PART ONE

Kant's Highest Good as a Social Duty
CHAPTER I

Social Versus Private Ethics:
The Highest Good and the Categorical Imperative

In his critical writings Kant frequently states that it is our duty to promote the highest good, or *sumnum bonum*. In *Critique of Judgment*, for example, he writes: “The moral law . . . determines for us . . . a final purpose toward which it obliges us to strive, and this purpose is the *highest good in the world* possible through freedom” (p. 301; § 87; V: 531). Kant elaborates: “We are *a priori* determined by reason to promote with all our powers the *sumnum bonum* (*Weltbeste*), which consists in the combination of the greatest welfare of rational beings with the highest condition of the good in itself, i.e., in universal happiness conjoined with morality most accordant to law” (p. 304; § 88; 534).

At the outset, this claim raises a variety of interrelated questions: What is the moral foundation of the demand that we ought to seek a moral society? What are the implications of this moral requirement for the understanding of our individual duties? What motivational account can be given of the fulfillment of the duty to promote the highest good? What are the moral constraints that must be placed upon such an endeavor? Does the moral ideal specify a tenable human project, both from the perspective of history and from that of the laws of nature? And, finally, what are the institutions that are most fitting to, or best express, the moral
ideal? The first part of this study seeks to reconstruct critically how these questions, as aspects or ramifications of the highest good as a social duty, are addressed in Kant's work. The rationale and guideline of my reconstruction are discussed in the Preface: to develop Kant's practical philosophy as an essential step toward my over-all aim of constructing a Kantian socialist ethics.

A problem that needs our immediate attention is that there is a certain ambiguity embedded in Kant's notion of the highest good. Is it his view that we must promote or further the highest good, or does he hold that it is the duty of humanity to realize this good? Kant usually says that it is our duty to promote the highest good, arguing that it is not within our power to so transform nature that each individual will be happy in the moral society. Thus one would expect him to argue additionally that the highest good as the final end set by the moral law is a moral society in which human beings attempt to make one another happy, but do not necessarily succeed. Kant, however, does not explicitly draw this conclusion. The two conceptions of the highest good are conflated in his work, and the notion of the highest good as the union of universal virtue and universal happiness predominates. Thus it would seem that Kant holds that the failure to realize universal happiness is a deontic failing. I will touch upon this problem at some other points in this chapter, and in the next chapter it will be a focus of my attention.

Unless noted otherwise, in the present chapter I interpret the highest good as a moral society in which human agents seek to make one another happy, leaving it an open question to what extent this universal cooperation leads to universal happiness. The upshot, then, is that I change somewhat Kant's common definition of the highest good, but preserve the meaning of his claim that we must promote the highest good (as the union of universal virtue and universal happiness).

I will call any moral theory, such as Kant's ethics, that puts forward the demand that we actively seek the realization of ideal institutions a social ethics, and I will use the term private ethics as the opposite term. The point of using the latter term is to signify that any moral theory that fails to make such a social demand leaves our moral initiatives and efforts limited in effect to the private realm. This does not mean that the moral agent of private ethics does not participate in institutions and does not fulfill duties imposed upon him by these institutions; rather, it means that this agent fails to question morally these duties and to see it as his task to support just institutions or change unjust institutions in light of some moral ideal. In short, private ethics (implicitly) limits our
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Kant's duties to individual duties and passive, as distinguished from active, social duties. I use here, and will continue to use, the terms 'individual duties' and 'social duties' in their common meanings; their distinction hinges on the type of ends pursued, the ends of particular individuals or social (institutional, collective) ends. Further, for the sake of brevity, from now on, when I speak of "social duties," I mean active social duties.

My working definition of social ethics should not be interpreted too narrowly. There are numerous ways in which we can fulfill our social duties and contribute toward the realization of ideal institutions, besides political action aimed at these ends. Kant's own work, as we will see, offers illustrations as diverse as engaging in educational reform and writing a philosophical reconstruction of history that seeks to ground hope for progress as conducive to moral praxis toward the highest good. Social duties can, moreover, be directed toward the private realm. The attempt to overcome individual bias toward minority groups may serve here as an example, assuming that its final end in view is to come to a nondiscriminatory society. In general, my working definition of social ethics leaves room for social duties directed toward a variety of intermediate social goals, but, in accordance with Kant's view, it seeks to make clear that a rational pursuit of such goals presupposes some larger directive framework in the form of ideal institutions.

In the first section of this chapter I will begin to spell out the role in Kant's work of the highest good as a social duty, arguing that this duty integrates the diverse branches of the practical system and that it makes his ethics a social ethics, because it comprises such social duties as seeking the perfect state (the republican state) and peace between the nations. In the second section I will point out that, although there are some reasons for interpreting Kant's ethics as a private ethics, it is also the case that his practical philosophy is at variance with some basic characteristics of private ethics. This indicates that those reasons cannot be adequate or nullify the social dimension in Kant's moral thought. It is from this angle that I will attempt to rebut in the third section one of the more important reasons for interpreting his ethics as a private ethics, namely that the categorical imperative does not seem to ground such social duties as pursuing the ideal state and international peace. My procedure will be to show that each of the formulations of the categorical imperative, as they are explicated in the *Foundations of the Metaphysics of Morals*, demands that we seek a moral society in which human agents try to make
one another happy. Considering my argument in the first section, this grounding of the duty to promote the highest good implies a grounding of these social duties as well. Nonetheless, I will provide some additional arguments that strengthen the link between the categorical imperative and social ethics. I will close the chapter by briefly examining the impact of the idea of the highest good on the status of individual duties in Kant's practical thought.

1. Social Ethics

To come to a first demonstration of the central significance of the highest good as a social duty in Kant's practical philosophy, I will analyze here two sections from his work which were written at the time when his critical ethics was in the process of development. Through them it will become clear that from the very beginning Kant was concerned with constructing his ethics as a social ethics. I will end my discussion by relating the concerns of the two sections to those of the later Kantian practical corpus, emphasizing their continuity.

While Kant was writing the Critique of Pure Reason he was lecturing on ethics, taking Alexander Baumgarten's work as his point of departure. Three students transcribed these lectures; their notes have been published as Lectures on Ethics, and the text is considered accurate.1 Our concern is with the last section of this work, entitled "The Ultimate Destiny of the Human Race." Kant says that this destiny is the moral perfection of each individual as well as the happiness that arises within such a condition. Both here and in the next section that I will discuss, Kant suggests that each individual will be happy in the ideal society, but, since his remarks are made in passing, there seems to be no good reason to put too much weight on them.2 What seems essential is that universal cooperation is a great step forward toward universal happiness. In Kant's later writings the moral society as the final destiny of humanity is described in terms of the highest good, the ethical commonwealth, the realm of ends, and the kingdom of God on earth. At first sight, he seems to be arguing in the lectures that the road toward universal cooperation and, hence, toward the highest good is a question of each individual seeking his own moral self-improvement. Kant states:

The universal end of mankind is the highest moral perfection. If we all so ordered our conduct that it should be in harmony with the universal end of mankind, the highest perfection would be attained. We must each of us,
therefore, endeavor to guide our conduct to this end; each of us must make such a contribution of his own that if all contributed similarly the result would be perfection. (Lectures on Ethics, p. 252).

Thus it may seem that the duty to promote the highest good is, in effect, a duty to seek our own moral betterment; when we all cooperate with our fellow beings the moral society will emerge.

The most obvious problem with this view is that the call for universal individual moral improvement is hardly a plausible scenario for change toward the highest good. Kant himself, however, is the first to point this out, for he continues directly with the following observations:

How far has the human race progressed on the road to perfection? If we look at the most enlightened portion of the world, we see the various States armed to the teeth, sharpening their weapons in time of peace the one against the other. The consequences of this are such that they block our approach to the universal end of perfection. The Abbot of St. Pierre has proposed that a senate of the nations should be formed. If this proposal were carried out it would be a great step forward, for the time now occupied by each nation in providing for its own security could then be employed for the advancement of mankind.

For Kant, then, the constant preparation for war, not to speak of war itself, is a serious obstacle on the road toward the moral society or highest good, making it imperative that a “senate of the nations” be formed that will guarantee international peace.

The importance of this claim cannot be sufficiently emphasized, for it makes clear that the duty to promote the highest good has a definite social content. Since peace between the nations is required to make the highest good possible, to seek peace and its institutional prerequisites is a social duty that follows from, or is an aspect of, the duty to promote the highest good. The claim also signifies that the highest good is a historical ideal that functions as an evaluative perspective. Kant judges his own time and society in terms of progress toward the moral society, and in this manner he comes to criticize the ruling powers of his day for establishing an unstable peace through military force. More specifically, Kant maintained that the “princes” were more interested in satisfying their “lust for despotic power” and defending their “individual sovereignty” than in upholding the “Idea of right.” And, in a courageously straightforward manner, he said to his students: “[S]o far no prince has contributed one iota to the perfection of mankind . . . ; all of them look ever and only to the prosperity of their own countries, making that their chief concern” (ibid., p. 253).
Having sketched this deplorable political state of affairs, Kant asked: "Wherein lies our hope?" At the time of his lectures, he based his hope for true peace between the nations chiefly on educational reform, at both the domestic and the civil levels. In accordance with this, he sought financial support for J. B. Basedow's private school in Dessau and publicly praised its educational program. What Kant saw as especially meritorious about this experimental school was that it taught religion along nonsectarian—and ultimately moral—lines. Thus we may interpret Kant as inviting his students to join him in his efforts toward a better educational system when he told them that "[t]he Basedow institutions give us hope, warm even though small" (Lectures on Ethics, p. 253). In a word, his more specific hope was that properly educated rulers and other servants of the state, reinforced by an enlightened public opinion, would bring about peace and general cooperation between the nations. And, of course, this hope implies one possible further substantiation of the duty to promote the highest good.

