

Kant's view of the law and the ethical obligations

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ARTICLE INFO

Article history:

Received: 16 November 2012;

Received in revised form:

27 December 2012;

Accepted: 10 January 2013;

Keywords

Practical Reason,
Will of Good and Evil,
Deontology,
Intention,
Duty and Law, and
Criticism of Opinions.

ABSTRACT

In a time that various moral schools boasted in the west, 'hedonism' school did its work outstandingly more than others. Plato that knew ethics as a category of 'aesthetic and beauty' and Aristotle school that introduced moderation as a moral pattern and moral data filled everywhere; Immanuel Kant's moral school (1724-1804), famous and great German philosopher, stepped onto the arena and with a new speculation caused a revolution in thinking world and plane of ethics that it has been compared to Copernican revolution in the world of the heavens. By establishing metaphysic and categorical doctrine and deontology in plane of ethics he introduced moral action in acting according to intent and fulfillment of responsibility of conscience and he believed that because reason is a general endowment therefore rules and laws should be general. But it is important to know that what rules and laws of reasons are and how they can be obtained. Kant spoke about reality, law and social relations beyond evaluation of reason, action and reaction of human's wisdom. He knew that reality and law after criticism and analysis of wisdom and thought are recognizable and constant. From this viewpoint, Kant believed that human makes his aim and has a natural value that undoubtedly distinguishes him from other creatures. The writer intends to criticize and analyze some moral opinions of Kant from his philosophical viewpoint in moral plane and state of human attainment to real perfection and felicity in the shadow of practical reason.

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Introduction

To clarify the position of Kant's moral philosophy among other various moral schools, moral classification will be reviewed here briefly: "Ethics" is originated from the Greek word of 'Ethikos' that is related to 'Ethos' means personality and character. Undoubtedly we encounter to this kind of questions: what should we do or what should not we do? Which kinds of actions are good and which ones are evil? To answer these questions, ethics is needed. Thus it is possible to study ethics in the two following parts:

1. Normative ethics
2. Meta ethics" (Palmer, 1995, p. 9).

"In normative ethics, we understand that which actions are 'good' and 'evil' and then try to obtain a collection of rules and criteria through rational method that help us in recognizing right and wrong actions or good and evil persons. This kind of ethics is divided in two parts:

- A. Teleology
- B. Deontology" (Broad, 1930, p. 206).

A. "Teleology is to relate an action to its conclusion i.e. good or evil, real or neutral. In fact in this kind of ethics, there are different viewpoints; some people believe that an action which is good and right i.e. just useful for doer. And others believe that a good action should be useful for the doer and others. Great advocates of this opinion are David Hume, Jeremy Bentham and Stuart Mill" (Palmer, 1995, p. 1).

B. "Deontology considers that goodness and evilness of an action is not only based on its conclusions but also its characteristic of the action or beyond its motive recognizes the goodness or evilness of the action. Whatever is the conclusion of

this action has no effect in its goodness or evilness. Notable advocate of this speculation is Immanuel Kant" (ibid, p.11).

"Philosophical and analytical studies about moral statement are called meta ethics. Some parts of moral studies are 'theoretical ethics', 'philosophical ethics', 'the logic of ethics', 'analytical ethics', 'critical ethics' and 'epistemology of ethics'" (Mesbah, 2007, p. 21). The analysis of statements such as 'good', 'evil', 'right' and 'wrong' are of responsibility of this kind of ethics. Therefore, explanatory call of formative ethics is concepts that are applied in this kind of ethics can be classified in three groups: 1. moral naturalism, 2. intuitionism, and 3. emotionalism.

After the introduction, this article deals with Kant's philosophical viewpoint.

Existential Dimensions of Human

"Human has two existential aspects: natural and rational. Because human is a natural creature has special functions that are related to the world of nature and because human has reason, he is related to the world of intelligibles" (Forooghi, 1996, p. 355). Because human relies on the world on sense has some needs and his wisdom has responsibility that can not be denied and attention to the natural aspect and doing practical orders considering felicity in this life and if possible felicity of future life; however, he is not animal to this extent that does not pay attention to his wisdom and does not apply the wisdom for satisfying needs of sense, because if wisdom is a goal for animal nature, having wisdom does not raise human value more than wild animals

Kant believed that nature accompanying by reason in human nature send him away from the acquired necessities

limited to those two aspects. For this reason human is not obliged because he is not just a natural creature that all his actions are based on cause and effect rules and due to obligation. On the one hand, if human was obliged to causal need he could not determine his will according to cause. On the other hand he is not a completely reasonable existent that all his behaviors are based on his reason. In other words, unity in behavior and law govern him but a ruler and legislator called reason and an agent and executioner called nature exist in him. Behavior of an agent can or can't be based on the law of legislator. "A reasonable existent not only follows categorical imperative but also its creator. In other words, each reasonable existent not only follows laws of ethics but also he himself is a legislator" (Cited in Komer, 2001, p. 298).

