On the Obligation of Morality

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by

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## CONTENTS

INTRODUCTION  

Pages 1-2

SECTION I: On Hobbes and Hume  

Pages 3–36

- *Part I: Thomas Hobbes’ theory of obligation*  
  Pages 4–16
- *Part 2: David Hume’s theory of obligation*  
  Pages 17–34
- *Part 3: Concluding Hobbes and Hume*  
  Pages 35–36

SECTION II: On Kantian Morality  

Pages 37–71

SECTION III: Discussing Obligation and Its Impacts  

Pages 72–83

BIBLIOGRAPHY  

Page 87
Introduction

“Morality is a subject that interests us above all others: we fancy the peace of society to be at stake in every decision concerning it; and ’tis evident, that this concern must make our speculations appear more real and solid, than where the subject is, in a great measure, indifferent to us.”

Moral obligation is a curious thing. It is, on the one hand, an incredibly elusive concept, one that has been considered and reconsidered by thinkers since the start of western thought. Coupled with this ambiguity is an incredibly powerful pull. There is something innate about morality, as David Hume wrote above, that truly matters to individuals and societies alike on a very deep level. The draw of understanding why individuals must act morally, why it cannot be up to any individual to choose what is right and wrong, is evident in the history of mankind. The need to know where moral obligation gains its power over us is obvious in man’s consistent curiosity.

This is a work joining the ranks of many before it – it aims to consider the notion of moral obligation. It is by no means a theory of its own, nor does it present revolutionary ideas in the realm of moral obligation. This is a work in understanding, a deep examination of three philosophers in an attempt to scrutinize, for good and for bad, their theories of moral obligation. The aim of this project, ultimately, is to sharpen my understanding of some complex theories of obligation and begin to understand what my personal conceptualization of obligation might be. This will be coupled with some analysis of the influence different notions of moral obligation might have on legal systems, and how deep seeded ideas about morality can impact legal considerations on the most basic level.

There are three sections to this work. The first section is an examination of two influential thinkers: 17\textsuperscript{th} century philosopher Thomas Hobbes and 18\textsuperscript{th} century philosopher David Hume. These two philosophers were chosen, as will be discussed in detail, because they have two theories of obligation that generate from very different sources; both are powerful and both are incomplete.
in some ways. The second section will be a comprehensive analysis of the 18\textsuperscript{th} century philosopher Immanuel Kant, who put forth one of the most robust and revolutionary conceptualizations of moral obligation. In a historical sense it is arguable that Kant’s theory of moral obligation changed the attitude of the whole of philosophy towards moral obligation; in a normative sense Kant’s theory is incredibly detailed and hard to argue against.

The third and final section of this work will put forth some of my personal thoughts regards to moral obligation and its impacts. What does it mean to be obliged, and why does it matter? What might some of the ramifications be, for legal systems, if one theory of moral obligation is adopted over another?

It is often the case in philosophy that questions are easier asked than answered, and this project is no different. Some of the queries above, which I am curious about, are incredibly difficult to answer fully – I am not the first to wonder of these things, and am sure I will not be the last. I intend to add another voice into the discussion of moral obligation, and begin to explore what some of my conceptualizations of these very complex notions might be.
SECTION I
On Hobbes and Hume
Part I: Thomas Hobbes’ theory of obligation

Thomas Hobbes has an account of moral obligation that involves two intertwined cornerstones – one is the Laws of Nature, which are created by god yet can be found out by human reason alone and bind unequivocally. The other is a specific Hobbesian attitude towards the innate nature of men in the empirical world. Hobbes ultimately arrives, through a combination of these, at an argument that obliges men to adhere to a social contract under some sort of sovereign power that shall oversee contracts objectively. A powerful aspect of this obligation arises from the fact that god has bound individuals by the laws of nature, and their divine origin gives them obligatory force ipso facto. Thus, all persons should be motivated to do everything in their power to fulfill these divine laws, and this can be done only under the conditions a social contract forms.

Understanding Hobbes, then, is a project that involves three stages. First, Hobbes’ conception of Laws of Nature must be examined, as these are the originally obligating aspects of his moral law. Second, the natural behavior of man, i.e. why persons naturally gravitate towards Hobbes’ infamous state of war, must be understood. These initial stages raise two crucial questions: first, what must all persons do in order to escape a miserable, destructive state? And second, why is escaping it so important to begin with? Forming answers to these questions is the final step to understanding Hobbes’ theory of moral obligation.

“A law of nature,” Hobbes writes, “is a precept or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved”\(^2\). There are multiple laws of nature that Hobbes describes, which will be further discussed as they begin to apply to Hobbes’ description of man’s natural state, a state of war, and how it might be possible to escape it. At this point, to understand the
broad meaning of a law of nature, two things are crucial. First is that the laws of nature are “theorems, as delivered in the word of God, that by right commandeth all things”\(^3\), and so if they are commanded thus, they “are properly called laws”\(^4\). God is the force behind the obligation of the laws of nature, for these command with all the powers of the divine. Second is that these laws are found out by reason, and even though it might seem that there is “too subtle a deduction of the laws of nature”\(^5\), they can all be reduced to the simple mantra of “\textit{Do not that to another, which thou wouldst not have done to thyself}”\(^6\). The laws of nature are thus both human and divine: godly obligation mixed with human reason and deduction.

This combination of divine power with human reason is crucial for Hobbes, as it differentiates him from previous theories that imposed moral obligation through dogmas asserted to be unquestionable. A theory that would suggest Hobbes’ laws of nature without human reason would mean that morality is understood and found by understanding divine laws – reading the bible and asking your pastor, who might read the ten commandments to you. But Hobbes’ theory trusts human reason to arrive at these same conclusions regardless of religious knowledge or ignorance. This separates Hobbes’ morality from that of religious theorists and adds weight to the moral obligation it suggests; while it is god-given in its source, individuals still have the responsibility to be moral by virtue of their being reasonable beings, who can deduce and appreciate the laws of nature regardless of their faith.

In addition to the laws of nature there is one divine right of nature. Curiously, on its face, the right of nature might seem to contrast with the laws of nature. This right is “the liberty each man hath to use his own power, as he will himself, for the preservation of his own nature, that is to say, of his own life, and consequently of doing anything which, in his own judgment and reason, he shall conceive to be the aptest means thereunto”\(^7\). Liberty, in this context, is understood through
a negative definition as “the absence of external impediments, which impediments may oft take away part of a man’s power to do what he would, but cannot hinder him from using the power left him, according as his judgment and reason shall dictate to him”\textsuperscript{8}. So there seems to be a powerful clash between two divine notions – the laws against the right. While the laws dictate, in an overarching sense, that men ought come together, i.e. to seek and pursue peace, the right seems to suggest that men ought first consider themselves and their liberty before taking heed of the people around them, let alone come together and bond with them.

The right of nature and Hobbes’ understanding of liberty are incredibly powerful notions in his philosophy and are driven by some of his notions about human nature. Hobbes is a psychological egoist, and so his notion of a divine right to protect oneself against encroachment harmonizes well with his suggestions about human nature. This conceptualization of human nature is vital for Hobbes, for it guides many of his assumptions about how men would act in certain conditions or how some features of humanity dictate the actions of all individuals. The first example of Hobbes’ psychological egoism is seen in his argument for the absolute equality of all men. This is a notion of empirical equality, as opposed to a normative or metaphysical one. “Nature hath made men so equal in the faculties of body and mind,” Hobbes writes, “that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable…”\textsuperscript{9}. This is because the many faculties of man act as equalizers across a broad spectrum of capabilities. Weaker men can equalize themselves to stronger ones by “machination”\textsuperscript{10} or by “confederacy”\textsuperscript{11}; men might not be born equal, but can become equal. Hobbes’ consideration of knowledge and wisdom as results of experience furthers
this notion of equality. All persons foolishly believe, more often than not, that there are few quite as wise as they are, but men are equal in their learning, and are also equal in their vanity.

This absolute, empirical equality between persons is a devastating fact since “from this equality of ability ariseth equality of hope in the attaining of our ends. And therefore, if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies…[and] endeavour to destroy or subdue one another”\(^{12}\). Thus, whenever a man might achieve something – construct or create anything that might be of use or meaning – others are likely to come together in their jealousy to destroy and so “deprive [this man], not only from the fruits of his labour, but also from his life or liberty”\(^{13}\). This is a vicious cycle. Men are doomed to repeat this process time and time again, as this is their nature: equality breeds animosity; animosity breeds fights and clashes; clashes destroy any achievement or creation, and no advancement or change can be had.

An immediate objection to this is that it seems like a baseless assumption – Hobbes presumes that just because men find themselves pursuing the same end they will necessarily become enemies, there is no notion of compromise, sharing or productive collaboration. Hobbes realizes this possible objection and argues against it: that even in day-to-day life, with political systems and laws and police forces established, men take precautions. A brutally honest view of society shows that “when taking a journey”\(^{14}\) men arm themselves and seek company; “when going to sleep”\(^{15}\) men lock their doors; “when even in his house”\(^{16}\) men lock their chests; “and this when [all men know] there be laws, and public officers, armed, to revenge all injuries shall be done [them]”\(^{17}\). What does this show if not a deep distrust between man and his neighbor, such that when there are no laws or order, when there is no one power to keep all men in awe they are doomed to fall into this violent cycle of destruction? Hobbes’ conclusion, with this in mind, is
really not so unfounded. It is also important to consider the influence of Hobbes’ overpowering psychological egoism. Recall the right of nature – all men have the right to look out for themselves, to pursue what is best for them; complete equality in power is also complete equality in jealousy and rivalry when discussing persons who put themselves first and their neighbors second.

Thus Hobbes arrives at the infamous, tragic and vile State of War. A picture of the world filled with grim, hopeless persons that might start out optimistic but eventually fall prey to the devastation of neighbors filled with contempt. The state of war is the most depressing visualization of humanity, and the consequences of it are dire – there is no place for community or society, no improvement of social constructs, nor of arts nor music nor scientific advancement. “In such condition [as the state of war],” Hobbes writes, “there is no place for industry, because the fruit thereof is uncertain, and consequently, no culture of the earth, no navigation, nor use of the commodities that may be imported by sea, no commodious building, no instruments of moving and removing such things as require much force, no knowledge of the face of the earth, no account of time, no arts, no letters, no society, and which is worst of all, continual fear and danger of violent death, and the life of man, solitary, poor, nasty, brutish and short”18. Men cannot escape or change the state of war by themselves, they cannot come together in any capacity out of fear and scorn for their neighbors, for “the nature of war consisteth not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary”19. Without some guarantee of safety the risk of interacting openly is too great; men would rather abide by their natural right of self-preservation than put their fate in the hands of those around them without the guarantee of safety.
Consider for a moment the above; Hobbes constructs a world in which there are laws of nature, given by god and found out by reason, which all men ought and are obligated to pursue. Coupled with this argument is a grim notion of psychological egoism, which drives men into a society where they must fend for their lives and assert their natural right to self-protection rather than follow laws of nature such as, “every man ought to endeavour peace, as far as he has hope of obtaining it”. It seems difficult to reconcile these two notions, and this difficulty leads to the initially raised questions that come out of Hobbes’ first two arguments: what must all persons do in order to escape the state of war? And why is escaping it so important to begin with? The second question is, at this point, easier to answer than to first. Escaping the state of war is important because, as Hobbes clearly argues, there is no possible development, happiness or morality in a state of war. All things that make human beings more than brutish animals are forgone when all individuals must fight for survival in a chaotic, desperate world. There is another layer to this answer, one that is crucial to understand and that joins together Hobbes’ first two arguments. In a state of war, “the condition of man is a condition of war of everyone against everyone (in which case everyone is governed by his own reason)” – if the laws of nature are “found out by reason”, and in a state of war it is most reasonable to fight and attack others for dominance and survival, then the right of nature takes over and the laws of nature. In the state of war, then, the laws of nature are secondary to the right of nature simply so that individuals might preserve themselves. No person in his right mind would attempt to seek peace and follow it without some reasonable hope that his pursuit of the laws of nature will be worthwhile.

Hobbes addresses a similar dichotomy in the laws of nature through a discussion of what he terms in foro interno versus in foro externo obligation: “the laws of nature oblige in foro interno, that is to say, they bind to a desire they should take place; but in foro externo, that is, to the putting
them in act, not always\textsuperscript{22}. The laws of nature bind \textit{in foro interno} regardless of the actions of men, for they are “immutable and eternal\textsuperscript{23}” – the grander laws of nature might become subordinate to manmade laws or by individual actions or by the immoral conditions generated by state of war itself. Some person might be acting lawfully under some penal code, but still in breach of the laws of nature as they bind \textit{in foro interno}. One might want to act on his \textit{in foro interno} obligations in the external forum, but be unable to simply because he would be taken advantage of or even killed should this person attempt to pursue the laws of nature. This is due to the fact that the laws of nature do not bind the same way \textit{in foro externo}, which means that their internal obligation does not ipso facto translate to external action, be it because of immoral decisions or because of a lack of appropriate conditions to act morally. This is a crucial point for Hobbes, and is an ingenious conceptualization of moral obligation; just because something obliges absolutely does not mean that it cannot be ignored or disobeyed, it does mean, however, that ignoring or disobeying it does not free one from obligation. Men might ignore \textit{in foro externo} obligation, but they can never disregard their \textit{in foro interno} obligation.

This leaves the first, remaining question above – what must all persons do in order to escape the state of war, so that they might develop a civilization and obey the laws of nature? The answer, Hobbes argues, is through contracts as instructed by the third law of nature, “\textit{that men perform their covenants made}”\textsuperscript{24}. The idea of contracting is a fine one, and could certainly restore order to the state of war, but Hobbes recognizes that covenants will be hard to keep in the state of war, for they rely on “mutual trust where there is a fear of not performance on either part…[and thus] are invalid”\textsuperscript{25}. And so, persons find themselves once more in a position such that they know the solution to the state of war, but cannot act upon it for fear of betrayal. There cannot be any contracts and men cannot follow the laws of nature and escape the state of
war until “such fear is taken away, which, while men are in the natural condition of war, cannot be done”\textsuperscript{26}. In other words, Hobbes argues that there “must be some coercive power to compel men equally to the performance of their covenants, by the terror of some punishment greater than the benefit they expect by the breach of their covenant”\textsuperscript{27}.

And so men ought contract with one another, but are afraid to do so unless these contracts are enforced by an outside power that keeps all men in line.

“During the time men live without a common power to keep them all in awe,” Hobbes writes, “they are in that condition which is called war, and such a war as is of every man against every man.”\textsuperscript{28} There must be an external force, which remains objective to all contracts, to inspire and oversee a break from the state of war to civilized society in which men can contract with each other and pursue both individual and communal advancements. This common power is necessary to end the state of war, for “where there is no common power, there is no law; where no law, no injustice…Justice and injustice are none of the faculties neither of the body, nor mind. If they were, they might be in a man that were alone in the world, as well as his sense and passions. They are qualities that relate to men in society, not in solitude”\textsuperscript{29}.

While Hobbes’ theory of obligation is powerful in regards to itself, for all its principles connect well and build on each other strongly, it is worrisome in a few respects. I would like to consider three counterarguments to Hobbes’ theory as suggested above, some of which he might respond to well while others could be truly problematic for his conceptualization of moral obligation. The first is a rather straightforward objection: how would someone in a state of war come upon, purely by reason, the laws of nature? It seems most reasonable in a state of war to adhere to the right of nature rather than consider the laws of nature – when under constant threat of death it is rather reasonable to fend for oneself rather than consider how to best pursue peace.
How, then, can the laws of nature ever be discovered? The treasured relationship between the god-
given laws of nature and human reason hardly seems legitimate, and might almost be self-
contradictory. The response to this is also rather straightforward. The state of war can be treated as
a theoretical exercise in which men are left to act upon their natural whims and egoistic attitudes;
this is done to highlight how crucial and necessary the laws of nature are. These laws of nature are
so fundamental, so basic to human reason that they are not responses to the state of war, but
predate it altogether. In other words, Hobbes is not making a chronological argument, i.e. first god
created the laws of nature, but men were too selfish to realize them and so fell into the state of war,
then persons deduced the laws of nature and constructed civil society through contracts and a
sovereign. Rather, Hobbes is making a theoretical analysis of how humans function, why morality
is so engrained and vital to human reason and why all men ought pursue the divine and obligatory
laws of nature.

