procedural law (because we might say it is somehow coercive). Is the written, coercive law not needed in a state? I shall analyse this problem in the light of law as deterrence and retribution. Spinoza would probably oppose both of them saying that they cause fear and impose obedience. There are, however, many arguments that would support them. Retribution is deeply embedded in our morality – usually we would agree that if someone did something wrong, he should be punished for that. This somehow restores the balance in the society and moreover can provide a criminal with a chance of resocialisation, correcting what he has done. The fact that the rules of retribution are embodied in the bill of law is also vital, as it opposes a situation in which everyone could administer justice as he sees it, which undoubtedly would lead to chaos.

It is also interesting to notice here that some philosophers (like Durkheim) support the idea of retribution as they think it has beneficial effects on the integrity of the society of a state. Retribution designates some criminals that as an effect are outside the society, and hence they somehow help to mark the borders of this community. This allows for greater stability of the state.

Retribution can, on the contrary, be severely criticised. Nozick's concept of protective association would be good to present here. This contemporary political philosopher advocates for what is called minimum state – a construct that would provide all the citizens with the rights they need (like peace), but avoids any coercive measures (such as retribution). This is what we call protective association. Spinoza would be probably happy to agree to this idea.

### *B. Deterrence*

As for deterrence, this is a concept that uses the idea of law as preventing from committing a crime. A criminal-to-be can either be scared of consequences that he would have to face if he was captured, or he can, in a more sophisticated manner, internalise the law and feel morally obliged to follow the regulations.

Deterrence, although a much “softer” method of keeping peace in a state, poses a lot of problems. Nozick for example stated that we do not know how much deterrence we need to prevent crimes unless we test it (which seems to be a risky experimental idea...). Further, if we agree for deterrence, we somehow assume that all criminals will think logically before committing a crime, which is obviously not always the case (some may act under the influence of a sudden impulse). Finally we could even come to a conclusion that deterrence causes something contradicting the idea of Spinoza – fear. It is the fear of a punishment that make people restrain themselves from committing a crime.

### *C. Distributive justice*

We should not forget about a very important function of a state as shown by Rawls (“Justice as Fairness”), that is distributive justice. Rawls claimed that it is a function of a government to ensure all humans with basic, most extensive human rights (equal for all) and that all the other goods (economical or political) are given for some people to the advantage of everyone and are accessible for all people. There are, however, opponents to this view – Nozick would for example say that there is no such thing as distributive justice, because it is impossible to ensure that all people get the same.

Still, distributive justice does not have to be understood as equality of goods, but rather as equality of opportunities. It is a state that can provide us with education, which aims at giving all people equal chances of entering and functioning in the world. The institutions that are provided by the government (such as education, law) seem obvious for us, but they are not mentioned by Spinoza.

## **5. Anarchism**

Nozick made a basic distinction between the supporters of any whatsoever state (archists) and the opponents of it (anarchists). Let us shortly present the vision of anarchism, because it is radically different from what we have said so far. Anarchism as defined by E. Goldman is a conception that advocates for realisation of human freedom to a most possible degree and claiming that any form of government is harmful for people and unnecessary. It follows that government binds people, reduces their creativity, introduces market that makes people believe they have to buy more than they in fact need.

The problem with anarchism is that it is, as stated by Nozick – an *unprotective* association. When we give all people all possible freedom (and they can do what they want) what can follow is complete chaos, inability to communicate. Even if we assume that people are not aggressive by nature and we will not get a Hobbesian total war as a result, there will be some other problems. For example, the world of today is very much globalised, and it is a state that provides us with many means of communication with the rest of the world (e.g. by structure of diplomacy). If we do not have a state, we are somehow separated from the access to some remote parts of the world and we can achieve much less.

## 6. Conclusion

It turns out that we cannot base the analysis of functions of government on the idea of state of nature and the social contract, because these ideas are suspected – we cannot even for sure prove that they exist. It would be also quite risky to base the role of the state only on the ideas of natural human rights as it is also not a certain concept. We can well analyse the roles of government without taking into consideration the state of nature of human nature. It is possible, however, to use the idea of human rights (even if it is a bit shaky) to establish functions of government – for example, distributive justice is based on the idea of right of equality, but not only, as it adds to it the idea that there must be the same opportunities accessible for all for the distributive justice to work.

Spinoza seems to be right when he claims that a state has to provide human with a right to live and work and to protect him from injuries from others. But still, he omits some other functions without which the state would not work properly. For Mill, for example, it is much more important if the citizens to have liberty than to have security (because pursue of security can, in extreme, lead to social stagnation, which is very undesirable for Mill).

In the end I would say that a perfect government (if such thing exists) should base on internationally established and agreed human rights and try to ensure for its citizens the maximum amount of freedom. Freedom, however, can only be created when there is already security provided and the basic human needs (like right to live and work). So it finally seems that Spinoza stated the very rudimentary functions of a government, but we should go a bit further. I hope I have shown it in my essay.

Topic 2  
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Introduction

The above mentioned quotation is the ultimate brick of the building called Kant's ethics, which is thought to be the paradigm of deontology. In other words, it represents the starting point and certain frame for every ethics based on the notion of duty. I consider complete Kant's system to be coherent and it is my aim to identify the values of the ethics which he constructed in the *Critique of practical reason (Kritik der praktischen Vernunft)*, compare it with hedonistic-utilitarian and eudaimonistic, and to determine its modernity and contemporaneity.

I

Firstly, let us elaborate the "starry sky above me and the moral law within me". Kant did not intend to look for either of them outside his own sight. He saw them in front of himself and connected them with the consciousness of his existence. When pointing our look to the countless plenty of stars, we must become aware of our total unimportance as animals. On the contrary, the other sight infinitely raises our value as intelligence, as personality, in which moral law announces life, conducted by reason and independent from animality.

