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Introduction to the metaphysics of morals

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I.[e] ON THE IDEA OF AND THE NECESSITY FOR A METAPHYSICS OF MORALS

It has been shown elsewhere that for natural science, which has to do with objects of outer sense, one must have a priori principles and that it is
6:215 possible, indeed necessary, to prefix a system of these principles, called a metaphysical science of nature, to natural science applied to particular experiences, that is, to physics. Such principles must be derived from a priori grounds if they are to hold as universal in the strict sense. But physics (at least when it is a question of keeping its propositions free from error) can accept many principles as universal on the evidence of experience. So Newton assumed on the basis of experience the principle of the equality of action and reaction in the action of bodies upon one another, yet extended it to all material nature. Chemists go still further and base their most universal laws of the combination and separation of substances[f] by their own forces entirely on experience, and yet so trust to the universality and necessity of those laws that they have no fear of discovering an error in experiments made with them.

But it is different with moral laws. They hold as laws only insofar as they can be *seen* to have an a priori basis and to be necessary. Indeed, concepts and judgments about ourselves and our deeds and omissions signify nothing moral if what they contain can be learned merely from experience. And should anyone let himself be led astray into making something from that source into a moral principle, he would run the risk of the grossest and most pernicious errors.

If the doctrine of morals were merely the doctrine of happiness it would be absurd to seek a priori principles for it. For however plausible it may sound to say that reason, even before experience, could see the means for achieving a lasting enjoyment of the true joys of life, yet every-

[e] The following section was number II in AK. See above, Translator's Note to the text of *The Metaphysics of Morals.*
[f] *Materien*

thing that is taught a priori on this subject is either tautological or assumed without any basis. Only experience can teach what brings us joy. Only the natural drives for food, sex, rest, and movement, and (as our natural predispositions develop) for honor, for enlarging our cognition and so forth, can tell each of us, and each only in his particular way, in what he will *find* those joys; and, in the same way, only experience can teach him the means by which to *seek* them. All apparently a priori reasoning about this comes down to nothing but experience raised by induction 6:216
to generality, a generality (*secundum principia generalis, non universalis*) still so tenuous that everyone must be allowed countless exceptions in order to adapt his choice[g] of a way of life to his particular inclinations and his susceptibility to satisfaction and still, in the end, to become prudent only from his own or others' misfortunes.

But it is different with the teachings of morality.[h] They command for everyone, without taking account of his inclinations, merely because and insofar as he is free and has practical reason. He does not derive instruction in its laws from observing himself and his animal nature or from perceiving the ways of the world, what happens and how we behave (although the German word *Sitten,* like the Latin *mores,* means only manners and customs). Instead, reason commands how we are to act even though no example of this could be found, and it takes no account of the advantages we can thereby gain, which only experience could teach us. For although reason allows us to seek our advantage in every way possible to us and can even promise us, on the testimony of experience, that it will probably be more to our advantage on the whole to obey its commands than to transgress them, especially if obedience is accompanied with prudence, still the authority of its precepts *as commands* is not based on these considerations. Instead it uses them (as counsels) only as a counterweight against inducements to the contrary, to offset in advance the error of biased scales in practical appraisal, and only then to insure that the weight of a pure practical reason's a priori grounds will turn the scales in favor of the authority of its precepts. If, therefore, a system of a priori cognition from concepts alone is called *metaphysics,* a practical philosophy, which has not nature but freedom of choice for its object, will presuppose and require a metaphysics of morals, that is, it is itself a *duty* to *have* such a metaphysics, and every human being also has it within himself, though as a rule only in an obscure way; for without a priori principles how could he

[g] *Wahl*

[h] *mit den Lehren der Sittlichkeit.* In 6:219 Kant distinguishes between the legality of an action and its *Moralität* (*Sittlichkeit*); drawing the same distinction in 6:225 he uses *Sittlichkeit* (*moralitas*). In the present context, however, it would seem that he continues to discuss what he has been calling *Sittenlehre,* i.e., the "doctrine of morals" or of duties generally. In 6:239 he refers to the metaphysics of morals in both its parts as *Sittenlehre* (*Moral*).

believe that he has a giving of universal law within himself? But just as there must be principles in a metaphysics of nature for applying those
6:217 highest universal principles of a nature in general to objects of experience, a metaphysics of morals cannot dispense with principles of application, and we shall often have to take as our object the particular *nature* of human beings, which is cognized only by experience, in order to *show* in it what can be inferred from universal moral principles. But this will in no way detract from the purity of these principles or cast doubt on their a priori source. – This is to say, in effect, that a metaphysics of morals cannot be based upon anthropology but can still be applied to it.