Kant ended his lectures with the statement that the realization of the final end of humanity is still centuries away and that, when it is realized, "the authority, not of governments, but of conscience within us, will . . . rule the world." This might suggest that he thought that in the moral society the state will be abolished, but this is to be doubted in light of the section that I will now discuss.

It is from Pure Reason and is entitled "The Ideas in General."

The central issue of this section is Plato's conception of ideas and, in particular, his idea of the perfect city. Plato explicitly rejected conventional morality, as represented by Cephalus and his son, and Kant's own view here points in the same direction. Opening his discussion by castigating those philosophers who repudiate Plato's political vision as useless, impracticable, and as purely imaginary perfection, Kant argues that this vision should not be thrown aside, but rather clarified. From a critical-epistemological perspective, this clarification involves casting aside Plato's tendency to hypostatize ideas, conceiving them instead as a priori and, accordingly, as regulative. Further, we must limit the scope of ideas more than Plato did; their major value must be sought in the practical sphere, although they may also have a heuristic value for scientific inquiry. Last, the Platonic vision of the ideal society must be put in a new perspective. Then the insight will arise that

[a] constitution allowing the greatest possible human freedom in accordance with laws by which the freedom of each is made to be consistent with that of all
Since Kant has previously said that happiness will follow from the moral perfection of humanity, whereas now it is said to be the result of a perfect constitution and its corresponding laws, we can infer that the moral perfection of humanity and, hence, the moral society will develop within the framework of the state. Thus, the thesis that the conscience within us will rule the world when the moral society is realized means not that the state will be abolished, but that it will lose its repressive character. Another conclusion that emerges is that the duty to promote the highest good encompasses the duty to realize the perfect state. This conclusion is supported by Kant's further considerations of Plato.

Kant continues his criticism of the opponents of Plato with the contention that any appeal to adverse experience as a basis for claiming that visions of a perfect state have no practical value is misplaced, because such adverse experience would not have occurred in the first place if pure ideas had been used to make the laws. Kant turns the tables in similar fashion on those opponents who argue that present imperfect political institutions are the inevitable and unchangeable product of a flawed human nature. He argues that the real explanation for political imperfection is "the neglect of the pure ideas in the making of the laws" (ibid.). The interesting suggestion here is that what appears as a flawed human nature is itself in large measure the product of faulty political structures. This leads Kant to develop the radical claim that the more legislation and government harmonize with the idea of a perfect constitution the rarer punishment will become, and he argues that it is, therefore, rational to maintain, with Plato, that in a perfect state no punishment will be necessary. This radical claim—wrongly ascribed to Plato—shows again that Kant perceptively held that certain sociopolitical conditions block moral progress. It also shows that the duty to seek the highest good includes the duty to pursue the perfect state, and, indeed, Kant asserts here that it is the duty of humanity to bring existing legal institutions as close as possible to the ideal. To what degree this can be accomplished cannot be said in advance, because "the issue depends on freedom; and it is in the power of freedom to pass beyond any and every specified limit." (Pure Reason, p. 312; III: 259).

The merit of Plato's work, Kant proceeds to argue, is that it demonstrates that ideas originate not in empirical reality but in
reason. This is of crucial importance, since "[n]othing is more reprehensible than to derive the laws prescribing what ought to be done from what is done, or to impose upon them the limits by which the latter is circumscribed" (313; 259). Kant's ethics, then, makes its own progressive nature a question of principle. Practical reason projects and argues for moral ideals that always leave room for improvement of the existing state of affairs. Even the moral society is, strictly speaking, not an absolute final end; for, although his lectures might suggest otherwise, Kant usually writes about this ideal as one of moral perfection in the sense of virtue (and it is this meaning that I have adopted), not in the sense of "holiness" as the complete overcoming of the conflict between desire and reason. Thus moral self-improvement is possible within the moral society, which reflects Kant's view that morality sets an infinite task.

Kant ends his analysis of Plato with some observations concerning the relation between ethics and epistemology, claiming, although the previous moral considerations give "to philosophy its particular dignity," he must first deal with "a less resplendent, but still meritorious task, namely, to level the ground, and to render it sufficiently secure for moral edifices of these majestic dimensions." He explains that uncritical reason with "its confident but fruitless search for hidden treasures . . . threaten[s] the security of the superstructures," and that it is, therefore "[o]ur present duty . . . to obtain insight into the transcendental employment of pure reason" (313–14; 259–60). Dogmatic metaphysics, then, is to be refuted, so that the moral ideal can be grasped and grounded in the clearest possible manner. For Kant the danger of this kind of metaphysics is not so much that its alleged transcendent insights may be antithetical to moral praxis (although this is a concern), but that it brings about as its very opposite a skepticism that "wars against morality" (29; 25). Generalizing these remarks, we can infer that epistemology is logically prior to ethics in that it must prepare the ground for a philosophically defensible ethics, but that ethics itself is practically prior to epistemology, because the development of an adequate epistemology is a task set by the highest good. This integrates Kant's epistemology into his practical philosophy.

It needs to be stressed that neither in his lectures nor in his Plato discussion is Kant making the claim that ideal institutions such as the perfect state or a "senate of nations" cause moral progress. Such a claim would undermine his doctrine of moral autonomy. The moral agent must be his own cause. That is, genuine moral action is the result of self-determination; to act morally is to
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act in accordance with the self-legislated moral law out of respect for this law. It would, therefore, be a contradiction in terms to speak of "caused" or "forced" moral progress. What Kant does say is that poor institutional arrangements and other deplorable sociopolitical conditions block moral progress and that the removal of these impediments facilitates the development of the moral disposition (the good will). He explicates his view in Perpetual Peace, while describing the moral relevance of the institutionalization of the rule of law:

[Government] not only gives a moral veneer (causae non causae) to the whole but actually facilitates the development of the moral disposition to a direct respect for the law by placing a barrier against the outbreak of unlawful inclinations. Each person believes that he himself would hold the concept of law sacred and faithfully follow it provided he were sure that he could expect the same from others, and the government does in part assure him of this. Thereby a great step (though not yet a moral step) is taken toward morality, which is attachment to this concept of duty for its own sake and without regard to hope of a similar response from others (p. 123n; VI: 462–63n).

The rule of law, then, guarantees equal external freedom for each individual, as Kant's previous definition of the perfect constitution and its laws puts it, and this creates a climate favorable to moral autonomy, because it is to a much lesser degree the case that the threat posed by others tempts one to act immorally. Moreover, the external rule, we may hope, will gradually become internalized; the discipline from without becomes discipline from within. The rule of law is also important for creating conditions favorable to the pursuit of happiness, but Kant in general stresses this aspect less than the legal facilitation of moral progress proper. Similar observations apply to the moral significance of international peace and cooperation. Further, Kant argues in Judgment that the fine arts and the sciences, although not making us morally better, "win us in large measure from the tyranny of the sense propensions, and thus prepare men for a lordship in which reason alone shall have authority" (p. 284; § 83; V: 513). In conclusion, then, cultural progress, including sociopolitical progress, can facilitate moral development and prepare us for this kind of development, but the realization of moral perfection is possible only through moral autonomy.

Kant's major works on practical philosophy were written after the two sections just discussed. The passage cited from Peace illustrates that certain changes emerge within his practical thought. Legal progress appears here as merely setting the stage for moral
progress, whereas his Plato analysis indicates that earlier he had held that legal and moral progress mutually condition each other—that is, that legal progress requires moral progress, and vice versa. Much more striking than such changes, however, is the continuity and consistency of Kant's project. We may see the major practical writings as fundamentally concerned with explicating and elaborating the ideas found in these two sections. A brief turn to the various practical writings will underline this. The guiding thread throughout is the highest good as a social duty. First of all, the political writings address the political institutions that make this good possible. The perfect state is further specified as republican, and, although Kant develops his own unique peace proposal, there remain certain affinities with the proposal of the Abbot of St. Pierre. Besides, he continued to express his sympathy with this earlier plan and to emphasize that it is our duty to seek peace within and between the states. Further, in his essays on history, Kant investigates whether past historical developments are a source of hope with respect to the possibility of the republican state and international peace, arguing that this hope is conducive to moral action aimed at these political ends. Again, he looks for a specific “historical sign” that supports hope for progress. This sign is no longer the Basedow school, but the French Revolution, a world-historical event that Kant said engendered enthusiasm among its spectators, reflecting their moral interest in promoting republican ideals. He also relates this political event, and the history of humanity in general, to the possibility of the moral society, or highest good. The concern with the moral society is, moreover, central to Kant's writings on religion. The church was in his time a dominant social force, and it is in this light that his contention is to be judged that the church must reorganize itself on the basis of the moral ideal. For Kant this means that the church, and all religious undertakings, must anticipate and imitate the ideal of the moral society. His sympathy with the religious instruction at the Basedow school prefigures this view. Last, Kant's moral writings proper are in various ways concerned with the highest good as a social duty. For example, the need for grounding this duty is expressed in his Plato analysis, and I will argue in the third section of this chapter that the categorical imperative is adequate to the task. And, to give a different twist to Kant's statement in the lectures, cited previously, that "our conduct . . . should be in harmony with the universal end of mankind," his later moral writings proper make this into a general criterion for determining the morally permissible means by which we may pursue the highest
good. In a word, this criterion is that the means must mirror this end.