"He admitted that although human control is by reason and nature is considered appendicia and accidents, but fulfillment of perfect human includes application of both two spiritual faculties. As human has rational will he also tends to corporeal affairs. For this reason human is divided in to two halves: half corporeal 'natural- material'" (Kapelston, 2001, p. 61) and half spiritual 'rational, scientific ...'. The key to human fulfillment is paying attention to inclinations of his both parts. Full cooperation and assistance between these two groups of human faculties and participation of reason, sense, invisible world and nature in construction of life are the sole factor of human perfection. Here because of significance of reason faculty from Kant's viewpoint it is briefly pointed to spiritual and scientific dimensions of human.

Human and Reason

"What can be understood from Kant's works in the critical period is that he was highly influenced by the metaphysical crisis of his time and tried to deal with it. The victories of mathematical and natural sciences and especially the advent of Newtonian physics paved the way and were the main reason for the crisis, while the scholastics fuss over their old arguments and lead nowhere and new philosophers disturb the metaphysics rather than resolving it. Kant's main concern is metaphysics. He is seriously worried about the comparison of the situation of knowledge to metaphysics and to see the chaos and weakness of metaphysics against the rise and spread of knowledge. He is concerned because he sees the failure and isolation of main motives and goal of metaphysics, i.e. the existence of God, will and self eternity in the sphere of human cognition have failed and since morality is not and can't be scientific it has become unstable" (Kant, 1988, p.7)

Therefore, "Kant having this concern in mind started his critical philosophy to answer the following questions:

1. What can I know?
2. What should I do?
3. What should I expect?

He sought the answer to the first question in the metaphysics and the answer to the second in ethics but neither reason nor ethics could answer the third question. Just religion can give us hope in life and provide eternal prosperity" (Brown, 2000, p. 90). In Kant's viewpoint the philosophy of the religion is not how to live but he explains religion as some sort of positive feeling and hopefulness. In Critique of Pure Reason, Kant says "I saw it necessary to dismiss knowledge in order to make space for faith" (Mojtahedi, 1999, p.110).

With this short introduction we can say that in Kant's philosophical system human is interpreted as sensible and perceptive, a being whose natural and existential value is due to this faculty and capability. The presence of this element in

human is the origin of many attributes and characteristics such as will, freedom, autonomy, dutifulness, etc. Since human is considered a sensible being, he goes out of the sphere of cause and effect system of nature and hence he is seen free and independent. "Kant believes that while human has a capability called reason he can use it in two aspects. Sometimes he uses his rational capacity to know reality and sometimes to structure reality. In other words in Kant's view reason is seen as a unity with distinct data. Reason belongs to reality in two different ways. Sometimes it just determines it and concept and sometimes realizes it. In the first case reason has a theoretical dimension and in the second case it has a practical function" (Comer, 2001, p. 318). "Although some matters can not be proved by theoretical reason but at the same time are not rejected by it and are proved by practical reason" (Durant, 1991, p. 250).

"Kant says just as there are groups of truths prior to experience and a priori, there are some claims in the sphere of practical reason which are a priori and human reason can understand them independently and by itself. In other words, knowledge is a cognition which has synthetic propositions prior to experience (or a priori). The cognition which is not like this doesn't deserve knowledge" (Paton, 1953, p. 20).

"Synthetic claim or proposition is a proposition whose predicate concept is not contained in its subject concept. On the contrary, there is Analytic claim or proposition whose predicate concept is contained in its subject concept; e.g., "Every red object has color." Here having color as the predicate concept is contained in the concept of red object. There are two kinds of synthetic claims: Synthetic a priori claims and Synthetic posteriori claims. Synthetic posteriori claims are claims whose truth and falsehood is understood by experience. Such claims aren't necessarily true, such as "All men are shorter than two and a half meters". But about synthetic a priori claims, Kant believes that some synthetic claims are necessarily true. These claims neither can be based on experience, i.e. induction and observation, nor on the mere logical analysis of concepts, such as "each event must have a cause" or "the straight line is the shortest distance between two points" (Beck, 1960, p. 20). Kant says these claims are even important for synthetic posteriori claims because a claim which is based on experience, e.g. "sun makes the stone hot" involves a synthetic a priori claim about the relation between an event with another one as the cause and effect.

"Therefore knowledge is constituted of synthetic a priori claims, because analytic claims being the explanation and analysis of the involved concepts don't bear any new useful information. But synthetic posteriori claims or posterior experience can't reinforce cognition. Being synthetic they give new information, but since they are understood from sensory experience, they can't be general and essential and what is not general and essential doesn't have a place in and can not be a foundation for knowledge. Only synthetic a priori or prior to experience claims can be the basis for knowledge" (Kant, 1952, p. 168). "Hence morality is considered synthetic a priori or prior to experience claims. Therefore moral claims like "we must tell the truth", "we must help the helpless", "we must keep our promises" are among the synthetic a priori claims. Experience only argues about "what" objects and "must" has no meaning in experience. We cannot claim that, for example, what a circle must be like or what we must do. Those moral claims that tell us "what it must be" or "what must be done" or "what we must do" are distinct from experiential claims and can not be induced

from them. Therefore we can not induce "must" from "is". Since Kant considers duty to be "necessary" and "must", it can not be taken from experience" (Cited in Paton, 1953, p. 20). "Must" is offered by mind not experience. "In fact, moral cognition involves different constituents which reveal a priori element, release it from all the experiential elements and show it in practical reason" (Stumpf, 1988, p. 314).

