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## Editorial World without Virtue

The simple and classic definition of virtue is *Virtus stat in medio* (virtue stand in the middle). This Latin definition has become very popular as the *law of the middle*. Contained in it is the *wisdom of the middle*. Sometimes it is qualified as the *golden middle*. The beauty of this law-like definition is that in it there is the prudent proposal to keep away from the extremes. Virtues when taken to the extremes will lose the nature of virtue. Today when we are confronted with the multifarious extremities of all sorts this age old maxim regains its validity and compels us to take a step back to think a bit about the background of any extremism - religious, secular or political. Invariably we will then recognise the dangerous oscillation either to the extremes of the left or to those of the right without ever finding the golden middle.

Ours is a world more and more without virtues because the golden middle is out of favour. The wisdom of the middle is simply disappearing. That makes our present world both broken and tragic. The result is that in our world the cries of the needy and the least are not heard. The survival of the fittest is the norm of the day. Success at any cost is the rule of the day. In the competitive examinations, in interviews, this rule is put into practice without any regard for the disadvantaged. Ours is a world without the fleshy heart. Ours is a world of the mighty and the powerful. There is the need of a call for a fair justice.

It seems in humans there is a tendency towards two extremes: either to the too much or to the too little. That means it is very difficult to opt for the middle. The turn to the too much may lead to extravagant extremism and that is in common parlance terrorism. The turn to the too little can lead to indifference and that too is dangerous. Both are to be avoided. We need to

strike at a prudential balance of the middle. That is the obvious advice the Latin maxim *virtus stat in medio* transmits.

The ancient Greek philosophers understood the human as rational and defined him as “rational being.” That was a noble definition. It became very influential and thus got elevated to universal status. But the definition unfortunately led to the forgetting of the other side of the human reality, that is, the irrational in the human. As a result an unbridled optimism, the celebration of human rationality, took control of philosophical thinking leading to a one-sided rationalism. Human is seen as a perpetual *constructor*. Only in confrontation with the destructive power of human, especially during the first and second World Wars, philosophers began to think differently and look at human as irrational. Human is a *destructor*. Human, no doubt, is capable of doing actions that are rational and praiseworthy; but he is also capable of doing actions that are terribly irrational and malicious. There are times when he is very noble and angelic and there are times when he lowers to the level of beasts.

Ours is a noisy world. There is today so much concern about noise pollution. Microphones of yesteryears have no more any demand. In the digital world there are complex systems and devices that are computer guided to produce voice levels that in the past were unimaginable. During music festivals of our day the younger generation forget everything and enjoy it, whereas the older generation seek escape from the killing noise. The wisdom of silence is simply forgotten.

The virtue of balance makes one healthy in spirit and in body. The health of the society depends on the ability of its members to keep the intellectual, religious, moral, political and financial balance. It is simply a truism that even the best if it is available everyday will become very soon something boring. There is the saying: “Even *amrit* (nectar of immortality) if consumed in excess will become poisonous.” Light is the medium that enables our eyes to see but we know also that extreme intensity of light will make our eyes blind.

The golden middle or the wisdom of the middle is effective and advantageous. When in the middle it is easy for me to look to and listen to what are on both sides. I will then be open to accepting from both sides. It will generate attitudes of pluralism and tolerance. The result will be the emergence of a culture of dialogue. Dialogue is the style of life and extremism is the style of death.

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This issue of Jeevadarshana contains three research articles. In the first article *Justice as Fairness: A Study Based on John Rawls*, Dr. George Xavier Vettaparambil V.C, is researching into the ideas of the moral philosopher John Rawls. The study prompts him to the strong suggestion that the Rawlsian platform can be utilized to arrive at a moral solution to present day social evils. The two important principles of justice he proposed are: “*Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all*” and “*Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.*” In Rawls's theory there is an inviolable order of priority between the two principles of justice. Liberties are assigned to the first and distributed equally, while opportunities and wealth are assigned to the second. The evils of caste system, the extreme forms of inequality and the practice of untouchability, are known to be the perennial scar on the beauty of Indian culture. They maimed the richness of India's heritage and tradition, and they continue to shock any outsider who esteems India. It stands in sharp contrast to the sublime philosophy of realizing the divine in every human person. To revolt against it or to adopt certain kind of objective measures like prohibitions and compensations, as it is being followed in India, will not solve this problem. We have to find a genuine philosophical basis for our approach. Here Professor John Rawls's *A Theory of Justice as Fairness* and his notion of person as free and equal rational being may provide the required philosophical basis.

In the second article *The Freedom of Conscience: The Objective and the Subjective Orientation of Conscience in the Catholic Doctrine* Dr. Scaria Kanniyakonil researches into the possibility of harmonizing objective orientation and subjective orientation of conscience. Sometimes during the moral decision making, one may follow his/her subjective orientation of conscience rather than the objective norms of the Catholic Church. This gives rise to a collision between subjective and objective orientations of the conscience. In the article Dr. Scaria appraises the objective and the subjective orientations of conscience in the Catholic Doctrine, and makes the conclusion that faith, virtue, community ethics and just moral norms might be integrated for the execution of the freedom of conscience. This helps to merge objective and subjective orientations of the conscience. Every person is permitted to exercise his freedom to achieve what is morally good. Moral goodness is the aim of freedom.

In the third article *Anthropology from a Kantian Point of View* Dr. Shaji Kochupurayil MCBS researches into a territory of Kantian philosophy that is not so popular as Kantian metaphysics or epistemology. It is interesting to know that the king of rational thinking approaches the study of human beings from an empirical angle. Kantian anthropology exhibits a cosmopolitan scope. It is based on what is general than what is particular in human beings. Kant has so treated anthropology as to make human beings better equipped for practical life and thus to make their lives more successful and happy. In short, it is 'a theory of the practice of life'.

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The seeker visited a wise man and asked him: “Is it essential to set a purpose of life and then with all the strength, with all the heart strive for it's realisation straight without being disturbed by anything on the way or is it the journey itself that is important?” The wise man laughed gently and said: “friend, what meaning has it to go forward in life with a fixed gaze on something definite but far away and attempting to reach it through the shortest way possible? If you want to be enriched as you travel through the

field of life, keep looking to the right and left, keep looking up and down. Take time, now and then, to stand still in order to enjoy the beauty of the natural world. Follow the impulses of your heart and don't be overanxious about your steps and about the distance to be covered to reach the goal. Try simply to follow the flow of the river of life. As long as you are near to yourself, be sure, your steps will never go astray or falter. Never get lost the connectivity with your inner light that will carry you even in the darkest moments on your journey.”

The seeker went back with renewed enthusiasm and energy.

Dr. Joseph Konickal MCBS  
03-07-2018

## Justice as Fairness: A Study Based on John Rawls

Dr. George Xavier Vettaparambil V.C  
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**Abstract:** *John Rawls was arguably the most important political philosopher of the twentieth century after the Second World War. His first book, **A Theory of Justice** [TJ] (1971), revitalized the social-contract tradition, using it to articulate and defend a detailed vision of egalitarian liberalism. In **Political Liberalism** [PL] (1993), he recast the role of political philosophy, accommodating it to the effectively permanent “reasonable pluralism” of religious, philosophical, and other comprehensive doctrines or worldviews that characterize modern societies.*

*Turning away from the then-influential program of attempting to analyze the meaning of the moral concepts, he replaced it with what was—for a philosopher—a more practically oriented task: that of characterizing a general method of moral decision making. His concentration was on what sort of decision procedure can we imagine that would help us resolve disputed claims in a fair way? The basic principles that would regulate a just society should neither rest on mere intuition nor to be derived from utilitarian principles. Instead, they are to be conceived as those that free and rational persons concerned to further their own interests would choose in the initial situation. **The original position** represents a hypothetical situation in which the principles of justice are to be chosen in an initial situation of equality. Since all are equally disadvantaged in the choice of principles (behind the **veil of ignorance**), no one is able to design principles to favor his particular circumstances.*

*Thus, the principles which are chosen by the parties would be fair. According to these principles all social values – liberty and opportunity, income and wealth, and the basis of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage. Injustice, then, is simply inequalities that are not to the benefit of all. The second principle insists that each person must benefit from permissible inequalities in the basic structure.*

*Can we propose the theory of justice as fairness as a philosophical solution to the present Indian context, a conception of justice which is focused on the upliftment of the least advantaged in the society. Here we find some basic difficulties: First and foremost, the secular nature of this theory may seem to be in opposition to the religious mind of India. Again, mere humanism and reason without the dynamism of transcendence cannot provide the sufficient basis for genuine human rights. Finally, our struggle against the social evils cannot be limited within the domain of the political alone. Even then, I find this theory is a feasible one to start with and it can be integrated with the rich cultural background of India and the dreams and aspirations of the founding fathers of the Constitution of India.*

**Key Concepts:** *Original Position, Veil of Ignorance, Justice as Fairness, Well-ordered society, Basic Structure of a just society, Reflective Equilibrium*

## Introduction

Every social system is an evolution in human history. Human groups have the need to organize themselves as societies responding to the needs of time and circumstances. India, as any other society, organized itself through an evolutionary process. The caste system, for instance, was one stage of its social evolution. This system was acclaimed for the stability, harmony and prosperity that it could provide to the human

society. It was considered to be an ideal system by many, including Mahatma Gandhi.<sup>1</sup> But contrary to such positive approaches, there had been social and religious protest movements against this system. They considered it as the means of exploitation and injustice sanctioned by religion and culture. The evils of caste system, the extreme forms of inequality and the practice of untouchability, are known to be the perennial scar on the beauty of Indian culture. They maimed the richness of India's heritage and tradition, and they continue to shock any outsider who esteems India. It stands in sharp contrast to the sublime philosophy of realizing the divine in every human person. The system, which is advocated by the Hindu Sacred Texts and legitimized by the Hindu tradition, pervades the entire field of Indian social organization.<sup>2</sup> The persons to whom the lesser status is ascribed are deprived of their social and civic rights, equality in social and political standing and the human dignity which by nature rightly belongs to them.

Even the worst enemies of caste system, who condemn it as a dehumanizing and an oppressive social system, have unwillingly admitted its pervasive character involving a state of mind, in the social and political life of India.<sup>3</sup> A vast majority of upper caste population, politicians and religious leaders not only want caste not to disappear but find it impossible to envisage a social system without caste.<sup>4</sup> However, even these protagonists of caste system, who consider it as an indispensable aspect of Indian social life, now admit that the predominant evils of caste system, the extreme forms of inequality and

<sup>1</sup> "Varna is not a thing that is superimposed on Hindus but who were trustees for their welfare discovered the law for them. It is not a human invention, but an immutable law of nature." M. K. Gandhi, *The Removal of Untouchability*, (Ahmedabad: Navajivan Publishing House, 1954) 47.

<sup>2</sup> A. E. Punit, *Social Systems in Rural India*, (Delhi: Sterling Publishers, 1978) 82-83.

<sup>3</sup> S. Akinchan, *Caste Class and Politics*, (New Delhi: Gyan Publishing House, 1995) 224

<sup>4</sup> M. N. Srinivas, *Caste in Modern India* (London: Asia Publishing House, 1962) 70.

injustice and the practice of untouchability, are proving to be a stumbling block in the processes of human development and the overall development of the country. To revolt against it or to adopt certain kind of objective measures like prohibitions and compensations, as it is being followed in India, will not solve this problem. We have to find a genuine philosophical basis for our approach. Here Professor John Rawls's *A Theory of Justice* as Fairness and his notion of person as free and equal rational being may provide the required philosophical basis.

### Why John Rawls?

John Rawls (1921 – 2002) is one of the most widely read and discussed philosophers of our time. His works on social and political justice have been widely hailed as one of the most substantial contributions to moral and political philosophy after the Second World War. His main work, *A Theory of Justice*<sup>5</sup> presents a liberal, egalitarian moral conception of “justice as fairness”. The Rawlsian theory of Justice cannot be considered as a single piece of philosophical argument to be tested and accepted or rejected, but it must be considered as a complex, many layered record of at least 45 years or so of philosophical growth and development.<sup>6</sup> Jürgen Habermas comments on *A Theory of Justice*, that it marks a pivotal turning-point in the history of practical philosophy, for Rawls restored the long-suppressed moral questions to the status of serious objects of philosophical investigation.<sup>7</sup>

<sup>5</sup> John Rawls, *A Theory of Justice* (Cambridge, Mass: Harvard University Press, 1971). For our reference we are using the first paperback edition of *A Theory of Justice* (New York: Oxford University Press, 1973). Hereafter this book is cited in the notes as *TJ*.