These synoptic remarks suffice as a first demonstration of the central significance of the highest good as a social duty in Kant’s work. This duty integrates all the branches of the critical philosophy. We may, then, interpret the highest good as the final and comprehensive end that guides the critical enterprise in its various stages of development and completion. This project also argues in accordance with its own basic rationale that humanity ought to actualize the moral ideal. This means that Kant’s social ethics adheres to and exemplifies the primacy of praxis. Practical reason views the world in both its natural and human aspects as a field for the expression and realization of the highest good, and it holds, moreover, that our ultimate purpose and satisfaction are to be found in transformative activity directed toward this ideal. This idea of the primacy of praxis is one aspect of Kant’s “primacy of pure practical reason.” Lucien Goldmann in his *Immanuel Kant* captured this aspect of Kant’s philosophy quite well when he said that for Kant the fundamental category of existence is “the task of creating a world.” Combining the idea of the primacy of praxis with that of the highest good, we come to the conclusion that a core thesis of Kant’s social ethics is that (empirical) humanity, in order to express its humanity (rational/moral nature), must produce humanity (the moral order).

### 2. Private Ethics

From a sociological perspective we may see our duties as emerging from two basic sources: social networks and moral principles. Many of our duties arise in virtue of our membership in the legal/political community, our occupation, family relationships, and other social ties and functions, but these obligations leave room for a wide variety of moral actions, such as contributing to the struggle for peace and helping others in need, which should be performed in view of certain moral principles. Which of our duties emerge from social networks and which from moral principles is, of course, an individual and historical question. What characterizes private ethics is that it (implicitly) limits the duties that have moral principles as their source to individual duties. Social ethics, to the contrary, maintains that, beyond the duties arising from our social networks, we have not only individual duties but also the obligation to contribute to the realization of ideal institutions. Pri-
Private ethics is the dominant view of morality in our society, and this makes it not altogether surprising that the social dimension of Kant's ethics often receives inadequate attention and that his ethics is at times even portrayed as a mere private ethics. Be this as it may, there are several reasons for interpreting Kant's practical philosophy along these private lines. Two of these reasons must be mentioned at this point.

The first is that the categorical imperative seems to lead to individual duties and passive social duties, not to active social duties. This is suggested by the fact that all the illustrations that Kant offers in the *Foundations* of how we should use this imperative for deriving specific duties seem to concern individual duties or passive social ones. The illustrations are that we should not commit suicide or make false promises for our private gain and that we should develop our talents and help others in need. We may see the first two of these duties as passive social duties arising from the social networks of Kant's time, which explains why he sees only the last two duties, which appear to be concerned with the ends of particular individuals, as meritorious (p. 48. IV: 288–9). Further, Kant uses the categorical imperative in *The Metaphysics of Morals* to ground two types of duties that encompass all our duties: the duties of justice and the duties of virtue, neither of which seem to include active social duties. The duties of justice in principle can be legally enforced, and their common denominator is that we respect the equal right of each individual to external freedom. (For Kant this right is the basis for a variety of common civil and political rights.) There is a gap between this demand of passively respecting the right of others and the demand that we actively seek the perfect state and peace between the nations as conditions under which such a right is secured for all human beings. So the duties of justice do not seem to include active social duties. Also, we can be forced to uphold the standards of the perfect state and international peace once they are actualized—this would be the fulfillment of passive social duties—, but we cannot be forced by imperfect legal/political arrangements to transform them into perfect ones. Considering Kant's definition of the duties of justice, then, active social duties must be duties of virtue, the concept of which presupposes the moral motive (internal coercion versus external coercion). However, all the duties of virtue that Kant mentions in *The Metaphysics of Morals* are individual duties, except for his claim that it is a duty of virtue to fulfill the duties of justice with a proper motive. In short, it seems that his moral theory proper grounds a private ethics, not a social ethics.
The second reason for interpreting Kant's ethics as a private ethics concerns his contention that it is not within our power to realize the highest good as the union of universal virtue and universal happiness. Kant argues that the affirmation of the tenability of this ideal is ultimately an act of faith (the postulate about God), and this suggests that the relevance of the highest good must be sought not in the realm of human action but in the sphere of (a metaphysically interpreted) religious hope. The elimination of the highest good as setting a human task leads us back on the road to private ethics, especially if we take into account the first reason for interpreting his ethics in these terms. The two reasons, in other words, are complementary, making together a case for Kant's ethics as a private ethics which we cannot ignore. I will address the first reason in the next section, and the second reason in the next chapter. Now I wish to point out three fundamental characteristics of private ethics, each of which is at variance with Kant's ethics. This argument indicates that the two reasons just cited are all in all not adequate or overriding.

It also reinforces the conclusion from the previous section that the duty to change society in light of some moral ideal plays a central role in Kant's ethics. My model for private ethics is conventional morality as it is shaped by the capitalist-liberal tradition, but it can readily be seen that similar remarks apply to any private ethics whatever.

A first basic characteristic of private ethics is that it is implicitly conservative. Typically it does not argue for a conservative viewpoint, but rather accepts conservatism without any argument for doing so. Kant's ethics, to the contrary, formulates a principled rejection of conservatism. A few remarks on conservatism may help to clarify these points.

Michael Oakeshott in "On Being Conservative" rightly argues that conservatism is best understood as a disposition rather than as a body of beliefs. He writes:

The general characteristics of this disposition are not difficult to discern. . . . They center upon a propensity to use and to enjoy what is available rather than to wish for or to look for something else; to delight in what is present rather than what was or what may be (p. 168).

Thus the conservative comes to emphasize that "[c]hanges . . . have to be suffered" and that "[t]o be conservative . . . is to prefer the familiar to the unknown, to prefer the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, . . . the convenient to the
perfect, present laughter to utopian bliss.” (pp. 169 and 171). The political implications, I think, are clear. The conservative favors the preservation of existing sociopolitical structures, looks with suspicion upon innovation, and, in general, considers legitimate only those changes which maintain and reinforce the status quo.

Private ethics neglects the possibility that it may be our obligation to change existing institutions in light of some moral ideal. Hence, such ethics is implicitly conservative because it does not bring its acceptance of the status quo into the open. It is conservatism by default. Thus it may be the case that the moral agent of private ethics or conventional morality accepts the sociopolitical given for reasons different than those of the affirmed conservative. His acceptance may perhaps be based on political resignation rather than on a preference for the existing state of affairs. Friedrich Engels and Karl Marx, who interpreted Kant's ethics as a private ethics and who saw his highest good as a mere object of religious hope, came to the conclusion that political resignation is the mark of his ethics. They wrote in *The German Ideology*:

The state of affairs in Germany at the end of the last century is fully reflected in Kant's *Kritik der praktischen Vernunft*. . . . The impotent German burghers did not get any further than “good will.” Kant was satisfied with “good will” alone, even if it remained entirely without result, and he transferred the realization of this good will, the harmony between it and the needs and impulses of individuals, to the world beyond. Kant's good will fully corresponds to the impotence, depression and wretchedness of the German burghers, whose petty interests were never capable of developing into the common, national interests of a class and who were, therefore, constantly exploited by the bourgeoisie of all other nations (p. 208).

But whether political resignation or a silent favoring of the status quo guides the agent of private ethics, the practical result is the same: conservatism is the hidden premise of private ethics.

This uncritical acceptance of the status quo is not a feature of Kant's practical philosophy. His social ethics explicated its own political commitment; it operated at the progressive edge of his time and pushed forward the existing limits. So the interpretation of his ethics as a private ethics seems to be wrong. Note, moreover, that Kant's ethics offered a principled rejection of conservatism in claiming, as we have seen in the section on Plato, that “[n]othing is more reprehensible than to derive the laws prescribing what ought to be done from what is done, or to impose upon them the limits by
which the latter is circumscribed." The Kantian agent, then, adheres to a preference scale which is the very opposite of that of the affirmed conservative; he prefers the unbounded to the limited, the perfect to the convenient, the possible to the actual, etc.

A second basic characteristic of private ethics is that it lacks any awareness of the relevance of history for moral praxis. The agent of private ethics is absorbed in his own limited present. His concern is not the past, present, and future of humanity, but the well-being of atomized individuals. The alternative is not to make oneself at home in history, as Hegel urged us to do, and to embrace all the suffering in history as a mere inevitable moment toward the good. Rather, the suffering of the past must be related to moral praxis directed toward the future. Can this suffering be redeemed by the realization of a truly human society, or does it make such a society altogether impossible? Is history solely a source of despair, a chain of senseless and violent events, or can it also be a source of hope? And is this hope required for moral action that aims at a better society? These are questions that a private ethics fails to address. In contrast, Kant's ethics, as we will see later in more detail, deals with these questions or invites us to reflect upon them. So again the interpretation of his ethics as a private ethics is contradicted; this interpretation cannot satisfactorily explain why Kant turns so often to history in his practical writings.