The second counter relates to one of last points mentioned above in regards to Hobbes’
argument, in which he states that justice and injustice, good and bad, relate not to man in solitude
but only to a man in society, i.e. these are not innate qualities of human nature but are generated by
the laws of nature and a civilized society. But is morality not in the sense and passions of men?
There are some laws one might find unjust in themselves, but how is this possible if the very
notion of justice arises from law? Furthermore, it might be true that qualities of right and wrong or
just and unjust apply socially, but that does not make them social constructs. One who is in
solitude might still be able to consider what is just and unjust, but it would simply be a purely
hypothetical exercise without any potential for physical realization in a social forum. This
counterargument, while it might be true, ignores an important part of Hobbes’ argument – his
attitude towards human mentality, i.e. man’s overpowering psychological egoism. In a Hobbesian
world individuals think selfishly first and consider the social construct second; the only reason men would fall into a contractual society under a sovereign is because such a system furthers their hopes and desires. Notions of just or unjust and good or bad only exist when man is forced into a system in which he must interact with other individuals. A person in solitude with a Hobbesian mindset would not consider, even as a hypothetical exercise, ideals of good and bad or just and unjust for such considerations would be utterly futile in order for him to better himself in his egoism. Rather, such a person would further personal goals and have no interest in such social constructs if they are not absolutely necessary for his personal gains or development. Note that a difficulty with this rebuttal is that it still requires an acceptance of some Hobbesian attitudes; if one were to forego the idea that persons are egoistical in nature it would be much harder to argue that notions of good or bad are not considered by an individual in solitude. This is a problem for Hobbes, and one that he does not provide a powerful answer to.

This final note leads to another powerful objection to Hobbes – in a theory of obligation, where certain laws of nature are commanded, who is doing the commanding? If there are some laws that forbid man some option or action, who is doing the forbidding? It is possible to consider a law of nature in theory, but it is just as easy to ignore it completely and act against what the laws of nature demand. Hobbes argues the laws of nature are found out by reason, but he does not take the next, deeper step to provide a strong argument for obligation as existing independently of some contingent understanding of the world. Hobbes writes, “natural right is a dictate of right reason indicating that some act is either morally necessary or morally shameful, because of its agreement or disagreement with man’s nature as a rational and social being, and consequently that such an act is either commanded or forbidden by God, the author of nature”. Just as a large part of Hobbesian theory of moral obligation is based on a very specific view of human nature, his theory is also
based on a specific attitude towards divinity – namely that some divine power or powers exist and commands all persons. The very core of Hobbes’ theory, then, is contingent on the belief that there exists an omnipotent divinity. Suppose that someone simple does not believe in god, where would the obligatory force of the laws of nature come from? Without god, it seems, the laws of nature become nothing more than mere suggestions for commodious living, but that is hardly powerful enough for a robust theory of moral obligation.

Finally, it is interesting to consider the impact of Hobbes’ notion of an absolute sovereign. Historically speaking, Hobbes was writing during a time when the British monarchy was threatened by revolution, and it is clear that his usage of the term “sovereign” refers to notions of a monarch – Hobbes is calling for the stabilization of the existing monarchy, a singular awe-inspiring power to keep all men in order. But is it possible for Hobbes’ theory to thrive, should all his premises be assumed to be true, under other types of political systems or governments? In other words, would any possible political system or societal construct suffice to resolve the state of war? Or is a singular, almighty sovereign that imposes his strength upon men necessary to objectively maintain covenants? Here I would like to suggest that if all of Hobbes’ arguments and notions are truly found to be reasonable and true, there is no form of government except for those involving a singular ruler that would suffice for Hobbes’ social contract. This is due primarily to Hobbes’ notion of psychological egoism, the innate state of mind of all persons who value their motives and desires above all others. Any system in which there is a given and take, any type of democracy, republic or another form in which citizens possess power in the governmental processes, would fall prey to quarrels and injustice. In a system of voting, for example, individuals would try to manipulate each other and the structure of the government for their favor instead of believing that the democratic system must remain unsoiled and pure of egoistic attitudes. An important aspect of
the sovereign is that the people do not generate his power – the power of the sovereign is not bottom-up, but is imposed from the top-down. When someone is voted into a governmental position they are given power by the electoral system and by those citizens who have voted in his favor; this is a bottom-up sovereignty in which, ideally, those in power are only in control because of those not in power. Hobbes is calling for a top-down sovereign, one that is untouchable by the people and is external to them, who possesses power over them regardless of their support, understanding or love for his authority. This, Hobbes believes, is the only way to keep the state of war at bay, the only way to diminish the overpowering psychological egoism that guides all individuals.

But such this singular sovereignty Hobbes calls for poses problems of its own. While Hobbes does suggest some guidelines for how the sovereign ought act, what might be moral or immoral for a sovereign to do and how to best control and diminish the state of war, Hobbes is very clear that neither he nor anyone else truly possess the power to instruct the sovereign. The mighty, awe-inspiring rule of the sovereign is untouchable by the common man, and the sovereign can choose to impose his will in any way, shape or form he sees fit. Hobbes admits that, should the sovereign act immorally or unjustly, the people will rebel for no person in his right mind willingly allows himself to be abused – and once more man has arrived at the state of war; rebellion, death and anarchy instead of the stable rule of a sovereign. This is worrisome, for it seems that the stability of the organized state of man under a sovereign, in which contracts are kept, advancement is allowed and neighbor can approach neighbor without fear or hostility all relies on a singular ruler to be fair, just and moral. But all men, including the sovereign, are subject to their own egoism, the most powerful aspect of man’s nature that can overtake even the most lucid of men and turn him into a self-involved miscreant. What is to stop the sovereign from using his power for
his own benefit? Who would keep the sovereign from hurting citizens, bullying them, manipulating them and reaping the benefits of their demise? Hobbes is writing during a time of revolution, which he admits might occurs should the sovereign act unfairly or unjustly to those under his rule – and in reaction to this Hobbes suggests we reinstate the same sovereign power? Even if one were to accept all of Hobbes’ assumptions about god, human nature and the state of war, there remains a worry that the solution itself, i.e. restore that same monarchy and buy into its power, is unsatisfactory and maybe even terrifying.
Part 2: David Hume’s theory of obligation

Deconstructing David Hume’s moral theory is a project that involves an understanding of terms. Hume discusses in detail notions that are sometimes taken as obvious in moral philosophy, and constructs a rigorous theory of morality by utilizing concepts in a very specific way. In order to deconstruct Humean ethics, then, all of these terms must be defined and put together, like puzzle pieces, to form the final picture of morality Hume would like to form. Hume’s conceptions of terms – reason, passions, impressions, ideas, actions, judgments or perceptions – is deliberate, as they are all meant to be used in specific ways and impact each other through particular, limited means. It is important to note that some of Hume’s definitions will sharply distinguish him from Hobbes, specifically their understanding of reason, Hume rejects Hobbes’ notions of reason and is careful to provide a clear, specific definition of his own reason, as well as many other aspects of human cognition or morality.

The cognitive process, as Hume understands it, begins first and foremost with perceptions, those being not only what one sees and notices about the world around him but also memories and imaginations – perceptions can be internal or external and shape how one takes in the world around him. These are the only things that are truly present to the mind of any individual, what one perceives constructs everything about any given person’s life. Perception, in other words, is an extremely expansive notion, so much so “that nothing is ever present to the mind but its perceptions; and that all the actions of seeing, hearing, judging, loving, hating, and thinking, fall under this denomination”31. Perceptions are parsed using two sets of distinctions. First is a separation into impressions and ideas; the difference between the two “consists in the degrees of force and liveliness, with which they strike upon the mind, and make
their way into our thought or consciousness"\(^{32}\). An idea is a faint consideration in thinking, but an impression is what impacts human passions and experiences. Second is a split into *simple* and *complex*; this is a numerical difference, such that simple impressions or ideas are but a singular perception, e.g. a singular color, whereas complex impressions or ideas are a mix of sights, sounds, tastes or sensations. Thus, as shown below, all possible perceptions can be described as one of four things: a simple or complex idea, or, a simple or complex impression\(^{1}\). The relationship between impressions and ideas is incredibly important to Humean ethics; simple impressions become simple ideas, and all complex impressions and ideas are formed from their respective simpler forms. The project of Hume’s *Treatise of Human Nature* is “the full examination”\(^{33}\) of the question: “how [do impressions and ideas] stand with regard to their existence, and which of the impressions and ideas are causes, and which are effects?”\(^{34}\) In other words – how can impressions and ideas, that which enters the mind in the most basic form and is the only sure thing to be present in the mind, become robust notions of the world?

The question remains, though, as to why this basic distinction is so important to Humean ethics. The answer lies in the fact that “this distinction [between impressions and ideas] gives rise to a question, with which we shall open up our present enquiry concerning morals, *Whether ‘tis by means of our ideas or impressions we distinguish betwixt vice and virtue, and pronounce an action blame-able or praise-worthy*?”\(^{35}\). It is obvious that this distinction bears great weight, for it is through this split that morality and immorality, here dubbed virtue and vice, are found. Hume argues that there are “those who affirm that virtue is nothing but a conformity to reason…that the

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immutable measures of right and wrong impose an obligation, not only on human creatures, but also on the deity himself: All these systems concur in the opinion, that morality, like truth, is discern’d merely by ideas, and by their juxta-position and comparison.“ Consider, for example, Hobbes – it is through reason, the consideration and deduction of ideas, that right and wrong are found and through which the laws of nature are found out. Hume would argue that Hobbes barely makes a shred of an argument for the strength of reason or ideas and completely fails to account for perceptions: “In order, therefore, to judge of these systems, we need only consider, whether it be possible, from reason alone, to distinguish betwixt moral good and evil, or whether there must concur some other principles to enable us to make that distinction”.

Note that there is a new concept to be considered and defined in a Humean way: reason. Hobbes makes an argument for reason as a dominantly functioning aspect of humanity. It is reason that allows access to the laws of nature, or affords persons the cognizance to distance themselves from the state of war; reason is the key to accessing moral obligation itself. Hobbesian reason is incredibly effective and powerful; it is human reason alone that can allow access to the laws of nature and so lead to the social contract under the sovereign. Hume’s notion of reason is entirely different. “Nothing is more usual in philosophy, and even in common life,” Hume writes, referring to thinkers such as Hobbes, “than to talk of the combat of passion and reason, to give the preference to reason, and assert that men are only so far virtuous as they conform themselves to its dictates”.

Hobbes places reason above human passion, but maybe there is no justification for doing so. Hume claims Hobbes’ approach to reason is a fallacy, and argues: “first, that reason alone can never be a motive to any action of the will; and secondly, that it can never oppose passion in the direction of the will”. Hobbes’ theory suggests that reason is a powerful motivator for actions, e.g. the willingness to contract with one another under a sovereign or buy into an
overarching social contract. Hobbesian reason can also sometimes directly override men’s individual passions, leading them away from the state of war, in which all persons fall prey to their most basic emotions. But Humean reason does not perform these same tasks, and Hume does not take for granted the implied power of human deduction.

“Reason,” Hume writes, “is perfectly inert, and can never either prevent or produce any action or affection”—so reason neither motivates nor precludes actions or emotions, it cannot drive a man to rebel or contract, it cannot bring forth pain or joy. The question arises, then, as to the purpose or meaning of Humean reason. It is clear that Humean reason cannot do what Hobbes expects reason to do, but what, then, is Humean reason good for? Hume has a most basic understanding of reason, but one that nonetheless bears great significance for human cognition and morality: “Reason is the discovery of truth or falsehood.” The notions of truth and falsehood are also very direct, and consist but in “agreement or disagreement either to the real relations of ideas, or to real existence and matter of fact.”

Introduced in the definition of reason are two crucial notions of Hume, relations of ideas and matters of fact. The former of these, relations of ideas, is the subject by which one’s cognitive process aligns simple ideas into complex ones or breaks down complex ideas into simple ones; an example of this would be the concept of causation, e.g. consider two billiard balls, one rolling towards the other, and as they hit one stops and the second moves. The first billiard ball caused the second ball to move, an effect; this is a cognitive process of relating simple ideas through reason: associating the impact from one billiard ball as being the cause for the movement of another ball, which is understood as the effect. The second notion mentioned is matters of fact, which suggest that because “there is a conformity betwixt the future and the past,” reason can be used to suppose that the most basic perceptions of the world are consistent, and individuals can make
sense of things around them. Reason assumes that an apple tastes, looks and smells as apples do, as they did yesterday and will tomorrow. These are the two subjects in which reason can guide human cognition – relations of ideas and matters of fact, which help individuals make sense of the world and afford some assumption of consistency in human perception.

Without reason, the world would make little sense to human beings, as perceptions would be jumbled and incoherent. But one thing becomes clear in this limited understanding of reason: “the rules of morality, therefore, are not conclusions of reason”\textsuperscript{44}. And so it would be “vain to pretend”, Hume argues, “that morality is discover’d only by a deduction of reason. An active principle can never be founded on an inactive; and if reason be inactive in itself, it must remain so in all its shapes and appearances”\textsuperscript{45}. What Hume means by this is that morality obviously influences human action and emotion, and so actively shapes these aspects of humanity. Reason, as argued above, is inert – it is but a tool to provide consistency in judgment of perceptions, and so can never be associated with morality; the inactive cannot become the active, reason cannot become morality.

The question remains as to the source of morality and whereby moral obligation is generated – if not through reason, as so many philosophers suggest, then through what? Hume concludes that “since vice and virtue are not discoverable merely by reason, or the comparison of ideas, it must be by means of some impression or sentiment they occasion”\textsuperscript{46}. Morality, in other words, is not deduced or judged by a reasonable argument, it is felt – often this feeling is so soft and gentle, Hume remarks, it can easily be mistaken with some faint notion or idea, just a fluttering in the back of the mind. This conclusion by Hume introduces yet another concept to be understood in Humean terms. An impression or sentiment, also called a passion in Humean ethics, is an “original existence”\textsuperscript{47} – it exists within individuals in a similar
sense to empirical facts; being angry is no different from being thirsty or sick or tall. Because of this it is impossible that a passion would be “oppos’d by, or be contradictory to truth and reason”\(^48\), for those are ideas rather than facts or original existences as passions are. While reason or truth cannot oppose a passion directly, they can oppose judgments about these passions; under this principle there are but two ways in which a given emotion might be considered against reason. The first is when a given passion is “founded on the supposition of objects, which really do not exist”\(^49\). In other words, grief can be unreasonable if it is based on the belief that someone has passed away even though that same person is still breathing; that would be unreasonable grief. Note that reason is not assessing the grief itself, for this can never be its function as grief is a passion; rather, reason is assessing the existence of the perceptions from which the grief is generated. The second way is if, in attempting to bring about or achieve a given end one were to “choose means insufficient for the design’d end, and deceive [oneself] in [one’s] judgments of causes and effects”\(^50\). It would be unreasonable, then, to pursue a given end out of some passion in such a manner that would obviously not achieve this end; to desire to excel in academics and then proceed to lazily not do any work or focus on any studies, for example, can be considered irrational. Once again, however, note that reason is not judging the passion itself, such as a passion to excel or achieve an end; rather, reason is judging the means by which this end is being pursued.