<sup>6</sup> In the preface of his *A Theory of Justice*, Rawls says: “In presenting a theory of justice I have tried to bring together into one coherent view the ideas expressed in the papers I have written over the past dozen years or so. All of the central topics of these essays are taken up again, usually in considerably more detail . . . . I have tried to eliminate inconsistencies and to fill out and strengthen the argument at many points.” John Rawls, *TJ*, vii.

<sup>7</sup> Jürgen Habermas, “Reconciliation Through the Public Use of Reason: remarks on John Rawls's Political Liberalism,” *The Journal of Philosophy*, Vol. xvii, No. 3 (March – 1995) 109.

Rawls first published article, “Outline of a Decision Procedure of Ethics”<sup>8</sup> was an early attempt to tackle the central question of Rawls's mature theory: what sort of decision procedure can we imagine that would help us resolve disputed claims in a fair way? He starts from the assumption that “justice is the first virtue of social institutions and each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override.”<sup>9</sup> These assumptions amount to a flat rejection of any moral theory which treats individual human beings as means rather than as “autonomous moral agents”. Here his major attack was on Utilitarianism in all its variants.<sup>10</sup> According to him the just society is the one in which the rights of individuals are inviolable, not subject to the calculus of social interests. An adequate theory of justice must seek to explicate the common belief that the protection of the rights of individuals must normally be given precedence over maximization of social welfare.<sup>11</sup> The main issue here is whether we should regard certain human inequalities and their consequences as natural, and only be concerned not to impose further artificial ones, or whether we should base social policy on the assumption that all persons are equally deserving of a good life, and that their society should try to make it possible for them to have it. Rawls affirms the second position and claims that it is the basic right of each and every person in a democratic society to be treated as free and equal in their social and political life.

<sup>8</sup> John Rawls, “Outline for a Decision Procedure in Ethics,” *The Philosophical Review* 60 (1951) 177 – 197.

<sup>9</sup> John Rawls, *TJ*, 3.

<sup>10</sup> The problem with which Rawls begins is the impasse in Anglo-American ethical theory at about the beginning of the 1950s. The major ethical traditions were utilitarianism and intuitionism. According to Rawls, each of these traditions has its own strengths and weaknesses. Although philosophers have long recognized the difficulties in the way of acceptance of a utilitarian account of judgments of justice, they have often responded by seeking merely to reformulate the principle of utility. Those who reject utilitarianism in all its guises have failed to construct a workable and systematic moral conception to oppose it.

<sup>11</sup> John Rawls, *TJ*, 22.

He adopted the long forgotten social contract tradition to answer this problem. Accordingly, the principles of justice for the basic structures of society are the object of an original agreement of equality as the fundamental terms of their association. These principles are to regulate the further agreements and the kinds of social cooperation and the forms of government. Here, nobody is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Corresponding to the *State of Nature* in the traditional theories of social contract, Rawls introduces an artificial choice situation and he names it as the *Original Position*. All of the most fundamental questions about justice can be settled, according to Rawls, from the standpoint of the Original Position.<sup>12</sup>

### The Three Basic Assumptions

John Rawls builds up his theory of Justice as Fairness on three basic assumptions. To have an idea of Original position in which the fundamental questions on justice can be settled by the contracting parties, we have to know these basic assumptions. The first one is the notion of a well-ordered society, the second is the conception of the basic structures as the primary subject of justice,<sup>13</sup> and the third is the notion of person as free and equal rational being (the Rawlsian Anthropology).

#### 1. A Well-Ordered Society

The concept of a Well-Ordered Society is an important assumption in his conception of social justice. A Well-Ordered Society is defined as one that is effectively regulated by a public conception of justice. That is, it is a society in which:

<sup>12</sup> John Rawls, *TJ.*, 118.

<sup>13</sup> John Rawls, "Fairness to Goodness," *The Philosophical Review* (October – 1975) 547. In *TJ*. These features were not stated together at any one place.

1. Everyone accepts and knows that others accept the same principles (the same conception) of justice.
2. Basic social institutions and their arrangement into one scheme (the basic structure of society) satisfy, and are with reason believed by everyone to satisfy these principles.
3. The public conception of justice is founded on reasonable beliefs that have been established by generally accepted methods of inquiry.
4. A well-ordered society is stable with respect to its public conception of justice. This means that viewing the society as an ongoing concern, its members acquire, as they become adults, a sufficiently strong and effective sense of justice, one that usually overcomes the stresses and temptations of social life. Thus, the basic social institutions generate an effective and supporting sense of justice.
5. The institutions of a well-ordered society are more or less self-sufficient.
6. It is assumed also that the members of a well-ordered society are, and view themselves as, free and equal moral persons.
7. A well-ordered society is a complete and closed society. It is complete in the sense that it is self-sufficient and has a place for all the main purposes of human life. It is closed in the sense that the entry into it is only by birth and exit from it is only by death. A person has no prior identity before being in society. We are not seen as joining society at the age of reason, as we might join an association, but as being born into society where we will lead a complete life.



The description of the theory is designed to incorporate the relevant formal features of a well-ordered society enumerated above.<sup>14</sup>

## 2. The Basic Structure of the Society – the Primary Subject of Justice

The second assumption of the theory is that the basic structure of the society is the primary subject of Justice.<sup>15</sup> The Basic Structure is defined as: “the way in which the major social institutions fit together into one system, and how they assign fundamental rights and duties and shape the division of advantages that arises through social cooperation.”<sup>16</sup> A social contract, according to Rawls, is an agreement between all rather than some members of society, and it is between them as members of society (as citizens) and not as individuals who hold some particular position or role within it. Here the contracting parties also regard themselves as, free and equal moral persons. The contents of the agreement are the first principles that are to regulate the basic structure. Once we think of the parties of a social contract as free, equal and rational persons, then it is natural to take the structure as the primary subject.

In any contract the role of the basic structure is to secure just background conditions against which the actions of individuals and associations take place. Unless this structure is appropriately regulated and corrected, the

<sup>14</sup> The features which Rawls has enumerated above have a very limited application. The idea of a well-ordered society which he presupposes is a very restricted society and cannot be applied to human society as such. Though he never accepts this restriction in the phase of *A Theory of Justice* latter he acknowledges that what he says is suitable for only a modern democratic society. One of the basic failures of *A Theory of Justice*, as a moral theory is this limitation in its application.

<sup>15</sup> John Rawls, *TJ.*, 54.

<sup>16</sup> John Rawls, “The Basic Structure as Subject,” *American Philosophical Quarterly*, Vol. 14, No. 2 (April – 1977) 159. In *A Theory of Justice* he did not consider in any detail why the basic structure is to be taken as the primary subject and about it he says “I left this to be gathered from various remarks made while discussing other matters.” In the above article he gives various reasons why the basic structure is the primary subject of justice.

social process will cease to be just. Man is not a robot in which his abilities are unaffected by social circumstances. The basic structure contains significant social and economic inequalities. These inequalities have a considerable effect on the persons and they favor some over others.

The institutions are just only when they satisfy the principles that free and equal moral persons, in a situation that is fair among them, would adopt for the purpose of regulating that structure. According to these principles, **first:**

*“each person has an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for all.”*

**and second:**

*“the social and economic inequalities are permissible provided that (a) they are to the greatest expected benefit of the least advantaged and (b) attached to positions and offices open to all under conditions of fair equality of opportunity.”<sup>17</sup>*

From this we can conclude that in the mind of John Rawls the basic structure is the all-inclusive social system that determines the background justice. Any fair situation between individuals conceived as free and equal moral persons must be one that suitably evens out the contingencies within this system. Agreements reached, when people know their present place in an ongoing society, would be influenced by disparate social and natural contingencies. The principles adopted would then be selected by the historical course of events that took place within that structure. According to Rawls, once we note the distinctive role of the basic structure and abstract from the various contingencies within it

<sup>17</sup> John Rawls, *TJ.*, 62, 302.

to find an appropriate conception of justice to regulate it, something like the notion of the Original Position seems inevitable. It is a natural extension of the idea of the social contract when the basic structure is taken as the primary subject of justice.

### 3. The Rational Individual

The third assumption of this theory is the concept of a rational individual. Here what we mean is the rationality of the contracting parties in the Original Position. They are the artificial representatives of the persons in the society. Rawls presents them as rational representatives, and in choosing between the principles, each tries as best as he can to advance the interests of those whom he represents. But the parties are so restricted in this choice situation by the device of the Veil of Ignorance in the Original position, that they do not know their conception of good, that is while they know some rational plan of life, they do not know the details of this plan, the particular ends and interests which it is calculated to promote.

In this situation, they assume that they would prefer *more* (primary social goods) than *less*. It is rational for the parties to suppose that they do want a larger share in the distribution of the advantages. Because, though the parties are deprived of information about their particular ends, they have enough knowledge to rank the alternatives. They know in general that they must try to protect their liberties, widen their opportunities, and enlarge their means for promoting their aims, whatever they are. Guided by the *theory of the good* and the *general facts of moral psychology*,<sup>18</sup> their deliberations are no longer guess works. They can make a rational decision in the ordinary sense.

<sup>18</sup> John Rawls, *TJ.*, 490 – 492. Here Rawls speaks about the three laws of moral psychology based on the stages of moral development of a person. The first law speaks that: Given that family institutions are just, and that the parents love the child and manifestly express their love by caring for his good, then the child, recognizing their evident love of him, comes to love them. The second law: Given that a person's capacity for fellow feeling has been

The rational person is then offered a choice of a range of principles for the distribution of rights and duties and of the benefits and burdens of social cooperation. The person is thought to have a coherent set of preferences among the options open to him. He ranks these options according to how well they further his purposes. He follows the plan which will satisfy more of his desires rather than less, and which has the greater chance of fulfilling his desires.

Another assumption of Rawls about the rational person is that he does not suffer from envy. The persons in the original position are mutually disinterested rational beings. That is, they take no particular interest in each other's aims and purposes, whatever they might be.<sup>19</sup>

### The Theory Proper

A society is a cooperative venture for mutual advantage, but it is typically marked by a conflict as well as an identity of interests. There is identity of interests, because social cooperation makes possible a better life for all rather than any who would have to live solely by his own efforts. There is

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realized by acquiring attachments in accordance with the first law, and given that a social arrangement is just and publicly known by all to be just, then this person develops ties of friendly feeling and trust toward others in the association as they with evident intention comply with their duties and obligations, and live up to the ideals of their station in the association. The third law: Given that a person's capacity for fellow feeling has been realized by his forming attachments in accordance with the first two laws and given that a society's institutions are just and are publicly known by all to be just, then this person acquires the corresponding sense of justice as he recognizes that he and those for whom he cares are the beneficiaries of these arrangements.

Regarding the Theory of Good, Rawls follows his Kantian tradition stating that “rightness is prior to goodness.” Something is good only if it fits into ways of life consistent with the principles of right already on hand. Once we establish that an object has the properties that it is rational for someone with a rational plan of life to want, then we have shown that it is good for him. And if certain sorts of things satisfy this condition for persons generally, then these things are human goods. Accordingly liberty and opportunity, and a sense of our own worth fall into this category. John Rawls, *TJ.*, 396 - 401.

<sup>19</sup> John Rawls, *TJ.*, 143.

a conflict of interests, because people are different from each other and have different ends in view. In order to pursue their own particular ends, people prefer a larger to a lesser share in the distribution of the benefits produced by their collaboration. Here, obviously, no one can obtain everything as he wants. The mere existence of the other person prevents this. In this situation, the two possibilities open before him are, either everyone else should join with him in furthering his conception of the good, or all others are required to act justly but that he is authorized to exempt himself as he pleases. But it is clear that other persons will never agree to these forms of egoism. In this juncture Rawls asks, how is it possible to have a social agreement which is fair and just, and stands for the advantages of all the members in the contract? His answer is that principles are needed for choosing among the various social arrangements which determine this division of advantages and proper distribution of efforts. For this Rawls introduces an artificial choice situation and he names it as the *Original Position*.

