

from frugality (as a virtue) by merely being the latter pushed too far; but has a quite *different principle* (maxim), namely, placing the end of economy not in the enjoyment of one's means, but in the mere *possession* of them, renouncing enjoyment; just as the vice of *prodigality* is not to be sought in the excessive enjoyment of one's means, but in the bad maxim which makes the use of them, without regard to their maintenance, the sole end.

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For the same reason, no vice can be defined as an *excess* in the practice of certain actions beyond what is proper (ex. gr. *Prodigalitas est excessus in consumendis opibus*); or, as a less exercise of them than is fitting (*Avaritia est defectus*, &c.). For since in this way the *degree* is left quite undefined, and the question whether conduct accords with duty or not, turns wholly on this, such an account is of no use as a definition.

Thirdly. Ethical virtue must not be estimated by the power we attribute to man of fulfilling the law; but conversely, the moral power must be estimated by the law, which commands categorically; not, therefore, by the empirical knowledge that we have of men as they are, but by the rational knowledge how, according to the ideas of humanity, they ought to be. These three maxims of the scientific treatment of Ethics are opposed to the older apophthegms:—

1. There is only one virtue and only one vice.
2. Virtue is the observance of the mean path between two opposite vices.
3. Virtue (like prudence) must be learned from experience.

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Selections from Kant's *Metaphysics of Morals*

The *Metaphysics of Morals* is divided into two parts (which were published separately), the *Metaphysical First Principles of the Doctrine of Right* (a title translated in these selections as 'Science of Right') and the *Metaphysical First Principles of the Doctrine of Virtue* (a title translated in these selections as 'Metaphysical Elements of Ethics'). The following selections are from the general introduction to whole work (which appeared in the *Doctrine of Right*) and the specific introductions to each of the two parts, and they are taken from two different translations. You might wonder about the term 'spring' that is used often in Abbott's translation of the general introduction; this translates a German word (*Triebfeder*) that was translated as 'incentive' in Ellington's translation of the *Grounding for the Metaphysics of Morals*.

From: *Kant's Critique of Practical Reason and Other Works on the Theory of Ethics*, T.K. Abbott, tr. (Longmans, Green, and Co., 1909), pp. 274-277

INTRODUCTION

TO

THE METAPHYSIC OF MORALS.

...

III.

OF THE SUBDIVISION OF A METAPHYSIC OF MORALS.¹

¹ The *deduction* of the division of a system: that is, the proof of its completeness as well as of its *continuity*, namely, that the transition from the notion divided to each member of the division in the whole series of subdivisions does not take place *per saltum*, is one of the most difficult tasks of the constructor of a system. It is even difficult to say what is the ultimate notion of which *right* and *wrong* (*fas aut nefas*) are divisions. It is the *act of free choice* in general. So teachers of ontology begin with the notions of *something* and *nothing*, without being aware that these are already members of a division of a higher notion which is not given, but which, in fact, can only be the notion of an *object* in general.

All legislation (whether it prescribes internal or external actions, and these either *à priori* by pure reason or by the will of another) involves two things: *first*, a *law*, which *objectively* presents the action that is to be done as necessary, *i.e.* makes it a duty; *secondly*, a *spring*, which *subjectively* connects with the idea of the law the motive determining the elective will to this

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action; hence, the second element is this, that the law makes duty the spring. By the former the action is presented as duty, and this is a mere theoretical knowledge of the possible determination of the elective will, *i.e.* of practical rules; by the latter, the obligation so to act is connected with a motive which determines the elective will generally in the agent.

Accordingly, all legislation may be divided into two classes in respect of the springs employed (and this whether the actions prescribed are the same or not: as, for instance, the actions might be in all cases external). That legislation which at once makes an action a duty, and makes this duty the spring, is *ethical*. That which does not include the latter in the law, and therefore admits a spring different from the idea of duty itself, is *juridical*. As regards the latter, it is easily seen that this spring, which is distinct from the idea of duty, must be derived from the pathological motives of choice, namely, the inclinations and aversions, and amongst these from the latter, since it is a legislation, which must be constraining, not an invitation, which is persuasive.