This notion is so strong for Hume that it goes beyond what is often seen as rational and irrational. “’Tis not contrary to reason to prefer the destruction of the whole world,” Hume argues, “to the scratching of my finger”\(^51\); it is also perfectly rational to sacrifice one’s life for the life of a perfect stranger. This is because the only way by which a passion or affection, such as preferring the ruin of the world to a small scratch or willingly sacrificing oneself for a stranger, can be unreasonable is when these passions are either empirically unfounded or they suggest improper
means to pursue a given end. Note how different this attitude is to Hobbes’ account of humanity. A stark difference that can immediately be drawn is that altruism for Hobbes is completely irrational, and could never serve any true purpose, and thus could never exist. For Hume, however, altruism is very real and can easily exist rationally or irrationally, that would depend on the empirical conditions of this altruism or the means by which this end of altruism is being sought after.

Such a powerful notion of passions clearly would allow for some sense of deep moral approval or disapproval. If passions are so profoundly engrained in humanity, as one might hope morality would be, then it is easy to see how engrained passions rather than limited reasoning would lead to an understanding of morality. Indeed, Hume declares that any “impression arising from virtue [is found] to be agreeable, and that proceeding vice to be uneasy”\(^5\). This certainly seems like somewhat of a moral sense theory, in which emotions about actions hint, in one way or another, at a rooted sense of morality. Thus, “an action, or sentiment, or character is virtuous or vicious; why? Because its view causes a pleasure or uneasiness of a particular kind”; the question might arise – which comes first? Is the sensation created because of an innate morality, inherent in every individual? Or is it possible that one might feel some emotion and so conclude what is right and wrong? Hume argues that “we do not infer a character to be virtuous, because it pleases: But in feeling that it pleases after such a particular manner, we in effect feel that it is virtuous”\(^5\). It is important to note that Hume mentions particular emotions; all individuals, supposedly, react the same way and have the same sensation from the impression of some, specific virtuous act. If emotions preceded morality every given person might arrive at their own doctrine of right and wrong. One person would see an act of charity and shiver, while the other might see an act of adultery and applaud, but one of the most
necessary features of morality is that it is uniform, and can be applied similarly to different situations or guide equally between different people. Thus, it must be that emotion reacts to morality, as Hume argues, and not the other way around.

There is a worry with this scenario that Hume addresses; if reason is such a weak aspect of humanity, and all that hints directly at virtue and vice are impressions and sensations, would it not be possible to assume morality or immorality in inanimate objects? Watching a beautiful sunset can generate a wonderful sensation, and with Hume’s theory in mind one might exclaim – this is the most moral sunset I have ever witnessed! Or, alternatively, someone might see a painting they find unappealing and decide – this is the most immoral color scheme there is! But this would be silly, and a mistaken understanding of Humean morality. Hume argues that the worry above assumes that “if virtue and vice be determin’d by pleasure and pain, these qualities must, in every case, arise from the sensations; and consequently, every object, whether animate or inanimate, rational or irrational, might become morally good or evil, provided it can excite a satisfaction or uneasiness”\(^{55}\). This assumption ignores a crucial point – that this is a discussion of particular emotions. Not all good impressions are the same and not all uneasy ones are identical; in fact, it would be rather absurd to hold that the reaction one most likely has to a true act or heroism is equal in impression to seeing a pretty flower. Not every good impression leads directly to a sense of virtue – only some particular ones do. This raises the question, however, of which particular ones these might be? And how is one meant to recognize which good impressions are virtuous and which are simply good impressions? Hume continues to argue that “pride and humility, love and hatred\(^ {56}\) are those passions that relate to virtue and vice. For there to be a notion of morality from a given emotion, therefore, this emotion “must give rise to one of these four passions”\(^ {57}\); but why these four passions, specifically? Because only those passions exist twofold in the mind – they
arise not only from the impression itself, a matter of fact, but also from the connection of this impression to an association of an idea. Sometimes it is obvious that an act is so vile that, upon seeing it, one is filled with hatred and knows it to be immoral. But this is not so obvious when considering an inanimate object – when might an object be considered so vicious as to be immoral, and when is it simply to be felt as terrible? Suppose that someone witnesses a true act of heroism, he would be filled with feelings of approval that obviously show some sense of morality; it is also possible that, upon seeing pictures of this same act, this person would be filled with the same feelings and relate them to the idea of the heroism he had witnessed earlier – the sense of morality is not in the picture itself, but in this feeling of pride associated with the impressions felt.

Thus far it has been analyzed that Humean ethics begin with common perceptions, the most basic input from the senses. These can be judged according through reason under the concepts of matters of fact or relations of ideas, which help all persons construct a coherent view of the world, which can carry from one person to the next. Reason, however, cannot possibly be used to deduce or indicate any form of morality or immorality, virtue or vice. Rather, it is the passions, which are some of the most basic existences and are found in all persons – namely reactions of approval or disapproval – that show there must be some code of morality that unifies human thought. If human emotion can stay uniform from one person to another, such that all neighbors feel the same when witnessing a given act or when under a certain impression, there must be some unifying force. Hume’s theory is well defined, detailed and powerful in itself; that is to say – all its axioms relate well to each other, it is constructed step by step in such a manner that upon accepting one premise it is easy and agreeable to accept them all. However, it has yet to detail an answer for the most important query of all: where do these supposed original existences, human passions, come from? Hume has not provided a true argument
for the existence or morality, not just how it is recognized but why it exists; in other words, Hume has made a theory of the content of the moral law but has yet to argue for its source. The answer to this query is of utmost importance, as it will lead to a vital aspect of moral theory – obligation. Just because one can feel what is moral or immoral, just because the content of the moral law is acceptable, does not mean that the moral law bears any obligatory force. But a moral theory without some sense of obligation bears little significance, for what would be its purpose? Hume, then, must provide an answer to this question.

There is a distinction made, at this junction of Humean ethics, between the method of arriving at the source of morality and what the source itself might be. Hume recognized that, in order to construct a source of morality and provide for its obligatory force, whatever this source might be, “’tis necessary…to abridge these primary impulses, and find some more general principles, upon which all our notions of morals are founded”⁵⁸. This is a crucial statement, for it asserts that while it is human impressions and passions that provide for the content of morality, these same sensations are guided at bottom by some general principles, which find their source elsewhere. The query, then, is not about how morality carries with it obligatory force, but rather concerning where this force comes from. Hume poses the question “whether we ought to search for these principles in nature, or whether we must look for them in some other origin?”⁵⁹. And, as done successfully before, Hume returns to his roots of defining terms and states that the “answer to this question depends upon the definition of the word nature”⁶⁰.

Hume suggests three possible definitions or characteristics of nature that would serve as grounds for his theory of moral sense. First is an argument about the most common understanding of nature: the conceptualization of naturalism as that which opposes miracles and is, quite literally, found naturally in the world. Note how this first aspect relates
directly to Hume’s understanding of perceptions as the only thing that exists originally in the mind; what one sense and perceives in this world, whether externally by his sense or internally from his own mind, is alone what truly exists for him. It is not the work of some divinity that allows for the recognition of moral content. Hume points out that if this is the only defining characteristic of nature the definition would not do a theory of morality much good, for this definition would apply “not only [to] the distinction betwixt vice and virtue…but also [to] every event, which has happen’d in the world, excepting those miracles, on which our religion is founded⁶¹. Hume is arguing that in claiming, “the sentiments of vice and virtue are natural in this sense”⁶², we hardly discover anything at all – there must be more to a robust definition of nature.

It is possible, then, that this limited understanding the aforementioned miracles is too constrained. After all, to consider everything but the most extraordinary to be natural is very restricting. Consider the difference between something being unnatural and something be supernatural – neither one is natural, but they are by no means the same. Nature in Humean theory may “also be oppos’d to rare and unusual”⁶³. This expands Humean naturalism to a more realistic definition of nature, but also makes the definition itself rather contingent. Consider, for example, one who has lived in the desert his entire life; upon seeing snow for the first time that individual might find it to be unnatural, as the cold and wet snow is so rare to him that it does not seem naturally of this world. Someone who was raised in an area with heavy snowfall, however, would hardly agree with his view of naturalism. This is because, as Hume observes, “frequent and rare depend upon the number of examples [one] has observ’d; and as this number may gradually encrease or diminish, ‘twill be impossible to fix any exact boundaries betwixt them”⁶⁴. Hume does not see this contingency as a problem for his theory, however, and claims: “if ever there was any thing, which cou’d be call’d natural in this sense, the sentiments of morality certainly may; since
there never was any nation of the world, nor any single person in any nation, who was utterly
depriv’d of them, and who never, in any instance, show’d the least approbation or dislike of
manners”65. Hume’s reasoning for this statement is that morality is “so rooted in our constitution
and temper, that without entirely confounding the human mind by disease or madness, ‘tis
impossible to extirpate and destroy them”66.

The third and final characteristic of the definition of nature as posited by Hume directly
relates and might even oppose directly to the notions of virtue (Hume assumes that the first two
characteristics, discussed above, pose no difficulty for morality). This third characteristic is a
discussion of artifice, that is the “designs, and projects, and views of men”67. Artifice, in other
words, is quite literally that which is artificial or manmade. The problem with these artificial things
is men often confuse them with those truly natural aspects; that which is manmade is considered to
be parallel to hot or cold, moist or dry. This poses a difficulty because maybe this view is not so
incoherent – maybe, if that which is artificial has been instated for so long, if it has been so
entrenched into the human condition, it basically becomes as natural as those things nature itself
produces? In the same conceptualization, Hume claims, it is possible “that our sense of some
virtues is artificial, and that of others natural”68.

Recall that Hume’s aim, at this juncture, is to consider what general principles generate
human morality and whether those principles are found in a theory of naturalism. The first two
characteristics of the definition of nature are grounds enough to assert that it would be incorrect to
claim that immorality is unnatural while morality is natural. This is because there is no coherent
sense in which one is miraculous while the other is not, and there is no possible argument to make
that one is more rare than the other – the most “heroic virtue, being as unusual, is as little natural
as the most brutal barbarity”69. The third characteristic of the definition of nature might complicate
a discussion of particular virtues, but it bears little meaning when discussing the general sense of virtues as being natural or unnatural. This is coupled by the claim that no action is truly natural, for anything performed by an individual is, by definition, manmade. The conclusion, then, is that it is impossible for “the character of natural and unnatural [to], in any sense, mark the boundaries of vice and virtue”\textsuperscript{70}.

And so, after suggesting nature as a possible origin for the principles of morality and then discarding it, Hume concludes that his very first proposition was correct all along without requiring further explanation. The argument, then, is that “virtue is distinguish’d by the pleasure, and vice by the pain, that any action, sentiment or character gives us by the mere view and contemplation”\textsuperscript{71}. But this statement once again raises the question of “why any action or sentiment upon the general view or survey, gives a certain satisfaction or uneasiness?”\textsuperscript{72} In other words, we are faced once more with that tricky query of what is the source of this moral sense? Though Hume is not concerned with this question precisely, he does offer a soft reply to it by stating that this question simply ignores how deep these originally existing passions are, for they themselves serve as source enough for moral rectitude or depravity.

As aforementioned, it is important to discuss the notion of obligation in Humean morality when discussing its notion of source. It seems that, through all the moral sense, Hume lacks a true sense of obligation in his moral theory. Rather, the argument is that morality is a reaction to emotions: what creates impressions of approval in individuals is moral and what generates impressions of condemnation is immoral. But this is not specifically what Hume suggests. Recall that Hume argues these passions, while originally existing and truly inherent to human cognition, constitute human notions of morality. An impression that is approved of in the mind is not considered moral; what is moral will be approved of in the mind. In this sense, morality can place
some strong obligation on individuals – if one was to act or see an act that produced in him a strong dislike, that person would be obligated to follow his moral sense and never commit this act again, or avoid copying the immorality he has witnessed. Morality is already set, and obliges one to act in such a way that he constantly approves of all the impressions of his actions. The obligation comes from within – morality is recognized through passions as they show us what is virtuous and what is vicious. Morality is linked to basic human reactions and perceptions, and so to ignore the passions is to ignore what is moral.

I would like to consider, at this point, four counterarguments to Humean ethics that are quite strong, and show that Hume’s theory of morality, like Hobbes, lacks certain aspects that are vital when constructing a truly robust theory of morality. The first of these four is simply to ask, is Hume depreciating reason too much? While Hume is certainly right in claiming that Hobbes and others treat reason too lightly, using it to make arguments without fully supporting them, it is possible that Hume is doing the same thing but to the other extreme. Hume makes an argument that devalues human reason. The irony with this counter to Hume is that he would never be able to rebut or accept it – if reason truly is as weak as Hume claims it is, there is no way to deduce such an argument using reason; rather, Hume’s claims about reason have to be just taken as true, but is that not what bothered Hume to begin with? Furthermore, there are often times when reason plays a larger role than simply judging matters of fact or relations of ideas, though it certainly plays that role as well. Consider a situation in which the draw of doing what is virtuous might lead to great anguish or emotional pain. A young man has committed the heinous crime of murder, but is seen in the act and is now a fugitive on the run; he seeks refuge with his father, who instinctively takes him in and helps him hide in the attic. But later that night the father begins to think – what is right to do in this case? What must I do to uphold the moral law and to do what is most virtuous? The
father is torn between the love for his son and the pull of doing what is right, bringing a murderer to justice. Finally he picks up the phone and, with great anguish, gives up his only son to the police. This act will haunt him forever; in doing what is moral, what is virtuous, this father has caused himself more grief than he has ever experienced. There is no possible emotional motivation, no passion that could have driven this father to do what is moral. His son had become a murdered, and it was reason and a deep sense of moral obligation, which Hume’s theory does not possess, that motivated this father to act in accordance with morality. The father chose to do what is reasonable in bringing a murderer to trial than to follow what his passions dictated, housing his fugitive son. There are instances when doing what is moral is completely contrary to what passions might dictate – but that does not change what morality is.

The second counterargument to consider is one of emotional relativism, which, in Humean ethics, easily translates to moral relativism. This is a rather obvious argument, but it is a powerful one nonetheless – Hume argues, as aforementioned, that “there never was any nation of the world, nor any single person in any nation, who was utterly depriv’d of [the sentiments of morality], and who never, in any instance, show’d the least approbation or dislike of manners” 73. This is a massive assumption, groundless and unreasoned, on which a large part of Hume’s theory hinges. It should be noted that this is not a problem only for Hume, specifically, but is a difficulty for moral sense theory at large; this is because sensitivity, what is appealing, pleasing, disgusting or painful, is relative to the agent doing the sensing. The course of history has shown, in fact, that questions of which impressions lead to virtue and which to vice are hotly debated. There is a constant disagreement between nations and individuals alike about what is right and wrong. Hume’s theory suggests no objective grounds on which to argue one way or the other; consider, for example, the politically charged issue of abortion – there are those who hold that abortion itself is immoral, who
consider it foul and would never feel any type of agreement to it. There are those, on the other hand, who believe there is nothing immoral about abortion and see it as perfectly agreeable. These are very different impressions in reaction to the same morally charged issue, and Humean ethics does not offer a means by which to reconcile this clash in morality. There is no objective way to construct an argument, premise or even thought, so that the act of abortion might be tested and finally found out as moral or immoral. This is just one of many examples that shows how a theory that relies on a moral sense as its core, without some kind of objective argument, is rather weak when applied to real world circumstances.