A final basic characteristic of private ethics is that it does not offer a comprehensive end in view (a totality concept) that positively synthesizes individual moral actions. Thus within the contours of private ethics moral actions seem to lack any real continuity and unity, either in terms of their intentions or of their consequences. To elaborate, private ethics tends to sketch moral actions and objectives not as an important aspect of the life plan of the individual but merely as conditioning this life plan in a negative manner. The life plan of the agent consists of the pursuit of private ends, and, hence, moral endeavors are seen as mere constraints. Or, at best, morality is positively esteemed as the task of furthering the ends of some particular individuals. It is true that some agents of private ethics may focus their lives upon this task; yet this is not a demand set by private ethics, and it is not at all evident that such an end can successfully function as a totality concept. The situation is altogether different for Kant's social ethics. The idea of the primacy of praxis in conjunction with that of the highest good implies that the Kantian moral agent incorporates the highest good as a social ideal into his life plan. Kant's own life
illustrates this point, since we may view his intellectual labor as his way of fulfilling the duty to promote the highest good. His well-known patterned life style, then, is to be understood from the perspective of intellectual discipline as moral discipline. The highest good and its intermediate ends can also satisfactorily function as a totality concept for a life style that unfolds more directly within the sociopolitical arena. Granted, the actions of the agent with this type of life style may not have the intended consequences and may be aborted by social and political repression. Many human lives have been failures in this respect; but this only emphasizes the point that there is a duty to promote the highest good. We may see it as a duty owed to those in the past who have struggled for the ideal without success. 16

3. The Highest Good and the Categorical Imperative

The discussion in the previous section poses a clear problem: Kant’s ethics conflicts with private ethics on at least three basic grounds, and, yet, the categorical imperative, as the central moral principle of his ethics, seems to lead to private ethics. This problem will be solved if it can be shown that the categorical imperative grounds the duty to promote the highest good; for we have seen that this duty grounds a variety of social duties, making Kant’s ethics a social ethics. Accordingly we must show that the highest good (defined as a moral society in which human beings attempt to make one another happy) is the final obligatory end set by the moral law. Admittedly, it also would be possible to ground Kant’s ethics as a social ethics through a reconstruction of the categorical imperative which focused on showing that this imperative leads directly to such social duties as seeking the perfect state and international peace.17 What makes the “highest good” strategy more attractive for our purposes is that it is much more comprehensive, leaving room for a specification of our social duties that varies with our historical understanding and circumstances. Thus we may later come to the conclusion, without thereby violating the basic tenet of Kant’s social ethics, that the highest good requires for our present historical situation different or additional social duties from those Kant proposed. Another distinct advantage of my strategy is that it can do justice to the fact that Kant claimed that the moral law demands that we pursue the highest good. My procedure will be to analyze the different formulations of the categori-
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cal imperative in the *Foundations*, arguing in each case that the
highest good is the final moral end set by this imperative. Initially,
my analysis will be in the main a step-by-step reconstruction of the
Kantian argument, but I will end with some critical comments and
suggestions of how this argument can be strengthened.

In the *Foundations* we find six formulations of the categorical
imperative. Strictly speaking, Kant should have discussed eight
formulas—four basic ones, each having its own typic. (A typic adds
to its basic formula a type or model of the moral law and its final
end. This type is the natural order, regulatively interpreted, as it
applies to both human and external nature.) Kant, however, does
not mention that the *autonomy formula* has a typic, and he fails to
draw a distinction between basic formula and typic with respect to
the *humanity-as-an-end-in-itself formula*. This imprecision is under­
standable in light of his contention that the different formulas are
only so many different expressions of one and the same moral law.
Many Kant interpreters have rejected this claim, but I think it is
defensible in that the common denominator of the formulas is that
they all demand that we seek the highest good. I will, accordingly,
limit my analysis to the six formulas put forward by Kant.

What is the final end set by the moral law? Or, to put the
question differently, what is the final purpose of general obedience
to the moral law? Kant’s answer can be found in *Lectures on Ethics*:

Moral goodness consists . . . in the submission of our will to rules
whereby all our voluntary actions are brought into a harmony which is
universally valid. Such a rule, which forms the first principle of the pos­
sibility of the harmony of all free wills, is the moral rule . . . . Our actions
must be regulated if they are to harmonize, and their regulation is effected
by the moral law (p. 17).

The moral law, then, has a final purpose that is social in nature. It
must make possible a harmony of free or rational wills. To be sure,
the moral law in this passage is not yet the moral law of the critical
ethics, but, as will soon become clear, a proper understanding of
the categorical imperative leads to the same social end.

*The Universal-law Formula*

The first formula of the categorical imperative, the *universal-law
formula*, states:

Act only according to that maxim by which you can at the same time will
that it should become a universal law (*Foundations*, p. 39; IV: 279).
This formula might suggest that the categorical imperative must be seen as a test or procedure for determining the limiting conditions of the pursuit of one's private ends. It is undeniable that this is one aspect of the universal-law formula, as is indicated by Kant's illustrations cited earlier; but to limit the formula to this purpose, as so often is done, is to distort Kant's meaning. To begin with, the view that the virtuous agent wills to subject only his own maxims to the universality test is too restricted. The moral agent who adopts the standpoint of practical reason wills not merely that his own maxims be tested in this way but that everyone act only on maxims that can be willed to become universal laws. That this is so we can infer from Kant's claim that what characterizes the immoral agent is that he wills that everyone except himself obey the moral law. To use one of Kant's own examples, the immoral agent wishes that everyone else follow the policy of keeping promises, so that he himself will be able to make a false promise for the sake of his own private gain. The virtuous agent, to the contrary, does not will to make an exception for himself or for a particular group he is part of, and this means that he wills that everyone subject his maxims to the universality test. Another consideration is that reason is not particular but universal; its demands hold for all rational beings, and so the agent who adopts the standpoint of reason, the virtuous agent, wills that all rational agents follow its demands.

Kant holds that, if everyone subjects his maxims to the universality test, the pursuit of private ends will no longer give rise to conflict. The purpose of the categorical imperative, then, is to make possible a harmony of rational wills, and the agent who obeys this imperative out of respect for the moral law wills this harmony. In the words of H. J. Paton:

Kant's view is clearly that coherence of rational wills can be based only on obedience to one and the same universal law as such, and that without this there can be no genuine coherence . . . . .

If this is so, in seeking to obey universal law as such we are seeking to realize the condition of coherence among rational wills.18

That Kant indeed adheres to this view is indicated by his argument that in order to deduce the moral law we must abstract from any object of desire as the determinant of moral action, because the diversity of the objects of desire among human agents leads to conflict when any given such object is made into the moral guideline for human action. Thus he states in Critique of Practical Reason that the desire for happiness is inadequate as a practical
law, because general obedience to it results in "the extreme op­posite of harmony, the most arrant conflict." He jokes that the "harmony" arising from this law resembles "that depicted in a certain satirical poem as existing between a married couple bent on going to ruin, 'Oh, marvelous harmony, what he wants is what she wants.'" The point of the moral law as a formal law, then, is to come to a harmony that is not a mere accidental, and at times disastrous, harmony (cf. Paton, op. cit., p. 140).

To do justice to Kant's view, we must take an additional step beyond the interpretation that the categorical imperative is only a negative test that limits the pursuit of one's private ends. Thus far it seems that the virtuous person aims at a harmony of rational wills so that everyone can pursue his own private ends. In other words, he seeks indirectly to promote universal happiness. This harmony of rational wills, however, encompasses universal external freedom, and we have seen that for Kant such freedom has the additional and even more important purpose of universal moral perfection. Accordingly, the virtuous person seeks to bring about conditions that are conducive to the development of the moral disposition. Considering Kant's notion of autonomy, this is all the virtuous person can do in the area of moral improvement besides seeking his own moral betterment; for the development of the moral disposition is an autonomous task. I may add that this duty to seek the conditions of universal moral perfection can be derived directly from the universal-law formula. The virtuous agent seeks the conditions of his own autonomy, and he cannot rationally will these conditions and their prerequisites while failing to promote them for others. The universalization of this maxim undermines the very same conditions of autonomy that the virtuous agent treasures for himself.

There remains one step from the universal-law formula to the duty to promote the highest good. One aspect of this duty is that we not only indirectly, but directly, promote the realization of a world in which human agents seek to make one another happy. Kant argues that it is our duty to contribute to the happiness of other agents. As he often puts it, we must make their individual ends our own end, provided that the pursuit of these ends can pass the universality test. In the Foundations, the duty to make the ends of others one's own end is often put in negative fashion as the duty to help others in need, whereas in The Doctrine of Virtue Kant states that the happiness of others is an end of practical reason. The difference between the two formulations seems rather small, for promoting the happiness of others is foremost a question of
relieving them of their hardship. The real problem is that both formulations seem to fall short of what is required by the highest good as a social duty. This duty demands not merely that we promote the realization of individual ends, but that we direct our efforts toward the realization of a world in which all persons promote one another's ends. This apparent gap, however, can be bridged along by now familiar lines. The virtuous agent does not merely will that he alone make the ends of others his own end, but rather wills that everyone act likewise. So this agent is morally interested in conditions that directly promote universal happiness. And again, the universality of practical reason reinforces this claim. That Kant does indeed have this broader concern in mind becomes clear when we turn to the second formula of the categorical imperative.