The mere agreement or disagreement of an action with the law, without regard to the motive from which the action springs, is called *legality*; but when the idea of duty arising from the law is also the motive of the action, the agreement is called the *morality* of the action.

Duties arising from forensic legislation can only be external duties, because this legislation does not require that the idea of this duty, which is internal, shall be of itself the motive of the elective will of the agent; and as it nevertheless requires a suitable spring, it can only connect external springs with the law. On the other hand, ethical legislation, while it makes internal actions duties, does not exclude external actions, but applies generally to everything that is duty. But just because ethical legislation includes in its law the inner spring of the action (the idea of duty), a property which cannot belong to the external legislation: hence ethical legislation cannot be external (not even that of a divine will), although it may adopt duties which rest on external legislation, and take them regarded *as duties* into its own legislation as springs of action.

From hence we may see that all duties belong to Ethics, simply because they are duties; but it does not follow that *their legislation* is always included in Ethics: in the case of many duties it is quite outside Ethics. Thus Ethics requires that I should fulfil my pledged word, even though the other party could not compel me to do so; but the law (*pacta sunt servanda*) and the corresponding duty are taken by Ethics from jurisprudence. Accordingly, it is not in Ethics but in *Jus* that the legislation is contained

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XIII.—*General Principles of the Metaphysics of Morals in the treatment of Pure Ethics.*

First. A duty can have only a *single* ground of obligation; and if two or more proofs of it are adduced, this is a certain mark that either no valid proof has yet been given, or that there are several distinct duties which have been regarded as one.

For all moral proofs, being philosophical, can only be drawn by means of rational knowledge *from concepts*, not like mathematics, through the construction of concepts. The latter science admits a variety of proofs of one and the same theorem; because in *intuition à priori* there may be several properties of an object, all of which lead back to the very same principle. If, for instance, to prove the duty of veracity, an argument is drawn first from the *harm* that a lie causes to other men; another from the *worthlessness* of a liar, and the violation of his own self-respect, what is proved in the former argument is a duty of benevolence, not of veracity, that is to say, not the duty which required to be proved, but a different one. Now, if in giving a variety of proofs for one and the same theorem, we flatter ourselves that the multitude of reasons will compensate the lack of weight in each taken separately, this is a very unphilosophical resource, since it betrays trickery and dishonesty; for several insufficient proofs placed *beside one another* do not produce certainty, nor even probability. They should *advance* as reason and consequence *in a series*, up to the sufficient reason, and it is only in this way that they can have the force of proof. Yet the former is the usual device of the rhetorician.

Secondly. The difference between virtue and vice cannot be sought in the *degree* in which certain maxims are followed, but only in the specific *quality* of the maxims (their relation to the law). In other words, the vaunted principle of Aristotle, that virtue is the *mean* between two vices, is false.¹ For instance, suppose that good management is given as the *mean* between two vices, prodigality and avarice; then its origin as a virtue can neither be defined as the gradual diminution of the former vice (by saving) nor as the increase of the expenses of the miserly. These vices, in fact, cannot be viewed as if they, proceeding as it were in opposite directions, met together in good management; but each of them has its own maxim, which necessarily contradicts that of the other.

¹ The common classical formulae of Ethics—*medio tutissimus ibis; omnium virtutum in virtutum; est modus in rebus; &c; medium tenere beat; virtus est medium vitiorum et utrinque relictum*—contain a poor sort of wisdom, which has no definite principles: for this mean between two extremes, who will assign it for me? Avarice (as a vice) is not distinguished

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straint is not done from love.