It must be mentioned that "when we say a priori moral claims are not based on experience it is a kind of negative expression and it doesn't mean that we constitute moral claims before experience and at the same time it doesn't mean that a child knows everything related to moral goodness before he sees the colors and hears the sounds. Kant believes that with regard to time no knowledge can come before experience and knowledge begins with experience" (Kant, 1952, p.167). Therefore we can conclude that in Kant's view, since human is a sensible being, he is virtuous and moralist and since he is a moral being and has practical reason, he is free, autonomous and confined by duty. Concerns for virtue and innocence never leave human but the constraint from his sensual nature leads him towards surrendering to basic and valueless inclinations.

As it is seen "implication of practical reason in Kant's Philosophy is the key to fulfillment of each kind of valuable action. Kant does not refer to practical reason and its claims to outside but he considers only reason as the pivot for claim and judgment. Therefore, in Kant's philosophical system religious and valuable intelligibles are never beyond rational direct claims having natural value. Even though it is possible to acquire correspondence between religious moral claims and moral claims of reason but validity coming except from reason is not duty" (Badavi, 1984, p. 121). Therefore this is just reason that has a pivot role in moral must and must not.

The concept of good and evil in human

As it was mentioned in previous arguments, in Kant's viewpoint human has reason and nature. The question is that were the good-seeker and bad-seeker agents laid active in human? Does human have good-seeker and bad-seeker appetites and actuality? In other words, does the first creation i.e. nature of human provide the foundation for good or evil or none of them is active in him? The first answer to this question is that human isn't a one-dimensional being moving towards natural dispositions and rational desires but he can pursue both directions. Unlike many his predecessors who looked at human nature with good intentions and believed him to be benevolent, good-seeker and good-natured or considered evilness and sensuality to be the characteristic of human and thought of him as malevolent and immoral; he supposes no virtue for human in the creation phase and nature. He believes in human faculty, not an evil faculty but a good faculty. He states clearly: "divine will has determined that human is inherently good and flourishes his own nature, as if God addresses human: Come into the world, I provided you with all good inclinations (Kant, 1984, p.7). Now the question is: "What is the origin of all these evilness and injustice in mankind history? In Kant's view God has never granted human with inclination towards evil but human is naturally benevolent. Whatever deviates him from this nature and primary creation cause evil in human. He states: "Evil isn't found in human natural condition, it is the consequence of not controlling the nature. Nothing but good blossoms is found in human" (Kant, 1984, p.10).

Concerning good and moral motives, Kant says: "it is impossible to imagine anything in the world and outside to be absolutely good, except for good and moral motives. This means

that moral motive is good by itself. Many matters like wealth, science, intelligence, brevity, ambition and perseverance are moral in many ways but not in all circumstances and situations, i.e., when the motive is bad, they are completely immoral. Therefore they are conditional goods, i.e., in special circumstances they are moral and not by themselves. Only moral motive can be moral by itself or be absolute and unconditional good. It is not like that a good motive is moral in one condition but not in the other" (Paton, 1953, p. 34).

The great moral philosopher calls the divine will i.e. all the time necessarily moral 'sacred will'. "If we separate sacred will and pay attention to definite entities we can say that moral motive fulfills duty" (Copleston, 2001, p. 323). "We can imagine such an entity with such a nature that always conforms to moral orders and never has inclinations towards the opposite. Kant calls such an entity 'impeccable', 'sacred' or 'autonomous'" (Comer, 2001, p. 283).

Kant and Duty

At the beginning of Renaissance, ethics was dismissed slowly to the advantage of other rivals. In the west virtue ethics was prevalent everywhere. In virtue ethics that is inherited from Greece and Rome, the consequence of moral act isn't important. The doer is important, i.e., no matter if the moral person is proud or tells a lie. This means that there is no universal moral law which determines what is good and what is bad. In teleology and deontology, human is human and relationships are healthier and we live better lives, but in virtue ethics human changes. It tells us you should grow gradually and elevate to a higher position. In fact virtue ethics says: grow from inside and see what is going on inside? You aren't responsible for adding to others' pleasures (Malekian, 2006).

The main difference between this moral school and teleology and deontology is that in the latter, moral act is emphasized and moral judgments are abundant. Indeed when human wants to do something, he knows what to do and what not to do and he can make judgments if it was right or wrong? But in virtue ethics, moral pivot is action, not judgment. Moral judgments are prohibited in this school. Plato, Aristotle, and St. Thomas Aquinas were notable men of virtue ethics, but since Renaissance two moral schools appeared: Kant's deontology and teleology founded by Jeremy Bentham and John Stuart Mill. These theories slowly pushed virtue ethics backward and in the first half of the twentieth century virtue ethics was no longer prevalent.