Kant utters two notions to depict human being: a phenomenon and a noumenon. Man is a phenomenon due to living in heteronomy – as an animal acting on desires not legislated by reason, but by natural laws. At the same time, man is a noumenon (Ding an sich) thing as it is in itself. We have to postulate human being as a noumenon in order to allow the existence of our free will, which gives us autonomy.

Therefore, man's freedom consists of two components: 1) independence from natural determinism (negative determination of freedom) and 2) possibility of determination by his own reasonable principles (positive determination of freedom).

Certain paradoxality of Kant's notion of freedom emerges at this point. Actually, his understanding of freedom differs very from the laic one. One might think of freedom as "being free from everything" i.e. "to have no obligations to anything". And just on the contrary, Kant finds freedom to be voluntarily subordinating ourselves to the moral law, prescribed by our own reason, what I very much agree.

II

Secondly, in Kant's philosophy, *freedom* is crucial for understanding morality. Considering the question of freedom, there were numerous significant contributions.

In his theodicea, Leibniz considered this world to be the best of all possible worlds. Since the aim of the theodicea was to justify the existence of evil in the world, Leibniz pursued to solve the puzzle this way: God could make the world better, but would limit human freedom, so this world is the best of all worlds: when making it, God reduced its perfectness in order to allow more human freedom. This was to become a matter of Voltaire's critique in his *Candid*.

But, Schopenhauer did not agree and considered this world to be the worst of all worlds, because it produces only pain and suffering for human beings.

Complete Hegel's philosophy of history is based on the concept that the history of the world represents progress in the consciousness of freedom. We come to Sartre and his existentialist understanding of freedom: He actually broadens the notion of freedom, according to him it is every intentional activity, which can also be conditioned by outside factors. He also broadens the notion of free choice to every reflective taking of an attitude, and consequently considers human responsibility to be absolute because of the possibility to choose.

### III

Thirdly, when referring to Kant's idea of autonomy that humans have as noumena, we should emphasise also the role of autonomy in the wider context of Kant's system. He depicts autonomy as the crucial idea for the self-understanding of European modernity. Autonomy is implicitly contained in his definition of Enlightenment: "Enlightenment is man's leaving his self-caused immaturity". He utters the term immaturity to depict the impossibility of using our own reason without *outside guidance*. And this immaturity is self-caused, actually self-blamed, because it is not caused by the lack of reason, but by the lack of decision and courage to use the reason without being led by another. That's the motto of Enlightenment: "***Sapere aude***" – have courage to use your reason freely, and that represents Kant's universal call for *emancipation* – what appropriately illustrates modernity of his philosophy – his contribution to forming modern men/women.

And the importance of autonomy is decisive for reasonable moral legislation. Kant pursued to find sure criteria for moral acting, and looked for their source in a formal and a priori element. That element is the moral law, which is *autonomously* legislated by reason itself.

In its theoretical application, reason gets stuck in an antinomy considering freedom and causality. That is where the practical reason, as the prescriber of the moral law expresses its supremacy – it provides *practical norms* for acting in real life. This particular point – the supremacy of the practical over the theoretical reason was used by Fichte to found his own philosophy.

### IV

Fourthly, Kant criticises "content determined" (hedonistic-eudaimonistic and utilitarian) ethics. These ethics pursue to determine the morality of an act according to its effect. If it contributes to happiness, joy, public or personal benefit, then the action is moral. Kant strongly opposes this attitude because we can only know what leads to happiness of a particular person in a particular situation from experience, and not a priori. That implicates the impossibility of constructing an a priori moral law according to hedonistic-eudaimonistic and utilitarian principles. Furthermore, I must underline that people differ very much in their understanding of happiness, what contributes to the thesis that "content determined" ethics are not appropriate for making an a priori moral law.

And, how shall we actually define the moral law? Well, I do not have to know what happiness means for every particular person, but I shall surely act morally if my maxim (personal principle) can become a universal value. That's how Kant solves the puzzle of defining the moral law without falling into content determined ethics. He imposes only the form of the law and not its content, leaving enough space for personal autonomy. That is the essence of the

first formulation of his categorical imperative: “Act always on that maxim which you can want to become universal law”

Thus, the morality of an action can be determined when we filter it through the categorical imperative. I shall use his exemplification in order to solidify this point. If someone gives me a deposit without making a written evidence of this transaction, and dies is it moral not to return this deposit? Let us filter it through the categorical imperative: can I want everyone to stop returning deposits? No, because that would implicate there were no deposits at all. Similar conclusion can be made considering giving promises in a situation I know I cannot fulfil it.

Now, I would like to compare the categorical imperative with the golden rule (“Do unto others as you would want the others to do unto you”). These two principles have certain common features, like consistency, but contain also significant differences. While the golden rule is marked by mutuality and reciprocity, the characteristic of the categorical imperative is universalisability. But, even more important, golden rule is a “material principle” and does not secure from moral relativism. Its final implication could be justifying immoral and criminal acts, that’s why I emphasise the supremacy of the categorical imperative.

Motive for acting according to the categorical imperative must be *duty*, and duty is the necessity of acting out of respecting of the law. That is where complete Kant’s ethics derives its name from - it is deontological, the ethics of duty. Furthermore, Kant considers *only* the acts motivated by duty towards the categorical imperative to be moral. If the effects of an act are objectively good, but it was not motivated by the duty toward the categorical imperative, the act is only according to legality and not the morality. The formal determination of the moral law was called formalism by Kant’s critics, foremost Hegel, and excluding other motives than duty from the field of morality was defined as rigorism by Schiller and other critics.

V

Fifthly, The notion of human dignity is closely related to the moral law. For that reason, Kant imposed the second formulation of the categorical imperative: “Act so that you treat humanity in your personality and the personality of the others always as an end and never only as means” This formulation reflects his humanistic attitude – human being must never be simple instruments, but humanity in themselves must be an aim. We should notice the slight difference between *only as means* and *means*. The conclusion is that humans *can sometimes* be used as means, and this was the matter of the later socialist critique. But, Kant emphasises that humans can be used as means only if they agree. This point undoubtedly disqualifies slavery, trafficking and other forms of abuse of human beings.