### The Original Position

In *Justice as Fairness* the *Original Position of Equality* corresponds to the *State of Nature* in the traditional theories of social contract. It is a hypothetical situation or even an interpretation in or on which the two principles of justice would be chosen. Rawls assumes that the intuitive idea of justice as fairness is to think of the first principles of justice as themselves the object of an original agreement in a suitably defined initial situation.<sup>20</sup>

The Original Position is defined by Rawls in such a way that it is a statuesque in which any agreements reached are fair. It is a state of affairs in which parties are equally represented as moral persons and the outcome is not conditioned by arbitrary contingencies or the relative

<sup>20</sup> John Rawls, *TJ*, 118.

balance of social forces. Thus justice as fairness is able to use the idea of pure procedural justice from the beginning. As it is a purely hypothetical situation, nothing resembling it need ever take place, although we can by deliberately following the constraints it expresses simulate the reflections of the parties.<sup>21</sup>

In the opinion of Kenneth J. Arrow, the concept of the Original Position is not an innovation of John Rawls, but he gives a new interpretation to it. It is a hypothetical choice situation and it imagines a group of men and women, as representatives of their society, who come together to choose principles for assessing justice of the basic structures of society. If the principles are to be just, they must be chosen in a situation that itself is fair. There can be many possible interpretations of the initial situation and this is one among them.<sup>22</sup> But according to Rawls, his notion of the original position is the most philosophically favored interpretation of a hypothetical initial situation in which fundamental agreements would be fair. Rawls further claims that the original position is the appropriate initial status quo which insures that the fundamental agreements reached in it are fair.<sup>23</sup> These principles are those which rational persons, concerned to advance their interests, would accept in this position of equality to settle the basic terms of their association. And finally the two principles of justice are the solution for the problem of choice presented by the original position.

<sup>21</sup> John Rawls, *TJ*, 120.

<sup>22</sup> Kenneth J. Arrow, "Some Ordinalist – Utilitarian Notes on Rawls's Theory of Justice." *The Journal of Philosophy*, Vol. LXX, No. 9, (May – 1973) 250. According to Arrow, it should first be noted that the original-position assumption had also been put forth by the economists W. S. Vickrey and J.C Harsanyi, but they use it to supply a contractarian foundation to a form of utilitarianism. They start from the position, due to F. P. Ramsey and J. Von Neumann and O. Morgenstern, that choice under risky conditions can be described as the maximization of expected utility. In the original position, each individual may with equal probability be any member of the society. Thus, in a choosing among alternative allocations of goods, each individual in the Original Position will want to maximize this expectation, or, what is the same thing for a given population, maximize the sum of utilities.

<sup>23</sup> John Rawls, *TJ*, 17 – 21.

## The Method of Choice

As a method, Rawls adopted *the Social Theory of Reflective Equilibrium*.<sup>24</sup> According to this, a simplified situation is described in which rational individuals with certain ends, who are related to each other in certain ways, are to choose among various courses of action in view of their knowledge of the circumstances. In this process the final state of affairs is an equilibrium, one that will persist in the absence of further changes in the circumstances. It is to be noted that in general the equilibrium principle need not be a morally relevant one. The best that each can do for oneself may be a condition of lesser injustice rather than of greater good. The moral assessment of an equilibrium situation depends upon the background circumstances which determine them. The special features of the original position are aimed at this requirement.

There are many alternative conceptions of justice that are open to the parties in the original position and they have to choose one among them. Now the problem is that the parties in the original position need not select the best option due to many reasons, because the principles that would be most preferable might be overlooked in some way or other. In this choice situation, Rawls says, that the parties would select only the two principles as Rawls names them: (a) the principle of equal liberty and (b) the difference principle.<sup>25</sup>

It is true that each of the traditional conceptions of justice has its own merits and defects in particular situations, and one can give reasons for and against to any alternative conceptions one selects. But for Rawls the

<sup>24</sup> John Rawls, *TJ*, 119. Rawls took this concept of Reflective Equilibrium from Pareto. In its original sense, the equilibrium is the result of agreements freely struck between willing traders.

<sup>25</sup> John Rawls, *TJ*, 123.

principles of justice must be selected unconditionally, whatever the circumstances or state of society may be. In order to achieve this end he introduces the principles of *the Formal Constraints of the Concept of Right* and the device of *Veil of Ignorance*.

## The Formal Constraints of the Concept of Right

What principles would be chosen is the important issue in the Original Position. Rawls rules out the principles of utility on the basis that it is incompatible with the conception of social cooperation among equals of mutual advantage.<sup>26</sup> Because of the constraints imposed on the original position, the alternative concepts open to the persons and their knowledge of the particular circumstances of these alternatives are limited in various ways. Rawls achieves this end by introducing the device of *the Veil of Ignorance* and the five Constraints as the *Formal Constraints of the Concept of Right*. These eliminate all the other concepts of justice except the traditional ones. These constraints are:

1. **Generality:** the principles should be general. Because the first principles must be capable of serving the public charter of a well-ordered society in perpetuity.
2. **Universality:** the principles should be universal in their application. They must hold for everyone in virtue of their being moral persons. Each can understand those principles and use them in his or her deliberations.
3. **Publicity:** this condition arises from a contractarian standpoint. Here the parties assume that they are choosing principles for a public conception of justice. They suppose that everyone will know about these principles, all that he would know, if their acceptance were the

<sup>26</sup> John Rawls *TJ*, 122-135.

result on an agreement. This is more or less the articulation of Kant on Categorical Imperatives.

**4. Lexical Order:** there must be an ordering of conflicting claims, and this must in general be transitive. Accordingly, “a first arrangement of the basic structure is ranked more just than the second and the second more just than the third, then the first should be more just than the third.”<sup>27</sup> Further, this ordering must be based on certain relevant aspects of persons and their situation which are independent from their social position.

**5. Finality:** According to this principle, the parties must assess the system of principles as the final court of appeal in practical reasoning. There should not be any higher standard to which arguments in support of claims can be addressed.

Rawls brings together all the five conditions in the following formulation: “a conception of right is a set of principles, general in form and universal in application, that is to be publicly recognized as final court of appeal for ordering the conflicting claims of moral persons”.<sup>28</sup>

The advantage of these constraints is that by themselves these five conditions exclude none of the traditional conceptions of justice. On the other hand, they do rule out the variant principles of egoism, the utilitarian calculus of the greatest good by the suffering of some. According to Rawls, it may be expedient but not just that some should have less in order that others may prosper. But there is no injustice in the greater benefits earned by a few provided that the situation of persons less fortunate is thereby improved.

<sup>27</sup> John Rawls, *TJ*, 134.

<sup>28</sup> John Rawls, *TJ*, 135.

## The Veil of Ignorance

As we saw the aim of the Original Position is to set up a fair procedure so that any principle agreed to will be just. In order to attain the fair initial situation we have to nullify the effects of specific circumstances to their own advantage. For this Rawls puts the parties in the Original Position behind an assumed veil of ignorance. Behind this veil, the parties do not know how the various alternatives will affect their own particular case and they are obliged to evaluate principles solely on the basis of general considerations. Behind the veil of ignorance, the parties do not know certain kinds of particular facts that might make the bargaining process unfair.

1. No one knows his place in society, his class position or social status.
2. No one knows his fortune in the distribution of natural assets and abilities, his intelligence and strength and the like.
3. No one knows his conception of the good, the particulars of his rational plan of life, or even the special features of his psychology such as his aversion to risk or liability to optimism or pessimism.
4. The parties do not know the particular circumstances of their own society, i.e., they do not know its economic or political situation, or the level of civilization and culture it has been able to achieve.
5. They have no information as to which generation they belong.

Rawls holds that such particular kinds of knowledge always make it possible for persons to skew principles in their own favor. This would clearly not be fair and so there must be an adequate veil of ignorance to remove such possibilities. On the other hand the parties in the Original Position do possess certain kinds of knowledge. That is the knowledge

of the *Circumstances of Justice*.<sup>29</sup>

### The Circumstances of Justice

They are the facts about the human situation that make justice both possible and necessary. They are of two kinds: Objective and Subjective. The objective circumstances of justice are:

1. Many individuals coexist together at the same time on a definite geographical territory.
2. They are roughly similar in physical and mental powers, to the extent that no one among them can dominate the rest.
3. They are all vulnerable to attack, and having their plans blocked by the others.
4. There is condition of moderate scarcity, that is, natural and other resources are not so abundant that schemes of cooperation become superfluous, nor are conditions so harsh that fruitful ventures must inevitably breakdown.

The subjective circumstances are:

1. The individuals have different aims in life, and so make conflicting claims on the available resources.
2. While being interested only in themselves, each regards his conception of the good as worthy of recognition, and accordingly makes claims on its behalf.
3. Their knowledge is necessarily incomplete, their mental powers

<sup>29</sup> John Rawls, *TJ*, 126.

limited and their judgment liable to be distorted by various factors.

4. As a consequence, individuals not only have different plans of life but there exists a variety of philosophical and religious beliefs, and of political and social doctrines.<sup>30</sup>

### The Two Principles of Justice

In the choice of the principles in the Original Position, some conceptions will indeed be excluded. This can happen in two ways:

- 1 Some conception (which will be excluded from the principles of justice) may be in direct conflict with the principles of justice. For example, having the conceptions of good that require the repression or degradation of certain groups on, say, racial or ethnic (in the case of India caste, religion or color) on perfectionist ground.
- 2 Some other conceptions, may be admissible, but fail to gain adherents under the social conditions of a well-ordered society. For example, a particular religion and the conception of the good it defines can survive only if it controls the machinery of state and practices effective intolerance. Such religions in their fundamentalist nature will cease to exist in a well ordered society.

Thus, some conceptions will die out and others survive only barely in a well-ordered society. Here it does not mean that the original position is arbitrarily biased against these views. Naturally, in any theory, some conceptions are bound to be eliminated and others assume a minor role. Under the specific conditions which is envisaged in the Original Position with the special effects of the veil of ignorance, the parties would choose

<sup>30</sup> Rawls calls this *The Fact of Reasonable Pluralism*. His main thrust in the next stage of the theory (Political Liberalism) is based on this.

two principles of justice: first, they would be concerned to secure their equal liberty, and they would establish a principle to that effect.

Next comes the question whether they would permit any inequalities in income, wealth, power and so on. The obvious answer is no, because people, choosing principles from an initial situation of equal ignorance and not knowing what their position in society will be, might choose to ensure that goods that are always divided equally. It is reasonable too if the size of the store of goods to be distributed could never be increased. But human society is not a “Zero sum game”. It is possible to increase the quantity of goods to be distributed through the efforts of social cooperation and there is a possibility of *inequality surplus*.<sup>31</sup> Given that human society works this way and that the parties in the original position would know such general facts about society, surely they would choose the unequal incomes represented by the increased salaries. On the other hand people in the original position would not choose the utilitarian principle. Because it is unreasonable to them to choose a principle that might make them worse off than they were before. Since they are concerned to protect their own interests, they would not risk lesser income only for the benefit of others. Rawls calls the second principle as *Difference Principle* because this principle permits some inequalities in distribution, but only those inequalities that protect or improve the position of the least advantaged one. Hence the principles of justice would be:

<sup>31</sup> The possibility of an inequality surplus is a fundamental fact of economic life. For an example, suppose there is a production unit (a shoe factory) with a fixed number of workers (10), and each currently earning a fixed amount per year. If a faster pace of work were introduced for 5 workers, output of the factory would increase markedly. In order to get their greater effort of the speeded-up work we must pay each an additional sum of money instead of the regular wage. Even with this additional wages, the net income of the company increased markedly. This surplus could be divided among the other 5 ordinary workers, bringing their salaries on a higher scale of payment (not equal with the special workers). In this situation, incomes are no longer equal, but everyone is better off.

1. “Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all”.
2. “Social and economic inequalities are to be arranged so that they are both: (a) to the greatest benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.”<sup>32</sup>

As we noticed already it is essential to Rawls's theory that there is an inviolable order of priority between the two principles of justice. Liberties are assigned to the first and distributed equally, while opportunities and wealth are assigned to the second. Being arranged in lexical order they do not permit exchange between basic liberties and economic and social gains. An order of priority holds not only between the first and second principles of justice, but also between the second principle and its parts, and between the parts themselves.