It is a duty to do good to other men according to our power, whether we love them or not, and this duty loses nothing of its weight, although we must make the sad remark that our species, alas! is not such as to be found particularly worthy of love when we know it more closely. *Hated of men*, however, is always hateful: even though without any active hostility it consists only in complete aversion from mankind (the solitary misanthropy). For benevolence still remains a duty even towards the manhater, whom one cannot love, but to whom we can show kindness.

To hate vice in men is neither duty nor against duty, but a mere feeling of horror of vice, the will having no influence on the feeling nor the feeling on the will. *Beneference* is a duty. He who often practises this, and sees his beneficent purpose succeed, comes at last really to love him whom he has benefited. When, therefore, it is said: Thou shalt love thy neighbour as thyself, this does not mean: Thou shalt first of all love, and by means of this love (in the next place) do him good; but: *Do good* to thy neighbour, and this beneficence will produce in thee the love of men (as a settled habit of inclination to beneficence).

The love of *complacency* (*amor complacentiae*) would therefore alone be direct. This is a pleasure immediately connected with the idea of the existence of an object, and to have a duty to this, that is, to be necessitated to find pleasure in a thing, is a contradiction.

(D.)—Of Respect.

Respect (*reverentia*) is likewise something merely subjective; a feeling of a peculiar kind not a judgment about an object which it would be a duty to effect or to advance. For if considered as duty it could only be conceived as such by means of the *respect* which we have for it. To have a duty to this, therefore, would be as much as to Bay, to be bound in duty to have a duty. When, therefore, it is said: Man has a *duty of self-esteem*, this is improperly stated, and we ought rather to say: The law within him inevitably forces from him *respect* for his own being, and this feeling (which is of a peculiar kind) is a basis of certain duties, that is, of certain actions which may be consistent with his duty to himself. But we cannot say that he has a duty of respect for himself; for he must have respect for the law within himself, in order to be able to conceive duty at all.

which enjoins that promises be kept. Ethics teaches only that even if the spring were absent which is connected by forensic legislation with that duty, namely, external compulsion, yet the idea of duty would alone be sufficient as a spring. For if this were not so, and if the legislation itself were not forensic, and the duty arising from it not properly a legal duty (in contrast to a moral duty), then faithfulness to one's engagements would be put in the same class as actions of benevolence and the obligation to them, which cannot be admitted. It is not an ethical duty to keep one's promise, but a legal duty, one that we can be compelled to perform. Nevertheless, it is a virtuous action (a proof of virtue) to do so, even where no compulsion is to be *apprehended*. Law and morals, therefore, are distinguished not so much by the diversity of their duties, but rather by the diversity of the legislation which connects this or that motive with the law.

Ethical legislation is that which *cannot* be external (although the duties may be external); forensic legislation is that which can be external. Thus to keep one's contract is an external duty; but the command to do this merely because it is a duty, without regard to any other motive, belongs only to the *internal* legislation. Accordingly, the obligation is reckoned as belonging to Ethics, not as being a special kind of duty (a special kind of actions to which one is bound)—for in Ethics as well as in law we have external duties—but because in the supposed case the legislation is an internal one, and can have no external lawgiver. For the same reason duties of benevolence, although they are external duties (obligations to external actions), are yet reckoned as belonging to Ethics because the legislation imposing them can only be internal. No doubt Ethics has also duties peculiar to itself (*ex. gr.* duties to ourselves), but it also has duties in common with law, only the kind of *obligation* is different. For it is the peculiarity of ethical legislation to perform actions solely because they are duties, and to make the principle of duty itself the adequate spring of the will, no matter whence the duty may be derived. Hence, while there are many *directly ethical* duties, the internal legislation makes all others indirectly ethical.

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INTRODUCTION TO THE SCIENCE
OF RIGHT.

—o—

[GENERAL DEFINITIONS AND DIVISIONS.]

A.

What the Science of Right is.