As it was mentioned before, Kant believed that in ethics good outcomes don't necessarily result from good motive. An evil or criminal who has evil motives can unconsciously do good and it is apparent that this unexpected and unconscious consequence doesn't turn his evil inclinations and desires into benevolent ones. In other words, Kant claims that good act by itself can't be the criterion for judgment about moral motive. In addition, if motive were as good as its consequence, we couldn't say it is natural but instrumental. Motive and intention are important, i.e., we should make judgments based on doer virtue not moral act.

The Concept of Duty and Law

"In 'Groundwork of the Metaphysics of Morals' Kant conceptualizes moral laws. It sets the ground for his next work 'Critique of Pure Reason', in which Kant first introduces ethics as a philosophical subject, then he moves to moral metaphysics and finally to the critique of practical reason. By philosophizing ethics and establishing moral metaphysics, Kant was the first philosopher who dealt seriously and precisely with the analysis

of ethics distinct from religion and religious beliefs. Pure reason is a reason that, unlike theoretical reason has human acts and behaviors as its subject but on the other hand, because of its purity is independent from human experience. This statement that we shouldn't lie doesn't depend on any conditions but it raises the question of how we can relate pure practical reason and its moral rules to moral experience? In Kant's view, the power of judgment (*urteilkraft*) links them and in this way we can find out to what extent our acts and behaviors are moral. Judgment links moral rules together and moreover it mediates between these laws and our acts in everyday life" (Tabari, 2007, p. 2).

"This deontologist states that the validity of moral actions doesn't depend on divine command but ethics itself, like God, has rational validity. Both ethics and religion are categorical realities because both have the same origin, i.e., pure reason. Since ethics is based on human freedom and as a result of this freedom human sees himself responsible for categorical imperatives, belief in a superior entity to understand his own duties isn't required and moreover, he doesn't need any motive other than rules in order to fulfill his duties" (Brown, 2000, p. 97).

"In order to purify religion, Kant accepts its soul and heart and rejects its shell. The heart of religion is nothing but lawful human behavior. Religion truth means that human always acts according to moral rules. Prayer is allowed if it is to reinforce moral spirit, but if it is to change divine will, not only it isn't allowed but also nonsense, because divine will is subordinate to moral rules not dominant" (Saneii Dareh Bidi, 2008, p. 296).

Kant says "fulfilling duties means respecting law. Respect is an indivisible emotion with no empirical origin and resulting from pure concept in such a way that it is known a priori and it creates feelings of sublimation and supremacy.... Respect is a fair feeling bearing no praise no reproach, no fear no wonder and no anticipation and it is exclusively directed at human, a being that we really respect him in a sense that creates fear but no interest. Fear and interest are subordinate to particular and definite affairs while respect isn't such a thing. In fact when we respect someone it isn't because of fear or interest but because we find his conduct and speech conforming to moral rule and this creates feelings of supremacy and pride" (Cited in Mojtabehi, 1999, pp. 109-110). Here Kant states his first moral rule: "Always act in such a way that you can and will act that maxim of your action to become a universal law" (Cited in Mojtabehi, 1999, pp. 109-110).

We should bear in mind that law is categorical and unconditional by nature and for this reason universalizability of duty is inevitable. As it was mentioned rational rule is what categorical imperative determines. In Kant's moral point of view, categorical imperative is crucial which is discussed briefly:

Categorical imperative is opposed to hypothetical imperative. There are two versions of hypothetical imperative: Problematic Hypothetical Imperative and Assertoric Hypothetical Imperative. Although some moral orders consider these hypothetical imperatives to be moral, Kant doesn't think so but believed them to be apodictic imperatives. A moral command is an imperative that doesn't refer to any purpose but is naturally good and valid." The categorical imperative which declares an action to be objectively necessary in itself without reference to any purpose, i.e., without any other end, is valid as an apodictic (practical) principle" (Mesbah, 2005, p. 284). But what is categorical imperative? "Kant presents various descriptions of categorical imperative and explains that those

different forms are a single rule, i.e., there is just one categorical imperative that is based on the principle that rational will legislates laws that it conforms to, i.e., based on the principle of the autonomy of will" (Mohammadrezai, 2001, p.155). Therefore considering the idea of "categorical imperative" in Kant's philosophy, it is understood that "he establishes morality on the basis of individual's rational will and not on his own benefit or mutual benefit of human beings, and the like. From this point the principle of autonomy is crucial in Kant's moral theory. According to some of Kant's followers this principle is "the fundamental principle in Kant's moral philosophy". Kant himself calls this principle "the supreme principle of all morality" and "the sole principle in moral rules and the corresponding duties" (Naghizadeh, 1995, p.303). He argues about the importance of the principle of the autonomy of will, obligation and duty:

"Duty thou sublime and mighty name that does embrace nothing charming or insinuating but requires submission and yet sleekest not to move the will by threatening aught that would arouse natural aversion or terror but only holdest forth a law which of itself finds entrance into the mind and yet gains reluctant reverence (though not always obedience) a law before which all inclinations are dumb even though they secretly work against it: what origin is there worthy of thee (the origin is human personality, i.e., autonomy and independence toward nature)" (Forooghi, 1996, p. 361)

This belief that a rational being, by his conduct, must always regard himself as legislator in order to make judgments about himself and his conduct leads to another related useful thought, i.e. the kingdom of ends. "By kingdom of ends he means the regular unity of various rational beings by shared laws" (Kant, 1990, pp. 81). A distinctive feature of the kingdom of wills is that "a rational being belongs to the kingdom of ends as a member when he legislates in it universal laws while also being himself subject to these laws" (Kant, 1990, pp. 81-82).