These principles are primarily applied to the basic structure of society. They are to govern the assignment of rights and duties and to regulate the distribution of social and economic advantages. These principles presuppose that the social structure can be divided into two distinct parts. The first part consists of those aspects of social system that define and secure the equal liberties of citizenship. The second part consists of those that specify and establish social and economic inequalities. Rawls applies the first principle of justice to the first part and the second principle to the other part. The first principle insures the equal liberty of citizens, because the citizens of a just society must have the same basic rights. The second principle insures the proper and fair distribution of income and wealth and fair accessibility to positions and authority for the benefit of everyone.

<sup>32</sup> John Rawls, *TJ*, 83, 302 -303.

## Conclusion

As a conclusion we can say that in the Rawlsian theory the principles of justice neither rest on mere intuition nor are derived from utilitarian principles. Instead, they are to be conceived as those that free and rational persons concerned to further their own interests would choose in the initial situation. The original position represents a hypothetical situation in which the principles of justice are to be chosen in an initial situation of equality. Since all are equally disadvantaged in the choice of principles (behind the veil of ignorance), no one is able to design principles to favor his particular circumstances. Thus, the principles which are chosen by the parties would be fair. The original position thus represents a procedure for negation of the morally arbitrary advantages that some individuals might hold over others. According to these principles all social values – liberty and opportunity, income and wealth, and the basis of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage. Injustice, then, is simply inequalities that are not to the benefit of all. The second principle insists that each person must benefit from permissible inequalities in the basic structure.

To propose the theory of justice as fairness as a philosophical solution to the present Indian context, we may find some theoretical as well as some practical difficulties. Though Rawlsian notion of justice as fairness can give the necessary philosophical basis for India's secular constitution to fight against the social evils which are very deep rooted, it may not be an adequate and permanent solution because of the particular cultural background of India. First and foremost, the secular nature of this theory may seem to be in opposition to the religious mind of India. Again, mere humanism and reason without the dynamism of transcendence cannot provide the sufficient basis for genuine human rights. Finally, our struggle against the social evils cannot be limited within the domain of

the political alone. We have to state that John Rawls limits the scope of his theory within the political domain.

Even then, I find this theory is a feasible one to start with and it can be integrated with the rich cultural background of India and the dreams and aspirations of the founding fathers of the Constitution of India. In this new approach there must be three strategic moral priorities as proposed by David Hollenbach in his well known book *Claims in Conflict*.<sup>33</sup> First, the needs of the poor ought to take priority over the wants of the rich. Second, the freedom of the dominated takes priority over the liberty of the powerful. Third, the participation of the marginalized groups takes priority over the preservation of an order which excludes them. Because the oppressed people in India need, not only material things, but also self-respect and cultural expression, they too should have active part in the day-to-day political process.

As a final word, the reason for the failure of the government policies for the eradication of the social evils and the positive measures for the creation of an egalitarian society so far can be stated as follows. *Everything sounds difficult and in a sense it is very difficult if it is done for the people, instead of by the people.* Stands out in this context the importance of the moral autonomy which is proposed by John Rawls. Unless and until each and every Indian citizen understands and strives for the establishment of his own individuality and human dignity, whatever measures the Government brings out will be a failure.

<sup>33</sup> Hollenbach David, *Claims in Conflict, Rethinking and Renewing the Catholic Human Rights Tradition* (New York: Praeger, 1979).



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## The Freedom of Conscience

### The Objective and the Subjective Orientation of Conscience in the Catholic Doctrine

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**Abstract:** *Each and every one prefers freedom of conscience in their decision making process, which aims at the personality of an individual. Freedom of conscience can have various meanings in relation with the subjective and objective orientation of the person. But there exists always a tension between both of these realms of the human conscience. Both in the secular and in the religious sphere freedom of conscience is a popular debate. Sometimes during the moral decision making, one may follow his/her subjective orientation of conscience rather than the objective norms of the Catholic Church. This gives a collision between subjective and objective orientation of the conscience. This article appraises the objective and the subjective orientation of conscience in the Catholic Doctrine, and makes the conclusion that faith, virtue, community ethics and just moral norms might be integrated for the execution of the freedom of conscience. This helps to merge objective orientation and subjective ordination of the conscience.*

**Key Words:** *Conscience, Freedom, Divine Law, Objective Orientation, Subjective Orientation.*

#### Introduction

Conscience consists of a capacity, process and the moral judgement of a

person.<sup>1</sup> Capacity (*Synderesis*) is a term used by the Scholastic theologians to signify the habitual knowledge of the universal practical principles of moral action,<sup>2</sup> and obviously it is the voice of God (GS16) or the law as written in the heart of the human being where it is possible to know and to do the good. Process is understood as a series of moral actions during which decision making takes place, such as a way of seeing, reasoning, and evaluating available choices. There exist a myriad of criteria or tools, wherein he/she can hear the voice of God (faith, virtues, just laws, etc.) or may employ secular moral approaches (e.g. relativism, utilitarianism, consumerism, autonomy of the person, etc.) for the decision making process. Adhering to such criteria, the individual makes a definitive judgment (*Syneidesis*) which also forms the personality. Of course, while we make hundreds of moral decisions each and every day, what is the role of the freedom of the person in the decision making process in the conscience. In other words, should I follow only the voice of the God and the precepts of the Church (objective morality), or should I consider my emotions, experience, and prudence/discernment for the concrete judgment? Again, what is the role of freedom of conscience in difficult circumstances? Furthermore, the German theologian Joseph Fuchs crafts as "does a truth exist 'in itself' or 'in myself? Some recent sociological surveys report that many educated people make moral judgments on sexual ethics, contraception, homosexual acts, and living together by following their conscience rather than the objective norms."<sup>3</sup> So, in both the past and the present, the freedom of conscience is a topic seriously debated in psychology,

<sup>1</sup> R. M Gula, *Reason Informed by Faith* (New Jersey: Paulist Press, 1989) 132.

<sup>2</sup> Catholic Encyclopedia <http://www.newadvent.org/cathen/14384a.htm> (accessed 3-8-2017).

<sup>3</sup> M. Lawler and T. Salzman, "In Amoris Laetitia, Francis' Model of Conscience Empowers Catholics," *National Catholic Reporter*, September 7, 2016, <https://www.ncronline.org/news/theology/amoris-laetitia-francis-model-conscience-empowers-catholics> (accessed 2-8-2017).

philosophy and moral theology. This paper offers an analysis of "the freedom of conscience - the objective and the subjective orientation in the Catholic Doctrine." How can we harmonize objective orientation and subjective orientation of conscience?

## 1. The Catholic Concept of Freedom

From the secular point of view there are basically two opposite points of view on freedom. According to the normative concept of freedom, one has to carry out freedom based on universal moral norms and community ethics. On the contrary, the liberal concept emphasizes that a person is free from any and all restrictions and limitations. Despite this the Catholic Church observes that freedom is the most important indication in a human being of their being made in the divine image. Aquinas points out in the prologue of the *secunda pars* (ST I, 93.), "our freedom of choice is a reflection of the divine image." That is to say, "as created in the image of God for union with God, our freedom is designed, not for God-independent autonomy, but rather for deeper union with God by action in conformity with the ultimate exemplar of created freedom."<sup>4</sup> Freedom is also the point of the magnificent dignity of every human being (GS 17). The Instruction on *Christian Freedom and Liberation* (*Libertatis Conscientia*, 22) describes "the first and fundamental meaning of liberation which thus manifests itself is the salvific one: man is freed from the radical bondage of evil and sin. In this experience of salvation, man discovers the true meaning of his freedom, since liberation is the restoration of freedom. It is also education in freedom, that is to say, education in the right use of freedom."<sup>5</sup> Thus, the salvation

<sup>4</sup> As quoted in B. J. Shanley, "Beyond Libertarianism and Compatibilism: Thomas Aquinas on Created Freedom," in R. Velkley (ed.), *Freedom and the Human Person* (Washington DC: Catholic University of America Press, 2007) 88.

<sup>5</sup> [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19860322\\_freedom-liberation\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19860322_freedom-liberation_en.html) (accessed 23-4-2010).

is linked to the moral life of the person. Moreover, Jesus says “the truth will set you free” (Jn 8:32.). The *Libertatis Conscientia* (no 3) states, “Truth beginning with the truth about redemption, which is at the heart of the mystery of faith, is thus the root and the rule of freedom, the foundation and the measure of all liberating action.”<sup>6</sup> Truth is one of the conditions of freedom. The human being's conscience is opened to the truth and must seek the truth and exercise it (*Libertatis Conscientia* 4). Thus, the Holy Spirit directs the individual into the fullness of truth (Jn 16:13).

The Catholic Church is against individualistic, arbitrary, and uncontrolled exercise of one's own personal freedom.<sup>7</sup> Freedom is not the liberty to do anything that he/she desires. Every person is permitted to exercise his freedom to achieve what is morally good. Moral goodness is the aim of freedom. Similarly, “freedom must also be expressed as the capacity to refuse what is morally negative, in whatever guise it may be presented” (*Centesimus Annus* 17).<sup>8</sup>

One has to exercise freedom in relation to others. The Catechism of the Catholic Church (CCC - 1738) states that “freedom is exercised in relationships between human beings. Every human person, created in the image of God, has the natural right to be recognized as a free and responsible being. All owe to each other this duty of respect. The right to the exercise of freedom, especially in moral and religious matters, is an inalienable requirement of the dignity of the human person.”

Freedom is a gift from God. According to St. Maximus the Confessor,

<sup>6</sup> [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19860322\\_freedom-liberation\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19860322_freedom-liberation_en.html) (accessed 23-4-2010).

<sup>7</sup> Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Washington:USCCB Publishing, 2005) 89.

<sup>8</sup> Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, 89.

“we accept the Grace or God-given freedom as the source of power of human liberty, so that the freedom of a spiritual man reinforces that of another man in his freedom.”<sup>9</sup> Furthermore, the freedom of each human being is “shared freedom,” which means they should exercise freedom with God. *Libertatis Conscientia* (29) proposes, “it is from God and in relationship with Him that human freedom takes its meaning and consistency.” For Aquinas, human freedom is essentially relational.<sup>10</sup>

By obeying divine law inscribed in their conscience and received as an impulse of the Holy Spirit, Christians should exercise their freedom. The Ten Commandments should be understood as a blessing and not as a burden.<sup>11</sup> Divine Law is a gift to the people. Jesus asserts, “do not think that I have come to abolish the law and the prophets; I have come not to abolish but to fulfill [them]. For truly I tell you, until heaven and earth pass away, not one letter, not one stroke of a letter, will pass from the law until all is accomplished” (Matt 5:17-18, Lk 16:17).

True freedom is sharing God's love and leads to a joyful life.<sup>12</sup> For instance, Sacred Scripture presents the following: “I will walk about in freedom, for I have sought out your precepts” (Psalm 119:45). All are called to freedom: “You, my brothers, were called to be free. But do not use your freedom to indulge the sinful nature; rather, serve one another in love” (Galatians 5:13).

<sup>9</sup> Maximus the Confessor, *Mystagogia* (Athens: Apostoliki Diakoniastis Ekklesias Publishing House, 1973), p. 57 as quoted in Teofan Mada, “Moral Conscience in Eastern Patristic Theology,” *International Journal of Orthodox Theology* 5:2 (2014) 88.

<sup>10</sup> B. J. Shanley, “Beyond Libertarianism and Compatibilism: Thomas Aquinas on Created Freedom,” 88.

<sup>11</sup> I. John Hesselink, “John Calvin of the law and Christian Freedom,” *Ex Auditu* 11 (1995) 77.

<sup>12</sup> <http://www.dougbrittonbooks.com/onlinebiblestudies-godchristianityandchurch/salvation-freedomfromgodcounterfeitfreedom.php> (accessed 24-4-2010).

According to Pope Francis, “moral education has to do with cultivating freedom.... The virtuous life thus builds, strengthens and shapes freedom, lest we become slaves of dehumanizing and antisocial inclinations. For human dignity itself demands that each of us act out of conscious and free choice, as moved and drawn in a personal way from within” (*Amoris Laetitia*-AL 267). Above all, AL speaks about the wise use of freedom (274). Radcliffe comments that “true freedom is more than the freedom to decide what to do. It is to do what the Lord asks of us. Discernment seeks to liberate us from all the ways in which we can fool ourselves and pretend that what I *want* to do is the voice of God. Slowly we learn to say, like Mary, 'Behold the handmaid of the Lord.' So in this process, we need to be accompanied by people whom we can trust to free us from self-deception, from the willfulness of the human heart, and help us to keep travelling. Like the young Samuel, we need people like the high priest Eli to discern when we are listening to the Lord and when we are listening to our egocentric fantasies.”<sup>13</sup> Finally, from a Christian perspective, freedom should be exercised on the basis of faith, moral law, truth and justice (*Libertatis Conscientia* 26).