THE SCIENCE OF RIGHT has for its object the Principles of all the Laws which it is possible to promulgate by external legislation. Where there is such a legislation, it becomes in actual application to it, a system of *positive Right* and Law; and he who is versed in the knowledge of this System is called a Jurist or Jurisconsult (*jurisconsultus*). A practical Jurisconsult (*jurisperitus*), or a professional Lawyer, is one who is skilled in the knowledge of positive external Laws, and who can apply them to cases that may occur in experience. Such practical knowledge of positive Right, and Law, may be regarded as belonging to *Jurisprudence* (*Jurisprudentia*) in the original sense of the term. But the theoretical knowledge of Right and Law in Principle, as distinguished from positive Laws and empirical cases, belongs to the pure SCIENCE OF RIGHT (*Jurisscientia*). The Science of Right thus designates the philosophical and systematic knowledge of the Principles of Natural Right. And it is from this Science that the immutable Principles of all positive Legislation must be derived by practical Jurists and Lawgivers.

B.

What is Right?

This question may be said to be about as embarrassing to the Jurist as the well-known question, 'What is Truth?' is to the Logician. It is all the more so, if, on reflection, he strives to avoid tautology in his reply, and recognise the fact that a reference to what holds true merely of the laws of some one country at a particular time, is not a solution of the general problem thus proposed. It is quite easy to state what may be right in particular cases (*quid sit juris*), as being what the laws of a certain place and of a certain

and displeasure in general) is something merely subjective, which supplies no knowledge. No man is wholly destitute of moral feeling, for if he were totally unsusceptible of this sensation he would be morally dead; and, to speak in the language of physicians, if the moral vital force could no longer produce any effect on this feeling, then his humanity would be dissolved (as it were by chemical laws) into mere animality, and be irrevocably confounded with the mass of other physical beings. But we have no special *sense* for (moral) good and evil any more than for *truth*, although such expressions are often used; but we have a *susceptibility* of the free elective will for being moved by pure practical reason and its law; and it is this that we call the moral feeling.

(B.)—**Of Conscience.**

Similarly, conscience is not a thing to be acquired, and it is not a duty to acquire it; but every man, as a moral being, has it originally within him. To be bound to have a conscience would be as much as to say to be under a duty to recognize duties. For conscience is practical reason which, in every case of law, holds before a man his duty for acquittal or condemnation; consequently it does not refer to an object, but only to the subject (affecting the moral feeling by its own act); so that it is an inevitable fact, not an obligation and duty. When, therefore, it is said: this man *has* no conscience, what is meant is, that he pays no heed to its dictates. For if he really had none, he would not take credit to himself for anything done according to duty, nor reproach himself with violation of duty, and therefore he would be unable even to conceive the duty of having a conscience.

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(C.)—**Of Love to Men.**

Love is a matter of *feeling*, not of will or volition, and I cannot love because I *will* to do so, still less because I *ought* (I cannot be necessitated to love); hence there is no such thing as a *duty to love*. *Benevolence*, however (*amor benevolentiae*), as a mode of action, may be subject to a law of duty. Disinterested benevolence is often called (though very improperly) *love*; even where the happiness of the other is not concerned, but the complete and free surrender of all one's own ends to the ends of another (even a superhuman) being, love is spoken of as being also our duty. But all duty is *necessitation* or constraint, although it may be self-constrant according to a law. But what is done from con-

one's mind and to quicken it is, as in the former case, *meritorious*, because it goes beyond the law of duty in actions, and makes the law in itself the spring.

...

XII.—*Preliminary Notions of the Susceptibility of the Mind for Notions of Duty generally.* 6:399

These are such moral qualities as, when a man does not possess them, he is not bound to acquire them. They are: the *moral feeling, conscience, love of one's neighbour, and respect for ourselves (self-esteem)*. There is no obligation to have these, since they are *subjective* conditions of susceptibility for the notion of duty, not *objective* conditions of morality. They are all *sensitive* and antecedent, but natural capacities of mind (*prædispositio*) to be affected by notions of duty; capacities which it cannot be regarded as a duty to have, but which every man has, and by virtue of which he can be brought under obligation. The consciousness of them is not of empirical origin, but can only follow on that of a moral law, as an effect of the same on the mind.