Bochman, one of Kant's students in a letter to one of his friends writes about Kant's teachings in ethics: "in these lessons he wasn't merely a theoretical instructor but at the same time he was a zealous lecturer taking our heart and emotions with himself and satisfied our reason. In fact to hear his splendid moral order skillfully stated by the creator was a spiritual pleasure. Many times he had our eyes cry and he had our hearts beat. He had our heart and emotions free from hard selfish pride and he had our autonomous free and pure will reach to its highest instead of absolute subordination of reason and he had our transcendental feeling of duty ascent toward others" (Karam, 2000, p. 11).

"Kant believes that governments can only legislate practical laws because no power can legislate moral laws. A moral rule doesn't result from human will but from a necessary act whose doer has a moral will and in the end human himself is responsible for his acts' consequences. He emphasizes that moral action is performed out of duty not inclination, because inclination negates moral action" (Jahanbagloo, 1998, p.120).

In today's western culture, morality is relative. Practically ethics doesn't allow categorical imperative but Kant mentions a moral law called categorical imperative that is universal and necessary. These principles as mentioned in Mojtabehi's book are as follows:

1. "Act only according to that maxim by which you can at the same time will that it should become a universal law.
2. Act so as to treat humanity in oneself and others only as an end in itself, and never merely as a means.

3. Act so that your will can at the same time regard itself as giving in its maxims universal laws." (Mojtahedi, 2001, p. 106).

Kant specifies four kinds of duty which are discussed briefly:

1. Moral duties to himself

Human has freedom, will and autonomy in his acts. The first principle stated by Kant is "Act so that law always governs your actions ... the fundamental principle according to which human should act is: free acts with natural human ends. So I shouldn't submit to my inclinations but control them. The person who submits to inclinations acts against natural human end, because as an autonomous being he shouldn't submit to inclinations" (Kant, 1999, p. 168).

Another important point is self-respect. Kant states: "human duties to himself is not because of pity but self-respect, i.e., our acts should be in accord with honesty (considering the mentioned points, Kant refers to self-assessment that has been discussed in Islamic laws and in this regard is surprising and noteworthy) (ibid, p. 205). There is an interesting quote from Kant who says: "in my dream I thought life was enjoyment, when I woke up I found it was duty" (Forooghi, 1996, p. 351).

"He adds that self-exploration should be consistent and continual. It is a particular act that is hard to continue. We should keep a constant pursuit of our acts. We should always examine what we do. Our conduct should be under special supervision that guards its honesty and precision" (ibid, p. 208).

Regarding human duties to himself Kant refers to many duties, two of which are praise-worthy are mentioned here:

A. Human duty toward his body and condemnation of suicide

There are many verses and Islamic traditions on the prohibition of doing self harm and suicide. In Quran verse 195 in Cow Surah God says: "cast not yourselves by your own hands into destruction". It seems that Kant's arguments provide good philosophy for the prohibition of self harm and suicide. He states: "suicide is not prohibited and condemned because life should be viewed as highest good, in that case suicide could be seen as a means to highest good and according to law of insight. Suicide was the best means by which human could destroy himself, but according to morality under no circumstance it isn't permissible because it destroys human and subordinates human nature to animal nature". In another passage Kant mentions that suicide calls for punishment and penalty that can be implemented by God.

Kant says: "We have been placed in this world under certain conditions and for specific purposes. But a suicide opposes the purpose of his Creator; he arrives in the other world as one who has deserted his post; he must be looked upon as a rebel against God... God is our owner; we are His property; His wisdom and insight take care of us. A bondman in the care of a beneficent master deserves punishment if he opposes his master's wishes... God prohibits it because it is abominable. Therefore it is necessary for ethical scholars to reveal by-itself abomination of suicide, generally those who commit suicide have made a false image of happiness in their minds" (Akhavan, 1994, p. 29).

B. Duties toward sexual inclinations

Kant's arguments about sexual inclinations and its limits are interesting and his reasoning on prohibiting sexual perversions touches our hearts. Although he isn't a Muslim, his arguments provide the best rational interpretation for moral philosophy regarding sexual desires. Kant condemns sexual perversions as humiliating human by being used as a means for satisfying others' sexual desires. (In Quran verse 32 in Asra Surah God says: And approach not fornication; surely it is an indecency,

and evil as a way. Don't engage in rape which is abominable.) Kant condemns immoral relations:

"Human shouldn't surrender himself to the will of another, because it humiliates him, his humanity is endangered and this is against humanity that a person is used to satisfy sexual desires. This is called lewdness in that a person satisfies others' desires to gain money and be hired. Hence the moral principle is that human can not do with his body whatever he likes, because his body belongs to him and by this way he corrupts his personality".

Kant believes that marriage is the only permitted way of masturbation and argues about the prohibition and immorality of incest, masturbation, pederasty and sex with animals which we don't have space to discuss (ibid, p. 31).