The counterpart of a metaphysics of morals, the other member of the division of practical philosophy as a whole, would be moral anthropology, which, however, would deal only with the subjective conditions in human nature that hinder people or help them in *fulfilling* the laws of a metaphysics of morals. It would deal with the development, spreading, and strengthening of moral principles (in education in schools and in popular instruction), and with other similar teachings and precepts based on experience. It cannot be dispensed with, but it must not precede a metaphysics of morals or be mixed with it; for one would then run the risk of bringing forth false or at least indulgent moral laws, which would misrepresent as unattainable what has only not been attained just because the law has not been seen and presented in its purity (in which its strength consists) or because spurious or impure incentives were used for what is itself in conformity with duty and good. This would leave no certain moral principles, either to guide judgment or to discipline the mind in observance of duty, the precepts of which must be given a priori by pure reason alone.

As for the higher division under which the division just mentioned falls, namely that of philosophy into theoretical and practical philosophy, I have already explained myself elsewhere (in the *Critique of Judgment*) and explained that practical philosophy can be none other than moral wisdom. Anything that is practical and possible in accordance with laws of nature (the distinctive concern of art)[i] depends for its precepts entirely upon the theory of nature: only what is practical in accordance with laws of freedom can have principles that are independent of any theory; for there is no theory of what goes beyond the properties of nature. Hence philosophy
6:218 can understand by its practical part (as compared with its theoretical part) no *technically practical* doctrine but only a *morally practical* doctrine; and if the proficiency of choice in accordance with laws of freedom, in contrast to laws of nature, is also to be called *art* here, by this would have to be understood a kind of art that makes possible a system of freedom like a

[i] *Kunst.* In the *Groundwork of the Metaphysics of Morals* (4:415) Kant called such precepts those of "skill" (*Geschicklichkeit*).

system of nature, truly a divine art were we in a position also to carry out fully, by means of it, what reason prescribes and to put the idea of it into effect.

II.[j] ON THE RELATION OF THE FACULTIES OF THE HUMAN MIND TO MORAL LAWS

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The *faculty of desire* is the faculty to be, by means of one's representations, the cause of the objects of these representations. The faculty of a being to act in accordance with its representations is called *life.*

First, pleasure or *displeasure,* susceptibility to which is called *feeling,* is always connected with desire[k] or aversion; but the converse does not always hold, since there can be a pleasure that is not connected with any desire for an object but is already connected with a mere representation that one forms of an object (regardless of whether the object of the representation exists or not). *Second,* pleasure or displeasure in an object of desire does not always precede the desire and need not always be regarded as the cause of the desire but can also be regarded as the effect of it.

The capacity[l] for having pleasure or displeasure in a representation is called *feeling* because both of these involve what is *merely subjective* in the relation of our representation and contain no relation at all to an object for possible cognition of it* (or even cognition of our condition). While even 6:212
sensations, apart from the quality (of e.g., red, sweet and so forth) they have because of the nature of the subject, are still referred to an object as elements in our cognition of it, pleasure or displeasure (in what is red or sweet) expresses nothing at all in the object but simply a relation to the subject. For this very reason pleasure and displeasure cannot be explained more clearly in themselves; instead, one can only specify what results they have in certain circumstances, so as to make them recognizable in practice.

* One can characterize sensibility as the subjective aspect of our representations in general; for it is the understanding that first refers representations to an object, i.e., only it *thinks* something by means of them. What is subjective in our representations may be such that it can also be referred to an object for cognition of it (either in terms of its form, in which case it is called pure intuition, or in terms of its matter, in which case it is called sensation); in this case sensibility, as susceptibility to such a representation, is *sense.* Or else what is subjective in our representations cannot become *an element in our cognition* because it involves *only* a relation of the representation of the *subject* and nothing that can be used for cognition of an object; and then susceptibility to the representation is called *feeling,* which is the effect of a representation (that may be either sensible or intellectual) upon a subject and belongs to sensibility, even though the representation itself may belong to the understanding or to reason).

