2004

"Immigration," "Immanuel Kant", and "Kantian Ethics"

Harry van der Linden
Butler University, hvanderl@butler.edu

Follow this and additional works at: http://digitalcommons.butler.edu/facsch_papers

Part of the Ethics and Political Philosophy Commons

Recommended Citation
Available at http://digitalcommons.butler.edu/facsch_papers/62

This Book Chapter is brought to you for free and open access by the College of Liberal Arts & Sciences at Digital Commons @ Butler University. It has been accepted for inclusion in Scholarship and Professional Work - LAS by an authorized administrator of Digital Commons @ Butler University. For more information, please contact omacisaa@butler.edu.
Permission to post this publication in our archive was granted by the copyright holder, Salem Press. This copy should be used for educational and research purposes only.

The original publications appeared at:


these concepts, health care will be called upon to mitigate every problem society has, not only the enormous number it is traditionally expected to solve.

Margaret Hawthorne

FURTHER READING

See also: Diagnosis; Health care allocation; Holistic medicine; Medical ethics; Medical insurance; Mental illness; Physician-patient relationship.

Immigration

DEFINITION: Flow into countries of people seeking to change their nationalities

TYPE OF ETHICS: Politico-economic ethics

SIGNIFICANCE: Governments regulate by force who may leave their territories and especially who may settle within their borders. Border controls designed to exclude unwanted immigrants may be viewed as legitimate forms of collective or communal self-determination, but critics argue that they often violate the individual right to freedom of movement and the ideal of equal economic opportunity for all.

During the 1990’s, the U.S. government took unprecedented and costly measures to prevent migrants in search of greater economic opportunities from illegally crossing its long border with Mexico. The federal Immigration and Naturalization Service (INS) almost tripled its budget, doubled the size of its Border Patrol, and created a border of fences, cameras, and policing by helicopters. Concerns with security eventually led to further steps to close the border. Nations in the European Union have taken similar measures. However, it is unclear how effective various efforts at border control have been.

Although millions of illegal migrants were arrested throughout the world and returned to their countries of origin, there were still at least six million illegal immigrants in the United States and more than three million in Western Europe at the beginning of the twenty-first century. The cost in human suffering is also high. Every year, hundreds of migrants die trying to enter what critics of strict border controls call “fortress Europe and America.” The moral question raised is what justifies governments’ effort to exclude ordinary people who seek to improve their lives.

THE COMMUNAL RIGHT TO EXCLUDE

The communitarian philosopher Michael Walzer argues that communities have a right to determine the rules governing their cooperation and with whom to exchange the goods of their cooperation, including membership. He compares political communities to clubs, noting that within clubs existing members choose the new members and that no one has a right to join a club. Another aspect of the analogy is that people have the right to leave their clubs and so they have a right to emigrate. Walzer adds that political communities are also similar to families. The children of citizens are automatically citizens, and states typically give preference to would-be immigrants who are genetically related to its existing citizens. For Walzer, the right to exclude is not absolute: He argues that all states should take in some political refugees since every person has the right to belong to some political community.

There are many reasons that citizens may have for
IMMIGRATION wishing to exclude other people from entering their countries. Walzer stresses the danger of immigrants undermining a national culture and a shared way of life. Other grounds for exclusion are limiting population growth, protecting the environment and resources, shielding native workers from wage depression and increased competition for scarce jobs, and preventing an overburdening of welfare programs, public education, and other social services.

Critics of restrictive border policies contest the view that admitting many immigrants with different cultural backgrounds threatens national unity. They point out that cultural blending is common and that, at any rate, a multicultural society enriches the lives of its citizens. This latter view was challenged in the United States after the terrorist attacks of September 11, 2001, heightened public fears of Muslims living in the country.

On their account, national unity can be based on respect for individual rights and need not include a deep sharing of specific cultural values. They also argue that immigration contributes to economic growth and that many immigrants take jobs that natives find undesirable. A final perceived benefit of immigration is that it counteracts the shrinking or graying of the native populations of many Western nations.

ARGUMENTS FOR OPEN BORDERS

Proponents of open borders typically argue that even if more immigration does not benefit the receiving country, this does not necessarily warrant exclusion. Some utilitarian moral philosophers argue that the state must impartially balance the interests of its citizens against the interests of immigrants. Liberal human rights theorists maintain that individuals have a right to freedom of movement, arguing that just as people should be able to move from one city in the United States to another—whether or not their movement benefits the communities—they should be able to move across borders. Egalitarian liberals hold

European immigrants sailing to the United States in 1906. (Library of Congress)
Public Opinion on U.S. Immigration Levels in 2004

In January, 2004, a CBS News/New York Times poll asked a cross-section of Americans whether legal immigration into the United States should be kept at its current level, increased, or decreased.