In my opinion, in everyday life, although we are often unaware of that fact, we expect others to treat us according to the categorical imperative, and when it is upon us to fulfil the task of respecting it, we occasionally fail. Kant was aware of the fact that categorical imperative cannot be absolutely fulfilled by ordinary humans. That would rather be a characteristic of a saint (sacred) will. In the case of saint (sacred) will, favour and duty are identical so the person with such will expresses a favour towards to the duty of acting according to the moral law. Nevertheless, there is a possibility of infinite progress in respecting the moral law.

The fact of disrespecting categorical imperative in everyday life was used by Schopenhauer to create his own ethics based on the feeling of compassion – acting for the benefit of others.

## VI

Sixthly, there were several characteristic critiques of Kant's ethics:

1) Hegel's "emptiness charge" i.e. the critique of formalism. Hegel accused Kant of failing to provide precise guidelines for a moral life, he claimed that Kant describes no particular man in a particular situation. But, this critique is based on misinterpretations of Kant's thought. Kant did not consider morale to be a "science" about happiness, but about *deserving happiness*. As a result, Hegel abandoned the notion ethics in his system and introduced the term *Sittenlehre*.

2) Excluding other motives, first of all love, from motives for a moral act, was criticized by many, first of all Friedrich Schiller who claimed "I serve my friends often, but I do it with love. Therefore, it hurts me not to be full of virtues"

3) In his *Critique of dialectical reason*, Jean-Paul Sartre utters the famous example "Sartre's pupil". The situation is: In occupied France, in World War II, a young man, Sartre's pupil, is in a doubt whether to leave his ill mother, who depends on him and to go to England and join the free French and fight for the liberation of his homeland. Let us now recall the second formulation of the categorical imperative "Act so that you treat humanity in your personality and the personality of the others always as an end and never only as means". If he leaves his mother, he shall be treating her as a mean and the fighters as ends, and vice-versa, staying with his mother means treating her as an aim, and the fellow countryman as means. Sartre's pupil experiences true despair, and abandonment, which are key notions of Sartre's existentialism. It seems that the categorical imperative cannot give an undoubtable answer for this dilemma. Sartre gives his pupil a straightforward, but not particularly helpful advice. You are free, therefore choose.

## VII

Seventhly, I shall mention some personal reasons for supporting Kant's ethics. I consider Kant's deontological ethics to be supreme compared to any form of "content determined" ethics. For instance, utilitarianism claims that an act is moral if it produces biggest benefit for the greatest number of people. Let us consider a practical example. I am a doctor and have received four victims of a car accident. They all need organ replacements, but none are currently available. At the same time, a young, healthy and innocent young man called Adam comes to the hospital for a regular check-up. Thinking utilitarian would mean, if I cut up Adam and give his organs to the victims of the car accident, one dies and four live. That is the benefit for the greatest number of people. But doing so would obviously mean committing a murder. Something must be wrong with this ethics. Let us remember the second formulation of the categorical imperative. There's the problem, thinking utilitarian disrespects the categorical imperative – cutting up Adam would mean treating him only as means.

Furthermore, my support for Kant's ethics stems out of my attitude, that disregarding formal norms for ethical acting might lead to radical moral relativism. But, most important, I consider Kant's ethics to be contemporary, because it preserves the vertical of values, and opposes putting all values into the same level of validity.

## Conclusion

Finally, let us evaluate the points, modernity, and contemporarity of Kant's ethics after comparing them to "content determined" ethics:

1) Kant formulated the categorical imperative as an a priori norm, which, though formal and rigorous, offers coherent criteria for leading a moral life.

- 2) He does not see freedom in lawlessness, but in voluntarily subordinating ourselves to the moral law prescribed by our reason itself, out of itself.
- 3) His deontological ethics provides coherent a priori norms for moral acting, what hedonistic-eudaimonistic and utilitarianistic ethics are not able to do.
- 4) His modernity is expressed in his universal call for emancipation, for free uttering of our reason, what, considered in a wider context of Enlightenment, represents the very foundation of the modern human.
- 5) I find his contemporaneity in insisting on human dignity and preserving the vertical of values in a time, when these are seriously endangered.

TOPIC 2  
(47)

THERE ARE TWO THINGS WHICH FILL THE MIND WITH EVER NEW AND INCREASING ADMIRATION AND AWE... – THE STARRY SKY ABOVE ME AND THE MORAL LAW WITHIN ME. (IMMANUEL KANT, CRITIQUE OF PRACTICAL REASON)

WHY SHOULD I ADMIRE THE MORAL LAW?

PART I – WHY, TELL ME WHY...

KANT'S CLAIM THAT WE ARE OUGHT TO ADMIRE THE MORAL LAW WITHIN US JUST AS MUCH AS NATURE, "THE STARRY SKY ABOVE ME" IS A BIT MUCH. WE PERCEPT EVERY DAY HOW PEOPLE DISREGARD THE MORAL LAW EVERYDAY, WE HAVE LEARNT TO DOUBT THAT ANY CLEAR MORAL LAW EXIST AND WE HAVE NOTICED HOW PAINFUL IT CAN BE TO ACCEPT IT. SO WHY SHOULD ANYONE ADMIRE SOMETHING THAT UNREALISTIC, UNSECURE AND PAINFUL. WHY SHOULD WE OBEY TO THE MORAL LAW ANYWAY?