(A.)—**The Moral Feeling.**

This is the susceptibility for pleasure or displeasure, merely from the consciousness of the agreement or disagreement of our action with the law of duty. Now, every determination of the elective will proceeds *from* the idea of the possible action *through* the feeling of pleasure or displeasure in taking an interest in it or its effect *to* the deed; and here the *sensitive* state (the affection of the internal sense) is either a *pathological* or a *moral* feeling. The former is the feeling that precedes the idea of the law, the latter that which may follow it.

Now it cannot be a duty to have a moral feeling, or to acquire it; for all consciousness of obligation supposes this feeling in order that one may become conscious of the necessitation that lies in the notion of duty; but every man (as a moral being) has it originally in himself; the obligation then can only extend to the *cultivation* of it and the strengthening of it even by admiration of its inscrutable origin; and this is effected by showing how it is just by the mere conception of reason that it is excited most strongly, in its own purity and apart from every pathological stimulus; and it is improper to call this feeling a *moral sense*; for the word *sense* generally means a theoretical power of perception directed to an object; whereas the moral feeling (like pleasure

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time say or may have said; but it is much more difficult to determine whether what they have enacted is right in itself, and to lay down a universal Criterion by which Right and Wrong in general, and what is just and unjust, may be recognised. All this may remain entirely hidden even from the practical Jurist until he abandon his empirical principles for a time, and search in the pure Reason for the sources of such judgments, in order to lay a real foundation for actual positive Legislation. In this search his empirical Laws may, indeed, furnish him with excellent guidance; but a merely empirical system that is void of rational principles is, like the wooden head in the fable of Phædrus, fine enough in appearance, but unfortunately it wants brain.

[1.] The conception of RIGHT,—as referring to a corresponding Obligation which is the moral aspect of it,—in the *first* place, has regard only to the external and practical relation of one Person to another, in so far as they can have influence upon each other, immediately or mediately, by their *Actions* as facts. [2.] In the *second* place, the conception of Right does not indicate the relation of the action of an individual to the *wish* or the mere desire of another, as in acts of benevolence or of unkindness, but only the relation of his free action to the freedom of *action* of the other. [3.] And, in the *third* place, in this reciprocal relation of voluntary actions, the conception of Right does not take into consideration the *matter* of the act of Will in so far as the end which any one may have in view in willing it, is concerned. In other words, it is not asked in a question of Right whether any one on buying goods for his own business realizes a profit by the transaction or not; but only the *form* of the transaction is taken into account, in considering the relation of the mutual acts of Will. Acts of Will or voluntary Choice are thus regarded only in so far as they are *free*, and as to whether the action of one can harmonize with the Freedom of another, according to a universal Law.

RIGHT, therefore, comprehends the whole of the conditions under which the voluntary actions of any one Person can be harmonized in reality with the voluntary actions of every other Person, according to a universal Law of Freedom.

C.

Universal Principle of Right.

'Every Action is *right* which in itself, or in the maxim on which it proceeds, is such that it can co-exist along with the Freedom of the Will of each and all in action, according to a universal Law.'

If, then, my action or my condition generally can co-exist with

the freedom of every other, according to a universal Law, any one does me a wrong who hinders me in the performance of this action, or in the maintenance of this condition. For such a hindrance or obstruction cannot co-exist with Freedom according to universal Laws.

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It follows also that it cannot be demanded as a matter of Right, that this universal Principle of all maxims shall itself be adopted as my maxim, that is, that I shall make it the *maxim* of my actions. For any one may be free, although his Freedom is entirely indifferent to me, or even if I wished in my heart to infringe it, so long as I do not actually violate that freedom by *my external action*. Ethics, however, as distinguished from Jurisprudence, imposes upon me the obligation to make the fulfilment of Right a *maxim* of my conduct.