[j] This section was numbered I in AK.

[k] *Begehren*

[l] *Fähigkeit*

That pleasure which is necessarily connected with desire (for an object whose representation affects feeling in this way) can be called *practical pleasure,* whether it is the cause or the effect of the desire. On the other hand, that pleasure which is not necessarily connected with desire for an object, and so is not at bottom a pleasure in the existence of the object of a representation but is attached only to the representation by itself, can be called merely contemplative pleasure or *inactive delight.* We call feeling of the latter kind of pleasure *taste.* Practical philosophy, accordingly, speaks of contemplative pleasure only *in passing,* not as if the concept *belonged within* it. As for practical pleasure, that determination of the faculty of desire which is caused and therefore necessarily *preceded* by such pleasure is called *desire*[m] in the narrow sense; habitual desire[n] is called *inclination;* and a connection of pleasure with the faculty of desire that the understanding judges to hold as a general rule (though only for the subject) is called an *interest.* So if a pleasure necessarily precedes a desire, the practical pleasure must be called an interest of inclination. But if a pleasure can only follow upon an antecedent determination of the faculty of desire it is an intellectual pleasure, and the interest in the object must be called an interest of reason; for if the interest were based on the senses and not on
6:213 pure rational principles alone, sensation would then have to have pleasure connected with it and in this way be able to determine the faculty of desire. Although where a merely pure interest of reason must be assumed no interest of inclination can be substituted for it, yet in order to conform to ordinary speech we can speak of an inclination for what can be an object only of an intellectual pleasure as a habitual desire from a pure interest of reason; but an inclination of this sort would not be the cause but rather the effect of this pure interest of reason, and we could call it a *sense-free inclination* (*propensio intellectualis*).

Concupiscence (lusting after something) must also be distinguished from desire itself, as a stimulus to determining desire. Concupiscence is always a sensible modification of the mind but one that has not yet become an act of the faculty of desire.

The faculty of desire in accordance with concepts, insofar as the ground determining it to action lies within itself and not in its object, is called a faculty to *do or to refrain from doing as one pleases.*[o] Insofar as it is joined with one's consciousness of the ability[p] to bring about its object by

[m] *Begierde.* Although it would be appropriate to translate *Begierde* by a word other than "desire," which has been used for *Begehren* and in *Begehrungsvermögen,* it is difficult to find a suitable word that has not been preempted. However, *Begierde,* as distinguished from *Neigung,* or "inclination," does not figure prominently in the present work.

[n] *Begierde*

[o] *nach Belieben*

[p] *des Vermögens*

one's action it is called *choice;*[q] if it is not joined with this consciousness its act is called a *wish.* The faculty of desire whose inner determining ground, hence even what pleases it,[r] lies within the subject's reason is called the *will.*[s] The will is therefore the faculty of desire considered not so much in relation to action (as choice is) but rather in relation to the ground determining choice to action. The will itself, strictly speaking, has no determining ground; insofar as it can determine choice, it is instead practical reason itself.

Insofar as reason can determine the faculty of desire as such, not only *choice* but also mere *wish* can be included under the will. That choice which can be determined by *pure reason* is called free choice. That which can be determined only by *inclination* (sensible impulse, *stimulus*) would be animal choice (*arbitrium brutum*). Human choice, however, is a choice that can indeed be *affected* but not *determined* by impulses, and is therefore of itself (apart from an acquired proficiency[t] of reason) not pure but can still be determined to actions by pure will. *Freedom* of choice is this independence from being *determined* by sensible impulses; this is the negative concept of freedom. The positive concept of freedom is that of 6:214
the ability[u] of pure reason to be of itself practical. But this is not possible except by the subjection of the maxim of every action to the condition of its qualifying as universal law. For as pure reason applied to choice irrespective of its objects, it does not have within it the matter of the law; so, as a faculty of principles (here practical principles, hence a lawgiving faculty), there is nothing it can make the supreme law and determining ground of choice except the form, the fitness of maxims of choice to be universal law. And since the maxims of human beings, being based on subjective causes, do not of themselves conform with those objective principles, reason can prescribe this law only as an imperative that commands or prohibits absolutely.