The third counterargument to consider relates to the descriptive versus normative difficulty discussed previously. Hume’s theory is powerful as an observational telling of human morality, as its individual arguments and definitions align neatly with each other and fit what might truly take place in the real world, i.e. one’s emotions and reactions are constantly linked to attitudes of morality, disapproval or approval. The problem, however, is that Hume fails to arrive at a true source for morality, at some sort of normative claim. Hume begins a consideration of major principles and suggests they might be the outcome of some specific definition of nature, but after sorting through three possible definitions of nature he arrives at an instinctual argument for morality. Hume suggests that moral sense is so engrained in humanity that it precedes all perceptions, reactions or passions. Like seeing, feeling or hearing – this moral sense is literally a sense, and it simply by virtue of being so profoundly an aspect of humanity it carries obligatory force. The problem with that is it only reaches the observational level, and that it could never place obligatory force on anyone. Something that is done instinctively, which man cannot control, suppress or react to, does not obligate but simply dictates. One’s sense of sight does not obligate in any way, it would be nonsensical to suggest that what one sees obligates him in some way or
another; rather, man’s sense of sight dictates what he sees. In this same way, then, this moral sense could never obligate anyone, but would simply dictate what seems virtuous and what feels as vice. An observational theory of morality can only go as far as to say that morality exists and is an important aspect of human perception or even humanity itself.

The response to the above leads into the fourth counterargument – it is possible that Hume is not interested in constructing ought claims, but in fact is interested in understanding factual or observational aspects about human morality. “In every system of morality, which I have hitherto met with” writes Hume, “I have always remark’d, that the author proceeds for some time in the ordinary way of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when of a sudden I am surpriz’d to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought, or an ought not.” Hume is bothered with the same sentiment raised above, that some thinkers move from observations about impressions, how persons approve of some things and disapprove of others, to arguments regarding moral obligation, grounded in the fact that there is an innate notion of right and wrong in all persons. Hume notes that this is not obligation but an observation, and while it may be a true observation (that there are times when most persons agree on what is right and what is wrong), this does not carry with it obligatory force. But this, in my mind, is the biggest problem of all for what is a theory of morality without some sense of moral obligation? If the content of a theory is found to be wrong, so be it – that theory can be altered or rejected, for content exists only as a hypothetical if there is no notion of obligation with it. Once there is some powerful, undeniable case of ought and ought not, any theory of morality places direct weight on individuals who now must understand and adhere by its content, as they are obliged to do. Observational statements of morality are vital to humanity, as expressed above, but they are not
enough; some obligatory weight, some reason or drive to dictate that doing what is moral outweighs doing what feels good, seems vital to human behavior and discourse.

And so it seems to me that although a moral sense might certainly be an appropriate observation of personhood (though I would hardly state that moral sense is content enough for a robust theory of morality), Humean ethics lacks some normatively driven argument for obligatory force, some discussion of why even if doing wrong does not feel wrong, it remains wrong. Subjectivity is a deadly thing when it comes to morality, and what are impressions but subjective reactions, subjective perceptions of the senses? Any theory of morality based on contingent observations would be just as contingent as the impressions themselves; it is rendered useless when passions call for one thing while morality calls for another.
Part 3: Concluding Hobbes and Hume

It is stated in the onset of this work that there will be a discussion of the 18th century philosopher Immanuel Kant, who constructed a truly powerful, wholesome theory of morality; one that put forth arguments both for the content and the obligation morality holds. I would like, before beginning that discussion, to quickly suggest a reason for the analysis above. In other words – if this work will argue that Kant’s theory is more complete than both Hobbes’ and Hume’s, why examine their incomplete theories to begin with?

The reason for the analysis of Hobbes and Hume, beyond the obvious appreciation for their contributions to the discussion of ethics, is to illuminate the aspects of contingency prevalent in both their theories. Hobbes suggests a theory that focuses on reason as a deductive force, one that is innate in humanity and can be utilized to arrive at laws of nature, which ought be followed and oblige all persons due to their divine nature. But Hobbes theory, as aforementioned, is contingent on accepting some of his doctrines, namely an overpowering sense of psychological egoism and, even more contingently, belief in a divine power that obliges necessarily and who’s rules cannot be ignored. Hume poses a theory that puts forth some important observations about humanity, i.e. that all persons feel a sense of morality when reacting to the world around them. That which is moral is often approved of, and that which is immoral is often rejected. There is certainly some truth to the observations put forth by Hume, which show just how engrained morality can be to humanity. But Hume’s theory, as suggested earlier, is also contingent; in failing to make any normative argument for moral obligation, Hume fails to move from a theory of contingent observations to one that can obligate or bind any person by a moral code. Hume’s theory of morality is, at its core, contingent on what reactions might arise in any given person due to his perceptions of virtue and vice.
This contingency is unacceptable in Kantian ethics, which seek to arrive at a moral law that binds unequivocally, which cannot be contingent upon belief or perception, personal doctrines or feelings. Kant is not satisfied with Hobbesian or Humean ethics, not because he feels their theories to be useless in the discussion of ethics (quite the contrary), but because they are not normatively binding, they are not *necessary and universal*, as a moral law must be. Hobbes and Hume greatly influenced Kant; Hobbes’ attitude towards reason as an objective force that is equal amongst all rational beings is key for Kantian ethics, which relies on this notion of deduction through reason to arrive at the content and, ultimate, obligation of the moral law. Hume’s attitude towards a moral sense that points at an internal source for morality, which stems from within and motivates all persons, is vital for Kantian morality, as no outside source of the moral law could ever truly obligate in the necessary sense Kant is seeking. Kant combines this objective reasoning with a powerful internal sense: he does not disagree with Hume per se, but feels that Humean observations are not deep enough, not normative, obligatory or necessary enough to merit a moral law; Hobbesian reason, combined with Humean moral sense, can come together in Kantian ethics to provide a robust, powerful and rather revolutionary vision of how morality and the moral law necessarily obligate all rational beings.
SECTION II
On Kantian Morality
Understanding Kantian ethics is a project that involves, in a broad sense, two things: learning to read the Kantian language and understanding the structure of the Kantian form. The former of the two, language, refers simply to the fact that Kant, in a manner somewhat similar to Hume’s, redefines common terms in new ways as they fit into his theory of morality – Kantian duty, for example, has a specific meaning different from the general notion of duty in everyday language. That is not to say that Kantian language is irrelevant to common usage of terms, on the contrary, Kantian duty certainly relates to one’s everyday usage of the word. It is to say, though, that specific terms are utilizes in specific ways as parts of an overarching theory of ethics. Knowing what Kant means when he uses a certain term is crucial to comprehending the intricate workings of his ethical theory. These terms will be defined and analyzed as they appear, and, like puzzle pieces, will come together to form the whole picture of Kantian morality.

The latter part of this project is structure, which is extremely important for the discussion of Kantian ethics. As complex as Kant might be, he works in a very structured sense and makes a point of outlining his discourse. The following work focuses on the *Groundwork of the Metaphysics of Morals*, a text that discusses some of the most basic components of Kantian ethics. The *Groundwork* is constructed of three sections: the first suggests an *analytic* argument, beginning with the outcome of common human reason or understanding and breaking it down into individual philosophical concepts; the second flips the first, and suggests a *synthetic* approach to morality – how specific terms or parts of moral philosophy combine to form statements of the moral law; the third attempts to prove that the moral law discussed in the first two sections

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ii The terms *analytic* (or its flipside, *synthetic*) are used are Kantian terminology used to distinguish between two different conceptualizations of cognition. An *analytic* process refers to a project of beginning with a sum or conclusion, and proceeding to analyze its component parts. A *synthetic* process refers to a method of beginning with an understanding of individual parts or aspects, and constructing through them the sum of a theory or outcome.
normative applies to human beings *a priori*. The project of the *Groundwork* can be simply stated as having two major components – first as posing a hypothetical moral law, inquiring into the notion of if a moral law were to exist *a priori*, what would it involve and how could it guide all rational beings (this is a discussion of content). Second as posing an argument for how this hypothetical law does, in fact, apply to all rational beings, and why all such beings must abide by it (this is a discussion of obligation). The following discussion of the *Groundwork* will work linearly, as Kant does, to examine each of the three sections and ultimately consider Kant’s *reciprocity thesis*, which involves a powerful argument for moral obligation and its normative force.

Kant begins his discussion of morality by raising a simple question – “is it not thought to be of the utmost necessity to work out for once a pure moral philosophy, completely cleansed of everything that may be only empirical and that belongs to anthropology?” This is a reference to other theories of morality, specifically moral sense theorists that came before him. This statement can also refer to the two thinkers previously discussed, Hobbesian and Humean ethics. The former of these was partly based on anthropological observations, those relating to human interaction and psychological egoism; the latter was based on empirical observations, those regarding human emotions and perceptions, ideas of approval or disapproval as they are observed in the empirical world. Kant is looking for something different. He is in search of a moral law that is free of the contingency of empiricism or anthropology, such a moral law that binds necessarily. Kant suggests an understanding of *law* as it relates to morality, which he takes to be an aspect of common sense and so easily accepted: “everyone must grant that

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iii The term *a priori* refers to a judgment that does not rely on experience or empirical knowledge for its justification. There is a debate of whether such *a priori* deductions can carry profound significance and force on the real, empirical world (in other words, whether something that is deduced *a priori* can be absolute and true in experience). Kantian moral law exists *a priori*, such that human reason can discover it and understand its impact without any empirical observation; unraveling and understanding this moral law as it exists *a priori* is the project of the *Groundwork*. 
a law, if it is to hold morally, that is, as a ground of an obligation, must carry with it absolute necessity”76. This definition is one of the most important aspects of Kantian ethics. Kant is not searching for a law as laws are commonly understood, those that make some things allowed and others not. Rather, this moral law, which is the ground of moral obligation, carries with it absolutely necessity – it cannot be ignored, changed, rejected or interfered with. This is because “the ground of obligation here must not be sought in the nature of the human being or in the circumstances of the world in which he is placed, but a priori simply in the concepts of pure reason”77. The moral law is not based in the contingent circumstances of this world, but exists a priori and is found out by reason. This distinction is highlighted against the normal understanding of a law as it is synonymous with rules or principles: “even if [a rule or principle] is universal in a certain respect – insofar as it rests in the least part on empirical grounds, perhaps only in terms of a motive, can indeed be called a practical rule but never a moral law”78. This is what pure reason means, for the moral law cannot ever be changed in itself by anything empirical or otherwise. The moral law is untouchable; it exists a priori and binds all possible rational beings; the moral law even binds even god, a confusing notion indeed but one that shows just how powerful Kantian moral law is meant to be.

Kant, in the first section of the *Groundwork*, makes three propositions that come out of common sense cognitions – his observations and perceptions of simple human cognitions that, when analyzed and examined, indicate at an a priori moral law. The first of these is a discussion of duty, one of the most important aspects of Kantian ethics. “The concept of duty,” Kant writes, contains that [concept] of a good will though under certain subjective limitations and hindrances”79. Strenuous circumstances can “bring [a good will] out by contrast and make it shine
forth all the more brightly\textsuperscript{iv}. To fully understand this notion of duty\textsuperscript{iv}, Kant suggests three possible relations to it; some agents might act in a way that is contrary to duty, and then it is rather obvious that they simply ignore the pull of duty altogether. Others could act out of duty even when they truly have no immediate inclination\textsuperscript{v} to do so, and with such agents it is often easy to tell whether it was truly a sense of duty or some other inclination that was driving them. The tricky case at hand is when a given agent performs an act that conforms with duty, and that he simultaneously has an immediate inclination to perform. Consider a shopkeeper who does not overcharge his unknowing customers; this shopkeeper serves his customers honestly, as good shopkeepers do to maintain a good reputation. In such a case it is impossible to know whether the shopkeeper acted out of duty or simply because it is in his self-interest as a vendor to maintain a good name in the local community. It is difficult to argue that the shopkeeper is worthy of moral esteem, but that is not to say in any conclusive way that he is not worthy; in other words – this is a classic case in which an agent has acted in accordance with duty but not from duty. This distinction is vital for Kantian ethics, as it relates directly to the moral law and how it binds to all rational beings.

Kant highlights this distinction by considering another example of duty: to preserve one’s life. This is an example of a duty that is often in every agent’s immediate inclination, most persons desire to keep living and attempt to go about their lives in such a manner that would preserve their breath. Such agents, who desire to keep living, rarely fulfill their duty to preserve their lives from duty itself, but rather do so in accordance with duty. A man who takes care to preserve his life

\textsuperscript{iv} The term duty refers to understanding and reacting to the burden the moral law places on us in our daily lives; sometimes, doing what is right feels terrible, but that does not change the fact that it ought be done – this is the notion of duty, which a good will reacts and adheres to (so when a truly good will can do what is right even when it feels awful, it shines forth most brightly and the true value of morality can be appreciated).

\textsuperscript{v} Inclinations are straightforwardly that which a given agent wants to do, moral or immoral. Sometimes our inclinations could be moral, sometimes they can be immoral, and other times they might have nothing to do with morality altogether. Inclinations can be tricky, however, when they lead us awry or obscure the moral law, when they pull us away from moral actions to immoral ones.
because he possesses the immediate inclination to do so, in other words, is not doing anything contrary to duty, but he cannot be said to be acting from duty and its recognition of the moral law. Consider, by contrast, someone who does not have this inclination. What if “adversity and hopeless grief have quite taken away the taste of life” for someone, and he has no desire to keep on living. Still this miserable agent presses on against all his inclinations, he “preserves his life without loving it, not from inclination or fear but from duty.” This man is not acting in accordance with duty but from duty, his recognition of the moral law and abidance by it even in the most desperate of circumstances can indicate a truly good will. Suppose this man falls ill and, despite his true and best efforts, he dies; one would hardly say that this man did not act from duty simply because he failed to preserve his life – in this sense the results of the good will are irrelevant, it is the volitions or intentions of the will that matter when discussing whether such a will is truly good.

Consider another example, such as the duty to be beneficent where one can be. It is possible to be beneficent out of immediate inclinations – a desire to be honored or admired, maybe a simple desire to feel good about one’s actions or charity. Acting out of such inclinations would obviously be acting in accordance with duty, which does not render the action in itself bad but brings forth an important distinction. To do a moral or good act out of inclinations is worthy of praise, but not of esteem. An agent earns esteem when, contrary to all his desires or inclinations, he still understands the moral law and acts from duty. The philanthropist who has grown callused to the troubles of others, who has no interest in the general welfare or happiness but would rather ignore others’ suffering, and yet is beneficent due to his duty is worthy of moral esteem, not just

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vi The term praise is contrasted with the notion of esteem; this is important for it allows good actions to be appreciated, even if they are not done from duty. Kant does not suggest that moral actions motivated by something other than moral volitions, such as some other desires or inclinations, are wrong or insignificant; but it would be hard to disagree that a moral act done out of a true sense of morality is found to be esteem worthy, while the other is not.
praise. The two beneficent wills might perform in ways that are identical in outcome, but they are very different in their innate motivation and so also in their moral worth.

There is a sense, it seems, in which Kant’s ethics thus far dictate that to act morally with a desire to act morally is impossible. In other words, it seems that the shopkeeper who charges honestly and loves doing so cannot deserve esteem, or that the philanthropist who regularly helps the needy and feels this is his calling is not worthy of esteem, simply because both of these agents have love for moral action. This is a common misunderstanding of Kant, but it is not accurate. Kant is distinguishing between moral action and moral volition; if the shopkeeper who charges honestly does so because the moral law dictates he ought to, and he simultaneously loves to do so, this shopkeeper still deserves esteem – note, however, that he deserves esteem not because of his moral action, but because of his moral volition, his recognition of the moral law and his acting from duty and not in accordance to duty. If the philanthropist who regularly helps the needy recognizes that he must do so because the moral law dictates as such, and he also happens to enjoy being beneficent, this philanthropist is still worthy of esteem – but it is not his philanthropy that makes him worthy, but his acting from duty and adhering to the moral law that does. \(^vii\)

This notion is strengthened by Kant’s asserting: “to assure one’s own happiness is a duty”\(^83\). This is because unhappy individuals rarely find the lucidity or will power to act morally and adhere to the moral law; those who are unhappy often feel “pressure form many anxieties and amid unsatisfied needs, could easily [fall prey to] great temptation to transgression of duty”\(^84\). While Kant admits that most individuals have a universal inclination to pursue their own happiness, such an inclination can often lead persons astray and

\(^vii\) The discussion of moral worth versus moral esteem (or, put another way – whether an agent is worthy of moral esteem even if there is some inclination alongside his moral actions, regardless of his ultimate motivation being duty itself) is of great debate in Kantian ethics. This is a notion referred to as over-determination, and it is debated whether Kant truly believed that no inclination could be had in actions from duty (i.e. worthy of moral esteem).
drive them to commit immoral acts in pursuit of pleasure. The duty to pursue one’s own happiness, then, is an indirect duty, for it is meant to afford all persons the ability to see clearly what is moral and immoral, the ability to easily recognize the moral law and act from duty and not in accordance with it. There is no need to be miserable to be moral in Kantian ethics; it is rather the contrary: rational agents who have no inclination to give way to their vices can access the moral law much more easily – they can reject inclinations in favor of the moral law and a recognition of duty.