## 2 Freedom of Conscience: The Teachings of the Church and the Interpretations of the Theologians

The Catholic Church clearly explains the freedom of conscience specifically in *Gaudium et Spes* (GS), *Dignitatis Humanae* (DH), *Libertatis Conscientia*, Catechism of the Catholic Church, *Veritatis Splendor* (VS) and *Amoris Laetitia* while there are theologians who interpret it from a different point of view. *Libertatis Conscientia* (41), in connection with the issue of atheism, discusses the freedom of conscience: “This becomes more particularly obvious when the sinner thinks that he can assert his own freedom only by explicitly denying God.

<sup>13</sup> T. Radcliffe, "How Can We 'Make Room for the Consciences of the Faithful' (AL 37)?," *INTAMS Conference, KU Leuven, October 25–27, 2016*.

Dependence of the creature upon the Creator, and the dependence of the moral conscience upon the divine law, are regarded by him as an intolerable slavery.” Further, CCC (1782) describes that “man has the right to act in conscience and in freedom so as personally to make moral decisions. He must not be forced to act contrary to his conscience. Nor must he be prevented from acting according to his conscience, especially in religious matters.” In addition, VS (60) states that objective truth is an obligatory norm for judgments of conscience and reads as follows: “the judgment of conscience also has an imperative character: man must act in accordance with it. If man acts against this judgment or, in a case where he lacks certainty about the rightness and goodness of a determined act, still performs that act, he stands condemned by his own conscience, the proximate norm of personal morality.” This implies that a Christian may execute the freedom of conscience by depending upon divine law or objective truth.

There are differences in the presentation of freedom of conscience in GS and VS. J. Selling makes a curious contrast between GS 17 and VS 35. According to GS (17), “for its part, authentic freedom is an exceptional sign of the divine image within man. For God has willed that man remain 'under the control of his own decisions,' so that he can seek his Creator spontaneously, and come freely to utter and blissful perfection through loyalty to Him. Hence man's dignity demands that he act according to a knowing and free choice that is personally motivated and prompted from within, not under blind internal impulse nor by mere external pressure.” Looking at VS (35), it states, “in the Book of Genesis we read: 'The Lord God commanded the man, saying, You may eat freely of every tree of the garden; but of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall die' (Gen 2: 16-17). With this imagery, revelation teaches that *the power to decide what is good and what is evil does not belong to man, but to God alone*” (emphasis in the

original).<sup>14</sup> T. LoPresti proposes a proper answer for the distinction in GS and VS and says that “the two passages reflect well the tenor of the times in which they were written. If you're looking for a reconciling interpretation, I would say that VS asserts that it is God who decides what is good or evil on an objective level, whereas GS teaches that it is left to human beings to freely choose (or not) the good that God has previously ordained. At least that's how I would try to fit them together.”<sup>15</sup>

Vatican II obviously discusses the freedom of conscience (GS 16-17). Council Fathers based their understanding of conscience on Sacred Scripture and tradition, and the view of Augustine, Thomas Aquinas and John Henry Newman. Additionally, the Council took into account the ideas of modernity, namely the dignity of the person and the role of individual critical reason.<sup>16</sup> According to M. Linter, “the concept of 'dignity' is clearly mentioned in GS 16, when the authors speak of 'dignity' of the moral conscience and that obedience to 'the law, which was written by God in his heart' corresponds to human 'dignity.’”<sup>17</sup> The dignity of the human person is the principal element of the right of religious freedom as well as freedom of conscience, which involves the right of autonomy. In the opinion of Linter, “even though this term is not used here, the concept of autonomy is included without any doubt, i.e. the right to act according to one's best conscience and knowledge, in freedom and search for the truth.”<sup>18</sup>

GS 16 elucidates a remarkable distinction between objective morality (law) and subjective morality (freedom of the person). According to

<sup>14</sup> Moral theology discussion group <MORALTH@ls.kuleuven.be>(accessed 15-7-2017).

<sup>15</sup> Moral theology discussion group <MORALTH@ls.kuleuven.be> (accessed 15-7-2017).

<sup>16</sup> M. Linter, "Dignity of the Human Person and Primacy of Conscience," *Colloquia Theologica* 20 (2015) 1.

<sup>17</sup> Ibid.,3.

<sup>18</sup> Ibid.,3-4.

Martin Linter, “on the one hand, (objective) 'law' is not given to a person by himself, but is given to him from elsewhere in the way that he finds the law in himself. A person is not the origin of the law, but it can be known and must be obeyed. On the other hand, the subjective goodness of the moral agent is measured by how someone is concerned about the search for truth and the moral principles. The doctrine of the erroneous conscience, that does not lose its dignity if one, mistakenly and insurmountably, considers what is morally wrong to be true, makes clear that these two levels are not one and the same thing, or that none of them can be reduced to the other.”<sup>19</sup> Post-conciliar theological and ethical discussions state that “a moral agent is oriented to what is morally right as well as with good reasons, i.e. with morally good motivation and with right intentions, due to his personal knowledge and conviction that what he is going to do is morally good.”<sup>20</sup> In the ideal case, there would be a match between the objective level and the subjective level. However, there can be cases in which we can see a break between the two levels due to an invincible error of conscience.<sup>21</sup> Thus GS 16 points out, “conscience frequently errs from invincible ignorance without losing its dignity. The same cannot be said for a man who cares but little for truth and goodness, or for a conscience which by degrees grows practically sightless as a result of habitual sin.”

The concept of conscience in GS 16 is further quoted in AL 222. Pope Francis, in AL, claims that “individual conscience needs to be better incorporated into the church's praxis in certain situations which do not objectively embody our understanding of marriage” (AL 303).<sup>22</sup> In

<sup>19</sup> Ibid., 4-5.

<sup>20</sup> Ibid., 5.

<sup>21</sup> Ibid., 5.

<sup>22</sup> J. F. Keenan, "Receiving Amoris Laetitia," *Theological Studies* 2017, Vol. 78(1) 193–212, 195.

addition, Pope Francis observes that “individual conscience needs to be better incorporated into the Church's praxis in certain situations which do not objectively embody our understanding of marriage... Yet conscience can do more than recognize that a given situation does not correspond objectively to the overall demands of the Gospel. It can also recognize with sincerity and honesty what for now is the most generous response which can be given to God, and come to see with a certain moral security that it is what God himself is asking amid the concrete complexity of one's limits, while yet not fully the objective ideal” (AL 303). Therefore conscience includes both the objective and subjective dimensions. It discerns and interprets its understanding of objective truth and exercises that understanding in the subjective judgment of conscience.”<sup>23</sup>

C. Curran, in his article in *Asian Horizons* remarks that freedom of conscience appears foremost in AL on the question of pastoral care of divorced and remarried Catholics. According to Curran, Pope Francis here alludes to what has been called gradualism or the law of gradualness.”<sup>24</sup> There is no reference in Pre-Vatican II moral theology on it. We read, in the writings of B. Häring in 1970, he makes a difference between the task of moral teaching and the task of pastoral counselling. He asserts that “on the level of moral teaching, one is dealing with the objective moral reality itself. The level of pastoral counselling deals with the person in the existential situation in which the person finds oneself. The concern of pastoral counselling must always be the conscience of the person [freedom of conscience] and not just abstract rules [objective morality]. In some situations, because of psychological or sociological circumstances, the person is incapable of doing what is objectively morally true. One cannot demand of the person that he or she has to do

<sup>23</sup> M. Lawler and T. Salzman, “In Amoris Laetitia, Francis' Model of Conscience Empowers Catholics,” *National Catholic Reporter*, September 7, 2016.

<sup>24</sup> C. E. Curran, “Amoris Laetitia and Conscience,” *Asian Horizons* 10/ 4 (2016) 693-706, 700.

what is morally impossible to do in these circumstances.”<sup>25</sup> Here we have to understand, according to Häring, that the law of growth invites people to attempt for holiness and practice the “fullness of the Christian life.” On the contrary it is noticed that the law of growth can be put in “those who are unable to realize concretely the objective moral good in a particular situation.”<sup>26</sup>

T. Radcliffe OP, former Master of the Dominican Order, fellow of Blackfriars Hall, the University of Oxford, in the opening address at INTAMS (KU Leuven, Belgium) conference speaks about “Making Room for the Conscience of the faithful” in AL. In the opinion of Radcliffe, St Ignatius of Loyola's “understanding of discernment is central to Pope Francis' understanding of conscience in *Amoris Laetitia*.” Pope Francis says it is about a journey into freedom. AL “edges us more deeply into this ambiguous area (divorced and remarried Catholics), in which freedom has been partially exercised. Many people do not wish to deny the validity of the first marriage. It would seem to wipe out so much that was so good, and maybe the presence of love over many years. It looks like a rejection of the children of the union to say that their parents had never been married. But looking back, one can see elements of immaturity, of unfreedom, which mean that sustaining the relationship was somehow beyond the couple. Surely this is where conscience might come into play.”<sup>27</sup>

There are two types of Catholic understanding of freedom of conscience. First, we have to respect the conscience of each and every person. This

<sup>25</sup> B. Häring, “A Theological Evaluation,” in John T. Noonan ed., *The Morality of Abortion: Ethical and Historical Perspectives* (Cambridge, MA: Harvard University Press, 1970) 139-42 as quoted in C. E. Curran, “Amoris Laetitia and Conscience,” *Asian Horizons* 10/4 (2016) 693-706, 700.

<sup>26</sup> Ibid.

<sup>27</sup> T. Radcliffe, “How Can We 'Make Room for the Consciences of the Faithful' (AL 37)?,” *INTAMS Conference, KU Leuven, October 25–27, 2016*. 7.



means respect for the freedom of many traditions, namely religious freedom. In other words, we have to respect Jewish conscience, Protestant conscience, Christian conscience etc. UN and *Dignitatis Humanae* discuss it. Secondly, according to Christian tradition, we have the responsibility to respect the conscience and the obligation to follow ones conscience.<sup>28</sup> Thus *Dignitatis Humanae* (3) notices, “in all his activity a man is bound to follow his conscience in order that he may come to God, the end and purpose of life.”

There is tension between two levels of conscience, namely, objective orientation and subjective orientation in the documents, specifically clear in GS and DH.<sup>29</sup> Moreover, how can we make the relationship between the objective and subjective dimension of conscience, in other words how can we combine objectively right and the right of the freedom of conscience?<sup>30</sup> Firstly, conscience can be seen only from the point of objective dimension. Conscience as objective orientation means, it can see that “divine law is inscribed in the life of the earthly city” (GS 43). DH (3) states that we have to answer all the issues by acknowledging “the imperatives of the divine law through the mediation of conscience.” In other words all decisions are being guided by “objective norms of morality” (GS 16) and analyzing by “the sacred and certain doctrine of the Church” (DH 14). According to G. Grisez, “in morals a faithful Catholic never will permit his or her own opinions, any seemingly cogent

<sup>28</sup> Regarding the importance of moral autonomy in the development of contemporary theological ethics see J. Keenan, *A History of Catholic Moral Theology in the Twentieth Century*, 178–183; J. Keenan, “Redeeming Conscience,” *Theological Studies* 76/1 (2015) 129-147; J. F. Keenan, “Reading 'Amoris Laetitia' in the New Light of Easter:” <https://cruxnow.com/vatican/2017/04/21/reading-amoris-laetitia-new-light-easter/> (accessed 6-8-2017).

<sup>29</sup> M. Lawler and T. A. Salzman, “*Gaudium et Spes* and *Dignitatis Humanae* on Conscience: a Forgotten Concept of Vatican II?,” *Louvain Studies* 40 (2017) 153-169, 156.