In contrast to laws of nature, these laws of freedom are called *moral* laws. As directed merely to external actions and their conformity to law they are called *juridical* laws; but if they also require that they (the laws) themselves be the determining grounds of actions, they are *ethical* laws, and then one says that conformity with juridical laws is the *legality* of an action and conformity with ethical laws is its *morality.* The freedom to which the former laws refer can be only freedom in the *external* use of choice, but the freedom to which the latter refer is freedom in both the external and the internal use of choice, insofar as it is determined by laws

[q] *Willkür*
[r] *selbst das Belieben*
[s] *Wille*
[t] *Fertigkeit*
[u] *Vermögen*

of reason. In theoretical philosophy it is said that only objects of outer sense are in space, whereas objects of outer as well as of inner sense are in time, since the representations of both are still representations, and as such belong together to inner sense. So too, whether freedom in the external or in the internal use of choice is considered, its laws, as pure practical laws of reason for free choice generally, must also be internal determining grounds of choice, although they should not always be considered in this respect.

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III.[v]
PRELIMINARY CONCEPTS OF THE METAPHYSICS OF MORALS
(*PHILOSOPHIA PRACTICA UNIVERSALIS*)

The concept of *freedom* is a pure rational concept, which for this very reason is transcendent for theoretical philosophy, that is, it is a concept such that no instance corresponding to it can be given in any possible experience, and of an object of which we cannot obtain any theoretical cognition; the concept of freedom cannot hold as a constitutive but solely as a regulative and, indeed, merely negative principle of speculative reason. But in reason's practical use the concept of freedom proves its reality by practical principles, which are laws of a causality of pure reason for determining choice independently of any empirical conditions (of sensibility generally) and prove a pure will in us, in which moral concepts and laws have their source.

On this concept of freedom, which is positive (from a practical point of view), are based unconditional practical laws, which are called *moral.* For us, whose choice is sensibly affected and so does not of itself conform to the pure will but often opposes it, moral laws are *imperatives* (commands or prohibitions) and indeed categorical (unconditional) imperatives. As such they are distinguished from technical imperatives (precepts of art), which always command only conditionally. By categorical imperatives certain actions are *permitted* or *forbidden,* that is, morally possible or impossible, while some of them or their opposites are morally necessary, that is, obligatory. For those actions, then, there arises the concept of a duty, observance or transgression of which is indeed connected with a pleasure or displeasure of a distinctive kind (moral *feeling*), although in practical laws of reason we take no account of these feelings (since they have nothing to do with the *basis* of practical laws but only with the subjective *effect* in the mind when our choice is determined by them, which can differ from one subject to another [without objectively, i.e., in the judgment of reason, at all adding to or detracting from the validity or influence of these laws]).

[v] This section was numbered IV in AK.

The following concepts are common to both parts of *The Metaphysics of Morals.* 6:222

Obligation is the necessity of a free action under a categorical imperative of reason.

An imperative is a practical rule by which an action in itself contingent is *made* necessary. An imperative differs from a practical law in that a law indeed represents an action as necessary but takes no account of whether this action already inheres by an *inner* necessity in the acting subject (as in a holy being) or whether it is contingent (as in the human being); for where the former is the case there is no imperative. Hence an imperative is a rule the representation of which *makes* necessary an action that is subjectively contingent and thus represents the subject as one that must be *constrained* (necessitated)[w] to conform with the rule. – A categorical (unconditional) imperative is one that represents an action as objectively necessary and makes it necessary not indirectly, through the representation of some *end* that can be attained by the action, but through the mere representation of this action itself (its form), and hence directly. No other practical doctrine can furnish instances of such imperatives than that which prescribes obligation (the doctrine of morals). All other imperatives are *technical* and are, one and all, conditional. The ground of the possibility of categorical imperatives is this: that they refer to no other property of choice (by which some purpose can be ascribed to it) than simply to its *freedom.*

That action is *permitted* (*licitum*) which is not contrary to obligation; and this freedom which is not limited by any opposing imperative, is called an authorization (*facultas moralis*). Hence it is obvious what is meant by *forbidden* (*illicitum*).

Duty is that action to which someone is bound. It is therefore the matter of obligation, and there can be one and the same duty (as to the action) although we can be bound to it in different ways.