The Natural-law Formula

In the Foundations this formula is stated as follows:

Act as though the maxim of your action were by your will to become a universal law of nature (p. 39; IV: 279).

The formula is expressed more clearly in Practical Reason:

Ask yourself whether, if the action which you propose should take place by a law of nature of which you yourself were a part, you could regard it as possible through your will (p. 72; V: 77).

Kant presents the natural-law formula as an explication of the first formula. This explication offers a gain in two respects. First, the natural-law formula suffers to a lesser degree from creating the impression that the categorical imperative is merely a restrictive principle. Kant's real meaning now becomes more apparent, namely that in testing our maxims we are constructing a moral world. Second, a guideline is provided for this constructive activity. The natural world and its laws serve in the second formula as a type of the moral law (the law of freedom) and its final end (the moral world). Hence, both the first and second formulas demand that the moral agent act as if he were a legislator in a possible moral order (making universal laws), but only in the second formula is the regulatively interpreted natural order presented as a model that helps to clarify what such a legislation involves.

In Kant's writings, the natural order is approached from two different angles—the causal perspective and the teleological per-
spective. Kant holds that, from an epistemological point of view, the two perspectives are not contradictory but complementary—that is, only causal claims can be scientific claims, but teleological observations have an indispensable heuristic value in helping to discover causal connections. Both perspectives have practical value, but I will emphasize the teleological perspective, because only this perspective shows that mutual promotion of happiness is an essential aspect of the harmony of rational wills.

There are at least three features of the causal perspective that are relevant to using the natural order as a model for the moral order. First, Kant believes that natural laws are characterized by universal uniformity in the sense that these laws do not admit of exceptions. We have already encountered the practical value of this idea. Kant states:

> When we observe ourselves in any transgression of a duty, we find that we do not actually will that our maxim should become a universal law. That is impossible for us; rather, the contrary of this maxim should remain as a law generally, and we only take the liberty of making an exception to it for ourselves or for the sake of our inclination, and for this one occasion (Foundations, p. 42; IV: 282).

Second, laws of nature are in principle public. The analogical value here is that maxims and governmental policies, as well as juridical laws, which cannot become public are unjust. Kant claims with respect to the former: "A maxim which I cannot divulge without defeating my own purpose must be kept secret if it is to succeed; and, if I cannot publicly avow it without inevitably exciting universal opposition to my project, the necessary and universal opposition which can be foreseen a priori is due only to the injustice with which the maxim threatens everyone (Peace, pp. 129–30; VI: 469)." Third, physical reciprocity can function as a model for the reciprocity of legal obligations. The law of the equality of action and reaction, which is a specific expression of the third analogy of experience presented in the first Critique, exhibits in analogy that each citizen is, or, more precisely, should be, equally subject to legal coercion. Thus it is an act of injustice to exempt oneself from rules that one wills that others obey, and the analogy exposes this. The restraint of others is not met by an equal restraint of oneself. There is a disproportion between action and reaction, and this makes impossible external freedom for all, just as it would prevent the free movement of natural bodies.

Although the first of these three analogies seems to commit
Kant to a rigoristic viewpoint, I think that this would be stretching the analogy too far. His point seems to be not that moral rules never allow for exceptions, but that these exceptions should be rationally and morally motivated rather than determined by our inclinations. In other words, exceptions should be guided by rule-governed behavior, as is illustrated by Kant's numerous "casuistical questions" in *Virtue*. Much more problematic is the second analogy and its resulting publicity criterion. It seems, for example, to lead to too easy a condemnation of all forms of deception as well as of many forms of political resistance. I will later discuss Kant's view of the right to revolution and to other forms of political resistance, and it will then become clear that he does, indeed, use the publicity criterion to come to a rejection of this right. For the moment it suffices to note that the difficulty with the second analogy seems to arise from a general ambiguity embedded in the natural-law formula. It is one thing to claim that our maxims must be formulated from the perspective of the ideal of the moral order as a natural order or that we must always attempt to mirror this ideal in our actions; it is another thing to claim that we must act as if we were already living in the moral order as a natural order. I assume that Kant adhered to the first claim, not the second, and, yet, his use of the publicity criterion seems to be based on this second claim. For, if I am the only virtuous person in a world of devils, universal public outcry over my maxim does not show anything at all about the wrongness of this maxim. What is more important, however, is that in general the failure to take into account that we do not live in a world of saints may lead to immoral behavior.\textsuperscript{22}

In order to discuss the practical significance of the teleological perspective we must briefly turn to Kant's notion of an organism. The guideline is that there is an analogy between the concept of a natural organism and that of the moral order as an order of universal cooperation ("society as an organism"). Kant develops his concept of an organism in *Judgment*. He says that a first defining characteristic of an organism is that the function and existence of the parts are determined by the function and existence of the whole, but he notes that this is not a sufficient characterization of a natural organism, since an artificial product satisfies this condition as well. For a product to be classified as a product of nature it is, secondly, necessary that "its parts should so combine in the unity of a whole that they are reciprocally cause and effect of each other's form. Only in this way can the idea of the whole conversely (reciprocally) determine the form and the combination of all
the parts.”23 This difference between a product of nature and an artificial product—centered around the observation that only the former displays natural development or growth—is further explicated by Kant in the following passage, which also addresses the first defining characteristic:

In . . . a product of nature, every part not only exists by means of the other parts, but is thought as existing for the sake of the others and the whole—that is as an (organic) instrument. Thus, however, it might be an artificial instrument, . . . but also its parts are all organs reciprocally producing one another. This can never be the case with artificial instruments . . . . Only a [natural] product . . . is an organized and self-organizing being (Judgment, p. 220; § 65; V: 451–2).

According to Kant, then, an organism is characterized by its capacity to produce its own organization and unity. The parts produce one another, and their interaction determines the form of the whole; conversely, what the whole is (or will be) determines the way the parts interact to maintain (or to produce) it.

It is to be stressed that Kant is engaged here not in a teleological metaphysics but in a critique of judgment. The idea of the whole or natural purpose must be understood as “the ground of cognition for him who is judging it,” and Kant explains this as meaning that “[t]he concept of a thing as in itself a natural purpose . . . is no constitutive concept of understanding or of reason, but . . . a regulative concept for reflective judgment, to guide our investigation about objects of this kind by a distant analogy with our own causality according to purposes generally” (pp. 220 and 222; 451 and 453). No claim, then, is made that purposive causality is determinative of reality—only causal connections proper are constitutive. The same critical position is taken when Kant deals with the idea that nature in its totality is a purposive whole. He argues that this idea necessarily follows from the notion that an organism is a purposive totality and claims that with respect to collective nature a maxim holds which is also applicable to organisms: “viz. everything in the world [or organisms] is some way good for something; nothing is vain in it” (p. 225; § 67; 457). And again Kant emphasizes that this principle is regulative and not constitutive.

The teleological perspective on nature exhibits in analogy several important aspects of the moral order. In Judgment Kant points out some homologies between the perfect state and the natural order as a teleological order. Presumably alluding to the French Revolution, he wrote:
In a recent complete transformation of a great people into a state the word *organization* for the regulation of magistracies, etc., and even of the whole body politic, has often been fitly used. For in such a whole every member should surely be purpose as well as means, and, while all work together toward the possibility of the whole, each should be determined as regards place and function by means of the Idea of the whole.

Considering Kant's notion of the perfect state, however, it seems more accurate to say that the natural order conceived of as an organism portrays in analogical fashion the moral order as such (of which the perfect state is only an aspect). Using Kant's definition of an organized product of nature, it follows in analogy that the moral order "is one in which every part [read: person] is reciprocally purpose [end] and means." Thus within this order each individual fulfills the task of contributing to the realization of the ends or purposes of other moral agents, just as the parts produce one another in an organism, and this will be done either directly by making the ends of others one's own ends or indirectly by making possible the moral order. The realization of human purposes comprises two types of ends: moral perfection, and the fulfillment of individual ends that pass the universality test. Finally, the analogy shows that the moral order can be established only if each person is guided by the idea of the whole, and its continuation is subject to the same precondition. The natural-law formula, then, projects the same ideal as the universal-law formula, although more clearly so; in the moral order as a harmony of rational wills human agents uphold and promote the conditions of universal moral perfection (autonomy) and seek to make one another happy.

The teleological model is not free from difficulties. A minor problem is that the model does not fit with the dominant contemporary conception of external nature. (To some degree the same can be said of the causal model.) Accordingly, one might object that not all organisms seem to be well adapted to their purposes and that the Darwinian view of nature evokes the idea of universal conflict rather than that of universal cooperation. This is not a serious objection, because, after all, Kant appealed to the dominant conception of nature in his own time merely in order to facilitate understanding of what legislation in the moral order involves. Granted that the model has lost its practical value (although recently growing "ecological awareness" points in the opposite direction), the task is to seek a model more appropriate for our own time. Or, alternatively, an argument can be made that Kant's ethics can dispense with such a model altogether.
Another, and more serious, difficulty with the teleological model is that it is misleading in at least three important respects. First, it is implausible to hold that an organism (the whole) exists for the sake of the parts—a thesis which is to be distinguished from the correct claim that the whole determines the parts and vice versa.