<sup>30</sup> M. Linter, “Dignity of the Human Person and Primacy of Conscience,” *Colloquia Theologica* 20 (2015) 5-6.

deliverances of experience, even supposedly scientific arguments, or the contradictory belief of the whole world outside the faith to override the Church's clear and firm teaching.”<sup>31</sup> Conscience is to follow Church teaching. *Familiaris Consortio* (FC) and *Veritatis Splendor* take the same method. These document do not mention anything about individual conscience with regard to sexuality and marriage.<sup>32</sup>

Lawler and Salzman explain that “objectivity is consigned to the objective norm "in itself," "external" to conscience. These objective norms exist outside the subjective conscience.”<sup>33</sup> Further they explain that the role of conscience is to understand and bring these principles into concrete situation. In this method, the freedom of conscience is assigned to obedience to external objective rules or authority. Again, the dignity of conscience is determined if someone's judgment of conscience synchronizes or does not synchronize with the objective principles. If it agrees with objective principles, the act is morally right. If it does not agree with objective principles, the act is immoral.<sup>34</sup>

Secondly, conscience has both the objective and subjective dimension. This means that, conscience has, for Fuchs, both subject and object orientation.<sup>35</sup> Subject-orientation of conscience contains an “inner knowledge of the moral goodness of the Christian, and as standing before God, and Christ, and in the Holy Spirit.” Even though both dimensions of conscience are salient, according to Fuchs, the subject-orientation

<sup>31</sup> G. Grisez, “The Way of the Lord Jesus,” in *Christian Moral Principles* Vol. 1 (Chicago IL: Franciscan Herald Press, 1983) 567.

<sup>32</sup> M. Lawler and T. A. Salzman, “*Gaudium et Spes* and *Dignitatis Humanae* on Conscience: a Forgotten Concept of Vatican II?,” 161.

<sup>33</sup> M. Lawler and T. Salzman, “In *Amoris Laetitia*, Francis' Model of Conscience Empowers Catholics,” *National Catholic Reporter*, September 7, 2016.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

goes before the object-orientation.<sup>36</sup> GS (16) says that “God's voice echoes in the depths of the human heart.” The commentary of Joseph Ratzinger on GS 16 observes that in an urgent situation even against the binding claim of the ecclesiastical authority, one can follow one's own conscience. “Conscience confronts [the individual] with a supreme and ultimate tribunal, and one which in the last resort is beyond the claim of external social groups, even of the official church.”<sup>37</sup> Further, DH (3) points out that conscience is “the highest norm of human life,” where one gets moral knowledge for all issues. In this perspective, B.Häring says that “God's call to all women and men and each person's response of a moral life, conscience must be free and inviolable, and 'the church must affirm the freedom of conscience itself.' Church doctrine is at the service of women and men in their sincere conscience search for goodness, truth and Christian wholeness; conscience is not at the service of doctrine.”<sup>38</sup>

This view is adequately promoted in AL. Cardinal Christoph Schönborn of Vienna, authoritative interpreter of AL, says that “moral theology stands on two feet: Principles, and then the prudential steps to apply them to reality.”<sup>39</sup> Pope Francis uses the term 'discernment' in AL instead of using the phrase the virtue of application of prudence. According to Francis, “the question of discernment is the key question for the right handling of right relation between principles and concrete application.” Cardinal Schönborn comments that “conscience came often to be seen merely as 'the transposition of the Church's teaching into acts' but in fact

<sup>36</sup> Ibid.

<sup>37</sup> Joseph Ratzinger, "The Dignity of the Human Person," in Herbert Vorgrimler ed., *Commentary on the Documents of Vatican II*, vol. 5, (New York: Herder, 1969) 134.

<sup>38</sup> M. Lawler and T. Salzman, “In Amoris Laetitia, Francis' Model of Conscience Empowers Catholics,” *National Catholic Reporter*, September 7, 2016.

<sup>39</sup> Austen Ivereigh, "Cardinal Schönborn: Moral Theology Needs both Principles and Prudence:" <https://cruxnow.com/commentary/2017/07/15/cardinal-schonborn-moral-theology-needs-principles-prudence/> (accessed 6-8-2017).

'the work of conscience is to discover that God's law is not a foreign law imposed on me but the discovery that God's will for me is what is best for me. But this must be an interior discovery.’<sup>40</sup> For Pope Francis (AL37), Church is asked “to form consciences, not to replace them.” In *Evangelii Gaudium* (64), he says that “realities are more important than ideas.” Pope Francis further cautions about “lest ideas become detached from realities ... objectives more ideal than real ... ethical systems bereft of kindness, intellectual discourse bereft of wisdom” (*Evangelii Gaudium*, 231). This does not mean that Pope Francis is proposing or suggesting adoption of relativism or radical concepts of autonomy in forming one's conscience. Pope Francis in a June 2013 statement asserts that “So we also [like Jesus] must learn to listen more to our conscience. Be careful, however: this does not mean we ought to follow our ego, do whatever interests us, whatever suits us, whatever pleases us. That is not conscience. Conscience is the interior space in which we can listen to and hear the truth, the good, and the voice of God. It is the inner place of our relationship with him, who speaks to our heart and helps us to discern, to understand the path we ought to take, and once the decision is made, to move forward, to remain faithful.” However, in the opinion of Lawler and Salzman, this type of conscience allows individuals (e.g. a couple in irregular context - AL 303) to pursue his/her sacred conscience on serious moral issues which adequately considers the freedom of conscience.<sup>41</sup>

An adequate concept of freedom of conscience includes a myriad of things. According to Linter, it must not be misinterpreted as “'individualistic liberalism' or 'liberalistic individualism', insofar as free will is not arbitrary, but seeks for the good and remains tied back to what a person recognizes as morally right. Freedom of conscience does not

<sup>40</sup> Ibid.

<sup>41</sup> M. Lawler and T. Salzman, “In Amoris Laetitia, Francis' Model of Conscience Empowers Catholics,” *National Catholic Reporter*, September 7, 2016.

mean freedom or independence from moral obligations, which would rather mean a 'cancellation of conscience'... Further, moral autonomy does not mean that the moral agent is independent from any other person, but he is and always will be integrated in relationships with other persons and, in an ethical community that is 'searching for truth, and for the genuine solution to the numerous problems which arise in the life of individuals from social relationships'" (GS 16).<sup>42</sup> We have to remember that the moral subject is not the right author who makes "what is morally good and right" (VS 36).<sup>43</sup> From the theological point of view, God is the final cause of a person's autonomy. Böckle explains that "it is a simple matter of course for theological ethics that the ultimate basis of man's moral obligation is found in God's radical claim imposed on man. But everything depends on the way we understand this divine claim."<sup>44</sup> According to Demmer, "autonomy must be conceived of as [rational] or [theonomous] autonomy. Moreover, autonomy and theonomy, rather than excluding each other, stand in a relation of reciprocity in which one conditions the other".<sup>45</sup>

## Conclusion

This paper substantiates the different dimensions of freedom of conscience. The Catholic Church highlights that the human being has to exercise freedom by following the Divine Law inscribed in his/her conscience. This is also very clear with regard to the concept of freedom

<sup>42</sup> M. Linter, "Dignity of the Human Person and Primacy of Conscience," *Colloquia Theologica* 20 (2015) 9-10.

<sup>43</sup> Ibid.10.

<sup>44</sup> As quoted in J. Keenan, *A History of Catholic Moral Theology in the Twentieth Century* (New York: Bloomsbury Publishing, 2010) 182; M. Linter, "Dignity of the Human Person and Primacy of Conscience," 10.

<sup>45</sup> K. Demmer, *Shaping the Moral Life: An Approach to Moral Theology* (Washington D.C. 2000), 6 as quoted in J. Keenan, *A History of Catholic Moral Theology in the Twentieth Century*, p. 183.

of conscience, namely the objective moral order has to be followed. The objective dimension of conscience is obviously expressed in all the documents, specifically in FC, VS and CCC. However, along with the objective dimension of conscience, the subjective dimension of conscience is adequately pointed out in GS, DH and AL. This highlights both continuity and development in the understanding of the freedom of conscience in the Catholic documents which analyze both the objective order and subjective perspective (freedom) in the judgment of conscience. If one does not properly understand the subjective dimension of conscience, this may create confusion and give way to relativism in the decision making process of conscience. Above all, from a personal point of view, faith, virtue, community ethics and just moral norms might be integrated for the execution of the freedom of conscience. By this way one can merge objective orientation and subjective orientation of the conscience.

## Anthropology from a Kantian Point of View

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**Abstract:** *The author exposes that the study of human beings (anthropology) in Kant has unique features and goals that distinguish it from the rest of his writings and the anthropological studies of other philosophers. It reveals more of Kant's human traits than his formidable intellectual caliber of the epistemological and metaphysical writings. The nature of human beings is so complex that any study on the human beings should take note of their complex nature. The Kantian approach to the study of human beings is more empirical than rational. It is neither physiological nor psychological, but pragmatic and practical. It is neither limited to practical philosophy nor a strict empirical science. It is cosmopolitan in its scope. It is based on what is general than what is particular in human beings. Kant has so treated anthropology as to make human beings better equipped for practical life and thus to make their lives more successful and happy. In short, it is 'a theory of the practice of life'.*

**Key Terms:** *Anthropology, human nature, practical philosophy, scholastic, pragmatic, oughtness and is-ness, human action, reason, vocation of human beings, freedom, consciousness, indeterminate, self-knowledge, human psychology, human behavior, categorical imperative, moral law, moral duties, self-legislation, moral determination, cosmopolitan.*

### Introduction

Anthropology, for Kant, is “a systematic doctrine containing our

knowledge of man.”<sup>1</sup> Kant tries to give a systematic account of human beings in his major work on anthropology, *Anthropology from a Pragmatic Point of View (APV)*. His *Lectures on Anthropology* offers us further ample materials for a vivid study on the nature of his treatment of anthropology. Moreover, the nature of human beings is a topic of concern in his illustrious ethical works *Grounding for the Metaphysics of Morals (GM)*, *Critique of Practical Reason (CPrR)* and *Metaphysics of Morals (MM)*. In this article my attempt is to expose Kant's concept of 'anthropology' or to give a general survey of the nature of the study of human beings in Kant. Such an attempt seems to face two types of complexities. The first one pertains to the very nature of the subject discussed, namely the complex nature of human beings, and the second one to the nature of presentation of such a complex subject in Kant. The first complexity is beyond the scope of this article. My purpose here is, instead, to look at Kant's treatment of the nature of human beings, exposing further his anthropology also as empirical part of practical philosophy.

### 1. Kant's Encounter with the Study of Human Beings

Kant's critical mind found the anthropological studies up to his time as undeveloped and unsatisfactory in many respects. Kant's desire to lecture on anthropology<sup>2</sup> was partially due to his dissatisfaction with the approaches that his predecessors adopted to the study of human beings.<sup>3</sup> For example, he was not happy with the physiological approach to the

<sup>1</sup> Kant, *Anthropology from a Pragmatic Point of View*, Ak 7: 119, Southern Illinois University Press, Illinois, 1996, p. 3.

<sup>2</sup> Kant offered anthropology course in the Prussian University of Königsberg from 1772 to 1796, the year of his retirement.

<sup>3</sup> In Kant's time, the study of human nature was often treated as 'empirical psychology'. In the early years, Kant used Baumgarten's text of 'empirical psychology' for his anthropology lectures. Cfr. Allen W. Wood, *Kant's Ethical Thought*, Cambridge University Press, Cambridge, 1999, p. 197.

subject taken by his contemporary Ernst Platner. Kant criticized Platner's "futile inquiries as to the manner in which bodily organs are connected with thought."<sup>4</sup> The scope of anthropology, for Kant, is not to investigate how "bodily organs are connected with thoughts", but to offer "many occasions and challenges to the reading public to study each particular characteristic"<sup>5</sup> in order to make them better equipped for practical life. For Kant, the method of Platner goes with a scholastic anthropology.<sup>6</sup> In contrast to the physiological method of Platner, Kant prefers to propose a pragmatic method to the study of human beings, which is very much empirical, but is not limited to the physiological aspects.<sup>7</sup> His project of anthropology has to do more with empirical observations from human life and has practical tips for every day human action, than with the human body-mind relation or the relation of bodily organs among themselves. His *APV* is a work whose content depends mostly on empirical investigations. For him, the particular constitution of human beings is a topic of empirical study, which, at the same time, does not negate its relation to rational aspects.