<table>
<thead>
<tr>
<th>Option</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current level</td>
<td>34%</td>
</tr>
<tr>
<td>Increased</td>
<td>16%</td>
</tr>
<tr>
<td>Decreased</td>
<td>45%</td>
</tr>
<tr>
<td>Other</td>
<td>5%</td>
</tr>
</tbody>
</table>


that closing borders to immigrants from the developing world is unjust because mere location of birth should not determine one’s chances for economic success. As the liberal philosopher Joseph Carens puts it, keeping economic immigrants out by force makes citizenship in Western democracies a modern variant of feudal privilege.

Immigration Policy Standards

During the late eighteenth and nineteenth centuries, the United States placed few restrictions on immigration other than excluding the seriously ill, the criminally convicted, and certain non-Western populations. National origin quotas were adopted in 1921 and the Border Patrol emerged in 1924. Congress abolished this quota system in 1965 with the understanding that it was racist and replaced it by a system of preferences for relatives of citizens and permanent residents. Congress also reserved immigration slots for professional workers, a preference that has become more extensive in recent years.

The active recruitment of immigrants with valuable professional skills has led to a “brain drain” from some developing countries to Western societies. Some countries of the developing world have lost anywhere from 25 percent to 75 percent of their highly skilled workers, including engineers, scientists, and physicians. It is generally held that professionals from these nations should not be denied the right to emigrate from their home countries; however, some ethicists have also argued that it would be appropriate to impose exit taxes to be paid by the hiring agencies to compensate for the economic loss to the sending countries and to reimburse them for their educational costs. Increasingly, professional immigrants view it as their duty to establish networks with professionals in their countries of origin and to promote local businesses and educational developments.

Harry van der Linden

Further Reading


See also: Citizenship; Communitarianism; Diversity; Immigration Reform and Control Act; Population Connection; Population control; Refugees and stateless people; Rorty, Richard; Zero-base ethics.
After the first destruction of the Temple at Jerusalem, and particularly after its second destruction, the scriptures served as a focus for the religious devotion of the Jews. Their state no longer existed; their culture had been destroyed. All that remained was their belief in God and his word. If the Jewish religion were to endure, it seemed necessary that not only the content of revelation but also even its physical form should be considered inviolate and unchangeable. The level on which mystics interpreted revelation to serve their purpose was highly symbolical. To make this interpretation possible, the Kabbalists developed letter and number symbolism of great variety, complexity, and obscurity.

In the Kabbalistic view, salvation of the individual was of little significance. It entered only as a means to the greater end of the salvation of humankind. This would come about through the agency of a messiah and the Davidic line, who would lead the Jews in triumph to the Holy Land and inaugurate a reign of truth, justice, and mercy. The ideal of salvation is thus the establishment of an earthly paradise of human life, raised to its highest humanity. Other elements clouded this doctrine at various times in the history of mystical messianism. In general, however, the Kabbalistic view of redemption was an extreme form of traditional messianism. Attempts to calculate the exact date of the coming of the messiah were widespread. The coincidence of various calculations in fixing on dates close to each other inspired a wave of messianic movements.

Genevieve Slomski

**Further Reading**


See also: Hasidism; Jewish ethics; Messianism; Talmud; Torah.

**Late in his life, after his revolutionary work in epistemology, Kant first presented his mature moral philosophy in *Foundations of the Metaphysics of Morals.* Here, Kant developed his influential idea that human beings as rational agents are “autonomous,” or have the capacity for moral self-government. For Kant, autonomy means that, as rational beings, people set their own standards of conduct, as distinct from the demands made by their desires, and are able to decide and act on these standards. On the basis of a complex argument, Kant concluded that autonomy is possible only if the will is guided by a supreme principle of morality that he called the “categorical imperative.” Kant viewed this imperative as the product of reason.**
and as the basis for determining moral duties. He expressed it in three basic formulations.

**The Formula of Universal Law**

“Act only according to that maxim by which you can at the same time will that it should become a universal law.” Kant defined a maxim as a subjective principle on which a person intends to act, and a universal law as a principle that applies to everyone. Therefore, his formula of universal law demands that one act only on maxims that one can rationally will that everyone adopt. Kant provided the following example of how to use the formula: Suppose that a person must borrow money for a personal need and knows that he is unable to repay it. Is it morally permissible for him to act on the maxim of falsely promising to pay back a loan in order to get the loan? The formula tells that the person may act on the maxim if he can rationally will its universalization. The person cannot rationally will this because it would mean that people would no longer trust promises to repay loans, including his own. Kant added that the immorality of the maxim is clear in that the person really wants people to keep their promises so that he can be an exception to the rule for this one occasion.

**The Formula of Humanity**

“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.” For Kant, “humanity” refers to people’s uniquely human characteristics, their rational characteristics, including autonomy and the capacity to understand the world and to form and pursue life-plans. Thus, his formula of humanity demands that people always act so that they respect themselves and others as beings with a rational nature.