A categorical imperative, because it asserts an obligation with respect to certain actions, is a morally practical *law.* But since obligation 6:223
involves not merely practical necessity (such as a law in general asserts) but also *necessitation,* a categorical imperative is a law that either commands or prohibits, depending upon whether it represents as a duty the commission or omission of an action. An action that is neither commanded nor prohibited is merely *permitted,* since there is no law limiting one's freedom (one's authorization) with regard to it and so too no

[w] *genötigt* (*necessitiert*). Kant repeatedly gives *Zwang* (constraint) and *Nötigung* (necessitation) as synonyms. Although *Nötigung* is perhaps his favored term, I have often translated *Nötigung* by the more common English word "constraint."

duty. Such an action is called morally indifferent (*indifferens, adiaphoron, res merae facultatis*). The question can be raised whether there are such actions and, if there are, whether there must be permissive laws (*lex permissiva*), in addition to laws that command and prohibit (*lex praeceptiva, lex mandati* and *lex prohibitiva, lex vetiti*), in order to account for someone's being free to do or not to do something as he pleases. If so, the authorization would not always have to do with an indifferent action (*adiaphoron*); for, considering the action in terms of moral laws, no special law would be required for it.[11]

An action is called a *deed* insofar as it comes under obligatory laws and hence insofar as the subject, in doing it, is considered in terms of the freedom of his choice. By such an action the agent is regarded as the *author* of its effect, and this, together with the action itself, can be *imputed* to him, if one is previously acquainted with the law by virtue of which an obligation rests on these.

A *person* is a subject whose actions can be *imputed* to him. *Moral* personality is therefore nothing other than the freedom of a rational being under moral laws (whereas psychological personality is merely the ability[x] to be conscious of one's identity in different conditions of one's existence). From this it follows that a person is subject to no other laws than those he gives to himself (either alone or at least along with others).

A *thing* is that to which[y] nothing can be imputed. Any object of free choice which itself lacks freedom is therefore called a thing (*res corporalis*).

6:224 A deed is *right* or *wrong* (*rectum aut minus rectum*)[z] in general insofar as it conforms with duty or is contrary to it (*factum licitum aut illicitum*);[a] the duty itself, in terms of its content or origin, may be of any kind. A deed contrary to duty is called a *transgression* (*reatus*).

An *unintentional* transgression which can still be imputed to the agent is called a mere *fault* (*culpa*). An *intentional* transgression (i.e., one accompanied by consciousness of its being a transgression) is called a *crime* (*dolus*). What is right in accordance with external laws is called *just* (*iustum*); what is not, *unjust* (*iniustum*).[b]

A *conflict of duties* (*collisio officiourum s. obligationum*)[c] would be a relation between them in which one of them would cancel the other (wholly or in part). – But since duty and obligation are concepts that express the objective practical *necessity* of certain actions and two rules opposed to each other cannot be necessary at the same time, if it is a duty to act in

[x] *Vermögen*
[y] *Sache ist ein Ding*
[z] right or less right
[a] licit or illicit deed
[b] *gerecht . . . ungerecht*
[c] collision of duties or obligations

accordance with one rule, to act in accordance with the opposite rule is not a duty but even contrary to duty; so a *collision of duties* and obligations is inconceivable (*obligationes non colliduntur*).[d] However, a subject may have, in a rule he prescribes to himself, two *grounds* of obligation (*rationes obligandi*), one or the other of which is not sufficient to put him under obligation[e] (*rationes obligandi non obligantes*), so that one of them is not a duty. – When two such grounds conflict with each other, practical philosophy says, not that the stronger obligation takes precedence (*fortior obligatio vincit*)[f] but that the stronger *ground of obligation* prevails (*fortior obligandi ratio vincit*).[g]

Obligatory laws for which there can be an external lawgiving are called *external* laws (*leges externae*) in general. Those among them that can be recognized as obligatory a priori by reason even without external lawgiving are indeed external but *natural* laws, whereas those that do not bind without actual external lawgiving (and so without it would not be laws) are called *positive* laws. One can therefore contain only positive laws; but then a natural law would still have to precede it, which would establish the authority of the lawgiver (i.e., his authorization to bind others by his mere *choice*).

A principle that makes certain actions duties is a practical law. A rule 6:225
that the agent himself makes his principle on subjective grounds is called his *maxim;* hence different agents can have very different maxims with regard to the same law.

The categorical imperative, which as such only affirms what obligation is, is: act upon a maxim that can also hold as a universal law. – You must therefore first consider your actions in terms of their subjective principles; but you can know whether this principle also holds objectively only in this way: that when your reason subjects it to the test of conceiving yourself as also giving universal law through it, it qualifies for such a giving of universal law.