Kant's modification of the traditional definition of human being as *animal rationale* to *animal rationabile*, "an animal endowed with capability of reason"<sup>8</sup> rather than "a being that necessarily or even typically exercises this capacity successfully",<sup>9</sup> also reflects his dissatisfaction with the traditional essentialistic approach to the study of

<sup>4</sup> Kant, *Brief 79*, Ak10: 145, trans. by Allen W. Wood, *Kant's Ethical Thought*, p. 197.

<sup>5</sup> Kant, *APV*, Ak 7: 121-122, p. 6.

<sup>6</sup> Cfr. Kant, *Vorlesungen über Anthropologie: Die Vorlesung des Wintersemesters 1781/1782, Menschenkunde*, Ak 25: 856. See also Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, Oxford University Press, Oxford, 2000, p. 199; Allen W. Wood, *Kant's Ethical Thought*, p. 204.

<sup>7</sup> Cfr. Kant, *APV*, Ak 7: 119, p. 3. See also Allen W. Wood, *Kant's Ethical Thought*, p. 203.

<sup>8</sup> Cfr. Kant, *APV*, Ak 7: 321, p. 238. See also Allen W. Wood, *Kant's Ethical Thought*, p. 199.

<sup>9</sup> Allen W. Wood, *Kant's Ethical Thought*, p. 199.

human beings. It does not, however, mean that in the traditional conception, a human being necessarily and successfully exercises his/her reason. Kant seems to highlight here the distinct vocation of human beings as rational free beings. He writes: “Among the living inhabitants of the earth, man is markedly different from all other creatures.”<sup>10</sup> The freedom of human beings distinguishes them from all other creatures on earth. Kant strongly holds that human beings are free. His anthropology, which is more of empirical in nature, also seems to “assume from the start that human beings are free.”<sup>11</sup> Freedom provides human beings with the possibility of fixing their goals and to arrange their plan of action accordingly. The freedom of human beings makes the study of human nature complex and demanding.

The unsatisfactory and undeveloped status of the anthropological studies of his time did provoke Kant to ask the question “what is human being?”. Kant finds that human beings are 'the only possible variant of the rational nature' on earth, and so there is no possibility of making a comparative study with another variant to know the specific and unique nature of human beings as rational empirical beings.<sup>12</sup> He writes:

It seems that the problem of giving an account of the character of the human species is quite insoluble, because the problem could only be solved by comparing two species of rational being on the basis of experience, but experience has not offered us a comparison between two species of rational beings.<sup>13</sup>

<sup>10</sup> Kant, *APV*, Ak7: 322, pp. 238-239.

<sup>11</sup> Allen W. Wood, *Kant's Ethical Thought*, p. 206. Freedom is a key concept in Kant's anthropology. Kant must have held a position that human being is free to make assumptions on himself and on others with whom he is in contact with. His anthropology lectures which exhort people the practical ways of a rational human life, always upheld the freedom of human beings.

<sup>12</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, p. 198.

<sup>13</sup> Kant, *APV*, Ak 7: 321, p. 238.

Kant doesn't overestimate the possibility of a holistic and systematic answer to every question concerning human beings and their nature. To Kant, the anthropological studies of his time appeared to be 'in a relatively early and unsatisfactory state' in comparison to a status that they might someday hold.<sup>14</sup> He writes in 1755:

It is not even known at all to us what the human being now is, although consciousness and the senses ought to instruct us in this; how much less will we be able to guess what one day he ought to become. Nevertheless, the human soul's desire for knowledge snaps very desirously at this object, which lies so far from it, and strives, in such obscure knowledge, to shed some light.<sup>15</sup>

The nature of human being in this world is so indeterminate that what he *was* is not today and what he *is* cannot be tomorrow and so what he *will* be could not be also preconceived. The 'indeterminate mode of life' makes the study of human beings all the more difficult and demanding. The above passage, while it states the ardent human desire for self-knowledge, expresses also Kant's worries about the very possibility of human self-knowledge in general and the study of human beings as a scientific discipline in particular.<sup>16</sup> Nevertheless, his concern for an ever demanding study of human beings is clearly expressed in this passage.

<sup>14</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, p. 196.

<sup>15</sup> Kant, *Allgemeine Naturgeschichte und Theorie des Himmel*, Ak 1: 366, trans. by Allen W. Wood, *Kant's Ethical Thought*, p. 196.

<sup>16</sup> Kant's anthropological works and lectures, for example *APV* (1798), show his confidence in the possibility of a serious study of human beings, though the nature of human beings would remain a mystery in many respects. In spite of the marvellous scientific and other technological developments of our time, any study of human beings needs to admit certain mysterious nature of human beings.

Another complex factor, for Kant, in the study of human beings is the human psychology. Kant's anthropology affirms 'a complex individual psychology'.<sup>17</sup> Kant says, "The human being has from nature a propensity to dissemble."<sup>18</sup> Human being by his very nature refuses to express himself as he really is. He shows the tendency to hide the real feelings and intentions, often by pretending to have different ones. The study of human nature is made difficult also from the fact that one cannot study as one really is. Kant says that if a man is aware that someone notices him, he can become embarrassed and will therefore be unable to behave as he really is. And if he wants to observe himself, then he should consciously assume a different state than that which he actually wanted to observe. To observe an emotional state by oneself 'when the impelling forces are at rest' does not bring the exact result.<sup>19</sup> Thus the study of human nature is more complex than what it at first glance appears to be.

One may try to reach conclusions on human nature basing on some regularities of human behavior.<sup>20</sup> But the regularities in human behavior do not make the work easier. Kant is aware of the regularities in human behavior due to habits. "Conditions of time and place, when lasting, result in habits, which, it is said, constitute second nature, which makes man's judgment of himself more difficult."<sup>21</sup> The habits play a significant role 'to conceal and disguise' one's true nature.<sup>22</sup> Many habits are very often ambiguous as to determine their exact nature. Different circumstances may produce different habits. Conclusions based on

<sup>17</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, p. 200.

<sup>18</sup> Kant, *Vorlesungen über Anthropologie: Die Vorlesung des Wintersemesters 1781/1782, Menschenkunde*, Ak 25: 1197, trans. by Allen W. Wood, *Kant's Ethical Thought*, p. 200.

<sup>19</sup> Cfr. Kant, *APV*, Ak 7: 121, p. 5.

<sup>20</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, pp. 199-201.

<sup>21</sup> Kant, *APV*, Ak 7: 121, p. 5.

<sup>22</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, pp. 199-201.

habits cannot take us to 'a person's underlying principles of action'. It only shows how human beings behave in familiar situations. What is important is to watch how the person with a particular habit behaves in varying situations.<sup>23</sup> The human beings may respond differently in various circumstances. His response can be different in another similar situation. He can also show certain regularities in different occasions. So the studies based on regularities or habits do not necessarily justify the generalizations arrived on human nature.<sup>24</sup>

In short, Kant encounters the study on the very nature of human beings as very complex and therefore invites us to pay great attention when we make any judgment on them. The complex nature of human beings and the 'improper' treatment of it by the philosophers up to his time led Kant to develop anthropology as separate academic discipline.

## 2. The Nature of Kant's Anthropology

Kant's anthropology has not been well paid attention to for many years that followed his life. Of the various reasons, I point out some of the significant ones. First of all, those who were attuned to Kant's metaphysical, idealist thought might not have expected a type of anthropology that would speak more of the empirical human nature. The second reason, a reason that confronts all who would like to work on his anthropology, may be its 'neither here nor there' status. Robert B. Loudon writes:

Perhaps the most exasperating issue confronting anyone who sets out to write about Kant's anthropology is its awkward "neither here nor there" status. How can something that professes to be an empirical

<sup>23</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, p. 200.

<sup>24</sup> The behaviour of the human beings as empirical beings shows that the empirical aspects of the human being are subjective and contingent and are not consistently relevant and reliable in different situations.

science also claim to be *moral* anthropology – normatively as opposed to merely descriptively “moral”?<sup>25</sup>

Kant's anthropology cannot be considered either as a strict empirical science or as moral philosophy. One finds it difficult to place Kant's anthropology on any one sure platform, overlooking the other, because his anthropology has both empirical and rational aspects. A third reason could directly be attributed to Kant himself, who considered anthropology as a secondary and light subject of human thought in comparison to other intellectual disciplines, such as physics or mathematics. In the opening sections of *Lectures on Anthropology* prepared by *Mrongovius* Kant remarks that “a solid knowledge of the human being interests everyone and gives food for conversation, even for women.”<sup>26</sup> Such comments may lead one to be skeptic of the status of Kant's anthropology as a serious philosophical discipline. However, Kant places the question on human being at the center of all philosophical discussions. In his *Lectures on Logic*, after asking four questions, “*What can I know? (Metaphysics), What should I do? (Moral), What may I hope? (Religion), What is human being? (Anthropology)*”, he says that the first three questions can be referred to the fourth one.<sup>27</sup> Even the fundamental questions of metaphysics, ethics, and religion could all be reckoned to anthropology, since they all relate to

<sup>25</sup> Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 71.

<sup>26</sup> Kant, *Vorlesungen über Anthropologie: Die Vorlesung des Wintersemesters 1784/1785*, *Mrongovius*, Ak 25: 1213, trans. by Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 200.

<sup>27</sup> „Im Grund könnte man aber alles dieses zur Anthropologie rechnen, weil sich die drei ersten Fragen auf die letzte beziehen.“ Kant, *Vorlesungen über Logik*, Ak 9: 25. Kant does not seem to consider the first three questions as topics that concern the empirical nature of the human being, because they are more of metaphysical reflections and the study of human beings, for him, is more empirical than metaphysical. One may, however, understand Kant's question 'what is the human being?' (*Anthropology*) here in a non-technical sense. In a wider sense, the philosophical disciplines intend to provide, at least indirectly, some knowledge of human beings.

the question of 'what is the human being?'<sup>28</sup>

Kant has not left aside the importance of developing a new concept of anthropology on the basis of the empirical nature of human beings. It is an investigation neither of the human behavior nor of the characteristics of any particular group of human beings found in a particular time and place, nor is this anthropology just content with the study of the differences among the human beings.<sup>29</sup> It is a serious and systematic empirical study on what is common to human beings in general. Kant emphasizes that anthropology must be “cosmopolitan in its scope. It must be a universal knowledge involving acquaintance with and reflection on the entire species.”<sup>30</sup> Such a study would be complex since human beings possess a variety of features.

Kant's anthropology involves “the oriented sort of knowledge of human nature that people gain through acting and interacting with others, rather than the theoretical knowledge of a mere observer.”<sup>31</sup> As different from Platner's approach, for Kant, anthropology consists not so much in knowing a world but in having a world.<sup>32</sup> “The first”, Kant says, “implies only the understanding of the game which he has witnessed, whereas the

<sup>28</sup> Cfr. Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 199.

<sup>29</sup> The subject matter of Kant's anthropology is the nature of the constitution of human being which is neither about any particular group of human beings (for example, people of Europe, of 18<sup>th</sup> century, of middle aged, of educated, of males, etc.) nor about what is particular to all human beings (for example, language, colour, culture, etc.). The subject matter of anthropology is *the nature of human beings* in general. Cfr. Allen W. Wood, *Kant's Ethical Thought*, p. 205.

<sup>30</sup> Allen W. Wood, *Kant's Ethical Thought*, p. 204. Cfr. Kant, *APV*, Ak 7: 120-121, pp. 4-5

<sup>31</sup> Allen W. Wood, *Kant's Ethical Thought*, p. 204. Cfr. Kant, *APV*, Ak 7: 120, p. 4.

<sup>32</sup> For Platner, anthropology consists in knowing a world, or a theoretical knowledge of the world (*die Welt kennen*), whereas, for Kant, it is knowledge of the world (*Weltkenntnis*), which consists in having a world (*Welt haben*). Cfr. Allen W. Wood, *Kant's Ethical Thought*, pp. 204, 386. See also Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, pp. 62, 199.



second implies the actual participation in it.”<sup>33</sup> His anthropology is not just a theoretical knowledge of an observer who tries to understand the play, of which he has been a spectator, but of the one who participates in it.<sup>34</sup> Thus the anthropology becomes an organized body of knowledge about human beings that one gains 'through interaction with one's fellowmen'.<sup>35</sup> One who is engaged in anthropological studies cannot overlook his relationship with all others. He participates freely in the projects that enable the growth and development of human beings.