OUR ADMIRATION OF THE STARRY SKY IS NOT TO BE DOUBTED. WE ARE RULED BY NATURAL LAWS, SO WE MUST ADMIRE NATURE. BUT OUR RELATIONSHIP TO THE MORAL LAW IS DIFFERENT. ALTHOUGH IT IS, AT LEAST ACCORDING TO KANT JUST AS OBJECTIVE AND JUST AS STRICT AS THE LAWS OF NATURE, WE ARE FREE TO OBEY TO IT OR TO IGNORE IT. TO DESCRIBE THE MORAL LAW WE MUST SAY, THAT IT WOULD NOT EXIST, IF MAN'S WILL WAS DETERMINED, BECAUSE WITHOUT FREEDOM OF WILL THERE IS NO POSSIBILITY OF OBEYING TO A MORAL LAW. SO IT IS ONE OF THE ESSENTIAL ATTRIBUTES OF THE MORAL LAW THAT NO ONE IS FORCED TO OBEY TO IT. SO AGAIN WHY SHOULD I?

IT'S CLEAR THAT THIS QUESTION BASICALLY LEADS TO THE QUESTION "WHY BE MORAL?" KANT GAVE A DISTINGUISHED AND COMPLEX ANSWER ON THIS QUESTION WITH HIS IDEAS OF DUTY AND THE MORAL LAW. SUMMED UP QUICKLY HE ARGUED THAT MAN IS DETERMINED BY TWO DIFFERENT THINGS: HIS PERSONAL INCLINATIONS AND REASON. REASON IS CONSIDERED TO BE UNIVERSAL, OBJECTIVE AND MORE VALUABLE THAN THE PERSONAL INCLINATIONS, SO A WILL RULED BY REASON IS A GOOD WILL AND IT IS THE DUTY OF MAN TO ACT ACCORDING TO REASON. THIS LEADS TO THE CATEGORICAL IMPERATIVE, WHICH IS THE OBJECTIVATION OF THE SUBJECTIVE MAXIMS AND DEMANDS THAT YOU MUST BE ABLE TO WANT THAT YOUR SUBJECTIVE MAXIMS IS AN UNIVERSAL LAW. ACCORDING TO KANT MAN SEES HIMSELF AS AN REASONABLE BEING AND FEELS THE DUTY INSIDE OF HIM OR HER TO TARNISH THE MORAL LAW. THIS STRONG FEELING OF OBLIGATION IS WHY WE ADMIRE THE MORAL LAW.

THIS GIVES AS BOTH THE KNOWLEDGE HOW TO ACT MORALLY AND A REASON, WHY WE SHOULD ACT MORALLY. THIS ANSWER IS A GOOD ANSWER, BECAUSE IT IS UNIVERSAL, WHICH MEANS IT GIVES EVERYONE A REASON TO OBEY TO MORAL LAW IN ANY SITUATION. BUT IS THIS CONVINCING FOR SOMEONE WHO DOUBTS THAT THE MORAL LAW HAS TO BE ADMIRABLE AT ALL? FROM THIS POINT OF VIEW KANT'S IDEAS OF THE MORAL LAW AND DUTY SEEM TO BE AN OWN GOAL, BECAUSE THE ADMIRATION OF THE MORAL LAW IS AN MORAL REASON TO BE MORAL AND THERE IS NO NON-MORAL REASON TO DO SO.

PART II - MISLEADING ANSWERS

IN HISTORY OF PHILOSOPHY THERE HAVE BEEN MANY ATTEMPT TO JUSTIFY THAT SOMEONE HAS TO ACT MORAL: FIRST OF ALL THE IDEA OF GOD, WHO GIVES MORAL LAWS AND EVEN HAS GOT THE POWER TO PUNISH

THOSE WHO DO NOT OBEY TO IT. BUT THIS CANNOT BE CONSIDERED TO BE AN APPROPRIATE ANSWER TODAY. FIRSTLY IT IS ONLY VALID FOR BELIEVERS, SO IT IS NOT UNIVERSAL AND SECONDLY IT EXCLUDES REASON FROM MORAL, BECAUSE IT LETS MORALITY DEPEND ON GOD. SO THE COMMANDMENT NOT TO KILL WOULD BE JUST AS VALID AS THE COMMANDMENT THAT HOMOSEXUALITY IS WRONG. THIS IS, AS ANYONE CAN SEE, NOT REASONABLE AT ALL. BUT IF WE WANT REASON TO ENTER MORAL, GOD ISN'T AN APPROPRIATE ANSWER ANYMORE. WE CAN ONLY GUESS THAT GOD, IF WE INSIST IN HIS EXISTENCE AT ALL, WANT US TO DO WHAT WE HAVE CONSIDERED TO BE RIGHT BY REASON ANYWAY.

BESIDES THE RELIGIOUS ANSWER THERE IS THE ANCIENT ANSWER THAT VIRTUES ARE NECESSARY TO BE HAPPY. THIS IS PURE PATERNALISM. WE MUST ADMIT TO EVERYONE TO PURSUIT HIS HAPPINESS IS OWN WAY. FOR EXAMPLE JOHN STUART MILL MAKES DISTINCTIONS BETWEEN HAPPINESS AND CONTENT TO POINT OUT, THAT IT'S BETTER TO BE AN UNCONTENT SOKRATES THAN AN CONTENT PIG. BUT THERE IS NO CONVINCING REASON TO DEFINE IN AN AUTHORITARIAN WAY, WHAT IS HAPPINESS. MILL SAYS, THAT OF TWO PLEASURES, THE PLEASURE WILL BE MORE VALUABLE, WHICH IS CONSIDERED TO BE MORE VALUABLE BY THE MAJORITY OF THOSE WHO KNOW BOTH OF THEM. BUT WHY SHOULD I ADOPT THE OPINION OF THE MAJORITY HERE, IF I DISAGREE? SOMEONE WHO DOES NOT THINK THAT HE GETS HAPPY BY OBEYING TO THE MORAL LAW, HAS NO REASON TO DO SO, IF THIS IS THE ONLY REASON.