2. Human duties toward others

"Kant mentions fourteen subjects for human duties toward others that the most important one is honesty and it is the most significant moral duty of human. But in the opposite side of honesty is lying that Kant says whether the result of lying is good or evil it is basically vice because it is a shape of evilness and even lying paves the way for evilness therefore it is vicious because evilness is achieved by lying" (Mojtahedi, 1999, p. 106).

In his small treatise, Education and Training, and in a debate related to education; Kant states some thing about penetration of moral virtues in children that is interesting. He mentions "from the beginning, don't say to your child that because God says us we shouldn't tell lie, if afterward he had some philosophical problem about the existence of God, that He exists or not, his ethics would fall down suddenly. Up to now he told the truth because he believed that God exists but now he believed that there is no God so he should not tell the truth. He believes that you should tell the opposite. You should tell the truth because it is good for human and God orders whatever that is good for human. And if one day he understood that there is no God the main subject is kept on its place. According to Kant's belief even if one day he leaves religion he will not leave ethics.

This famous philosopher distinguishes between goodness and self-sacrifice. It means that a human can donate some blood of himself to a person that is endangered and saves his life. He knows this action as goodness and philanthropy. But if somebody pours his blood as a devotee and shows his loyalty to powerful deities it is ugly and vile whether it is from any kind and quality. Kant believes that human's life is not a hegemonism puppet for powerful people. He says about these people, "if a person considers himself as a means and he does not observe his own humanity, he will decrease himself to the level of thing and animal. He is involuntary and he has left his liberty for others and any body can do whatever he wants with him because he has changed himself to a thing and he could not ask others to observe his humanity because he has dismissed his liberty and humanity" (Basna, 2006, p. 2)

3. Human duties toward other creatures

Kant mentions human duty toward animals that observing animals' rights indirectly is ended to human. Because animals are like a means in human hands and observing their duty is observing human duty. He says, "If somebody kills his dog because he can not prepare its food, he does not perform opposite to his duty toward the dog because that dog can not judge. In this case he just harms benevolence and humanity soul because benevolence is a duty that he has in return for humanity. For not impairing human's humanity he should not be cruel with

animals because if he is cruel with animals he will be cruel with other humans (Mojtahedi, 1999, p. 110).

Kant speaks about inanimate things that destroying things that other people can use them is against ethics. "Nobody must not destroy the beauty of nature because if he can not use the nature others can use it ... thus all our duties toward animals, existents and things is caused indirectly from our duties toward other humans" (ibid, p. 110).

4. Human duties toward special classes

"Immanuel Kant deals with special duties toward special classes of society. These classes are divided based on age, gender, and their situation from each other that these duties is derived from previous duties that Kant says about other humans" (ibid, p. 112-114).

Kant knows reality principle as necessary condition for social life and he assumed that this principle is the same for governor and people. Here Kant's idea is opposite of Hobbes' idea that he says, "governor's preliminary vow does not force him at all". But Kant says, "People like governor have unbreakable right as if they may not have the power to strengthen them". Kant does not declare a governor innocent from mistakes because if a governor is innocent from mistakes and ignorance he is beyond human and has God's inspiration. It is impossible, therefore, he knows freedom of the press not only protector of people's right but also it prepares the ground for recognizing evilness by the governor and force the governor to reform this evilness (Mahmoodi, 2004).

This distinguished philosopher believes that "revolt and autocracy are disappointing signals, it means that when the force replaces right people may resort to force and endanger any kind of legal governor. Here human reason knows right and respects it. If right is not recognized all other faculties will be weak. He believes that right has some constraints that should be recognized, this recognition of right's limits in human reason can be law" (ibid, No. 35). Therefore according to this opinion, all people are the same in front of law and each one should get his real right according to law.

After presenting philosophical viewpoints of Immanuel Kant and enjoying most parts of right opinions of this well-known philosopher that has been object of attention of many west and east philosopher and with respect to his viewpoints that are certainly similar in some parts with Islam viewpoints, we have to criticize and analyze some part of his moral philosophical beliefs even though some criticisms are not essential.

Criticism and Analysis of Some Moral Viewpoints of Kant

1. Having extremist criterion

"Benjamin Constant, French author, criticizes this view in Kant's era and he says according to Kant's viewpoint truthfulness is always good and it does not have any note and exception while we see that truthfulness is not always good every where. For example when truthfulness causes to kill several innocent people it is not good. But Kant answers this problem: we should always tell the truth. It means that we should tell the truth no matter what the consequence is. Even truthfulness causes to kill many innocent people it is our duty to tell the truth. The sin of that murder is the responsibility of murderers. We have done something good to tell the truth and they have done something evil to commit a murder" (Mesbah, 2005, p. 292)

2. Apriorism invalidity of practical reason principles

Kant strictly emphasizes that we have a chain of immediate principles that neither have any relation with theoretical reason

nor any relation with a posteriori experience but they are a priori principles. But indeed do we have any practical reason principles independent form experience? What recognizes practical and theoretical reasons fundamentally? It is evident that we do not have two kinds of reason and if we speak about practical reason and theoretical reason it is just because of numbers and diversity of perceptual data of reason. Therefore practical reason principles are not independent form theoretical reason. For example, one of the most common and basic practical reason principles is goodness of justice and evilness of injustice. These two principles are the most absolute and common moral principles. Now if we deal with these two principles it can be understood that concepts of practical reason are not independent from theoretical reason. Thus we ask what the aim of 'justice' is i.e. object and subject of 'goodness'. The best interpretation for justice is that 'Give some one's right to him'. Now what is the meaning of right? Who determines this right and how? Is it determined by conventional laws? In this case it is clear that it should define and determine right. The best definition for right is that some thing that is according to justice. It means that right is a validity that is caused by a law that the law is according to justice.

