

Idea of Right Prior to Idea of Good

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Abstract—*Kant has distinguished justice from other moral principles by claiming that the rules of justice are concerned with external actions and do not depend on virtuous motives for the fulfillment. We cannot compel others to be virtuous, since the freedom of will is involved there, but we can always compel others to perform the rules of law and keep away from refraining them. This paper will focus on Kant's theory of justice and how he holds them within the moral laws that he formulates i.e., the categorical imperatives.*

The categorical imperatives mandate that the actions must be universally and equally applicable to every human being. For Kant, it is reason which is at the apex of everything and the humans are autonomous agents who must choose to be guided by rational moral principles rather than being influenced by inclinations, desires and choices. Justice is not concerned with desires, wishes and inclinations. On the other hand, justice is concerned whether we respect the freedom of others to live their lives. But Kant has kept the freedom within the moral laws which are universally accepted by the people.

Kant attempted to ground justice in the moral autonomy of the rational agents. He believes that the power of making any judgment is that any action requires a sort of reasoning, even the actions which are based on desires; inclinations and wishes require reasoning to keep it in the boundary of moral laws. The point of asserting the priority of right over the good is to make a claim concerning that the desires and interests of the moral agents can be kept into account that is they should be within the limits of the moral laws formulated. The priority of the freedom and human autonomy should be there above all and this is why Kant's idea of right is prior to Plato's idea of good.

1. INTRODUCTION

For Kant the 'right' is morally prior to the 'good'. To substantiate his position, Kant has placed freedom of will at the centre of categorical imperative of universality, end in itself and kingdom of ends. With deontological ethics, Kant tries to repudiate teleology in Plato and Aristotle on the one hand, and proposes a critic of consequentialist ethics. Kant focuses on a sharp divide between the *Metaphysics of Morals* he will portray and anthropology of morals that focuses on human nature. Kant argues that justice and law are morally required "no matter how well-disposed and law abiding men might be". [1] Kant denies the most stated fact of justice that justice is concerned with the fair distribution of benefits and burdens. Instead of following the acquainted path, Kant seeks to explain justice and law in terms of a distinct concept of

freedom as independence. A person is independent if he is capable of setting his or her purposes, while a thing is something that can be used in pursuit of purposes. One person is independent if one is able to decide the purposes the means will be used to pursue. One is dependent on someone else's choice if that person gets to decide what purposes your means will be used to pursue. The interference with another person's freedom creates a form of dependence, independence requires the fact that one person should not be subject to another person's choice. Kant's account of independence contrasts with the conception of autonomy which is prominent in the contemporary political philosophy. The Kantian independence is not the feature of individual person in isolation, but his independence is concerned with the relations between persons. Personal autonomy contrasts with dependence on dependence on circumstance. Independence, on the other hand contrasts with dependence on another person, being subject to the choice of the person. Kant articulates the innate right of humanity from two directions. First, that each person has this right to independence from others, and so also a right to equality. My right to my own person guarantees that I am free to use my powers which should be consistent with the freedom of others to do the same. The concept of innate idea also includes the right to be "beyond reproach", the right that we have our own deeds assigned to us, and to be taken as an innocent person unless we have committed any wrong deed. [1] Kant's claim is not that persons should be selfish, but only that in dealing with the other person no other person can assume that we are acting for anyone else's purposes but your own. Kant says that if someone offers us a gift we can take but we cannot force the person to give it to us when he is not ready to hand it to us. The central idea of Kant's philosophy is human autonomy. Autonomy literally means giving the law to oneself. Kant's moral philosophy is also based on the idea of human autonomy. There are principles of morality on which certain moral laws are based. The moral laws of Kant are his three categorical imperatives. These moral laws of Kant are his product of reason and his entire moral philosophy is surrounded by them. According to Kant, our reflection on our moral duties and our need for happy life leads to a thought of how an ideal world, which he calls the highest good. In theoretical philosophy we talk about how the world is and in practical philosophy we talk about how it ought to be. In theoretical philosophy, the categories and the forms of