WE HAVE SEEN ALREADY THAT THIS TWO REASONS ARE NO REASON TO ADMIRE THE MORAL LAW. THE CONTRACTUALIST ANSWER IS BETTER. IT REGARDS THE FACT THAT A WORLD, IN WHICH EVERYONE OBEYS TO THE MORAL LAW IS BETTER FOR EVERYONE. THIS IS TRUE, BUT IT IS ONLY A REASON TO ADMIRE THE MORAL LAW AND NOT TO ADMIRE THE MORAL LAW WITHIN ME. THE EXISTENCE OF THE MORAL LAW IS GREAT FOR EVERYONE, BUT YOU CAN ENJOY ITS BENEFITS WITHOUT REGARDING IT IN YOUR OWN ACTIONS. OF COURSE THE CONTENT OF THE MORAL LAW, THE CATEGORICAL IMPERATIVE DEMANDS THE UNIVERSALITY OF THE MORAL LAW. BUT IF ONE HUMAN BEING DECIDES TO EXCLUDE HIMSELF FROM THE MORAL LAW, HE WILL EXCLUDE HIMSELF ALSO FROM THE DEMAND OF UNIVERSALITY.

IN THIS CASE THERE IS ONLY ONE WAY LEFT TO CONVINC ANYONE TO ADMIRE THE MORAL LAW WITHIN HIM OR HER, TOO, BUT IT IS EVEN AT THE FIRST GLANCE INSUFFICIENT: HE OR SHE WHO DOES NOT REGARD THE MORAL LAW IN HIS OWN ACTIONS HAS TO FEAR SANCTIONS EITHER BY HOBBS' LEVIATHAN OR BY THE OTHER PEOPLE HE OR SHE MEETS. BUT THIS IS TOTALLY DIFFERENT FROM ADMIRING THE MORAL LAW. FEARING SANCTIONS IS A REASON TO OBEY TO IT, WHICH MEANS PRETENDING TO ACCEPT THE MORAL LAW AND OBEYING TO IT FOR EGOIST REASONS. SURELY AVOIDING SANCTIONS IS AN EGOIST REASON.

THIS IS A PROBLEM WITH ALL ANSWER GIVEN ABOVE, EXCEPT FOR KANT'S: PLEASING GOD, BEING HAPPY, ENJOY THE BENEFITS OF MORALITY ARE MOTIVATIONS DIFFERENT FROM THE MORAL LAW. SO THEY ARE POSSIBLE REASONS TO OBEY TO THE MORAL LAW, BUT NOT TO ADMIRE IT, BECAUSE WHAT IS ADMIRING IS GOD, THE OWN HAPPINESS ETC.

### PART III - AN UNSUFFICIENT ANSWER

THIS PROBLEM MENTIONED AT THE END OF PART TWO LEADS TO THE A DILEMMA: WE CAN DEMAND ADMIRATION OF THE MORAL LAW ON ONE HAND FOR MORAL REASONS, WHICH ARE ONLY EXCEPTABLE FOR THOSE, WHO ADMIRE THE MORAL LAW ANYWAY AND THEREFORE ARE NOT CONVINCING. ON THE OTHER HAND WE DEMAND ADMIRATION OF THE MORAL LAW BY OTHER REASONS, WHICH IS CONTRADICTORY, BECAUSE IT SUBORDINATES THE MORAL LAW TO OTHER GOALS, WHERE IT SHOULD BE MORE VALUABLE, ONLY EQUAL TO THE STARRY SKY ABOVE ME. THAT IS WHY KANT CALLED THE ATTEMPT TO SHOW THAT HAPPINESS EQUALS MORALS THE EUTHANASIA OF MORALS.

IF SO, IS KANT'S ADMIRATION, WHICH SHOULD BE OBJECTIVE AND UNIVERSIAL, ONLY HIS PERSONAL OPINION WHICH CANNOT CONVINCE ANYBODY? NO! KANT BELIEVES THAT ALL HUMANS BEINGS CAN BE REASONABLE. IF SO AND IF THE MORAL LAW IS REASONABLE, EVERYONE SHOULD BE ABLE TO UNDERSTAND THAT IT HAS TO BE ADMIRER, IF IT IS EXPLAINED TO HIM OR HER.

OF COURSE KANT HIMSELF TRIES IT. THE FIRST WAY TO EXPLAIN IS TO POINT OUT, THAT A HUMAN WILL, WHICH IS NOT SUBORDINATED TO THE MORAL LAW, IS SELF-CONTRADICTORY. WHY IS IT SELF-CONTRADICTORY? AS MENTIONED ABOVE, ACCORDING TO KANT HUMAN WILL IS NOT ONLY DETERMINED BY PERSONAL INCLINATIONS, BUT BY REASONS AND REASONS TELL MAN OBJECTIVELY TO OBEY TO THE MORAL LAW. SO IF AN REASON IS NOT SUBORDINATED TO THE MORAL LAW, THERE IS A CONTRADICTION BETWEEN THE SUBJECTIVE INCLINATION AND OBJECTIVE REASON. BY ADMIRING THE MORAL LAW AND REGARDING IT IN ALL DECISIONS ONE CAN AVOID SUCH CONTRADICTIONS.

KANT'S SECOND AND MORE IMPORTANT ARGUMENT IS THE IDEA OF AUTHONOMY. MEN DO NOT DECIDE WHAT THERE PERSONAL INCLINATIONS ARE, SO SOMEONE WHO IS RULED BY THOSE INCLINATIONS, IS NOT FREE. ON THE OTHER HAND SOMEONE WHO LIVES HIS LIFE ACCORDING TO THE MORAL LAW, LIVES HIS LIFE ACCORDING TO A LAW WHICH IS, ALTHOUGH IT IS OBJECTIVE, INSIDE OF HIM. HE HAS GIVEN HIMSELF HIS OWN LAW, WHICH IS AUTHONOMY.