In *Foundations of the Metaphysics of Morals*, Kant used the formula of humanity to argue for a variety of duties to oneself and others. According to Kant, respect for rational nature in oneself implies that one ought not to destroy or deny one’s intellectual and moral capacities through suicide, drug abuse, lying, self-deception, or servility. It also implies that one must further one’s own rational nature by developing one’s natural talents and striving to become virtuous. Respect for rational nature in others requires that one not harm them and that one uphold their individual liberty, but Kant discussed these duties as part of his legal and political philosophy. More exclusive ethical duties to others include the duty to contribute to the flourishing of rational nature in others through beneficence and the duty to refrain from arrogance, defamation, ridicule, and other activities that deny people’s humanity.

**The Formula of the Realm of Ends**

“All maxims . . . ought to harmonize with a possible realm of ends.” This formula shows that the two previous formulas are interconnected. (Kant held them all to be equivalent, but this has not been widely accepted.) Kant described the realm of ends as a harmony between human beings, resulting from each acting only on maxims that can become universal laws. It is a harmony of ends in that its members, by acting only on universalizable maxims, act only on maxims that can meet everyone’s consent; thus,
they respect one another as rational self-determining agents, or ends in themselves. It is also a harmony of ends in that people will seek to further one another’s individual ends.

**MORAL VISION**

Kant held that people must mirror the realm of ends in their moral choices and actions, and that it is humanity’s duty to bring about this ideal. He viewed the French Revolution and the Enlightenment as steps in the right direction; argued for a worldwide league of democratic states as a further step toward the realm of ends; and claimed, moreover, that the religious institutions of his time must embrace the ideal, setting aside their historically evolved differences. Kant maintained that moral philosophy must not formulate new duties, but should only clarify the moral principle operative in “common moral reason” in order to help ordinary persons more adequately resist immoral desires. Kant’s clarification went beyond these confines, however, and it ended with an inspiring moral vision of the realm of ends as the purpose of history, the kingdom of God on Earth, and the ultimate individual and collective vocation.

_Harry van der Linden_

**FURTHER READING**


SEE ALSO: Autonomy; Consistency; Deontological ethics; Duty; Enlightenment ethics; _Foundations of the Metaphysics of Morals_; Kantian ethics; Post-Enlightenment ethics; Practical reason; Transcendentalism.

**Kantian ethics**

**DEFINITION:** Moral system put forward by, or modeled after that of, Immanuel Kant

**TYPE OF ETHICS:** Enlightenment history

**SIGNIFICANCE:** Kantian ethics are concerned with the determination of an absolute and universal moral law and with the realization or modeling of an ideal society characterized by the mutual respect and harmonious coexistence of all moral agents.

The term “Kantian ethics” is commonly used to refer to the ethics of Immanuel Kant, as set forth in his _Foundations of the Metaphysics of Morals_ and other moral writings of the 1780’s and 1790’s. The term is also frequently used to refer to later moral theories that are similar to Kant’s ethics but contain modifications in response to its perceived shortcomings. Three important examples are the moral theories of Hermann Cohen, John Rawls, and Jürgen Habermas.

**IMMANUEL KANT**

The ultimate purpose of moral rules, Kant argued, is to make possible his ideal society, the “realm of ends,” which has two main aspects: All its members respect one another as self-determining agents who pursue different individual ends, and they seek to promote one another’s ends. Kant believed that this
moral ideal would evolve if everyone followed the fundamental principle of his ethics: the “categorical imperative.” This imperative demands that one act only on those personal policies of conduct (“maxims”) that one can rationally will to become universal laws or principles that guide everyone’s conduct. According to Kant, obedience to the categorical imperative implies respect for others as self-determining beings with different individual ends; in acting only on maxims that can become universal laws, one acts only on principles to which others can rationally consent, and thus one upholds their right to legislate their own moral rules and pursue their own individual ends.

Kant also argued that general obedience to the categorical imperative would bring about universal mutual promotion of individual ends (as the other aspect of the realm of ends) because the imperative prohibits refusing to assist others. The reason for this prohibition is that one cannot rationally will that everyone adopt a maxim of not assisting others in the pursuit of their individual ends, for in such a world one would lack the assistance of others as a means for realizing one’s own happiness.

Attempts to overcome the shortcomings of Kant’s ethics, while preserving its strengths, have led to such influential examples of Kantian ethics as the moral theories of Hermann Cohen, John Rawls, and Jürgen Habermas. The most significant shortcomings are the following: The categorical imperative does not offer a sufficient criterion for determining universal laws, Kant failed to provide an adequate justification of the categorical imperative, he described moral agents as isolated legislators of universal laws, and he failed to address satisfactorily how the realm of ends can be institutionalized.