Consider what Kant has argued thus far: there is a moral law, which binds necessarily in the form of duty. Though rational agents are aware of this duty they are constantly also drawn to their inclinations, which often make it hard to follow the moral law (hence the sense of duty, the burden the moral law sometimes places on all of us). Kant has also discussed some analysis of actions, how some might be worthy of praise while others of esteem, depending once more on how these actions relate to the deep sense of duty the moral law imposes. Recall that at this point Kant has only discussed the first of his three propositions in the first section – next is an in depth examination of what duty is or how it might be recognized, i.e. what are the parameters to the idea of duty such that any person contemplating his actions can realize – this is what duty demands.

This in depth examination leads to the second proposition of the first section: “an action from duty”, Kant argues, “has its moral worth not in the purpose to be attained by it but in the maxim in accordance with which it is decided upon, and therefore does not depend upon the realization of the object of the action but merely upon the principle of volition in accordance with which the action is done. This, like the distinction between acting in accordance with duty versus acting from duty, is an analysis of moral worth versus esteem. There difference between the first analysis and this second one at hand is that the first analyzed volitions themselves, i.e. is one’s

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VIII The term *maxim* is a statement of strategy of action to bring about some end; its construction can be asserted, generally, as follows: *in circumstance C, I will perform action A in order to achieve end E.*
volition *in accordance with duty* or is it *from duty*; this second one assesses maxims, which are dictates of action, suggesting that actions are necessary in order to consider the moral law (in this sense, actions can be moral or immoral but thoughts or feelings can never be deemed as such).

The first two propositions of the first section lead to the third, which is the assertion of duty and how it suggest the moral law itself. Recall that the first section of the *Groundwork* is an analytic project – it began with the overarching picture of common human morality and broke it down into the two propositions above, the third proposition puts them back together into a coherent statement of the moral law, or duty. Kant asserts that “a consequence of the two preceding [propositions]” is the dictate of what duty truly is: “duty is the necessity of an action from respect for law.” The necessity of an action refers to the second propositions, that maxims, a strategy of execution of morality is necessary in order for there to be some assessment of respect for law, that is the moral law.

With this understanding of duty in mind, the question yet remains of “what kind of a law can [there] be, the representation of which must determine the will, even without regard for the effect expected from it, in order for the will to be called good absolutely and without limitation?”; in other words – what kind of law, which is universal and *a priori*, can determine a will necessarily without regarding the outcomes of its actions or its individual incentives? The answer is the Kant’s well-known *categorical imperative*, which is initially phrased as the *Formula of Universal Law (FUL)*. The FUL is stated as such: “I *ought never to act except in such a way that I could also will that my maxim should become a universal law*.” Consider, for example, if one were to question the maxim, “may I, when hard pressed, make a promise with the intention not to keep it?” There are two ways by which to assess this

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*x* There is some interpretive confusion amongst Kant scholarship as to how Kant arrives at the Formula of Universal Law here, there seems to be a gap in his analysis. The second section of the *Groundwork* provides a much more robust argument for the *FUL*, as will be discussed later in this work.
maxim, first whether it is prudent to follow such a maxim and second, whether acting upon such a maxim would be acting from duty, in accordance with duty or maybe even contrary to duty? It is obvious that there are many instances in which making a false promise might be prudent, especially if there is some guarantee or assurance that this lie would never be found out. But is there ever a circumstance in which intentionally making a false promise might be in accordance with the moral law? Someone questioning the morality of this maxim can easily put it to the test by utilizing the FUL; simply ask: what would happen if every rational being followed this same maxim, universally? So that every agent, when hard pressed, would make a false promise? If this was the case the very notion of a “promise” would cease to exist altogether, for “in accordance with such a law there would properly be no promises at all, since it would be futile to avow my will with regard to my future actions to others who would not believe this avowal or, if they rashly did so, would pay me back in like coin”\(^91\). With this understanding, Kant argues, one does not need to be brilliant or astute to understand what morality requires, simply construct a maxim and test if it is universalizable.

But an honest consideration of the above would lead to skepticism amongst individuals when it comes to the notion of moral duty. This notion of duty has been drawn out of practical reason in the first section, but “it is by no means to be inferred from this that we have treated it as a concept of experience”\(^92\). More often than not it is nigh impossible to determine in empirical experience whether someone has acted from duty or in accordance with duty, for the two seem identical. In daily life the results of actions are easily observed, but it is incredibly difficult to tell what someone’s motivations or volitions might be. This sense of duty, then, has often been denied altogether in favor of theories incorrectly discussing self-love and misusing reason, “which should serve [man] as for giving law, [but instead is used] only to look
after the interests of the inclinations” — it is hard to assume that duty is ever the drive for any action, for what sensible individual would ignore what is personally best for him in favor of some a priori, esoteric moral law? The second section of the *Groundwork* provides an answer to this skepticism by discussion duty as a part of the whole; this is because the second section of the *Groundwork* provides a synthetic argument for the same material as the first section. It is almost a reversed approach – Kant will begin by examining component parts, specifically starting with a notion of willing, to arrive at a complete understanding of the moral law itself.

Recall the previous mention of the will; in the first section of the *Groundwork*, willing is an amorphous concept, which is not utilized specifically to make any powerful claims about ethics or the moral law. This second section brings the will to light, and shows how vital the aspect of willing is to Kantian ethics. “Everything in nature,” Kant begins, “works in accordance with laws”; this is a general claim – laws can refer to anything from physical laws, such as gravity, or to deeper a priori laws such as the moral law. Laws guide any object in the universe to some degree, but an important distinction to realize is that “only a rational being has the capacity to act in accordance with the representation of laws…or has a will”; in other words, “reason is required for the derivation of actions from laws”. Irrational creatures cannot will for they lack the capacity of reason, and so act only upon those laws that have no element of willing to them whatsoever – neither a bird nor a human need to be rational to be controlled by gravity, but only the rational human can will, or set forth ends and attain them. Note that thus far Kant has not made any argument for the moral law or how it guides, binds or obligates any rational being. Rather, Kant has merely argued that all rational beings have the capacity to act in accordance with a representation of the moral law itself.
Kant recognizes that there are two aspects of willing, which he dubs objective and subjective. Subjective willing is rather straightforward: if one were to guide his will, his actions in the pursuit of ends, according to subjective modes of thinking, he is willing subjectively. During subjective willing one is guided by his inclinations, and so could never be truly guided by the moral law. This is because incentives are contingent to each individual – what one individual wants versus what another might want. But contingency can be the enemy of morality when it overtakes the will and guides it completely. Objective willing, then, is the connection of the objective law with an objective will, i.e. it is a will guided by reason. And so “if reason infallibly determines the will,” Kant writes, “the actions of such a being that are cognized as objectively necessary are also subjectively necessary, that is, the will is a capacity to choose only that which reason independently of inclination cognizes as practically necessary, that is, as good”97. This is not the case with human beings, who are not infallibly guided by reason; there are those beings in the universe that are perfectly guided by reason, such as holy wills or even god, and so their objective and subjective willing are unfailingly aligned. Human beings are not perfectly guided by pure practical reason; while we have the capacity to think reasonably, it is a truth about human nature that our capacity to reason is sometimes subdued by desires, inclinations, urges or temptations. And so “the relation of objective laws to a will that is not thoroughly good [i.e. human beings] is represented as the determination of the will of a rational being through grounds of reason, indeed, but grounds to which this will is not by its nature necessarily obedient”98. All rational individuals have the capacity to recognize and abide by the moral law, but that does not mean they all adhere to it. Recall, however, that the objective, reasonable moral law is not just universal, but must also be necessary; when there is an action that is cognized as objectively demanding but is subjectively contingent (i.e. reason and objective willing clash with inclination
and subjective willing) there must be something else that necessitates the determination of such a will with the objective moral laws.

A culmination of the above claims leads to the notion of imperatives, which are absolutely vital to Kantian ethics. But before this term is introduced, let us reiterate simply what has been stated: every thing in nature acts in accordance with laws (be they morally related or not) but only rational beings act in accordance with the representation of laws or have the capacity to will. Furthermore, there is a breakdown between two types of willing and two types of rational beings. Pure-reasonable willing is objective and non-contingent, so it is a source for arriving at the moral law and being guided by it; subjective willing, while reasonable, is contingent and so can never act as the root for morality or lead any agent to act morally. There are those rational beings that have only an objective capacity to will, and so are unequivocally guided only by the moral law and are inert to all inclinations. Human beings, however, are often caught between their pure-practical reason and their personal reason, their objective and subjective, their morally accessing capacities and often not so moral capacities. But if the moral law is to be necessary and universal, there must be some necessitating force to the representations of laws – “the representation of an objective principle, insofar as it is necessitating for a will, is called a command (of reason), and the formula of the command is called an imperative”99. Imperatives, then, are those formulations of any reasonable action, be they moral or not; the morality of imperatives relies on the source or their reason – pure and practical, or subjective.

It is clear that imperatives are the tools by which any reasoning individual comes to any course of action – be it moral and from duty or subjective and, possibly, immoral or in accordance with duty. Clearly, then, there is much at stake in regards to the clarity and power of these imperatives, for some sense of imperatives could be the means by which the
moral law is accessible to rational beings. It is prudent, then, to understand what these imperatives are and how they might guide the will to the moral law. “All imperatives”, Kant begins, “are expressed by an ought and indicate by this the relation of an objective law of reason to a will that by its subjective constitution is not necessarily determined by it”\textsuperscript{100} – this is the first ought claim Kant has thus far made, and it shows the immense importance of the imperatives. They place some type of burden, obligation or a bidding force upon all rational beings, such that when inclinations draw us one way they pull at our collars and make it clear that there is something we want to do, and something we ought do. But note that there is still no claim for morality or the moral law. This is because imperatives can create ought claims in two ways: hypothetically and categorically. Hypothetical imperatives “represent the practical necessity of a possible action as a means to achieving something else that one wills”\textsuperscript{101}, i.e. a hypothetical imperative makes clear, through reason, what must be done in order for an agent to will a given outcome. The Categorical Imperative “would be that which represented an action as objectively necessary of itself, without reference to another end”\textsuperscript{102}. It is the latter of these two, the Categorical Imperative, which can be used to access to the moral law and can and provides moral esteem, not just moral worth.

These imperatives are best understood through examples. Reconsider the examples utilized earlier in this section, which created a distinction between a shopkeeper who is worthy of moral praise versus another who might be worthy of moral esteem. The former of these two shopkeepers who is worthy of praise might have constructed the following maxim: \textit{even in circumstances when I might be able to dupe and overcharge an unknowing customer, I will keep a consistent price so my reputation as a fair salesman will not tarnished}. There is nothing wrong with this maxim, none would argue it is immoral or deplorable, but it is clearly the outcome of a hypothetical imperative. “If the action would be good merely as a means
to something else.” Kant argues, “the imperative is hypothetical” – in this scenario, the shopkeeper reasonable understands that in order to retain customers and have a good reputation in the community, he must charge consistent prices of every customer. Because this is his hypothetical imperative, he constructs the aforementioned maxim for himself. He is surely worthy of moral praise, for he is an upstanding vendor who charges fairly, but he is not worthy of moral esteem as generated by the moral law. In other words – he is acting fairly not to be fair or because fairness is moral, but because having a good reputation as a shopkeeper is important to him, and so he set about a hypothetical imperative to ensure this end.

Consider another example; a student wants to ace his next exam, and his reason arrives at the hypothetical imperative that in order to do so, he must work and study. In accordance with this hypothetical imperative this student constructs the follow maxim: in circumstances when I can go out with friends, I will stay disciplined and study instead so that I can ace my upcoming test. This is clearly a hypothetical imperative, for the student is studying in order to achieve a good grade on his test – his studying is but a means to an end, a clear formulation of a hypothetical imperative. The difference between the shopkeeper above and student at hand is that the former is worthy of praise but not of esteem, a moral distinction, while the latter is not worthy of either. Hypothetical imperatives are colorful and varied, they come in all forms; they often lead to constructing specific maxims to achieve ends relating to these imperatives, which can be moral or immoral, worthy of praise or of esteem, some might even be completely vacant of all moral considerations. Hypothetical imperatives at large are a part of daily life, they are used all the time in human cognition as reasoning about desired ends – in order to lose weight I will exercise every day; in order to be promoted I will work extra hours; in order to not be hungry later I will eat now.
The Categorical Imperative is a different story altogether. Kant describes this imperative by arguing: “if the action is represented as in itself good, hence as necessary in a will in itself conforming to reason, as its principle, then it is categorical”\(^{103}\). This description is rather confusing because it is asserted in reverse; what I mean by this is that the outcome (that an action is good in itself) precedes the reason (that the will has pure-practical reason as its principle). Unlike hypothetical imperatives, which are contingently based on each person’s reasonable deductions of desired ends, the categorical imperative cannot be contingent and so does not have any personal end about it; an action willed through the categorical imperative would “be of itself objectively necessary without reference to some purpose, that is, even apart from any other end”\(^{104}\). This imperative wills things that are good regardless of the good they might bring about, it is not related to what ends might be brought about because of it; this imperative is purely reasonable, objective and is an essential part of the moral law. The categorical imperative can provide access to the moral law regardless of outcome, and as such “this imperative may be called the imperative of morality”\(^{105}\).

The difficulty yet remains, however, as to the possibility or usefulness of the categorical imperative. That is to say, even if one were to accept everything that Kant has stated thus far – that some actions deserve moral praise while others esteem, or that there is a sharp distinction between hypothetical and categorical imperatives or that the moral law is only accessed through reason and objectivity, and is tied directly to the categorical imperative. Even if one were to accept these without question, the moral law still seems inaccessible simply due to the ambiguity of the empirical world, since “it cannot be made out by means of any example, and so empirically, whether there is any such imperative at all”\(^{106}\). Kant considers this through a common maxim, that “you ought not to promise anything deceitfully”\(^{107}\) – it is possible
that one ought not lie because his credibility will be ruined and he would hardly be trusted again; it is also possible one ought not lie because the act of lying is evil \textit{in itself}, and so is against the moral law and categorical imperative. Suppose that we were to observe someone considering making a false promise and instead telling the truth, how would we ever know whether this was driven by some hypothetical imperative or by the categorical imperative? In other words, how can we ever know if ones actions, be they virtuous or not, are \textit{good in themselves} or are simply good because of their being means to other ends? This even applies to ourselves as individuals – sometimes it is difficult to tell whether we will an action because it is moral in itself or because it is prudent to do so. This is a difficulty, for “who can prove by experience the nonexistence of a cause when all experience teaches is that we do not perceive it?”\textsuperscript{108}

Kant admits to this difficult, and addresses it in two different ways. If this difficulty is that it is unclear whether the \textit{categorical imperative} applies to rational beings, whether it exists or not, then Kant has yet to discuss it – this is the purpose the third section, which aims to prove that the moral law obliges rational beings. If this difficulty is that it is impossible to know whether any rational agent has as their motivation the categorical imperative itself or some other, contingent drive, then Kant admits that, indeed, it is sometimes truly impossible to know. But note that this is not the purpose of the moral law – it is not meant to be a tool to judge each other, to assess each individual based on their motivations and rank them on a scale of most-moral to most-immoral. Rather, the categorical imperative is meant to oblige individuals internally through their reason, and to guide human motivation on an individual basis to strive to be as moral as possible.