Yet Kant held that the moral order exists for the sake of the legislators (all moral agents) who form it. Here, then, the analogy fails; for it has totalitarian overtones that are not present in Kant’s work, to wit, that the legislators exist for the sake of the whole, the moral society. Second, the analogy conceals rather than reveals the fact that an essential difference between the natural order (or organism) and the human order (or individual) is that only the latter is a rational order—not given, but to be created. Kant makes this sufficiently clear on the institutional level, but not always on the individual level. (In this regard his historical writings are to be preferred to his moral writings proper.) For example, his discussion of suicide and sexual morality is colored by the view that certain purposes pertain to human nature, such as self-preservation and procreation, and that to act contrary to these purposes is unnatural and, therefore, immoral. Kant neglects here the open character of human nature (human beings are what they make of themselves) and fails to argue that human nature is to be transformed in light of the moral ideal (the ethicization of human nature). Just as the moral society requires the transformation of institutions as well as of external nature, so the ideal of the human agent as a rational order (i.e., the reconciliation between virtue and the pursuit of happiness) requires the transformation of human nature. And, of course, the two processes reinforce each other.

The third way in which the teleological model is misleading is that (unlike my interpretation) it may suggest that the moral society must be defined as the union of universal virtue and universal happiness. The problem is that this model does not bring out the distinction between moral well-being (virtue) and physical well-being (happiness). A well-functioning organism is one in which each part realizes its purpose; thus it may seem in analogy that the moral society as a well-functioning society is one in which each individual realizes his ends of virtue and happiness. This conclusion, however, is based on equivocation. The moral society is by definition a society of moral well-being (virtue), and what the teleological model exhibits in analogy is that all human beings in this society aim at universal physical well-being; but the failure to realize universal well-being in the latter sense does not imply a failure to realize universal well-being in the former sense. Equiv-
ocating on the two senses of well-being, it seems that the highest good as the final end of the moral law is the union of universal virtue and universal happiness; the failure to realize universal happiness appears as a deontic failing. I suspect that Kant's usual definition of the highest good is based on a similar equivocation, but I will postpone consideration of this question until the next chapter.

The road through Kant's teleology leads from the duty to obey the moral law to the duty to promote the highest good. In testing his maxims by way of the natural-law formula, the moral agent comes to construct a moral order in which human beings seek to enhance the universal ends of moral perfection and happiness, and if this agent is virtuous, he seeks to act on maxims that accord with and mirror this ideal. Again, it is to be stressed—and Kant would have avoided much misunderstanding if he had emphasized this—that the agent with a virtuous motive wills that everyone act along these lines. In other words, the virtuous agent wills the moral order as a natural order, that is, as a moral society in which human beings seek to make one another happy. Willing this is identical to willing the highest good. Generalizing this result, it follows that the universal requirement to obey the moral law implies the duty of humanity to promote the highest good. As Kant puts it in Practical Reason, "the moral law ideally transfers us into a nature in which reason would bring forth the highest good [as the union of universal virtue and universal happiness] were it accompanied by sufficient physical capacities; and it determines our will to impart to the sensuous world the form [universal law as such] of a system of rational beings" (p. 45; V: 50). Switching from one conception of the highest good to the other, as Kant presumably unwittingly does here, it seems that the latter task is within our power, the former perhaps not. But even if we come to the conclusion (with Kant) that humanity lacks the physical capacities to make each individual happy in the moral society, it remains the case that we must try to approximate such a condition. The second formula of the categorical imperative, then, demands that we promote the highest good as the union of universal virtue and universal happiness or realize the highest good as a moral order of universal cooperation.

The Humanity-as-an-end-in-itself Formula

Kant puts the third formula of the categorical imperative in the following words:
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Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only (Foundations, p. 47; IV: 287).

The formula is often rephrased as demanding respect for persons: we must treat ourselves and others as rational moral agents. Thus, to use once more Kant’s own illustrations, self-respect means that we should not commit suicide but should develop our talents, because we must both sustain and develop ourselves as rational moral beings, whereas respect for others involves on similar grounds such duties as helping them in need and not deceiving them for the sake of our private gain. The problem with this interpretation is that it fails to do justice to the social dimension in Kant’s moral thought. This dimension is also visible in the third formula.

The first thing to be noticed is that Kant does not speak of “respect for persons” in the above formula, but of treating “humanity in your own person or in that of another as an end and never as a means only.” The question to be asked is how humanity (Menschheit) can be in the individual. Kant provides the answer in the first illustration of the third formula: “[H]e who contemplates suicide will ask himself whether his action can be consistent with the idea of humanity as an end in itself” (ibid., my emphasis). In view of the basic premises of Kant’s social ethics it is evident that this idea is a regulative or task-setting idea. Correspondingly, the idea of humanity does not refer to humanity as it now exists but to humanity as it ought to exist. This insight is clearly expressed by the neo-Kantian Cohen, who reformulates the third formula as follows:

“Do not act as an I, in the empirical sense, but as the I of mankind, in the ideal sense. Regard your own person as well as any other not in the physical, racial, or narrowly historical terms of individual existence, but exclusively as an embodiment of the eternal, world-historical idea of mankind.”

Cohen adds: “Mankind is man’s final purpose and goal.” This ultimate purpose is the highest good; it is the idea of the moral order as applied to the human condition. Thus we can link the third formula with the two previous ones. To treat humanity in oneself or in others as an end is to act only on maxims that are consistent with the idea of the moral order; it is to act only on maxims that can become universal laws or laws of nature.
To elaborate, in projecting the moral law the moral agent projects the legislative self (the noumenal self, the ideal person) and with it the moral order of legislators, or humanity as it ought to be. As Jean-Paul Sartre writes in *Existentialism Is a Humanism*, “In choosing myself, I choose man. [T]he man who involves himself [is] a lawmaker who is, at the same time, choosing all mankind as well as himself.” Thus in committing oneself to the moral law, one commits oneself to the moral self and to a moral humanity. Hence, respect for the moral law and respect for the self that is a legislative self are two sides of one and the same coin. Moreover, to act out of respect for the moral law is to will oneself and others as legislative selves or members of the ideal order; it is to will the moral order of universal cooperation or humanity as it ought to be. This means that we ought to promote the highest good. In accordance with this, Kant emphasizes that the “harmony [of our actions] with humanity as an end in itself is only negative rather than positive if everyone does not also endeavor, so far as he can, to further the [personal] ends of others” (*Foundations*, p. 49; IV: 289).

We must interpret along the same lines the idea of treating humanity in oneself or others as a means only. To treat humanity in oneself as a means only is to deny that one ought to act on maxims that could function as universal laws in the moral order. This means to renounce that self in oneself which is a legislative self—that is, following Cohen, to act solely out of the empirical self with its narrow outlook. Since practical reason is universal, this also involves the denial of the possibility of the moral order; or, to put it otherwise, one constructs with the maxims of the empirical self the historical reality of this self, eliminating in one’s construction the ideal world. Duties to oneself, then, are, in the final instance, duties to humanity. It is from this perspective that Kant’s much better argument (as compared to his naturalistic argument) for the moral impermissibility of suicide is to be understood:

To destroy the subject of morality in one’s person is to root out the existence of morality itself from the world, so far as this is in one’s power; and yet morality is an end in itself. Consequently, to dispose of oneself as a mere means to an arbitrary end is to abase humanity in one’s own person (*homo noumenon*), which was yet entrusted to man (*homo phaenomenon*) for its preservation.

Further, to treat humanity in other persons as a means only is to act contrary to the demand that we should create a society of legislators who seek to promote one another’s personal ends. This idea has a critical implication, for most existing economic and po-
Political institutions aim only at the satisfaction of the ends of some of their participants and not all participants are legislative members. These institutions fail, therefore, to uphold the standards of practical reason. It follows that they must be changed in light of the moral ideal, and this shows in turn that the duty to promote the highest good is to be expounded as a social duty.

That the phrase ‘humanity in a person’ is not Kant’s way of saying ‘a human person’ is also argued by Thomas E. Hill, Jr., in his recent paper “Humanity as an End in Itself.” Hill claims that “Kant thought of humanity as a characteristic, or a set of characteristics, of persons (p. 85).” This set includes, among others, the capacity to act on hypothetical as well as unconditional principles, the power to set any end whatsoever, and the ability to understand the world. A similar view is put forward by John E. Atwell in his “Kant’s Notion of Respect for Persons”; Atwell emphasizes that “humanity” refers to those capacities which set human agents apart from nonrational animals. On both their accounts, to treat humanity as an end in itself is to strive to exercise and develop these capacities. Thus it is morally wrong to impair one’s rational capacities or to destroy them, and one must develop one’s talents. Likewise, with respect to others, one must enhance their use of reason rather than manipulate them by nonrational means, and one must support them in their pursuit of morally permissible ends.

Kant’s reasoning often takes the form outlined by Atwell and Hill, in particular, in Virtue, and their interpretation is a succinct explication of what it means to say that the third formula demands “respect for persons.” This does not, however, invalidate my interpretation. Rather, my interpretation encompasses theirs and, in addition, does justice to the social dimension in Kant’s ethics. The realization of the moral order of legislators, or humanity as it ought to be, presupposes the use and fulfillment of typically human characteristics. Accordingly, the duty to promote the highest good includes and sheds new light upon the above duties which require us to exercise our own rational capacities and to enhance their development in others. But to strive for humanity as it ought to be also involves the demand to pursue the institutional preconditions for the development and exercise of these capacities. About this duty Atwell and Hill, but not Kant, remain silent.