STILL THERE IS NO ARCHEMEDIC POINT IN IT, WHICH DEFINITELY FORCES EVERYONE TO ADMIRE THE MORAL LAW:

- WHY SHOULD I ADMIRE THE MORAL LAW?
- IT MAKES YOU REASONABLE AND FREE.
- WELL, I DON'T HAVE TO BE REASONABLE AND FREE.

#### PART IV – ATTEMPT OF A SUFFICIENT ANSWER

AT THIS POINT KANT NEEDS HELP OF A FRENCH PHILOSOPHER, WHO IS ACTUALLY A FAMOUS OPOONENT OF HIS ETHICS: JEAN PAUL SATRE. FROM THE IDEA THAT THERE IS NO GOD HE DEVELOPED HIS ATHEIST EXISTENZIALISM: NEITHER WHAT MAN IS NOR WHAT MAN SHOULD IS DETERMINED UNTIL MAN DETERMINES IT. BY HIS ACTIONS EVERY INDIVIDUUM MAKES UP A SELF-IMAGE AND DETERMINES WHAT HE OR SHE IS AND SHOULD. BUT THIS SELFIMAGE ALSO SUGGESTS AN IMAGE OF MANKIND.

WE CAN SEE THAT THIS CLOSE TO THE KATEGORICAL IMPERATIVE, BUT DOES NOT CLAIM OBJECTIVITY. TO DEFEND THE MORAL LAW IT IS NECESSARY TO COMBINE KANT'S OBJECTIVITY WITH SATRE'S IDEA OF MAKING UP A SELF-IMAGE: TO SUGGEST AN IMAGE OF MANKIND BY A SELF-IMAGE, WHICH IS MADE BY ACTIONS, WHOSE MAXIMES CANNOT BE UNIVERSIAL LAWS, JUST MAKES NO SENSE. WHAT IS UNREASONABLE AS AN UNIVERSIAL LAW; CAN NOT BE PART OF AN IMAGE OF MANKIND SUGGESTED BY A REASONABLE BEING. WE CAN CONCLUDE THAT MAKING UP A SELF-IMAGE AND AN IMAGE OF MANKIND IS AT LEAST PARTLY A REASONABLE AND OBJECTIVE PROCESS.

IF SOMEONE INSITIS IN DENYING TO ADMIRE THE UNIVERSIAL LAW, WE CAN NOT ONLY TELL HIM THAT IN THIS WAY HE IS NEITHER REASONABLE NOR FREE, BUT WE CAN SAY THAT HE CREATED AN INFERIOR IMAGE OF HIMSELF. BY THE MORAL LAW MAN IS FREE. IF YOU DON'T ADMIRE IS, YOUR SELF-IMAGE IS THE IMAGE OF A SLAVE. BY THE MORAL LAW MAN IS AN END IN ITSELF AND HAS DIGNITY. IF YOU DON'T ADMIRE IT, YOU ARE A MEAN, WHICH CAN BE REPLACED BY OTHER MEANS. ONLY MASOCHISTS CAN WANT SUCH A SELF-IMAGE AND THIS SPECIAL CASE IS AN OBJECT OF PSYCHOLOGICAL REFLECTION RATHER THAN OF PHILOSOPHICAL REFLECTION.

ADMIRING THE MORAL LAW CREATES A DECENT SELF-IMAGE. BY ADMIRING THE MORAL LAW WITHIN ME, I AM NOT A MIDGET UNDER THE STARRY SKY, BUT A GIANT.

Topic 2

(32)

For philosophical work, the quotation, which compares a serious philosophical notion (moral law) with an almost romantic aspect of a natural phenomena (starry sky) might sound rather strange. Especially so, if we consider that it belongs to Kant and that what he concludes his famous ethical theory, which is often seen as having somewhat cold, austere, non-emotional character. The quotation, above all shows the author's almost enthusiastic attitude towards the main object of his theory: the moral law he claims to have found in himself.

The quotation has the function of comparison. The admiration of night sky, covered with stars occurs quite often; I am sure most of the people have experienced this beauty. On the other hand, the admiration of our inner moral laws that supposedly govern our decisions doesn't seem to be very common. But Kant assures us that, if properly understood this moral law (as he claims he does), we would encounter the very same beauty as previously while looking into the sky.

We can make some further inferences from this supposed analogousness of sky and moral law. One of the characteristics of the former is, that it appears more or less the same, regardless of who is observing it, from where he is observing and when he is observing. (I admit, this is not completely true; it matters very much on which hemisphere one stands. But, for the sake of metaphors, let us neglect this inconvenience.) The sky symbolises unchangeability, objectivity, absoluteness. According to Kant, the same absoluteness can be found in our moral law.

But this absoluteness of moral law is not obvious. Kant had to create a whole new ethical theory to justify his position. This is actually the main driving force behind Kant's ethical theory. He was convinced that ethics must be absolute. If ethics are supposed to answer man's question: 'what should I do', then the answer has to be clear and valid for whoever is asking. In this position his theory is similar to many earlier ethical theories, such as Plato's or Christian ethics. However, there is one important distinction Kant made. These earlier absolutist ethics all laid the foundations of their teachings in some other, some remote, ideal world (world of ideas for Plato, God/heaven for Christianity). This other world is in every regard better than our physical world; according to these ethical theories our lives, if truly ethical, should be a constant motion towards this ideal world. Kant, however, intended to build human ethics from the foundation of human nature itself.

To do that, he must first answer the question 'what is human? what is human essence?'. He answers, like Aristotle did before him, that human essence is human reason. In possessing a mind, ability to think, to logically deduct and conclude, man differs from animals. It is therefore here where we should be searching for the sources of our moral laws. We also gain additional advantage if we base the moral laws on reason. Let's compare it to theory which claims that ethics are based on emotions (such as, for example, the ethical side of philosophy of David Hume). It is obvious, that emotions towards some particular object or action differ greatly among different people. If we would try to base moral law on emotion, we would expose ourselves fully to the moral relativism; there would be no universal, objective way of morally evaluating different deeds, since we would have only our feelings to rely on. Reason, on the other hand, appears common to the whole humankind. It appears that for every one of us his mind functions in almost the same way. Mathematical principles, for example, are equally understandable for every one. And this is basically what Kant desires of ethical theory: to possess the same clarity and resistance to doubt that mathematics and other natural sciences do. A particular moral law should, if given some thought, appear as evident and obvious as a mathematical formula.