The universal Law of Right may then be expressed, thus: 'Act externally in such a manner that the free exercise of thy Will may be able to co-exist with the Freedom of all others, according to a universal Law.' This is undoubtedly a Law which imposes obligation upon me; but it does not at all imply and still less command that I *ought*, merely on account of this obligation, to limit my freedom to these very conditions. Reason in this connection says only that it *is* restricted thus far by its Idea, and may be likewise thus limited in fact by others; and it lays this down as a Postulate which is not capable of further proof. As the object in view is not to teach Virtue, but to explain what Right *is*, thus far the Law of Right, as thus laid down, may not and should not be represented as a motive-principle of action.

D.

Right is conjoined with the Title or Authority to compel.

The resistance which is opposed to any hindrance of an effect, is in reality a furtherance of this effect, and is in accordance with its accomplishment. Now, everything that is wrong is a hindrance of freedom, according to universal Laws; and Compulsion or Constraint of any kind is a hindrance or resistance made to Freedom. Consequently, if a certain exercise of Freedom is itself a hindrance of the Freedom that is according to universal Laws, it is wrong; and the compulsion or constraint which is opposed to it is right, as being a *hindering of a hindrance of Freedom*, and as being in accord with the Freedom which exists in accordance with universal Laws. Hence, according to the logical principle of Contradiction, all Right is accompanied with an implied Title or warrant to bring compulsion to bear on any one who may violate it in fact.

something which no other but himself can do.

...

VII.—Ethical Duties are of indeterminate, Juridical Duties of strict, Obligation.

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This proposition is a consequence of the foregoing; for if the law can only command the maxim of the actions, not the actions themselves, this is a sign that it leaves in the observance of it a latitude (*latitude*) for the elective will; that is, it cannot definitely assign how and how much we should do by the action towards the end which is also duty. But by an indeterminate duty is not meant a permission to make exceptions from the maxim of the actions, but only the permission to limit one maxim of duty by another (*ex. gr.* the general love of our neighbour by the love of parents); and this in fact enlarges the field for the practice of virtue. The more indeterminate the duty, and the more imperfect accordingly the obligation of the man to the action, and the closer he nevertheless brings this maxim of obedience thereto (in his own mind) to the *strict* duty (of justice) [*des Rechts*], so much the more perfect is his virtuous action.

Hence it is only imperfect duties that are *duties of virtue*. The fulfilment of them is *merit* (*meritum*) = + *a*; but their transgression is not necessarily *demerit* (*demeritum*) = - *a*, but only moral *unworth* = 0, unless the agent made it a principle not to conform to those duties. The strength of purpose in the former case is alone properly called *Virtue* [*Tugend*] (*virtus*); the weakness in the latter case is not *vice* (*vitium*), but rather only *lack of virtue* [*Untugend*], a want of moral strength (*defectus moralis*). (As the word 'Tugend' is derived from 'taugen' [to be good for something], 'Untugend' by its etymology signifies good for nothing).¹ Every action contrary to duty is called *transgression* (*peccatum*). Deliberate transgression which has become a principle is what properly constitutes what is called *vice* (*vitium*).

Although the conformity of actions to justice [*Recht*] (*i.e.* to be an upright [*rechtlicher*] man) is nothing meritorious, yet the conformity of the maxim of such actions regarded as duties, that is, *Reverence* for justice, is *meritorious*. For by this the man makes the right of humanity or of men *his own end*, and thereby enlarges his notion of duty beyond that of *indebtedness* (*officium debiti*), since although another man by virtue of his rights can demand that my actions shall conform to the law, he cannot demand that the law shall also contain the spring of these actions. The same thing is true of the general ethical command, "Act dutifully from a sense of duty." To fix this disposition firmly in

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merely the consequence of this, that it is a doctrine of *Ends*, since to be *forced* to have ends or to set them before one's self is a contradiction.