Kantian anthropology provides us not only with a picture of the characteristics of human beings in general but with the historical and social aspects of our human nature. Kant takes a pragmatic approach to the study of human beings and tries to look at human being's existence on earth from all possible corners. He tries to integrate insights from the empirical analysis of the biological, cultural and intellectual dimensions of human life. Together with all other human progress, his anthropology “aims at putting acquired knowledge and skill to use in the world.”<sup>36</sup> Thus his anthropology claims to include 'everything that pertains to the practical'. Kant claims that his anthropological discourses try,

... to disclose the sources of all sciences, of ethics, of skill, of human relations, of the method of educating and governing human beings, and therefore of everything that pertains to the practical. I seek then more phenomena and their laws rather than the first grounds of the possibility of modifying of human nature in general.<sup>37</sup>

<sup>33</sup> Kant, *APV*, Ak 7: 120, p. 4. Kant's human being in anthropological works and lectures seems to be interested in establishing relationship with others.

<sup>34</sup> Cfr. Kant, *APV*, Ak 7: 120, p. 4. See also Allen W. Wood, *Kant's Ethical Thought*, p. 204.

<sup>35</sup> Kant, *APV*, Ak 7: 120, p. 4.

<sup>36</sup> Kant, *APV*, Ak 7: 119, p. 3.

In his anthropological discourses Kant is not interested mostly in a transcendental treatment of the subject. Even if he says that the questions of metaphysics, morality and religion can be referred to the question of anthropology, he did not make his treatment of anthropology a metaphysical or transcendental reflection on the nature of human beings. What we come across with is an empirical approach to the study of human beings. And Kant has intended his anthropology lectures for a popular audience, with the purpose of promoting 'enlightenment for common life'.<sup>38</sup> These comparatively lighter instructions do not mean that Kant was not serious on the topics discussed in anthropology or he was less interested in the empirical life of human beings. Kant considers his anthropology as a science, 'systematically designed' and not a 'fragmentary grouping', and proposed it to be counted as a proper academic discipline.<sup>39</sup> His anthropological instructions show evidences of his ardent interest in enlightening his listeners to take seriously the world and human nature so that “they might live pragmatically and morally better lives.”<sup>40</sup> He was trying to construct a 'theory of the practice of life', one that would introduce his readers and students “to the stage of his destiny, namely the world.”<sup>41</sup> Kant's aim was to learn more about the

<sup>37</sup> Kant, *Brief 79*, Ak10: 138, trans. by Robert B. Louden, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 62.

<sup>38</sup> Cfr. Robert B. Louden, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 64.

<sup>39</sup> Cfr. Kant, *APV*, Ak 7: 120, pp. 4-5. See also Robert B. Louden, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 66. The nature of Kant's anthropology as a science is a topic of serious discussion. Louden considers Kant's anthropology as an empirical science. But he also mentions the difficulty of such an answer for the social scientists who often assume a narrower conception of 'empirical science' and for philosophers who approach Kant's works with a transcendental agenda in mind. I don't limit Kant's anthropology just to an empirical science. For example, Kant's treatment of human freedom and ends in his study of human beings hinders anyone from confining his anthropology to empirical realm.

<sup>40</sup> Robert B. Louden, *Kant's Impure Ethics: From Rational Beings to Human Beings*, pp. 65, 71. Cfr. Kant, *Vorlesungen über Anthropologie, Die Vorlesung des Wintersemesters 1775/1776*, *Friedlander*, Ak 25: 469.

human beings and the world they live in, “in order to determine what particular aids and obstacles to the realization of *a priori* moral principles exist within the natural life situation of this particular species of rational being”.<sup>42</sup> The students of Kant's anthropology seek to understand the world so that they may make it 'more beneficial to human community'. Generally speaking, Kant's anthropology is, as Frederick P. Van De Pitte says, “the study of what human being is and has been, in order that he may more efficiently direct his energies toward fulfilling his potential in the future.”<sup>43</sup> Such a study seeks to involve those aspects of human life which are more practical than theoretical, empirical than rational and concrete than abstract.

### 3. Anthropology as Practical Philosophy

Kant's anthropology can be considered, though cannot be reduced, as the empirical part of his practical philosophy. Kant's anthropology insofar as it stands under the legislation of reason and upholds the freedom of human beings has implications for human action and so becomes a part of the practical philosophy. His anthropology does not also deny the moral law as the law of human beings as rational beings. The reader may find in Kant's anthropology certain common features that explicate the empirical part of his practical philosophy. His anthropology, insofar as it helps the human beings to have a better moral life, has implications for his practical philosophy. For example, his discussions in *APV* 'On the Feeling of Pleasure and Displeasure', 'The Faculty of Desire', 'The Anthropological Characterization', etc., are useful tools for understanding his practical philosophy. Thus Kant's anthropology has a bearing on his practical philosophy.<sup>44</sup> On the other hand, his practical philosophy, insofar as it

<sup>41</sup> Ibid., p. 65.

<sup>42</sup> Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 71.

<sup>43</sup> Cfr. Frederick P. Van De Pitte, in his “Introduction” to Victor Lyle Dowdell's translation of Kant's *APV*, p. xxi.

contains the *rules* for action of human beings and has concern for the empirical nature of human beings, is related to his anthropology. Kant cannot completely isolate the human beings' empirical nature from the rational nature in his practical philosophy. The empirical aspect of the human being is necessary to make sense of pure practical philosophy. The *categorical imperative* is the moral principle for those rational beings that are affected by sensual impulses. Thus Kant's practical philosophy and anthropology are interdependent and closely related.

Kant's anthropology is more empirical than rational in its treatment of the human nature. However it is not confined to the empirical part of practical philosophy. It has wider aspects to handle with. In his anthropological writings and lectures, Kant does not even state the moral law or the categorical imperative because in anthropology his interest is different from that of pure practical philosophy. To our surprise, Kant even seems to be fully quiet about the empirical part of practical philosophy in his anthropology lectures.<sup>45</sup> The anthropology lectures are not viewed from the point of view of moral philosophy, though they have implications for each other. As Reinhard Brandt, the author of *Kritischer Kommentar der Kantischen Anthropologie in pragmatischer Hinsicht*, says, Kant's anthropology offers a “‘norm-free observation' of human beings in terms of their real, yet hidden motives.”<sup>46</sup> It is the 'oughtness' that is the subject matter of pure practical philosophy. On the other hand, the chief concern of anthropology is not the 'ought-ness' (*Pflicht*) of the

<sup>44</sup> The knowledge of the human being in Kant's anthropology lectures and writings helps to apply the moral principles under specific conditions and to particular situations. This article may shed some lights on how and in what respects his anthropology lectures and writings are significant for the empirical part of his practical philosophy.

<sup>45</sup> Cfr. Robert B. Loudon, *Kant's Impure Ethics: From Rational Beings to Human Beings*, p. 72.

<sup>46</sup> Reinhard Brandt, “The Guiding Idea of Kant's Anthropology and the Vocation of Human Being,” translated by Patrick Kain and Jaimey Fischer, in Brian Jacobs and Patrick Kain, eds., *Essays on Kant's Anthropology*, Cambridge University Press, Cambridge, 2003, p. 86.

human beings but their 'is-ness'. The 'is-ness' tells what a thing is and what it is not. Experience can provide us knowledge only about what is and not what should be. It can never tell us what the moral duties are.<sup>47</sup> For Kant, the empirical pertains to the contingent and subjective experience of human beings; whereas, the pure reason is self-legislative and objective. Kant strongly believes that human beings as rational beings have the self-legislative capacity to determine the moral law without any dependence on the empirical factors. His whole attention in his pure practical philosophy is on the sole capacity of reason to offer objective and sure moral law of action. Therefore he insists on the need to be freed from all empirical principles in moral determination. There is no sure concept of any empirical principle on which the morality can be based. The pure practical reason stands independent of experience in its moral determination and provides the empirical rational agent with necessary laws of action. Thus the field of moral principles is different from the field of their application.

For Kant, the empirical approach to anthropology makes it a discipline different also from that of a strict 'philosophical' anthropology.<sup>48</sup> For him, philosophy, in the strict sense, appears to be a rational and non-empirical enterprise, while anthropology is empirical. Reinhard Brandt says, "Pragmatic anthropology, although it is conceived systematically and as a science, is not a philosophical system - it neither belongs to philosophy in the strict sense, nor is it articulated as a system based upon an idea of reason."<sup>49</sup> Kant's anthropological accounts guard the human subject from being locked into mere pure rational perspective. Rather

<sup>47</sup> Cfr. Kant, *Vorlesungen über Moralphilosophie*, 1793, Vigilantius, Ak 27: 488, edited and translated by Peter Heath, *Lectures on Ethics*, Cambridge University Press, New York, 2001, p. 258.

<sup>48</sup> Cfr. Brian Jacobs and Patrick Kain, "Introduction", in Brian Jacobs and Patrick Kain, eds., *Essays on Kant's Anthropology*, p. 3.

than 'a merely theoretical account of human affairs', they are intended to provide practical knowledge of human existence, relations, etc., and to equip the human beings to conduct life successfully by insisting on the *worthiness* and aiming to realize the dignity of their rational nature.<sup>50</sup>

## Conclusion

Kantian anthropology is interested in the study of human nature and not in the description of human beings. Kant says that his anthropology "is not a description of human beings but of human nature."<sup>51</sup> The study of human beings reveals more of Kant's human traits than his formidable intellectual caliber of the epistemological and metaphysical writings. It is an empirical understanding of the human nature. It tries to understand the human nature through the methods and theories of a different kind. However, Kant does not overlook the fact that the empirical human being is at the same time a rational being. His anthropology, as distinct from his theoretical and metaphysical writings, has the goal of making human beings happy and efficient in their life. Kant is interested in understanding the whole vocation of the human beings, i.e., human beings in relation to their whole nature, the whole of life and that makes it distinct from the only concern of the pure moral philosophy, i.e., the freedom of the empirical rational agent for self-legislation. Human beings should fulfill their vocation assigned to them in creation. To this purpose, they should be able to learn what must be in order to be a human

<sup>49</sup> Reinhard Brandt, "The Guiding Idea of Kant's Anthropology and the Vocation of Human Being," translated by Patrick Kain and Jaimey Fischer, in Brian Jacobs and Patrick Kain, eds., *Essays on Kant's Anthropology*, p. 85.

<sup>50</sup> Cfr. Brian Jacobs and Patrick Kain, "Introduction", in Brian Jacobs and Patrick Kain, eds., *Essays on Kant's Anthropology*, p. 3.

<sup>51</sup> "Es ist also die Anthropologie nicht eine Beschreibung vom Menschen, sondern von der Natur des Menschen." Kant, *Vorlesungen über Anthropologie, Die Vorlesung des Wintersemesters 1775/1776, Friedländer*, Ak 25: 471.

being.<sup>52</sup> This is sought to be achieved through “a combination of pure *a priori* principles and an enormously amount of carefully considered empirical data”.<sup>53</sup> Through his anthropology, he is trying to disclose the method of educating and governing human beings.<sup>54</sup> It is neither just psychology nor physiological. It is cosmopolitan<sup>55</sup> and touches all persons everywhere. Kant's conception of human beings stands in relation to all, and lives in a world in which each person assumes his own position.

From the exposition of the general survey of Kant's study of human beings, it follows that of all, the very nature of human beings is complex. The complex nature of the human beings, in the eyes of Kant, is not properly treated by the philosophers up to his time, which challenged Kant to develop anthropology as separate academic discipline. Kant's study of human beings is also complex as it has references to the actuality, possibilities and obligations of human beings. At the same time it offers a philosophically organized study of human beings and their place in creation. Kant analyzes the essential aspects of human life and its proper destiny, and indicates how the human being must work toward its fulfillment. In this sense, Kant's study of human beings can be considered as an attempt to find an answer to the question of how the human being should live as a responsible rational and empirical being.

<sup>52</sup> Cfr. Kant, Ak 20: 45. See also Frederick P. Van De Pitte, *op.cit.*, p. xix.

<sup>53</sup> Cfr. Frederick P. Van De Pitte, *op.cit.*, p. xxi.

<sup>54</sup> Cfr. Kant, *Brief 79*, Ak10: 138.

<sup>55</sup> Cfr. Allen W. Wood, *Kant's Ethical Thought*, p. 204.

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