The \textit{Categorical imperative} is phrased in a number of different ways, all meant to make it accessible to rational beings so that their reason might guide them to morality and the moral law. One such formulation has already been suggest in the first section of the \textit{Groundwork} – the
Formula of Universal Law (FUL), which states that one ought “act only in accordance with that maxim through which you can at the same time will that it become a universal law”\textsuperscript{109}. While in the first section, as aforementioned, there is not a straightforward argument of reasoning for the FUL Kant, in the second section, gives a reasonable deduction for this formulation. An important difference between hypothetical imperatives and the categorical one is that the former do not necessarily apply to rational beings until they are adopted, this is what makes them contingent on each individual’s personal goals and desires. The hypothetical imperative to stay in and study instead of going out with friends does not apply necessarily to all rational beings, only to those who desire doing well on their upcoming exams and so rationally understand that if they want to excel, they must stay in and study. For those rational beings that do not have exams at all, the hypothetical imperative does not apply to begin with. The categorical imperative, on the other hand, applies necessarily regardless of ends themselves, for it disregards what the end at hand might be. This necessity means that all maxims, regardless of any specific end, must abide by the categorical imperative if they are to be moral in any way. Another formulation of the universal imperative is, “act as if the maxim of your action were to become by your will a universal law of nature”\textsuperscript{110}; this is the Formula of Law of Nature (FLN), and behaves conceptually in a similar manner to the FUL.

Recall that these formulas of the categorical imperative are meant to reveal the moral law regardless of empirical observation, without any observable proof of their existence. Kant puts this notion to the test by utilizing the FUL and FLN to derive the properness and improprieness, morality and immorality of certain maxims through reason alone – the idea being that no person could rationally arrive at any other conclusion, and so the moral law exists a priori and commands all rational beings without necessitating any empirical proof. These formulations will be tested
through four enumerated duties “in accordance with the usual division of them into duties to ourselves and to other human beings into perfect and imperfect duties”\(^{111}\). Thus, there are duties to others and duties to oneself, examples of which Kant has already considered – a duty to not make false promises is a duty to others; a duty to seek one’s own happiness is a duty to oneself. There is also a division between *perfect* and *imperfect* duties – the former of these are duties not to will a certain act and the latter to will a certain act. The duty to not make false promises, then, is a *perfect duty to others*, and the duty to develop one’s talents is an *imperfect duty to oneself*. The four duties that will be tested under the FLN will include, then, a perfect duty to oneself and others as well as an imperfect duty to oneself and to others.

The first of these involves a *perfect duty to oneself*, i.e. it will suggest that there are certain maxims regarding the self that are never permissible under the moral law. Suppose that someone is so desperate in his life and feels such an overpowering sense of despair that he desires to take his own life but is still reasonable enough to ask himself whether such an act “would not be contrary to his duty to himself to take his own life”\(^{112}\). He constructs the maxim that “*from self-love I make it my principle to shorten my life when its longer duration threatens more troubles than it promises agreeableness*”\(^{113}\), and so the question remains whether this maxim could become a universal law of nature. Consider if every individual would adopt this maxim, such that self-love is the guiding force in all persons to destroy their life when in certain circumstances. But such a nature, “whose law it would be to destroy life itself by means of the same feeling whose destination is to impel toward the furtherance of life”\(^{114}\), would be contradictory to itself – how can the notion of *self-love* drive both the ending of life and the continuation of it? This maxim, then, is shown to be contrary
to duty purely through reasoning and utilizing the FLN, without any need for empirical data or proof. x

The second testing of the FLN involves a perfect duty to others. Suppose there is some individual who needs to borrow money, not because of some desire or wish but because of dire circumstance. This individual knows that he will not be able to repay anyone in some appropriate amount of time, and is thus conflicted and even in his desperation is reasonable to consider, “is it not forbidden and contrary to duty to help oneself out of need in such a way?”115 That way being, of course, by borrowing money with no true intent of paying it back properly. He constructs the following maxim: “when I believe myself to be in need of money I shall borrow money and promise to repay it, even though I know that this will never happen”116. This reasonable man next asks himself whether this maxim might pass the scrutiny of the FLN and function as a universal law of nature. This individual would see immediately that such a maxim “could never hold as a universal law of nature and be consistent with itself, but must necessarily contradict itself”117. In a nature in which all individuals make promises for their own benefit with no intention of staying true to their word, the very fabric of a promise would dissipate, “since no one would believe what was promised him but would laugh at all such expressions as vain pretenses”118. The very notion of a promise relies on the trust one individual has in any another to keep their word, but in a universe in which all persons will never keep their word the possibility of making promises (a fortiori false promises) is impossible. This maxim, then, is self-contradictory and is impermissible, for it is not consistent with the moral law of the FLN.

x A problem with this example that is often brought up is that it relies on the teleological assumption that self-love cannot be the drive to end ones life, but on to further it. It also relies on the assumption that there cannot be another reason for suicide, such as self-loathing or to please or hurt someone else. The example shows how the FLN functions logically, but it does not necessarily show that suicide as absolutely contrary to the moral law as Kant would like to suggest.
Consider a third individual who is in circumstances of contemplating his desire to waste away his talents, without realizing that this is an imperfect duty to the self. Some individual realizes that “by means of some cultivating [he] could make [himself] a human being useful for all sorts of purposes”\(^{119}\). This individual, unfortunately, is rather lazy and prefers to indulge himself in his inclinations and pleasures rather than put forth the effort to improve upon his already gifted natural disposition. In his inquisitive reasoning he wonders if his maxim of neglecting his natural talents is consistent not only with his own inclinations but also with duty and the moral law. Such a maxim, it is clear, can exist naturally as it is guided by inclinations but could never truly be willed, for “as a rational being [one] necessarily wills that all the capacities in him be developed, since they serve him and are given to him for all sorts of possible purposes”\(^{120}\). This example highlights an important distinction in Kant between contradictions in conception versus contradictions in willing. The examples of perfect duties above are meant to show contradictions in conception, i.e. if everyone made false promises, the very concept of a promise would cease to exist. But the example at hand shows beautifully how, even when something might not be contradictory in its concept, since there is no conceptual difficulty with the idea that every person might lazily waste their talents away, it shows a nice contradiction in willing. This is because a nature in which all persons lazily give way to their inclinations and ignore their natural talents is unreasonable when it is willed, and is thus contrary to a powerfully innate aspect of rational beings not in its concept, but in how it might be brought about or willed in the actual world.

Lastly, consider an individual who constructs a maxim that relates to an imperfect duty to others. One who is doing well in his life sees the hardships others must contend with and thinks, “what is it to me? Let each be as happy as heaven wills or as he can make himself”\(^{121}\). With this attitude this individual decides that being beneficent towards others is improper, live and let live
and no person owes any charity or kindness to another. Again we find that such a maxim is not contrary to duty, and that the human race might subsist even if every individual would espouse this attitude. Still, it is impossible to will that such a maxim be a universal law of nature, for it is simply in the nature of man that, at times, he might “need the love and sympathy of others” so that they might help him. No person would rationally will a universe in which there is no beneficence, for he would knowingly “rob himself of all hope of the assistance he wishes for himself”.

It is clear from the examples above that through two different types of contradictions, Kant constructs different notions of obligation. There are also different notions of willing, one of which has already been discussed – the sense of setting ends, some objective and some subjective. The objective ones relate to reason, and can thus correspond to duty and the moral law; subjective ones relate to inclinations and are thus contingent, and so could never be truly from duty but only sometimes in accordance with duty. But in reconsidering willing at this juncture Kant suggests that while “the subjective ground of desire is an incentive; the objective ground of volition is a motive.” These terms of incentive and motive have yet to be discussed and are quite significant, since motive suggests that there is some drive to a priori, objective principles in all persons willing maxims that are from duty. All rational beings, in a sense, are motivated to act in accordance with the moral law, for motivation guides volition, be it moral or not. Kant also suggests that “human beings and in general every rational being exists as an end in itself, not merely as a means to be used by this or that will at its discretion.” This sense of the recognition of humanity in all rational beings leads to another phrasing of the categorical imperative, which is as follows: “So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means.”
the second formulation of the categorical imperative, and is known as the *Formula of Humanity* (FH)\textsuperscript{xi}. This new FH will be tested using the same examples as the previous formulation of the categorical imperative, the FLN.

Remember that the first example is about the duty not to commit suicide, so it is a *perfect duty to oneself*. Just as in the previous case, someone who has grown tired of living but is still of sound reason ought “ask himself whether his action [of suicide] can be consistent with the idea of humanity *as an end in itself*\textsuperscript{127}. But any individual who takes his own life in order to escape a desperate circumstance, or in order to be rid of immense sadness or grief would see that “he makes us of a person *merely as a means* to maintain a tolerable condition up to the end of life”\textsuperscript{128}. The *Formula of Humanity* clearly dictates that rational agents are never to be used merely as means to ends, but suicide in itself is an act that would treat a rational agent, i.e. that very agent who is contemplating taking his own life, as but a mere means to an end. Suicide, then, is found once more to be contrary to duty, for it violates the principles of the FH.

The second example concerns the *imperfect duty to others* of not making a false promise\textsuperscript{xii}. If an individual who considers making a false promise would think about this possibility rationally, it would be evident that lying in such a manner would clearly be “[making] use of another human being *merely as a means*, without the other at the same time containing in himself the end”\textsuperscript{129}. This is because he who is lied to could never rationally agree to this course of action (for he does not know he is being lied to), and so would never be able to adopt it as his own and make it an end for himself. Thus, when one person lies to another he clearly intends to use him as a mere *means to an*

\textsuperscript{xi} Kant admits that, at this point of Section II, he did not provide any true deduction for the propositions that combine to form the *Formula of Humanity*: “here I put forward this proposition as a postulate. The grounds for it will be found in the last section [i.e. Section III]”. Kant must show in the third section, then, two things – first that we are indeed bound by the moral law itself (as has been aforementioned) and second, that all rational beings are indeed ends in themselves and must be treated as such.

\textsuperscript{xii} In the previous set of examples, those in regards to the FLN, the second example analyzed spoke more specifically about borrowing money while having no intent to repay it; this can certainly be considered a false promise, and Kant simply uses this concept in the second set of examples referring to the FH.
end, instead of respecting his rational willing as an end in itself; this is clearly in opposition to the FH, and is thus contrary to duty.

The third case regards an imperfect duty to oneself, that of furthering ones natural talents. Kant claims that the FH does not demand only that an action not conflict with humanity as an end in itself, but must harmonize with it. This makes sense when considering that imperfect duties regard actions that one ought do, while perfect duties regard actions one ought not do. This means that perfect duties are either exist in a binary – if one considers making a false promise and does not, he is acting morally, if one considers making a false promise and does, he is acting immorally; there is no middle ground in which you can tell half a false promise or maybe just a little one and remain consistent with the moral law, perfect duties just do not function that way. Imperfect duties, on the other hand, can be fulfilled in a multitude of ways that cover a large range of possibilities; so improving on one’s natural disposition, furthering one’s natural talents can be done in a number of ways and to different degrees – two individuals are naturally gifted violinists, one can take some lessons and cultivate his abilities for himself while the other works tirelessly and becomes an orchestral violinist. Both have fulfilled their duty, but there is clearly a difference between the two. In this sense imperfect duties require more than a binary of contradiction or non-contradiction – they call for a harmonization with humanity as an end in itself\(^{\text{xiii}}\). It is apparent, then, that if one considers humanity to be an end in itself he would find that “to neglect [natural talents] might admittedly be consistent with the preservation of humanity as an end in itself but not with the furtherance of this end”\(^{130}\).

\(^{\text{xiii}}\) Kant does not provide an argument himself for why it is not enough that an imperfect duty not conflict with humanity but must also harmonize with it. Rather, he simply states it as a matter of fact; the argument made for the range of fulfillment in imperfect duties is my own, and I believe is consistent with the consideration of perfect versus imperfect duties.
The last example discussed is of an imperfect duty to others – the duty of beneficence or, as it is phrased in the circumstances of the FH, the duty to contribute to the happiness of other beings. It is evident, just as it previously was, that “humanity might indeed subsist if no one contributed to the happiness of others”\textsuperscript{131} as long as no individual intentionally reduced this happiness. But this would, again, only be a “negative and not a positive agreement with humanity as an end in itself”\textsuperscript{132}. In other words, a live and let live attitude might no contrary to duty, but it would certainly not fulfilling one’s imperfect duty to further the happiness of others because while such an attitude might not conflict with humanity as an end in itself, it clearly does not truly harmonize with it.

The examples above discuss an understanding of humanity as an end in itself that cannot be found in experience, which is crucial for two reasons. First because this understanding of humanity is a sense of universality, which “applies to all rational beings as such and no experience is sufficient to determine anything about [it]”\textsuperscript{133}; in other words – while individual experiences on this earth might vary from person to person, one is born here and the other there, one is born rich and the other poor, still all these persons are universally ends in themselves, and so experience cannot serve as proof or should even be considered as such. The second reason applies to the first and plays a role in the understanding of imperfect duties: if all rational beings are ends in themselves, universally, it follows that “humanity is represented not as an end of human beings (subjectively)…but as an objective end that, whatever ends we may have [individually], ought as law to constitute the supreme limiting condition of all subjective ends”\textsuperscript{134}. All persons have hypothetical imperatives and set subjective ends they might want to achieve, but all persons ought share in the objective understanding of humanity as a whole as an end in itself and with that the understanding that every individual must be seen as an end in himself. The
objective understanding of humanity trumps the subjective desires, ends or goals that each individual might set – it is for this reason that imperfect duties carry weight through the moral law, and that the subjective ends of every person must harmonize with humanity as an end in itself.

These two principles come together to construct the final formulation of the categorical imperative – the Formula of Autonomy (FA). This third formulation follows from the initial two, and considers them as follows: first, that the “ground of all practical lawgiving lies objectively in the rule and the form of universality”\(^{135}\), as this is the very definition of a law, which the moral law clearly adheres to; second, that “the subject of all ends [each of which is subjective to individual agents] is every rational being as an end in itself”\(^{136}\), such that all individuals, when setting personal ends, also automatically must consider the end of humanity itself. What follows from these now is the third practical principle of the will [i.e. the third formulation of the categorical imperative] – “the idea of the will of every rational being as a will giving universal law”\(^{137}\). In other words, every rational being is autonomous, and must be considered and respected as such. The question yet remains, however, as to what autonomy actually is, and how ought it be treated?

Autonomy in the Kantian sense has a very specific definition, which is of utmost importance to Kantian ethics and plays a large role not just in the content of the categorical imperative, but in the most basic sense of moral obligation Kant attempts to establish (which will be discussed further once Kant reaches the third and final section of the *Groundwork*). This autonomy is the understanding of the will “not merely [as a] subject to the [moral] law but subject to it in such a way that it must be viewed as also giving the law to itself”\(^{138}\). This distinction is fascinating, since a will that only “stands under law may be bound to this law by means of some interest”\(^{139}\), so if the moral law was imposed on us from above there would have to be some personal incentive or interest for us all to abide by it. But a will that “is itself the supreme lawgiver
cannot possibly, as such, depend upon some interest. Morality is generated from within and universally binds not by imposition or force, but by some sort of internal binding sense that each individual follows not the moral law of others, but the same moral law as all other rational beings that is self-deduced and self-imposed. Every rational being understands that he is “subject only to laws given by himself but still universal” and that he is bound only to act in conformity with his own will, which is a will giving the universal law itself. This basic principle is that of autonomy, which is contrasted with all other, conditional principles, which are counted as heteronomy.