Now that Ethics is a *doctrine of virtue* (*doctrina officiorum virtutis*) follows from the definition of virtue given above compared with the obligation, the peculiarity of which has just been shown. There is in fact no other determination of the elective will, except that to an *end*, which in the very notion of it implies that I cannot even *physically* be forced to it by the *elective will* of others. Another may indeed *force* me to do something which is not my end (but only means to the end of another), but he cannot force me to *make it my own end*, and yet I can have no end except of my own making. The latter supposition would be a contradiction—an act of freedom which yet at the same time would not be free. But there is no contradiction in setting before one's self an end which is also a duty: for in this case I constrain myself, and this is quite consistent with freedom.¹ ...

¹ The less a man can be physically forced, and the more he can be morally forced (by the mere idea of duty), so much the freer he is. The man, for example, who is of sufficiently firm resolution and strong mind not to give up an enjoyment which he has resolved on, however much loss is shown as resulting therefrom, and who yet desists from his purpose unhesitatingly, though very reluctantly, when he finds that it would cause him to neglect an official duty or a sick father; this man proves his freedom in the highest degree by this very thing, that he cannot resist the voice of duty.

...

IV.— *What are the Ends which are also Duties?*

They are—**Our own Perfection; The Happiness of Others.**

We cannot invert these, and make on one side our own happiness, and on the other the perfection of others, ends which should be in themselves duties for the same person.

For *one's own happiness* is, no doubt, an end that all men have (by virtue of the impulse of their nature), but this end cannot without contradiction be regarded as a duty. What a man of himself inevitably wills does not come under the notion of *duty*, for this is a *constraint* to an end reluctantly adopted. It is, therefore, a contradiction to say that a man is *in duty bound* to advance his own happiness with all his power.

It is likewise a contradiction to make the *perfection* of another my end, and to regard myself as in duty bound to promote it. For it is just in this that the *perfection* of another man as a person consists, namely, that he is able *of himself* to set before him his own end according to his own notions of duty; and it is a contradiction to require (to make it a duty for me) that I should do

Strict Right may be also represented as the possibility of a universal reciprocal Compulsion in harmony with the Freedom of all according to universal Laws.

This proposition means that Right is not to be regarded as composed of two different elements—Obligation according to a Law, and a Title on the part of one who has bound another by his own free choice, to compel him to perform. But it imports that the conception of Right may be viewed as consisting immediately in the possibility of a universal reciprocal Compulsion, in harmony with the Freedom of all. As Right in general has for its object only what is external in actions, Strict Right, as that with which nothing ethical is intermingled, requires no other motives of action than those that are merely external; for it is then pure Right, and is unmixed with any prescriptions of Virtue. A *strict* Right, then, in the exact sense of the term, is that which alone can be called wholly external. Now such Right is founded, no doubt, upon the consciousness of the Obligation of every individual according to the Law; but if it is to be pure as such, it neither may nor should refer to this consciousness as a motive by which to determine the free act of the Will. For this purpose, however, it founds upon the principle of the possibility of an external Compulsion, such as may co-exist with the freedom of every one according to universal Laws. Accordingly, then, where it is said that a Creditor has a right to demand from a Debtor the payment of his debt, this does not mean merely that he can bring him to feel in his mind that Reason obliges him to do this; but it means that he can apply an external compulsion to force any such one so to pay, and that this compulsion is quite consistent with the Freedom of all, including the parties in question, according to a universal Law. Right and the Title to compel, thus indicate the same thing.

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From: *Kant's Critique of Practical Reason and Other Works on the Theory of Ethics*, T.K. Abbott, tr. (Longmans, Green, and Co., 1909), pp. 289-292, 296, 300-301, 309-316

METAPHYSICAL ELEMENTS OF ETHICS

...

INTRODUCTION TO ETHICS.

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Ethics in ancient times signified *moral philosophy* (*philosophia moralis* [sittenlehre] generally, which was also called the *doctrine of duties* [deontology]. Subsequently it was found advisable to confine this name to a part of moral philosophy, namely, to the doctrine of duties which are not subject to external laws (for which in German the name *Tugendlehre* was found suitable). Thus the system of general deontology is divided into that of *Jurisprudence* (*Jurisprudentia*), which is capable of external laws, and of Ethics, which is not thus capable, and we may let this division stand.