Hermann Cohen

During the later part of the nineteenth century, Kant’s philosophy regained in Germany the great influence it had had during his own lifetime. This resurgence is known as neo-Kantianism, and one of its most important representatives is Hermann Cohen, who transformed Kant’s ideal of the realm of ends into a democratic socialist ideal. Cohen held that human agents can only arrive at universal laws, or approximations thereof, if all people become decision makers or co-legislators in their institutions. Thus, Cohen argued that the realm of ends requires for its realization not only political democracy, as Kant himself claimed, but also democracy in the workplace. Moreover, Cohen held that workplace democracy, in order to be effective, requires workers’ ownership of productive property. Cohen also maintained that these democratic socialist proposals were necessary for realizing the aspect of the realm of ends that all of its members promote one another’s individual ends.

John Rawls

A second main philosophical movement of renewed interest in Kant’s ethics and corresponding attempts to improve his ethics occurred during the 1970’s and 1980’s. The American philosopher John Rawls and the German philosopher Jürgen Habermas are the two major figures of this movement. Rawls’s primary concern is to argue for principles of justice that create a political society in accord with the realm of ends. More specifically, he argues for an extensive liberal welfare state based on the principles of justice that all persons must have equal political and civil liberties and that social and economic inequalities must be corrected to the greatest benefit of the least advantaged. Rawls holds that rational agents will opt for these principles of justice once their situation of choice, the “original position,” is made impartial by a “veil of ignorance” that makes them temporarily forget about all the specific facts concerning themselves and their society. Whether this innovative transformation of the categorical imperative—the veil forces one to opt for principles that are acceptable to all—justifies Rawls’s two principles of justice, and whether it can more generally be used to justify and explicate Kantian moral rules, are questions that have generated much debate.

Jürgen Habermas

The basic principle of the “discourse ethics” of Jürgen Habermas is a clear modification of the categorical imperative. The principle is that for a norm to be valid it must be accepted in a practical discussion by all those who are affected by the norm. The participants in the practical discourse must then also foresee the consequences of the general observance of the norm for the realization of the particular interests of each of them. This view that moral norms must be constructed by communities engaged in free practical discourse implies that the good society must be
KARMA

fundamentally democratic; unlike Cohen and Rawls, however, Habermas has been somewhat vague and hesitant about the specific institutional ramifications of his Kantian ethics.  

Harry van der Linden

FURTHER READING


SEE ALSO: Autonomy; Consistency; Deontological ethics; Enlightenment ethics; Foundations of the Metaphysics of Morals; Kant, Immanuel; Post-Enlightenment ethics; Rawls, John; Theory of Justice, A.

Karma

DEFINITION: Spiritual and ethical force generated by a person’s actions

TYPE OF ETHICS: Religious ethics

SIGNIFICANCE: In Eastern religious traditions, karma is the motive force determining the transmigration of souls in successive incarnations: One’s next life will be better or worse depending on the good or evil of one’s actions in this life. In modern Western culture, the term is used in a more general and secular sense to mean good luck or fortune earned through good deeds, or bad luck which is deserved as a result of malfeasance.

The word karma is a Sanskrit term meaning “action,” “deed,” or “work.” By extension, it also came to mean the results of one’s deeds and the law of retribution according to which one reaps what one sows.

The term karma does not appear in its extended sense in the oldest hymns of the Hindu scriptures. Nevertheless, the idea does appear that evil deeds have consequences that one would want to avoid. Furthermore, a person could obtain forgiveness from the god Varuna. The early hymns also taught continued personal existence beyond death, sometimes in an undifferentiated state, but sometimes with good men going to Heaven and others to a sort of hell.

In the Upanișads (composed roughly between the eighth and fifth centuries B.C.E.), Hindu speculation arrived at the conclusion that if one did not reap all that one had sown in this lifetime, one would inherit those uncompensated aftereffects in a future life. The cycle of births came to be understood as the condition from which salvation was necessary. Furthermore, the law of karma was held to operate automatically; it was independent of the efforts of any god.

In its fully developed form, the law of karma is held to explain such phenomena as premature death (the result of misdeeds committed earlier in one’s life or in a previous life), child prodigies (the child continues to develop skills already learned in a previous life), and differences in socioeconomic status (karma determines the caste into which one is born). In a moral universe, everything that happens to a person is earned; nothing is accidental or in any other way undeserved. In short, one determines one’s own fate, in this and future lives.

Over time, Hindus developed several paths by which to escape the cycle of rebirth. The most important were enlightenment, work, love and devotion, and meditation, which also could be a method employed in other paths. The Bhagavadgītā (variously dated between the fifth and first centuries B.C.E.) dealt with the relationship between karma and one’s caste duty. Simply put, it was the duty of each person to fulfill his or her role, even if the person found that role distasteful. Failure to do so would entangle one