The Remaining Formulas and Summary
The remaining formulas of the categorical imperative can be stated with relatively few comments. The fourth formula demands that the moral agent
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act only so that the will through its maxims could regard itself at the same time as universally lawgiving (Foundations, p. 52; IV: 292).

Kant states that this formula makes clear that "the will is not only subject to the law but subject in such a way that it must be regarded also as self-legislative and only for this reason as being subject to the law (of which it can regard itself as the author)" (p. 49; 290). Hence, the fourth formula expresses the principle of autonomy. This principle is embedded in the formulas discussed previously. The difference is only a matter of emphasis, as is indicated by the fact that the self in the word 'autonomy' (the "law of the self") is the legislative or ideal self that accords with the idea of humanity or the moral order. Autonomy, then, is not a given but a task, and heteronomy is determination or conditioning by laws that are not rationally produced (i.e., self-legislated). What is to be noted in addition is that these concepts are not merely "internal" ("private") concepts but also social concepts. Kant observes that "if reason will not subject itself to the law it gives itself, it will have to bow under the yoke of laws which others impose on it." In other words, heteronomy is not merely being conditioned by the laws of the inclinations, but also being subject to the (arbitrary) will of others. Thus we can characterize existing social and political institutions as heteronomous, whereas the moral society is the autonomous society.

The fifth and sixth formulas also merely make explicit what is implied in the other formulas. These two formulas are, respectively, the realm-of-ends formula and its typic:

[E]very rational being must act as if he, by his maxims, were at all times a legislative member in the universal realm of ends (Foundations, p. 57; IV: 297).

[A]ll maxims which stem from autonomous legislation ought to harmonize with a possible realm of ends as with a realm of nature (p. 55; 295).

This realm is described as "a whole of all ends in systematic connection" (p. 51; 292). This systematic connection has the two aspects that within the realm of ends moral agents respect each other as legislators or as ends in themselves (i.e., everyone will uphold and promote the conditions of autonomy), and that they seek to enhance one another's personal ends. The realm of ends, then, is the moral order as a natural order, or humanity as it ought to be. Nonetheless, a new element comes into the picture. In my
explication of the highest good, or realm of ends, I have assumed that all rational beings that are part of this moral order are on an equal footing. Kant, however, holds that "[a] rational being belongs to the realm of ends as a member when he gives universal laws in it while also himself subject to these laws," and that "[h]e belongs to it as sovereign when he, as legislating, is subject to the will of no other" (p. 52; 292). The new element is easily explained, and supports my thesis that the grounding of the duty to promote the highest good is a central concern of the Foundations. It also illustrates the fact that two conceptions of the highest good are conflated in Kant's work: the realm of ends as a moral society in which human beings attempt to make one another happy, and the realm of ends as a moral order in which each individual is happy. For Kant goes on to state that the sovereign of the realm of ends is "a completely independent being without need and with power adequate to his will."35 This divine being, we may suppose, is the same divine being of which Kant says that it must be postulated so as to affirm the tenability of the highest good as the union of universal virtue and universal happiness.

Kant summarizes his discussion of the different formulas of the categorical imperative in the Foundations with the statement that they are "only so many formulas of the very same law, and each of them unites the others in itself." He adds: "There is, nevertheless, a difference in them, but the difference is more subjectively than objectively practical, for it is intended to bring an idea of reason closer to intuition (by means of a certain analogy) and thus nearer to feeling."36 My discussion has attempted to clarify this. The basic formulas demand that we adopt the standpoint of legislators in the moral order and thus seek this order; the typics help to explain what this legislation involves—that is, they bring the moral order closer to our intuition.

Another aspect of Kant's summary which is worth mentioning is that he says that all maxims have a form (universality), a material (human agents as ends in themselves), and a complete determination (consistency with the realm of ends as a realm of nature). The threefold division is derived from the first subdivision of the table of categories as developed in Pure Reason. The subdivision consists of the categories of quantity: unity, plurality, and totality. It follows that the purpose of the moral law as applied to the human condition is to make possible a unified plurality, a totality. The unity (the form) is the moral law. The plurality (the matter) consists of human agents and their individual ends. The former applied to the latter creates a moral totality (the complete deter-
mination), the moral society or highest good. This totality has two aspects corresponding to the two aspects of the plurality. Within the moral totality the human agents will respect one another as ends in themselves or as legislators, and they will seek to promote one another's personal ends. Finally, the very idea of the moral totality as a unified plurality shows that Kant did not intend to express totalitarian ideas with his view that the natural order can function as a model for the moral order; for what characterizes totalitarianism is that the universal does not truly unify the plurality, but negates it—the totality is without a plurality, and thus the individual is sacrificed in the name of the state, the party, etc.

Critical Notes and Conclusion

The moral society is the final end set by the moral law. The virtuous agent makes the moral law his own end, which means that this agent makes the moral society his own end as well. But does it follow that this agent will engage in active social duties? Why should he not limit his actions to respecting the autonomy of each individual and to enhancing their private ends? After all, Kant himself suggests in the closing section of Lectures on Ethics that if each of us behaves in this way the moral society will emerge. In short, it may still seem that the categorical imperative leads to private ethics, not to social ethics. To be sure, individual duties will now be fulfilled with the highest good as their end in view, but this difference from the private-ethics interpretation of Kant's practical philosophy does not transform his ethics into a social ethics.

Kant's reply would be that, since we cannot expect that universal virtue will arise in adverse sociopolitical conditions, the virtuous agent will see it as his task to change those conditions. That is to say, this agent will see it as his social duty to seek the perfect state and peace between the nations. This much is clear from my analysis of the section on Plato and the closing section of Lectures on Ethics. My discussion of the different formulas of the categorical imperative reinforces this conclusion: the person who obeys the moral law out of respect for this law will actively seek the conditions of universal autonomy, such as external freedom for all, and since the perfect state and international peace secure such freedom, this person will actively seek these ideal institutions. Thus there is a direct link between the categorical imperative and social ethics. I think, however, that this link can, and should be, strengthened on at least two grounds.
The first ground concerns the duty to promote a world in which individuals seek to enhance one another's ends. Kant does not consistently explore this demand for universal happiness as a social duty other than by maintaining that we must strive for ideal political institutions that make it possible, through universal external freedom, for each of us to engage in the pursuit of private ends and fulfill the duty of beneficence. As we will see later in more detail, his mistake is that he assumes that within the contours of the perfect state, international peace, and a capitalist economy, the universal fulfillment of the duty of beneficence suffices for promoting universal happiness. This kind of good willing is not enough. Even if everyone were altruistic in this way, it remains the case that institutional efforts must be undertaken for the sake of the coordination and optimal realization of individual ends. Moreover, the moral ideal of the realm of ends seems to express in the first place the demand that we transform all our institutions so that they directly aim at the satisfaction of the rational needs of all human beings. Thus we can further undercut the above argument connecting the categorical imperative with private ethics by the contention that it is not the case (contra Kant himself) that if everyone were to respect the autonomy of others and to fulfill the duty of beneficence the moral society would emerge of itself.

The second ground also breaks this tie and establishes an even stronger link between the categorical imperative and social ethics. This ground is that institutions are in a very direct sense required if we are to come to moral decisions that accord with the moral law. Lon L. Fuller states in *The Principles of Social Order*:

Today converging streams of ethical philosophy have nearly obliterated the notion of an institutional or procedural morality. Among the influences that join in this work of destruction we may mention such apparently diverse philosophies as utilitarianism, noncognitive and emotive theories of moral preference, and Kant's solitary ethical soliloquizer, impartially legislating for all mankind, including himself. What is lacking in all these philosophies is the simple picture of human beings confronting one another in some social context, adjusting their relations reciprocally, negotiating, voting, arguing before some arbiter, and perhaps even reluctantly deciding to toss for it.

We may wonder whether Fuller does not partly misinterpret what these theories see as one of their functions, namely, to offer guidelines for decisions made in an institutional setting. Certainly, Kant's moral theory explicitly offers such guidelines. Yet, what
seems to be the rational core of Fuller's contention is that moral rules cannot always be applied or decided upon in a monological fashion, but instead often require dialogical action. This means that we need free institutions—that is, institutions that permit and even promote moral dialogue—in order to come to decisions that accord with the moral law.

The insight is not lacking in Kant's work, but it is not sufficiently pronounced. Two examples will suffice to illustrate this. First, Kant contends that representative democracy is the best approximation of the perfect state. That is to say, this type of democracy offers us the best hope for laws that guarantee external freedom for all, and we may, moreover, see the right to vote as an instantiation of this freedom. Thus Kant seems to recognize that dialogical action is needed in order to come to a legal system that accords with the moral law. Political education, political action and discussion, the development of the awareness of conflicting interests, etc., are all aspects of the voting process. The testing of individual maxims, then, is not enough, even if it is universally performed, although it may be a truly indispensable aspect of the formation of political agreement. Accordingly, the virtuous agent will seek free institutions, not only because he views these as a precondition for the emergence of universal virtue, but also because he realizes that such institutions are essential for arriving at universal laws. Kant, however, does not take this step all the way. He limits the right to vote to economically independent male citizens and suggests that what really counts is not so much the form of the state (e.g., representative democracy or monarchy) as its mode of government; what in essence matters is that the decisions of the sovereign reflect the will of the people. This leads Kant to claim that a kingdom (temporarily, at least) is unobjectionable as long as the king legislates along representative lines. In other words, the ideal of the perfect state can be approximated by the conscientious ruler. This view is the logical outcome of the idea that maxims can be tested adequately in monological fashion; the virtuous ruler can determine which laws accord with the moral law. The need for free institutions is, in effect, undermined.