Of course, an empty reason cannot provide moral laws by itself. First a criterion needs to be created with which we can judge the actions as right or wrong. Kant's intention is to constitute an objective and universally valid moral system. Whether an action is right or wrong should not depend on a particular situation in which it is committed. Therefore a way to check the general righteousness of an action is to consider it isolated from this particular situation. As Kant has put it: 'the action can only be considered to be right if its general maxim can be regarded as moral rule without contradiction'. As an example

Kant considers the action of lying. Lying is wrong, because a rule 'you must lie' contradicts itself. Similar conclusions can be made for all of what I call 'negative actions'. Negative actions are actions that are in essence the denial of some other notion that precedes it. Lie is denial of truth, murder is denial of life, theft is denial of property. Since these negative actions are essentially a denial, they cannot exist without the notion they deny. But if we tried to elevate these negative actions to the level of universal rule, that would completely erase the notion they are based on (if everyone lied, there would be no truth). And since negative actions are nothing without the notion they deny, they too would lose meaning. If we again consider the problem of lying: If everyone lied, there would be no truth. But if there is no truth, how can we say that something is a lie? It is apparent, that these negative actions can never be considered absolute rule, and are therefore always wrong.

This is very convenient for Kant. Negative actions are a denial, and denial is a form of destruction. Negative actions have therefore always borne at least some connotation of immorality. This secures to Kant's ethical theory that it will remain in agreement with most of commonly accepted ethics; its conclusions won't differ too greatly. That probably accounts for much of the success of Kant's theory – he did not so much invent a new morality, as he did justify the existing one.

This was a short description of Kant's ethical theory and its main characteristics. In the second part of the essay, however, I will try to express and explain my criticism of different points of Kant's theory. I will proceed from 'top to bottom', starting with the Kant's final conclusion and then putting to question also his prepositions and inferences.

Upon detailed inspection, Kant's principle of universalisation begins to show some difficulties. The least of those are the discrepancies that appear (despite general similarity) between it and the generally accepted ethics, captured in the well known 'murderer' example: If a man with obvious murderous intentions would approach you, asking about the location of his next victim, you would have to tell the truth - according to Kant, you always have to tell it. This austerity of Kant's theory has been the cause of much reproaching; but it cannot yet be the cause to refute it.

'The action can only be considered to be right if its general maxim can be regarded as moral rule without contradiction'. The real problem in my opinion is, that Kant has not well explained what 'the maxim' of a particular situation is. It appears he has taken it as obvious, but it is not so. In the 'murderer' case, we could choose to lie, following the maxim 'do not help to kill other people' (this maxim can be considered as a moral rule). Therefore, applying Kant's principle to same situation in two different forms brings us to different conclusions – Kant's ethical theory can contradict itself.

The second problematic point of Kant's theory is in my opinion his justification of reason being foundation of morality. Kant's ethical theory was, among other things, a reaction against scepticism and relativism of David Hume. Nevertheless, it was still not completely resistant to Hume's famous objection against absolute moral rule. Hume said: 'No 'There is' includes 'You should''. He meant that inferring from some particular ontology to some particular ethics is not a valid logical action. Hume noticed that ethical philosophers start with describing the world, and then at once start instructing us how should we act. Hume denied that any relevant connection between these two things exists. His doubt can be applied to Kant as well. Kant states that human, unlike animal, possesses reason. Then he states that human should act as his reason tells him to. This does not sound wrong, it sounds even plausible – but the conclusion doesn't necessarily follow from the premise. If we ask: 'why should man act reasonably?' then the question 'because he (and only he) possesses reason.' is not completely satisfying (similar could then be argued for emotions). It lacks the logical doubtlessness that Kant strived for.

My last critique of Kant is critique of his fundamental premise – that the essence of man is reason. Again we can say that this appears plausible but not necessary: the prevalence of reason in man's life can easily be attributed to, for example, the influence of surroundings and of culture. In contrast to Kant's position I will here state the position of existentialists, particularly French philosopher J.P. Sartre. Sartre simply denies that any essence can be attributed to human. According to Sartre, for every object except human, essence is more important than existence – essence precedes existence. To say, for example, that certain table exists, would be meaningless unless we already possessed some idea of what table is. This isn't so, however, in the case of human. A human encounters himself without any pre-given idea about what he is. Nothing definite can be said about human as such - any essence can only be attributed to him (by himself or by others) later through his life – his existence precedes his essence. Or, how Sartre had aptly put it: 'A man is not, what he is and is, what he is not.'

Such position obviously yields completely different conclusions than Kant's theory does. Sartre actually retains Kant's conviction that answer to 'What is right thing to do?' is inseparably connected with answer to question 'What is human? (=what is his essence?)'. But if nothing definite can be said about human, nothing definite can be said about the rightness of his actions either. So Sartre develops his theory, that man is completely free, unrestrained by any laws (moral or other). But surprisingly, he once again revives the Kant's ideas of necessary universality of actions. For Sartre a man is radically free, but also radically responsible. He is responsible not just for himself, but for all human kind, as his every action matters in creating some general concept of humanity. Therefore, a man must have the whole humanity in mind for every action he performs

Despite all the problems that I mentioned, Kant's ethical theory is a truly magnificent and remarkable effort to justify absolute moral laws. It had to face the problems of every absolutist theory, and (in my opinion) failed on some of them, but it still possesses great importance. If nothing else, we have seen in case of Sartre that Kant's ideas are relevant and possible, even without absolute moral laws.