I.—*Exposition of the Conception of Ethics.*

The *notion of duty* is in itself already the notion of a *constraint* of the free elective will by the law; whether this constraint be an *external* one or be *self-constraint*. The moral *imperative*, by its categorical (the unconditional “ought”) announces this constraint, which therefore does not apply to all rational beings (for there may also be *holy* beings), but applies to men as *rational physical beings* who are unholy enough to be seduced by pleasure to the transgression of the moral law, although they themselves recognize its authority; and when they do obey it, to obey it *unwillingly* (with resistance of their inclination); and it is in this that the constraint properly consists.¹ Now, as man is a *free* (moral) being, the notion of duty can contain only *self-constraint* (by the idea of the law itself), when we look to the internal determination of the will (the spring), for thus only is it possible to combine that *constraint* (even if it were external) with the freedom of the elective will. The notion of duty then must be an ethical one.

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¹ Man, however, *as at the same time a moral being*, when he considers himself objectively, which he is qualified to do by his pure practical reason (*i.e.*: according to *humanity* in his own person), finds himself holy enough to transcend the law only *unwillingly*; for there is no man so depraved who in this transgression would not feel a resistance and an abhorrence of himself, so that he must put a force on himself. It is impossible to explain the phenomenon that at this parting of the ways (where the beautiful fable places Hercules between virtue and sensuality) man shows more propensity to obey inclination than the law. For, we can only explain what happens by tracing it to a cause according to physical laws; but then we should not be

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able to conceive the elective will as free. Now this mutually opposed self-constraint and the inevitability of it makes us recognize the incompressible property of *freedom*.

The impulses of nature then contain *hindrances* to the fulfillment of duty in the mind of man, and resisting forces, some of them powerful; and he must judge himself able to combat these and to conquer them by means of reason, not in the future, but in the present, simultaneously with the thought; he must judge that he *can* do what the law unconditionally commands that he *ought*.

Now the power and resolved purpose to resist a strong but unjust opponent is called *fortitudo* (*fortitudo*), and when concerned with the opponent of the moral character *within us*, it is *virtue* (*virtus, fortitudo moralis*). Accordingly, general deontology, in that part which brings not external, but internal, freedom under laws, is the *doctrine of virtue [ethics]*.

Jurisprudence had to do only with the *formal* condition of external freedom (the condition of consistency with itself, if its maxim became a universal law), that is, with *law*. Ethics, on the contrary, supplies us with a *matter* (an object of the free elective will), an *end* of pure reason which is at the same time conceived as an objectively necessary end, *i.e.*: as duty for all men. For, as the sensible inclinations mislead us to ends (which are the matter of the elective will) that may contradict duty, the legislating reason cannot otherwise guard against their influence than by an opposite moral end, which therefore must be given *à priori* independently on inclination.

An *end* is an object of the elective will (of a rational being), by the idea of which this will is determined to an action for the production of this object. Now I may be forced by others to actions which are directed to an end as means, but I cannot be forced to *have an end*; I can only *make* something an end to myself. If, however, I am also bound to make something which lies in the notions of practical reason an end to myself, and therefore, besides the formal determining principle of the elective will (as contained in law), to have also a material principle, an end which can be opposed to the end derived from sensible impulses; then this gives the notion of an *end which is in itself a duty*. The doctrine of this cannot belong to jurisprudence, but to Ethics, since this alone includes in its conception *self-constraint* according to moral laws.

For this reason Ethics may also be defined as the system of the *Ends* of the pure practical reason. The two parts of moral philosophy are distinguished as treating respectively of *Ends* and of *Duties* of Constraint. That Ethics contains duties to the observance of which one cannot be (physically) forced by others is

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