This first example can be extended from the legal/political realm to the socioeconomic realm. The scope of the second example is even more extensive. Kant emphatically claims that freedom of public expression of one's thought is required for human enlightenment. He argues forcefully for his case in the following passage from "What Is Orientation in Thinking?:"
Certainly one may say, "Freedom to speak or write can be taken from us by a superior power, but never the freedom to think." But how much, and how correctly, would we think if we did not think as it were in common with others, with whom we mutually communicate! Thus one can well say that the external power which wrests from man the freedom publicly to communicate his thoughts also takes away the freedom to think—the sole jewel that remains to us under all civil repression and through which alone counsel against all the evils of that state can be taken (p. 303; IV: 363).

The relevance of freedom of public expression of one's thought is not limited to the legal/political realm. Communication is crucial not only for the formation of right political opinions but also for coming to right moral decisions in a variety of social and religious institutions. The same holds for the family, and repression of communication seems in general to darken our vision of our individual duties. Scientific and technological progress may also be placed on this list—that is, communication is a sine qua non for arriving at both empirical and moral truth. It follows that the virtuous agent will seek free institutions that make possible unrestricted communication for the sake of the moral law and its demands. But again we see that Kant undercuts the link between the categorical imperative and social ethics. He claims at times that the demands of the moral law are clear to any conscientious person; knowing what we ought to do is a question of virtue only. This leads us, in effect, back to a monological ethics, weakening the case for social ethics.

Both grounds that I have offered for strengthening the link between social ethics and the categorical imperative point in the same direction. What Kant does not make sufficiently clear is that this imperative demands that we seek a society not of legislators but of colegislators. The ideal projected by the moral law must be understood as a society thoroughly democratic on all its institutional levels. (Perhaps on some levels representative democracy may substitute for direct democracy in order to come to terms with problems of magnitude and time arising from direct democracy on a large enough scale.) It is crucial to note, however, that the moral law places limiting conditions upon radical democracy and gives direction to such a democracy. The conditions of autonomy, such as external freedom and freedom of public expression as its derivative, must be safeguarded for each individual, and the final end in view of each institution must be the ends of all individuals, not only the ends of those who are its members.

These two grounds also are reasons (among others) for argu-
ing that an adequate social ethics must at some point go beyond Kant. We will reach this point in Part Two. It will also become clear there that the above sketch of the moral society as a society of colegislators is essentially the Cohenian moral ideal. Yet, much still is to be learned from Kant, and his vision is sufficiently close to this ideal (if not always factually, then logically) for us to take it as our guideline in the discussion of his work. In short, we can leave Kant's deviation from this ideal as a separate issue of concern.

In conclusion, then, the total end set by the moral law is the highest good, or moral society of colegislators, who uphold and promote the conditions of universal autonomy and enhance one another's personal ends. The moral ideal has four basic functions: it sets a historical and moral task; it is a totality concept that can integrate our single actions into a comprehensive and meaningful totality; it is a perspective from which existing institutions can be criticized as morally inadequate; and finally—and here we see a decisive break with consequentialist moral theories—the moral ideal places a restraining condition upon action toward the ideal in that this action must always seek to mirror that for which it strives.

4. The Highest Good and Individual Duties

My claim that Kant's ethics is a social ethics is not to be interpreted as a denial of the importance of individual duties, either in Kant's writings or in moral life. Morality cannot be limited to individual duties alone, but it would be equally mistaken to hold that our duties are limited to active social duties. The fact that we are bound by both types of duties is a source of moral dilemmas; for there are situations in which our individual and active social duties conflict with each other. I will not attempt to deal with this issue in my study, but instead will end this chapter by briefly explicating a conclusion that is implied by the previous analysis of the categorical imperative, namely that individual duties must also mirror the highest good. Yet it may be noted that this insight at least softens the possible conflict between individual duties and active social duties. Also, my explication implies a criticism of the "privatistic" understanding of individual duties.

Kant's social ethics, in contrast with his ethics interpreted as a private ethics, projects a morally perfect world as the ultimate aim of our moral action. This moral ideal, if not actually changing the content of individual duties as explicated in the private-ethics in-
terpretation, at least gives a new meaning to these duties. A good example is Kant’s view of punishment. In accordance with his claim that punishment will no longer be necessary in the perfect state, Kant argues that teachers and parents ought not to punish children when they transgress the moral law. The perfect state makes possible moral autonomy and perfection; education must aim at the same end. Kant maintains that punishment is detrimental to this end:

If you punish a child for being naughty, and reward him for being good, he will do right merely for the sake of the reward; and when he goes out into the world and finds that goodness is not always rewarded, nor wickedness always punished, he will grow into a man who only thinks about how he may get on in the world, and does right or wrong according as he finds either of advantage to himself. 

A little further on, Kant sums up his view with the statement that “[i]f we wish to establish morality, we must abolish punishment.” Instead of punishment, Kant argues, we must express strong disapproval and try to infuse respect for the moral law by instruction. [Kant also calls such disapproval “moral punishment,” contrasting it with “physical punishment,” which consists of the infliction of pain or the refusal to grant certain requests of the child (ibid., pp. 87 ff; 493 ff.).] Thus on the individual level we must attempt to establish the same end as on the sociopolitical level: the conditions of moral autonomy. Paraphrasing Kant, the guideline in moral instruction is that “if we wish to establish moral autonomy, we must treat children as (potentially) autonomous.” Within the private-ethics interpretation the same conclusion may be drawn, but what is lacking is the broader context that moral instruction anticipates and mirrors the moral society, the highest good.

Other individual duties can be analyzed along the same lines, and in each case the result will be a criticism of the private-ethics interpretation of Kant as well as of the “privatistic” understanding of individual duties in general. Consider, for example, the duty to develop one’s talents. It is often argued that Kant grounds this duty as follows. The maxim “I will fail to do anything needed to develop my talents” fails to pass the categorical-imperative test. The universal form of this maxim is “Everyone will fail to do anything needed to develop his talents,” which is inconsistent with the fact that all rational agents set ends that they wish to obtain—that is, the pursuit of happiness. For rational beings will the means to their ends, and when no one develops his talents the means will
be lacking. It follows that it is not permissible to act on the maxim of neglecting to develop one's talents, and this implies that developing one's talents is an obligatory end. This kind of reasoning is typical of the private-ethics approach to the categorical imperative. To be sure, it represents an important aspect of the way Kant grounds the duty to develop one's talents, but the interpretation is one-sided and fails to do justice to the social dimension which is also present in his ethics. Kant appeals not only to self-interest, but also to the interest of humanity, as the logical basis of this duty. Kant writes that the failure to develop one's talents "might perhaps be consistent with the preservation of humanity as an end in itself but not with the furtherance of that end."\textsuperscript{45} We may reconstruct his argument as follows. We have noted that Kant holds that cultural progress facilitates the realization of the highest good. Thus to develop one's talents is an obligatory end, because the universalized maxim "Everyone will fail to do anything needed to develop his talents" is inconsistent with the idea of cultural progress and, hence, with the idea of promoting the highest good. Or, more positively, the virtuous moral agent who wills to develop his own talents wills that everyone develop his talents; he wills not only the cultural facilitation of his own moral improvement but cultural progress in general as a step toward the moral improvement of humanity and the corresponding happiness. And, obviously, in this particular case the highest good gives not only a new meaning to our individual duties but also a different content. Private ethics steers the development of one's talents toward individual gain, whereas social ethics aims additionally at the social good.

These two examples should suffice to make clear that the highest good as a social duty implies a broadened understanding of our individual duties. These duties must mirror the moral ideal, and in this manner their fulfillment will contribute to the realization of this ideal. Another important difference between the two ways of looking at individual duties is that only the social-ethics approach is likely to do justice to the fact that a satisfactory fulfillment of these duties depends on numerous institutional conditions. We have seen that free institutions that permit public expression of one's thought are important for the recognition of what our individual duties are in the first place. Turning again to the duty to develop one's talents, we can detect other such conditions. The fulfillment of this duty presupposes adequate economic conditions, a school system accessible to all, and again freedom from censorship, to mention only a few of the institutional prere-
quisites. The realization of these prerequisites remains an ongoing task. Similar observations can be made with respect to other individual duties, such as helping others in need. What if one lacks the means? Or what if the cause of distress is a corrupt political order? As we will see in the next chapter, Kant argues that the ability to fulfill the duty of beneficence depends on the possession of property which is itself largely the product of unjust political relations. The irony that emerges is that those who are able to fulfill this duty do not deserve moral praise for doing so because their wealth is unjustly acquired, whereas those who rightly could receive moral praise for fulfilling the duty of beneficence lack the means for practicing it. The irony has a critical edge: individual duties point to active social duties. Conjoining this insight with the thesis that individual duties, properly understood, contribute to the realization of the moral society, we come to the conclusion that, from the perspective of Kant's social ethics, individual duties and active social duties are in the end complementary.