Topic 2  
(44)

Everything is permitted, cried out Ivan Karamazov in Dostoevsky's *The Karamazov Brothers*. And it is with a sense of irony that we see that a line from a novel from a distant world and a distant time resonate so powerfully in our lives. In a world where so many religious, cultural, political influences are mixed to create a hodgepodge of conflict and disagreement over what is morally right or wrong, we cannot help but to question what new justifications for moral laws can bring new consensus, and sense of shared morality that can harmonize this world. But can we ever know what qualifies as a moral rule? Once again Ivan provides us with the problem; *'A peasant child breaks the leg of a general's beloved dog by accident. The general, displeased, demands the culprit and is given the boy's name. It is a cold and wretched day in the forest, and the boy stands still naked and surrounded by hunting dogs. The general yells at the boy to run and the boy is soon chased and ripped to pieces by the dogs, in front of a mourning and impotent mother'* The moral implications for this story is even more revolting than the image it creates. The general's actions is clearly immoral from any normal person's perspective. But is 'clearly' and 'normal' enough? Suppose that the general is brought to court. What justifications can we give for accusing the general of immoral conduct? It may be easy for the lay person to perch his mouth in distate and say that the answer lies either in the breach of basic humane values or the social norm of what is accepted morally good, but for the philosopher, it is no easy task. Can there ever be a basis for moral law that can be justified?

Widespread religious conflict provide us with the first question. Religious conflicts ensue because of various reasons in political, economical, and historical contexts but the justification for every case is deeply based on moral laws. Religion is a moral code. Religious people act in accordance to what religion teaches that it's morally right, but basic tenets and rules of religion vary widely and even whether religion can be a justified basis for moral law is dubious. In *'Fear and Trembling'*, Kierkegaard defines faith as the teleological suspension of the ethical. Abraham, the father of faith in the christian, muslim, jewish world is given as an example. Abraham acts in accordance to God's command, kills his son Isaac to prove his absolute faith. But in doing this he breaches a universal ethical law that the father must love his son more than himself. If Abraham is to be justified universally in his act, he must abide by a higher ethical law in order to mediate the breach he made in the lower ethical law (law that the father must love his son more than himself) But since Abraham acts solely according to God's will, which cannot be proven or justified in the universal, the all ethical is breached, thus suspended. Kierkegaard says that if this is not faith then Abraham must be accused of murder and faith has never existed. Faith cannot be in the universal ethical. It is a private relationship with the deity that cannot be justified in worldly terms. Then what religion teaches as righteous morality is not something justified in the divine. It is just another human judgement that is imposed upon people and practiced socially and historically in the name of god. The idea of a universal moral law that binds everyone at all times is deeply based on the concept of supreme good, which is in turn a concept derived from a divinity that knows and executes good, thus morality. Because the relationship with god is a personal one, it cannot be expanded into universal terms, whether in social structure or basic humanitarian values. Basic human values cannot be a binding reason for moral laws, because what basic human values is

based on is the concept of god and religion which by nature can neither be ethical nor universal.

Neither is Nietzsche version of morality, strongly based on power very helpful. He argues that what we usually call basic moral laws like kindness, tolerance, or harmony are artificial values created by the weak to justify their wretched lives. The strong, powerful, able class do not need moral laws. They create each moment, revel in life, freely exert their power. But the weak, because they feel threatened or oppressed, make an artificial shield for themselves by naming the characteristics of the superior class, creativity and power, evil. Thus the powerful and able is transformed into evil and wretchedness and impotence is transformed into good which is shrouded by the hypocrisy that they call morality. In this context, morality is not originally based on genuine good and evil, thus consisting of natural values that are 'just there for us to find' but rather made through power relationships, the interaction between different classes. This implies that moral laws are made in social contexts. If moral law is something imposed by the weak and oppressed, it can vary in different places and different times because the elements that create social classes and the relationships between them can always change. Finding the justification for moral law in social practices or norms is thus impossible. Something that can be created by human will and something that can be so deeply rooted by repeated practices and indoctrination, thus 'justified' in the eyes of the beholder, cannot be the basis for a moral law for all time and all people.

If neither basic human values nor social norms can be the justification for moral laws, it seems that we are facing a deadlock. Is there no viable basis for moral laws? Is everything permitted? Kant had a very different idea of moral laws, and sought this by searching the inner self. He thought that the reason all previous endeavors to find a basis for moral laws had failed is because they all sought external elements for justification. If moral law is based on external elements, it implies that the individual must 'obey' the rule. Then what the individual must abide by is not pure morality but certain interests, whether they be his own or anyone else's. Then what we call abiding by a moral law is no other than following an interest, and as such a universal moral law cannot be created. Kant said that true moral laws are rather created by the inner self. True moral laws are created freely in a process where my inner self is expressed rationally. Thus moral law is justified by the good will, freely and rationally created and expressed universally without specific interests.

What Kant calls good will is certainly not easy to grasp and though admirable, its practicality is questionable. But new implications for the contemporary world can be derived; It is the responsibility of the self. Moral law, though unjustifiable whether in universal, or social contexts is nevertheless a force that guides human beings and constitutes society. We can argue about the basis of moral laws, and dispute over its qualification as a binding force of humanity, but what really is needed, in this world of urgent conflict that needs repairing is to know the sense in which we must conduct morally. If moral law is constantly emphasized in merely universal, social contexts the responsibility of self is diminished. We begin to rely on institutions, religion, or society to tell us and execute what is morally required. Moral law must not be imposed. It must be created freely and rationally by the self, so that the individual takes the responsibility and consequences of acting according what he thinks is right by a good will. What makes moral law viable is a secondary question, and it will never be settled fully. The only consensus we can make about moral law is the importance of individual responsibility, and by dialogue and practice based on this consensus, we may be able to restore the moral sense that is needed to harmonize this new world.