With a little consideration it can be understood that this matter is affected by circle. It means that when we can define right and justice correctly that it could not just obtain from the concepts of practical reason but it should be based on the realities that come from other sources. For example when we can understand that why heavy management and duties out of home are given to men and it is their responsibility to prepare life expenses that we consider his physical, emotional and psychological conditions and abilities. Now if such a thing happens just judgment can be recognized from unjust judgment and in fact nobody treated unfairly and justice is observed. Thus concepts of practical reason are based on theoretical cognitions. Unless we know the objective realities we can not obtain a concept for propositions of practical reason that is not ended up in a circle (ibid, p. 294).

Undoubtedly, even if we define justice as equality, like some people, again it is not independent from concepts of theoretical reason. Because here again we face with a question that what equality means. If the meaning of equality is the same as equality of two numbers it means similitude in quantity it is clear that this concept is a theoretical concept and has no relation with practical reason and if the aim of absolute equality is similarity; again it is a theoretical concept. Therefore it is obvious that there are no practical concepts that are on the whole independent from theoretical concepts.

3. Invalidity of moral categorical judgment

Another objection to Kant's ethics is his categorical judgment in all moral affairs. Why Kant believed that moral principles are fixed and unchangeable every where, every time and for every person, it means that there is no exception for moral principles law. He says that some moralists allow people to behave against moral principles and the reason is that they don't want to inspire form conscience. They want to follow reason, and reason follows common good and human conscience does not accept these words. It says: tell the truth, an absolute, unconditional judgment; it does not pay attention to its consequences. The conscience said: tell the truth even it has harmful consequences for you and do not tell lie if it has many benefits for you. As Hafez says:

Within this shattered heart, I know not who is.

For I am silent; and in clamor and tumult, it is.

Some people say that human was born gifted for duty; it means that he was born because afterward he should be a responsible person. But Kant says: human was born basically responsible and his duties accompanying him (certainly they are not non-conscience). Therefore it can be understood from Kant's saying that there is no common good in Kant moral law even if in a case. Even if truthfulness causes killing of thousands of innocent people and destruction of a city truth should be told and it should not be violated. In other words, Kantian deontology drew him to accept such irrational and contra nature judgment. It is right not to understand the goodness of truthfulness and other voluntary actions without considering their consequence and result. Truthfulness is good if it is followed by real common good of a person and society and telling lie is evil if it causes real degeneration of an individual and society and prevent human from the real way to perfection. Thus, for knowing moral principles of autonomous action one should know real common good and degeneration. If we do not consider the relation between autonomous action and its end we can not judge about its goodness or evilness.

In Islamic moral order, moral action is done because of its natural goodness and the doer does it completely knowing that action characteristic, while in Kant's opinion this motive and others like common good and degeneration are ignored and doer does it blindfold and away from each kind of characteristic. Now it is asked which one of those two actions can be a moral action? Kant's definition of moral action is imperfect because we have series of action that all scholars in the world know them as moral actions. Some people with pure intentions and human motivations away from mobocracy establish hospital and scientific centers and thousands of people will take advantage of them, the aim is answering to divine voice or philanthropy motivation but in Kant's idea we should say these people's action was not moral because of intention of conscience, deliberation was better in this action.

Motahari criticizes Kant's categorical judgment of moral principles that is noteworthy. He said: "categorical imperative of truthfulness is found fault by many Europeans those conscience principles is not as absolute as Kant says. And how much this argument and the argument of our theologian and fundamentalists about reason principles and goodness and evilness of reason are similar to each other. They believe that some principles are absolute and it is true. For example they say: justice is a categorical judgment i.e. good in human spirit and cruelty is a categorical judgment that is evil in human spirit, but truth is not a categorical judgment but it is dependent on its reason and sometimes truth loses its reason. Kant was criticized that you are so much dependent on categorical judgment and you say for example truth is the categorical judgment of conscience and truth does not accept the common good, let us suppose that a cruel mad has a knife in his hand and asks you about a poor person to cut open his belly and asks you, do you know where he is? Here you should answer; if you remain silent he will cut open your belly. What answer will you give? Do you say that you know or you do not know? If you say that you do not know you will tell a lie whereas conscience orders you to tell the truth and if you say I know where he is, he asks you where is he? Do you show where he is or not? If you show he will go there and cuts open his belly unjustly. Is really conscience so absolute that you should tell the truth absolutely and do not pay attention to the consequence?" (Motahari, 1998, p. 81).