All rational beings, which will henceforth be dubbed as autonomous beings, coexist in the kingdom of ends. This simply means that all autonomous beings are part of a “systematic union of various rational beings through common laws,” and that all of them are members of this kingdom when they each, individually, give universal laws but are also subjected to these laws themselves (or, in other words, are autonomous). This kingdom of ends means that each autonomous being must “do no action on any other maxim than one such that it would be consistent with it to be a universal law, and hence act only so that the will could regard itself as at the same time giving universal law through its maxim.” This is similar in some sense to the FUL, which suggests that one ought not act upon any maxim that cannot be universalized. It is dissimilar to the FUL, however, because this statement of the kingdom of ends and with it autonomy is based not only on a logical consideration of maxims as applying to all beings, but also on an attitude towards every rational agent as autonomous and thus as an end in itself. It is the combination of the FUL and of the FH that combines to form the FA – a universalization of maxims through a respect for persons as ends in themselves.

As aforementioned, the sense of autonomy Kant discusses will, ultimately, serve as an argument for moral obligation as existing a priori, which any rational
being can find out by reasonable deduction. This is the topic of the third section of the *Groundwork*, which aims to show how the hypothetical moral content of the first and second sections of the *Groundwork* applies normatively to all autonomous beings and obligates them by the moral law. This third section ultimately suggest that a will that is truly free is also one that acts according to a universal and necessary moral law; that is not to say that freedom is the origin of this law, but simply that it has the capacity to recognize the law and act in accordance with it. This is the *reciprocity thesis* which, simply stated, is that “a free will and a will under moral laws are one and the same”\(^{144}\). This is a rather straightforward principle – one who is autonomous, meaning he is freely willing and so can set ends and pursue them, is also ipso facto obligated by the moral law; simultaneously, only he who is obligated by the moral law is truly freely willing and so can set ends and pursue them.

In the third section of the *Groundwork* Kant argues that a free will is one under the moral law, and that the moral law obligates all free beings. This can be an argument for the *reciprocity thesis* by attempting to prove that human beings are necessarily freely willing, i.e. that rational agents are autonomous. In a later work, the *Critique of Practical Reason*, Kant flips this argument on its face and argues for the *reciprocity thesis* by trying to show that the moral law necessarily obligates human beings, and that rational agents are thus freely willing. This work will proceed in that same chronological fashion, and will examine first the argument from the *Groundwork* and then that of the *Critique*.

The third section of the *Groundwork* begins by defining a distinction between two different notions of causality. The *will*, Kant suggests, “is a kind of causality of living beings insofar as they are rational, and *freedom* would be that property of such causality that it can be efficient independently of alien causes determining it”\(^{145}\). This is contrasted
by a sense of causality that is of “natural necessity [which is] the property of causality of all non-rational beings to be determined to activity by the influence of alien causes”\textsuperscript{146}. So the will itself, because it is free, can be a causal force for rational beings such that they can bring about effects by their own volition free from alien causes. Note that this understanding of freedom is negative in definition; that is to say, it suggest that rational beings are free \textit{from} being determined by alien causes, not that such beings have any freedom \textit{to} behave in a certain way or act in some manner. But from this negative definition flows a “positive concept of freedom, which is so much the richer and more fruitful”\textsuperscript{147}. Consider the very notion of causality itself – it does not function randomly, bringing about sometimes this effect and other times another; rather, causality operates in accordance with some laws and can thus bring about specific effects repeatedly. If freedom is a sort of causality of the will, it is necessary as part of its very definition that it function as a causative force; in other words, freedom cannot be lawless but “must instead be a causality in accordance with immutable laws”\textsuperscript{148} as other causal forces are. And yet, the whole notion of freedom is that it can be, in a sense, random. When one billiard ball hits another, the former stops and the latter moves; this is an obvious case of cause and effect, which is governed (in this case) by the laws of physics. But freedom suggests that rational agents can choose when to do this and when to do that, and so the laws that govern the causal force of freedom, while immutable, must also be “of a special kind; for otherwise [the concept of] a free will would be an absurdity”\textsuperscript{149}. This immutable law, which governs freedom and so causality of the will, is the moral law that was so carefully discussed in sections one and two of the \textit{Groundwork}, and means that to be a free will is to be caused by the moral law or, i.e. it is the \textit{reciprocity thesis}.

There is a wrinkle with the above consideration freedom as showing that human beings are obligated by the moral law. Even if the above is accepted as conceptually true, it is still purely on a
hypothetical basis. In order to show that the moral law truly governs all beings it is necessary at this point to show that all rational beings are, necessarily, free. In other words: “since morality serves as a law for us only as rational beings, it must also hold for all rational beings; and since it must be derived solely from the property of freedom, freedom must also be proved as a property of all rational beings”\textsuperscript{150}. Kant attempts to argue for the freedom of rational agent not just conceptually but actually using two statements. First is that “every being that cannot act otherwise than under the idea of freedom is just because of that really free in a practical respect”\textsuperscript{151} and second is that “to every rational being having a will we must necessarily lend the idea of freedom also, under which alone he acts”\textsuperscript{152}. The result of these two arguments, Kant concludes, is that seeing as the will acts under the idea of freedom, for it is a free will and governs the volitions of any rational agent freely, the will itself must be true not just in theory but in fact. In other words, “the will of [a rationally willing] being cannot be a will of his own except under the idea of freedom, and such a will must in a practical respect thus be attributed to every rational being”\textsuperscript{153}. If reason is the guide of the will such that the will is consciously free of impulse or desire or inclination, then the will acts under the idea of freedom, believing that it is free, and such a freedom is in a practical respect indicative of the moral law.

And so supposedly the above worry is corrected, for any rationally willing being would understand himself to be free – no rational being would set ends and pursue them if he did not at the same time believe he was truly free to do so. Let us assume that this is proof enough of the \textit{a priori} freedom of rational agents, how would this generate obligation? It has been stated earlier in this work that a moral theory that is suggestive of content but void of obligation is void altogether, for no matter how powerful moral content might be it carries no weight if it can be simply ignored, altered or rejected. Obligation is what makes moral content meaningful, but where in this Kantian
equation of the *reciprocity thesis* is the obligation? “That the idea of freedom makes me a member of an intelligible world and consequently,” Kant argues, “if I were only this, all my actions *would* always be in conformity with the autonomy of the will; but since at the same time I intuit myself as a member of the word of sense, they *ought* to be in conformity with it”\(^{154}\). Ought claims imply obligation, and the obligation that comes forth from this equation is one of constraint. Recall that earlier in this work it is stated that rational beings such as *holy will* or even *god* are *bound* by the moral law, but are not *obligated* by it – this distinction is crucial.

Consider a rational being that has no inclinations; such a being has no desires or wants, it does not yearn, crave or lust. Because it is purely rational, it is purely moral, and so is *bound* by the moral law but can never be *obligated* by it. It is confusing the consider the notion of obligation as something breakable, that is to say, to think that we are somehow obliged by something exactly because we can act contrary to it. But would it be commonsensical to say that the laws of physics *oblige* rational agents? Rather, the laws of physics *bind* rational beings: gravity does not give us a choice but simply pulls us towards the earth. Non-rational beings have but inclinations, when a bird is hungry, it eats; when a dog is tired, it sleeps. Such non-rational beings are neither obligated nor bound by the moral law, for they have no access to it. Human beings are caught in the middle: we are not purely rational and we are not purely emotional. Rather, we are a mix of rational considerations and emotional inclinations; what we want and what is moral are not always aligned, and it is precisely because of the capacity of reason that morality obligates all human beings through the *reciprocity thesis*.

This is a revolutionary conceptualization of moral obligation, one that utilizes the notions of human autonomy and reason in a completely different sense than they have beforehand. And yet, there is a clear problem with Kant’s argument in the third
section of the *Groundwork*, one that he addresses himself. This problem he calls “the extreme boundary of all practical philosophy”\(^{155}\), and lies in the fact that “freedom is on an *idea* of reason, the objective reality of which is in itself doubtful”\(^{156}\). On the other hand, there is a very obvious sense in which “it is just as impossible for the most subtle philosophy as for the most common human reason to argue freedom away”\(^{157}\). There is, in other words, a very deep contradiction when it comes to human freedom – on the one hand, it is impossible to show through some experience that freedom exists in a manner that is more bolstered than just an idea of the mind; on the other hand, it is nonsensical to argue that freedom simply does not exist, as rational beings clearly do possess some sort of freedom. This contradiction is a big problem, for it seems that this “contradiction must be removed in a convincing way, even though we shall never be able to comprehend how freedom is possible”\(^{158}\). So reason now has the task of deducing the undeducible, for “reason would overstep all its bounds if it took it up itself to *explain how* pure reason can be practical, which would be exactly the same task as to explain *how freedom is possible*”\(^{159}\), because even that which can be deduced *a priori* still must come about in reality through some possible experience; but freedom is an idea, and its objective reality can never be proven or shown by mere experience. This, then, “is the highest limit of moral inquiry”\(^{160}\), for the notion of freedom is vital to the categorical imperative and the obligatory force of the moral law – to ignore it would be to eschew reason as the root of morality and give way to the worst of all things, contingency and emotion; to truly prove or completely argue for it is impossible, and thus leaves reason stranded as a concept with no basis.

And so the question ought be raised: what is the purpose of arguing for freedom if it cannot be proven? And, more importantly, is the *reciprocity thesis* simply discarded, along with the failed attempts to prove human freedom? In other words, if we can never prove that human beings truly
are free, and so rational, objective or morally capable beings who can act from duty and access the moral law, does the reciprocity thesis even exist and, if so, how is it possible to argue for it? The elegance of a reciprocal argument is, simply, that it is reciprocal. Rational freedom might be impossible to prove, but that does not mean that it does not exist; rather, it simply means it cannot be fully proven. So instead of attempting to prove that human beings are free and are thus obligated by the moral law, why not argue that human beings are obligated by the moral law and are thus necessarily free?

Now suppose that the will truly is free, be it provable or not – as independent as such a free will might be it “must nevertheless be determinable”\(^\text{161}\); that is to say, “a free will must find a determining ground in the law but independently of the matter of the law”\(^\text{162}\). The matter of a law is simply that subjective aspect of maxims, what is the actual individual matter of the maxim as opposed to its general harmony with the categorical imperative, which is its form. So the maxim, if ever I am hungry but have no means by which to purchase food, I shall steal it instead has the matter of satisfying my personal hunger, this is the end that the maxim sets to achieve; the form, however, is the notion of universalization such a maxim, which will obviously come to wholly collapse on itself and thus be shown as contrary to the moral law. And so a free will must be free to set about the matter of personal maxims, as this is subjective; the form, however, is necessary and universal. It is “the lawgiving form, insofar as this is contained in the maxim, [which] is therefore the only thing that can constitute a determining ground for the will”\(^\text{163}\). But the argument above is based on the supposition that the will is, indeed, free – suppose that this premise is reject from the beginning, the argument would cease to hold water altogether. There must be a stronger argument for the obligatory force of the lawgiving form, i.e. the categorical imperative, such that it can fully show that the will is, indeed, free as part of the reciprocity thesis.
Kant faces this problem simply by asking, “how is the consciousness of that moral law possible?”\textsuperscript{164} If Kant can successfully show that this moral law truly is a faculty of human reason that obligates human willing, then indeed by the power of the \textit{reciprocity thesis} (which, itself, has not been challenged)\textsuperscript{xiv} freedom must also be an aspect of humanity. It is the necessity by which reason presents the moral law to us that we must admit that the categorical imperative places an obligatory weight, and our “experience also confirms this order of concepts in us”\textsuperscript{165}.

Consider a man who lusts after some improper desire and finds himself in the situation where “a gallows [is] erected in front of the house where he finds [the] opportunity [to satisfy his lust] and he would be hanged on it immediately after [doing so]”\textsuperscript{166}. No reasonable person would still give in to this inclination upon knowledge of certain death. And yet, if this same person were “demanded, on pain of the same immediate execution, that he give false testimony against an honorable man”\textsuperscript{167}, this same reasonable man very well might give his own life instead of give up his own dignity or sense of morality. Even though this man might be hesitant to assert whether he would give false testimony, and maybe he might even choose to act immorally and present such lies – still he knows that his reason can still consider the morality of such actions and know immediately what is virtuous in this case. This moral law is \textit{a priori} engrained in him, just as it is engrained in all rational beings who find themselves torn between wants and morality, what is satisfying and what is moral. We all, as rational and emotional beings, have the \textit{freedom} to act morally and \textit{necessarily recognize} the moral course of action; it is our \textit{freedom} itself, our reason, which obligates us to adhere to the moral law.

\textsuperscript{xiv} Note that even though \textit{freedom} is uncertain, the \textit{reciprocity thesis} is still very powerful; consider it logically – if there is a moral law that obligates rational beings to pursue moral and duty as opposed to give in to subjective inclinations, there seems to be an element of freedom (the freedom to, should we choose to, act immorally or, alternatively, to act morally). Thus it is not the principle of \textit{reciprocity} that is troublesome, but simply the sensible ability to fully prove that rational beings are \textit{free}.  

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But this sense of obligation might seem reminiscent of the Hobbesian or Humean moral obligation discussed in section one of this work. Kantian obligation seems to require just as much of an acceptance, seems to require that rational beings accede to this understanding of morality before true obligation is placed upon them. In Hobbesian theory I can choose to simply ignore god and his laws of nature, and so ignore all moral obligation. In Humean theory I can simply have different sentiments from other individuals, and so have a different obligatory sense or no moral obligation whatsoever. Why is Kantian theory any different, for it requires that rational beings assent to the obligation placed upon them if it is to have any force?

But there is a difference between constructing a theory of moral obligation that requires some sort of acceptance or reception of principles in order to obligate individuals, such as in Hobbes of Hume, versus a moral theory that affords rational beings the choice to ignore their obligation. The beauty of Kantian moral obligation is that it is, to its very core, human. Often we fall prey to our desires, our inclinations take hold of us and we choose to pursue immoral action rather than adhere to moral law. But that does not mean that we are not obligated. Choosing to ignore obligation or failing to adhere to it every so often is precisely the reason obligation exists to begin with – if there was no choice in the matter, if there was no element to human decision in morality, there would be no purpose to it whatsoever. Kantian theory shows that individuals possess the capacity to act morally, and that in order to be truly free rational beings must act in accordance with the form of the moral law. Moral obligation for human beings, then, is not about the impossibility of doing wrong altogether. Rather, it is specifically about our ability to act virtuously or viciously, we are free and rational enough to choose – but that does not mean that we are not always, unequivocally morally obligated.
SECTION III

Discussing Obligation and its Impacts
In this work I have considered three different approaches to moral obligation, and in my exploration of others’ thinking I have arrived at some thoughts of my own. In this final section I put forth these thoughts in the aim of furthering my own understanding of moral obligation and its impact on notions of law. There are two aspects of discussion in this third section; the first is *obligation itself*: how does it function? What does it mean to be *obligated* by a moral law? It is evident in the previous two sections that I am of the mind that Kantian moral obligation is stronger and more wholesome than Hobbesian or Humean thought, but does that mean that Kant’s understanding of moral obligation is satisfactory? The second aspect to be discussed in this section is of the *impact* different conceptualization of obligation might have not just on individual behavior, but on societal structure and, more specifically, on legal systems. It is often assumed that penal codes are meant to uphold a sense of fairness or justice or morality (all of these being rather amorphous ideas), but ought that be the case? Furthermore, how would different understandings of obligation *influence* how legal systems behave?

The three theories discussed previously in this work are very different from one another. They argue based on different premises, they offer varying approaches towards human behavior or attitude, and they arrive at different conclusions about moral motivation and obligation. They do share, however, a structural distinction between two joint parts of obligation, those being *ability* and *choice*. Choice comes into play in that human beings cannot be obligated to do that which they *can never choose not to do*; if rational beings did not have the capacity to act immorally, arguing that they are obligated to do so would be nonsensical for there would be no *choice* involved. It is this element of choice, the possibility of choosing whether or not to act morally, that allows for obligation to dictate that we ought do so. Ability is another aspect of obligation, that human beings cannot be obligated to do that which they *can never physically perform*; this ties into this idea of
choice – the ability to perform something along with the capacity to choose not to do it is what allows for morality’s obligatory force.