intuition are used to experience the world and in practical philosophy we use the moral laws to construct the idea of the moral world which guides our actions and transform the natural world into the highest good. Kant's deontological moral theory is universalistic and non-purposive. It defines morality in terms of freedom and autonomy of the will, of which human reason is the source of origin. It believes that all rational beings have the same reasoning capacity to act in keeping themselves within the boundary of moral laws. Kant's philosophy has the appeal for the primacy of reason or the will over desires in determining ethical actions. Kant's moral universalism holds that the ethical principles should be universally adjusted and should be applicable to all the rational agents. It states that it is those ethical principles which determine our actions and not the purpose which we desire. Those ethical principles further become the basis of morality. The highest principle of morality according to Kant is the categorical imperative. Kant states that we as rational agents are autonomous and all our actions should be ruled by our own individual will. We hence need no external source of action which governs our actions, since as being rational agents we are capable enough to make our own decisions and further act on it. A rational being is capable enough to understand what he ought to do and what he ought not to do and he should act keeping the moral laws in mind and acting accordingly. For Kant, autonomy lies in pure practical reason from which we can form moral laws and further they come into action. The moral laws are hence the product of human reason and which gives us the capacity to judge autonomously that is freely. The psychology behind the concept of autonomy is that, Kant believes that the power of making any judgment is that any action requires a sort of reasoning, even the actions which are based on desires, feelings or any other object requires reasoning behind it to keep it in the boundary of moral laws. It should not be the case that agents perform any kind of action just because he wishes to do it, there should be a sort of reasoning behind an action. After applying reasoning to his action there will be a case that he would analyze, evaluate and hence change the pre-planned action making it a better action which will be in the boundary of the moral laws. The autonomy comes into expression when there is the unity of one's will and reason. The unit of the reason and the will forms some sort of relationship between what one knows and what one rightly ought to do. Autonomous moral agents can be said to be the moral lawgivers in one sense and moral agents in another.

The concept of freedom is found with a connection of greater moral value, which is of dual characteristics. Firstly, it consists of one's independence of his passions, desires, and inclinations. Secondly, it helps one to self-legislate. The concept of autonomy is therefore different (although the difference is very slight and hence is difficult to explain) from the concept of freedom in the sense that the concept of autonomy is the capacity of acting independently by human instincts and tendencies and the concept of freedom is to

determine the actions without restraint. Kant says that freedom as a concept of reason is *a priori* and a condition of moral law. Kant believes that freedom cannot be explained, but then comes the problem of morality. If we cannot explain what freedom is then how can we understand morality. The possible explanation of freedom has been given.

In Kant's words;

"It makes the concept of their existence in the intelligible world, i.e., freedom, its foundation. For this concept has no other meaning, and these laws are possible only in relation to the freedom of the will; but, if the will is presupposed as free, then they are necessary being practical postulates. How this consciousness of the moral laws or- what amounts to the same thing- how this consciousness of freedom is possible cannot be further explained". [3] According to Kant, freedom plays a very important role in reason based moral decision. The human will is influenced by moral law because it has freedom as an inherent virtue. The moral law expresses the autonomy of the pure reason which is the freedom. This autonomy or freedom is the conditions of all the maxims which are universally accepted and are the moral laws, the categorical imperatives. Kant is looking for self-mastery in excluding our inclinations in order to develop autonomous status. Kant talks about regulating such inclinations instead of abolishing them, he says that we can regulate our actions rationally to avoid mutual conflicts so that a better world is established. He talks about the right action since the rightness of an action can produce higher moral worth. This is why he believes in the primacy of right over good. The categorical imperatives become the guiding principles of morality, it becomes the basis for determining whether an act is moral or not. They are concerned with only general and abstract moral actions. If we do the opposite of them then we invite contradiction and it may further bring those outcomes which are not morally acceptable in the society.

When Kant affirmed freedom as the fundamental right of rational agents, we must always keep in mind that 'freedom' is consistent with his categorical imperative, i.e., right to freedom. Our right to freedom can be attributed equally to every individual, a freedom that can be exercised by every person without creating any conflict. If we protect our right to freedom it is morally justifiable, and if our right to freedom is violated then that amount nothing more than violence.

The expression of the 'priority of the right over the good' comes to mean the priority of justice over the good. As we have indicated that for Kant, it is the priority of the duty, of what must be done, over the good or happiness. Above all, it marks the priority of the question of freedom and moral autonomy over submission to the realization of a summum bonum given in advance by human nature. It continues with the two important moral concepts, beneficence and autonomy. Beneficence is doing good. Autonomy on the other hand, is allowing someone to make their own choices regardless of what the effect on them will be. According to Kant, if

beneficence and autonomy comes into conflict, then autonomy should be valued over beneficence.

In broader terms, it's an argument around two prominent moral theories, deontology and utilitarianism. Deontology centers around the idea that an action is inherently right or wrong. Utilitarianism on the other hand is opposite, it centers around the consequences of our actions. For Kant, it is the priority of the right over the good, which he means in terms of a person's duty and a person's autonomy but in respect to the moral formulated as categorical imperatives.

- [1] Kant, Immanuel, 2002. Groundwork for the Metaphysics of Morals, Wood. A (ed.), Yale University Press, US.
- [2] Kant, Immanuel, 2002. Critique of Practical Reason. Translated by Werner Pluhar, Hackett Publishing Company, U.S.A.
- [3] Kant, Immanuel, 1996, Metaphysics of Morals, Translated by Mary Gregor, Cambridge University Press.
- [4] Bird,G, 2006. A Companion to Kant, Blackwell Publishing, USA.