There is no doubt that in religion standpoint, this case is different with Kant's beliefs. We do not criticize truthfulness as

an important moral criterion and in other words it is a part of admitted opinions of religion, but sometimes pursuant to common good that it happens rarely there is a place for some people to tell a white lie.

White lie has been in our Islamic law and Sadie, eloquent poet, says: "White lie is better than seditious truth". Now we should deal with that whether it is true that white lie is better than seditious truth? We should know that there is a distinction between white lie and most people's profitable lie. Because some people do not recognize these two concepts well and make mistake. White lie means a lie that loses its reason and changes to truth. It is a lie that saves true man. But a profitable lie means that some body tells a lie to profit himself. Common good is regarding reality and common good and reality are brothers that do not separate from each other.

Fundamentally, it is odd that these words were raised by Kant. How it is possible for human to believe to tell the truth whereas this truth loses its reason, truth that is origin of crime in the world should be told but a lie that prevents crime in the world and saves human life and reality should not be told. Does conscience judges it? If somebody has experience of truth and lie does not say these words (ibid, p. 82).

4. The relation between 'duty' and 'reality'

Kant says "one the necessary condition for moral action is that it should be according to duty. But the question is what duty is? Where it come into view? And how it can be recognized? Kant's answer to these questions is that they are immediate perceptions of practical reason. It is imagined immediate and also necessity of conformity with duty is immediate. This claim that, "you should act according to duty" is an immediate judgment. But if we look well, this proposition, in fact, is tautology proposition.

The concept of duty without considering a priori experiences will not occur. In other words, the concept of duty is of philosophical and abstract type concepts i.e. however duty does not have parallel real and external but the origin of abstraction is external. But how it can be admitted? Does human reason understand this judgment "We should act according to duty" apart from external realities? Is this judgment immediate and from immediate perceptions of practical reason? It seems that it is never such a thing. If I don't know that there is a God I will not feel the responsibility and duty. Or at least if there are not other humans that I benefit them I will not feel my responsibility to them. Responsibility and duty are abstract and arbitrary concept that is raised in relation with an existent. Anyway accepting this case that human has responsibilities and duties, is agnostic and derivative to existence of realities that should be understood as existent realities. Here it can be realized the deep coherent relation between hypothetical and empirical concepts in other words the relation between conception of universe and ideology" (Mesbah, 2005, p. 296).

5. Concept of intention in Kant moral philosophy

"Kant asserts just because of conformity of action or duty and responsibility is not enough for being moral but this action should intend to do the duty. In fact attention to intention is one of strength point of Kant's ethics, an issue that is being unaware in most west moral schools. All previous philosophers paid attention to 'good action' and were ignorant of 'good doer' but Kant pays special attention to good doer. But unfortunately he does not have rational justification for the owner's intent. Kant says owner's intent is 'respecting to law of reason' it means that moral action is an action that is happened to obey the judgment and law of reason" (Mesbah, 2005, p. 296).

It is noteworthy to say that the debate of intention is not a simple and superficial issue that has occurred in human but it needs special series of premisses and sensual principles. Whatever these principles need cognition. It means that they are based on principles of theoretical reason. In other words, that I intend to act according to my duty is because I know this action as perfection. The intention of obeying the law of reason is issued when law is respectable. But where does this respect to law come from? If it is a moral judgment there will be continuity. And if it is a hypothetical matter that it is, that hypothetical matter is that human knows it as perfection for himself. Therefore beyond the intention of doing the duty is another intention and that is because I want to achieve to perfection I will intend this. However Kant asserts that if somebody does something for achieving perfection his action is not moral.

A criterion that Kant uses for generalization of moral rule has some criticisms because generalization of a law, by itself, does not prove and ensure its morality.

Conclusion

It should be acknowledged that Kant tries to save ethics from relativity and gave it a universal concept. That how much he is successful, next thinkers and philosophers expressed different and contradictory ideas.

As it was explained in this paper, many criticisms were taken on his practical reason that it is too general or it is not practical and ... many others defend him and offer some answers but any of these disputes have not lessened the greatness of Kant. It is assumed that the value of a philosopher work and his philosophy is not in rejection or acceptance of his philosophy but in deepening the humanity and common culture among humans and in this view point Kant is one of the greatest human in the history.

Although philosophical personality of Kant has not been hidden among west and east scholars but his various moral ideas have been constantly and maybe more than other countries analyzed and criticized by Iranian researchers near one and a half century and never have been unaware about that.

Diversity of publications and valid scientific articles by some Iranian authors and Kantianists that mentioning their name can not fit in this place imply that analysis of moral viewpoints of this great western philosophers undoubtedly has included new ideas and points and has founded better and more logical and different position in moral plane rather than other western philosophers and has been considered by Islamicist.

Now by respecting to his personality and viewpoints that may be in some parts of view points are near to our religious beliefs but in the core and depth of matter the difference are seen and can be reflected. Some ideas like our view point with Kant's view point about categorical judgment, universal moral law and its generalization, the owner's intent and the quality of duty and will and also the real place and value of theoretical and practical reason were criticized briefly.

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