All three theories considered have an aspect of ability that leads to an element of choice – according to Hobbes it is clear that our human ability to deduce god’s laws through reason means we ought choose to escape the state of war and buy into a social contract under a sovereign. Hume suggests that the ability of human beings to perceive actions and have immediate reactions of approval or disapproval shows that we can choose to take certain emotions and perceptions as moral while discarding others\(^{xv}\). Lastly, Kant argues that it is precisely our rational ability to choose to ignore morality, even with an unyielding knowledge of it, which dictates how we must behave. All three theories begin with a sense of ability that leads into a dilemma of choice; Hobbes and Kant argue that this is indicative of an obligation to behave in one way instead of another.

But this similarity between the thinkers is in a very broad sense, and even though Hobbes and Kant share this element of choice, it behaves very differently in their individual theories (in this discussion I exclude Hume, for his theory is primarily observational and fails to place a strong sense of moral obligation on persons). Hobbesian choice is one-dimensional, it obligates rational beings to contract under a sovereign, or continue suffering in a horrid state of war. This is basically a binary choice, to contract or not to contract, to suffer or not to suffer. Kant has a much more complex element of choice, in which human beings are constantly torn between their persistent rationality, the capacity to be moral and objective, versus their sensibility that is their subjective incentives, which often lead persons astray to immoral actions. Kantian moral choosing is much

\(^{xv}\) Even though Hume’s theory provides more an observational discussion of morality than a robust theory of obligation, in that it does not make a clear argument for obligatory force, there is still certainly an sense of ability as leading to some sort of choice; there is simply no argument that human beings have an obligation to choose one way, i.e. morality, over any other.
more complex than a binary – to act morally or not to act morally, from duty or contrary to it – there is a multitude of ways in which man might act, moral or immoral, that originate in each individual’s ability to choose.

This distinction between the different notions of choice means that Hobbes and Kant arrive at very different senses of obligation. Hobbesian moral obligation stems from this aforementioned binary, which does not seem to be much of a choice at all. If one must choose between suffering and not suffering, one course of action is clearly better to the other; this is not truly a choice, but is a coerced decision. The sense of obligation that Hobbes constructs, then, must also be just as coercive – it is more a command or imposed authority than true innate obligation. This is furthered by the notion that upon willingly contracting under a sovereign individuals give up their ability to choose in favor of a controller that chooses for them what is moral and immoral or approved and disapproved of. The element of choice in Hobbes is suppressed in the name of control and authority, and this means that the sense of moral obligation is replaced with commandedness, an externally mandated obligation void of personal choice. If obligation is synonymous with authority under divine law or a sovereign power, the element of choice or internal obligation is diminished in favor of an external force, which does not seem to be very obligatory but rather more commanding than anything else. Suppose that some individual simply rejects the notion of a sovereign as ruler – the commandedness Hobbes suggests would simply cease to exist; what kind of obligation is it that can either be accepted and so forced upon individuals, or rejected and so becomes virtually irrelevant?

Kantian obligation, on the other hand, allows for the capacity to of rational choice to take over as the prevalent aspect of moral obligation. The freedom to choose moral actions over immoral ones is indicative of an active moral obligation upon all sensible rational beings. This is
an obligation that is often experienced empirically when it is disregarded; guilt, regret, or remorse over wrongdoing are all indicative of the fact that there is an internal sense of obligation upon human beings. This is starkly different from the commanding obligation that is found in Hobbes. That said, there is an interesting sense in which Kantian obligation might be softer than Hobbesian obligation; in the former the element of *choice* is constantly internal, and presents itself to rational beings time and time again. The latter, as aforementioned, is much more authoritative, as it is the relinquishing of personal choice in favor of external control, which Hobbes would term is part of the obligatory force over rational persons. What I mean by softer, then, is that Kantian obligation – while powerful in reasoning – can simply be ignored time and time again; Hobbesian obligation, once accepted, can never be ignored without drastic revolution, which Hobbes would discourage.

The above suggests that Hobbesian obligation satisfies the need for something very dominant. While it is possible to reject, it does carry with it a very controlling sense that unequivocally obligates all persons should they choose to accept it. Such a sense of obligation can be comforting, as its straightforwardness is attractive when considering theories of morality. How is moral obligation placed upon persons? Simply through the sovereign, who shall establish and uphold contracts, creating a state in which god’s laws of nature can be forever respected. But is this truly obligation? Hobbesian moral obligation suppresses all personal or individual dilemmas of morality in favor of the sovereign’s dictates. But there is a need for immorality, so that morality might shine forth in those individuals that pursue it. Kantian moral obligation is harder, for it means that the draw of immoral inclinations is always present, that often doing what is right means doing what is hardest. Is that not the sense of morality that we ought want to establish? In pursuit of virtue, it is the path of true *freedom* and *choice* that is the hardest – but that does not mean that it places the weakest sense of obligation on us. Rather, it is quite the opposite; in being able to reject
morality human beings innately possess the obligation to accept it, to challenge themselves morally and to constantly strive to better understand and actualize what is most upright.

This conceptualization of Hobbesian obligation versus Kantian obligation also has immensely powerful consequences for legal systems or the construction of law. Consider a construct of legality that takes, as its core, a Hobbesian mode of thinking about obligation to ourselves and to one another. Contracts, in this system, are not respected or upheld but enforced by the outside hand of the sovereign. That might not be so bad, considering that all contracts would then be fulfilled – which does not seem to be a detriment. But the effects of such a system, in reality, would mean that those contracts that are protected by the sovereign would be those that should never be protected to begin with. I say this because a contract between two equal parties, who understand the consequences of their agreement and trust each other enough to come into accord, requires that the parties involved have a preexisting innate respect for each other and for the contract they make. Such a contract would not need enforcement by the sovereign, since the parties, who are equal to each other and desire the fulfillment of the contract itself, would naturally enforce it. But there are those contracts that ought never be enforced and yet, under the sovereign, would still be burdened by his authority. What if one party is bullied into a contract, or if someone is falsely duped into agreement without fully understanding the consequences of its actions? These are not fictional possibilities, but are obvious consequences of a system that openly enforces all contracts regardless of the circumstances in which they were made. A Hobbesian system of obligation would generate exactly this type of attitude between persons; a lack of respect for morality means a lack of respect for the innate value of contracts or laws, and the obligation Hobbes puts forth is not based on some sense of dignity but in the imposed power of an external authority. This might mean that in effect individuals can not responsible for their immorality, that
they are not expected to respect contracts or uphold laws – as long as the sovereign plays this role for them, persons have no need to develop some understanding of virtue themselves.

These consequences carry further than contracts, though these obviously play a role in Hobbesian theory. To consider these further consequences it is necessary first to think about two things. First would be to note how laws are created, what they are driven by (or should be driven by) and why this drive could matter. Laws, in a broad sense, are reactions; legal considerations are outcomes of some powerful notions that precede them, some of these might be normative, such as an admiration of life or liberty, while others might be empirical or out of experience, such as simple zoning or construction laws. Legality is founded, thus, by two means: the first is in order to protect these normative preexisting beliefs, thoughts or mantras; the second is to bring some order to an empirical societal structure that has gone awry. Lastly, there is a question as to the aspect of equality in legality, i.e. should laws necessarily obligate citizens equally so that they might be judged equally according to the law?

Second, it is crucial to consider how obligation might impact rights. In other words – what type of legal rights would come out of a system that espouses Hobbesian obligation as its core, versus a system that would take Kantian obligation as its crux? It is possible, before this consideration is even made, to argue against it simply by suggesting that no necessary correlation between rights and obligations exists to begin with. Such an argument, however, would be rather nonsensical. Consider this argument first in terms of an obligation to oneself, such as the duty of self-preservation. How would any rational being argue that they have an obligation to preserve themselves, or that any other rational being has such a duty, without also suggesting ipso facto that these same beings have the right to choose what to do with their own lives? Consider this argument now in terms of obligations to others, such as the duty to not make false promises. How would any
rational being argue that one ought not make a false promise to another, without simultaneously respecting that there is some right to not be lied to, or that there might be a right to tell the truth? Note that it is not always obvious what right is tied to duty, but that there is always such a right. This idea of rights as being tied to obligation easily connects with the notion of choice in obligation. If there is a manner of choice to obligation there must also be a right to make such a choice – without this right no choice exists, and so no obligation. I would argue that rights are linked to obligations in such a strong sense that they are necessary conditions of each other, i.e. rights are necessary for obligations to exist, and vice versa.

Here I argue that a Hobbesian attitude towards obligation would mean that legality suffers the fate of no normative weight as it is based only on empirical bases, and that such legality would not value equality as a necessary aspect. This is because Hobbesian theory is based not in the understanding that there is an innate dignity to human life, but that each individual is so egotistical they have no desire to further anyone’s life or help anyone prosper, unless that someone might serve for their selfish benefit. This means that laws constructed in such a manner espouse these same attitudes, and are enforced by the external power of a sovereign. Consider, for example, a law that prohibits giving false testimony in a legal proceeding. There is no true way to enforce such a law, but to rely on the individual giving a testimony that they are honest enough to abide by it. But according to a Hobbesian attitude no person would give a completely honest testimony unless it played to his own benefit somehow. Hobbes’ theory of morality would not provide any grounds for a legal systems that would carry some necessity, and so would have no necessary consistency or equality before it. Judging fairly or equally would thus not be a necessary condition, but would be left to the whim of the sovereign who could choose to judge fairly one day and unfairly the next.
Rights would suffer a similar fate in a Hobbesian system. If there is no necessary obligation or consistency to laws, such that the same ruling that bound men yesterday will hold tomorrow, the same applies to rights. Consider a right to own property, for example – such a right would require an obligation to respect the ownership of someone else, for ownership cannot be a singular act. That is to say, one cannot own anything unless those around him understand that his ownership is true; one might claim ownership to whatever one would like, but this claim would be meaningless unless others respect it. This comes to light in considering if the opposite were true: what if one was to claim ownership of something he clearly could not own, such as the ocean. If all other persons agreed that some one person indeed does own the ocean, this would be his property, but one could never simply claim ownership to something without others agreeing to this claim. In a Hobbesian system, the only ownership claims that could be made are those in a contract that is upheld by a sovereign, but as discussed above those are subjective a sovereign’s whims and so hardly give true rights to anyone. If ownership exists today but ceases to exist tomorrow, what right is involved? Either a right has been violated, or there is no right at all. In a Hobbesian system the latter would be true, for the sovereign has no obligation to respect ownership and so there cannot be any true right involved to begin with.

While it is true that Hobbesian ethics do call for some absolute consistency under the right and laws of nature, and while Hobbes does assert that there is a sense in which all rational beings ought understand the golden rule, i.e. do not unto others as you would not have them do unto you, those laws are still overarching strokes as opposed to specific laws. The laws of nature do not generate rights, and the right of nature does not generate obligations; they are not the principles in discussion. The discussion regards the legal system that the sovereign would enact once in power, overseeing a social contract. At that point all the aforementioned problems with come into play, for
an absolute power such as a sovereign, guided by the same Hobbesian attitudes that guide all rational beings, would have a hard time remaining truly objective and ruling fairly in legal matters.

Kantian morality, on the other hand, is based on the appreciation of those normative aspects that can lend power to laws. A law by its strictest, Kantian definition is one that binds universally and necessarily; while the moral law is unchanging in this respect, all other laws still abide by those two standards, they are simply subject to change. A law, for example, that binds only some and not others would not be a law at all, but some rule that might be broken. This is because such a law would generate no obligation and so no rights. A legal system that would have as its core a set of Kantian ethics would govern itself by the basic principles of applicability to all agents, and would limit the power of any one ruler over any subjects. There is certainly a need for a ruling authority, Kant never argues the contrary, but that authority would be limited by the virtue of Kantian legality. If what is legal is an outcome of an attitude of universality or an appreciation for humanity as an end in itself, there is necessarily also a respect in legality for each person’s obligations and so their rights. If it were illegal to give false testimony, a Kantian system would provide one would plenty of rational, legal reasons why this ought be upheld – not just a subjective sense of, what does the sovereign command, but an objective motivation to buy into a legal system in which all beings ought behave one way instead of another.

Regarding this notion of rights, I have noticed that both philosophers argue more successfully for negative obligation than for a positive one. That is to say, both thinkers make more powerful arguments for what rational agents ought not do over what they ought do. It is clear in Hobbes that rational beings must restrain themselves, they must all refrain from doing some things, so that a social contract under a sovereign can be formed. It also seems that Kant makes more successful arguments for perfect duties, i.e. those things that we are forbidden to do, than for
imperfect ones, i.e. those things that we are ought to do. But why is that? What does this mean when considering obligation or when consider legality? Is it possible that barring citizens from doing certain things is easier or maybe even more justified than demanding these things from them? I tie this discussion to rights because the idea of negative obligation, what individuals ought not do, would suggest that laws are more justified in denying certain rights to citizens. So if not telling false testimony is a law, it would mean that no person possess the right to lie in court – which does not seem like such an absurd suggestion (especially when considering Kantian ethics, i.e. if all persons lied in court, no possible true legal procedure could ever take place). But this also means that the law would have a difficult time demanding things from citizens. So a law that obliges citizens to pay taxes would need a much stronger justification than one that disallows false testimony; this is because the latter denies a right that logically should not be had, while the former might clash with certain rights, such as a right to property or liberty.

It is possible to argue that a Hobbesian system by its very nature demands a level of compliance from citizens under the social contract. So when contracting under a sovereign, citizens give up certain rights and accept some obligations that they would otherwise not have. Taxation, in such a system, is easy to justify: buying into the social contract means accepting a responsibility to pay taxes. But this would be accepting an obligation that is, once again, not justified normatively, but rather justified by empirical means and carries little weight. It is the empirical conditions of the social contract that legally demands that citizens pay taxes, not some normative argument. This also means that there is no right involved, other than the rights that sovereign might choose to allow. In buying into the social contract citizens could be accepting a legal obligation, based only on empirical grounds, that does not afford them any associated right whatsoever. But a Kantian system would have to arrive at some normative claim for why taxation
is appropriate, and what right comes out of such an obligation. In respecting human beings as ends in themselves, no sovereign power or legal system could simply demand taxes from citizens without some reason, some normative argument and some allowance of rights that justifies this demand.

The discussion of rights, obligation and legal systems is an expansive one, and my small discussion here has barely tapped the surface of all these issues. That, however, was not my aim. My intention in this section was to show, through some analysis, how meaningful the impact of a moral system would be on a legal system. If legal systems shape our societies and interactions, how we judge those who have acted wrongfully and how we might restrict the behavior of all persons in favor of some structure or stability, there must be some powerful legitimization for them. Laws, as aforementioned, are outcomes; sometimes they are reactions to empirical perceptions, but in the cases that matter most they require some normative justification, an argument of what is moral or fair or just. It is obvious that the moral attitude a society might adopt, whatever it might be, heavily influences the legal system established and how it would be accepted or rejected. Most importantly, it means that discussions of morality are more than theoretical exercises – they directly impact societal structures and daily life; our lives are shaped by our choices and abilities, by the legal systems we are a part of and, ultimately, by our morality.
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9 Ibid, Chapter XIII, 74
10 Ibid, Chapter XIII, 75
11 Ibid, Chapter XIII, 75
12 Ibid, Chapter XIII, 75
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33 Ibid, Book 1, Part I, Section 1, 7
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50 Ibid, Book 2, Part 3, Section 3, 267
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54 Ibid, Book 3, Part 1, Section 2, 302
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