The simplicity of this law in comparison with the great and various consequences that can be drawn from it must seem astonishing at first, as must also its authority to command without appearing to carry any incentive with it. But in wondering at an ability[h] of our reason to determine choice by the mere idea that a maxim qualifies for the *universality* of a practical law, one learns that just these practical (moral) laws first make known a property of choice, namely its freedom, which speculative reason

[d] obligations do not conflict

[e] *zur Verpflichtung nicht zureichend ist.* Although Kant apparently uses both *Verbindlichkeit* and *Verpflichtung* for "obligation," the latter seems at times to have the sense of "put under obligation" and to be closely related to *verbinden,* which I often translate as "to bind."

[f] the stronger obligation wins

[g] the stronger ground of obligation wins

[h] *Vermögen*

would never have arrived at, either on a priori grounds or through any experience whatever, and which, once reason has arrived at it, could in no way be shown theoretically to be possible, although these practical laws show incontestably that our choice has this property. It then seems less strange to find that these laws, like mathematical postulates, are *incapable of being proved* and yet *apodictic*, but at the same time to see a whole field of practical cognition open up before one, where reason in its theoretical use, with the same idea of freedom or with any other of its ideas of the supersensible, must find everything closed tight against it. – The conformity of an action with the law of duty is its *legality* (*legalitas*); the conformity of the maxim of an action with a law is the *morality* (*moralitas*) of the action. A *maxim* is a *subjective* principle of action, a principle which the subject himself makes his rule (how he wills to act). A principle of duty, on the other hand, is a principle that reason prescribes to him absolutely and so objectively (how he *ought* to act).

6:226 The supreme principle of the doctrine of morals is, therefore, act on a maxim which can also hold as a universal law. – Any maxim that does not so qualify is contrary to morals.

Laws proceed from the will, *maxims* from choice. In man the latter is a free choice; the will, which is directed to nothing beyond the law itself, cannot be called either free or unfree, since it is not directed to actions but immediately to giving laws for the maxims of actions (and is, therefore, practical reason itself). Hence the will directs with absolute necessity and is itself *subject to* no necessitation. Only *choice* can therefore be called *free.*

But freedom of choice cannot be defined – as some have tried to define it – as the ability to make a choice[i] for or against the law (*libertas indifferentiae*),[j] even though choice as a *phenomenon* provides frequent examples of this in experience. For we know freedom (as it first becomes manifest to us through the moral law) only as a *negative* property in us, namely that of not being *necessitated* to act through any sensible determining grounds. But we cannot present *theoretically* freedom as a *noumenon*, that is, freedom regarded as the ability[k] of the human being merely as an intelligence, and show how it can *exercise constraint* upon his sensible choice; we cannot therefore present freedom as a positive property. But we can indeed see that, although experience shows that the human being as a *sensible being* is able to choose[l] *in opposition to* as

[i] *das Vermögen der Wahl*
[j] liberty of indifference
[k] *Vermögen*
[l] *ein Vermögen zeigt . . . zu wählen*

well as *in conformity with* the law, his freedom as an *intelligible being* cannot be *defined*[m] by this, since appearances cannot make any supersensible object (such as free choice) understandable. We can also see that freedom can never be located in a rational subject's being able to choose in opposition to his (lawgiving) reason, even though experience proves often enough that this happens (though we still cannot comprehend how this is possible). – For it is one thing to accept a proposition (on the basis of experience) and another thing to make it the *expository principle*[n] (of the concept of free choice) and the universal feature for distinguishing it (from *arbitrio bruto s. servo*);[o] for the first 6:227
does not maintain that the feature belongs *necessarily* to the concept, but the second requires this. – Only freedom in relation to the internal lawgiving of reason is really an ability;[p] the possibility of deviating from it is an inability. How can the former be defined[q] by the latter? It would be a definition that added to the practical concept the *exercise* of it, as this is taught by experience, a *hybrid definition* (*definitio hybrida*) that puts the concept in a false light.

A (morally practical) *law* is a proposition that contains a categorical imperative (a command). One who commands (*imperans*) through a law is the *lawgiver* (*legislator*). He is the author (*autor*) of the obligation in accordance with the law, but not always the author of the law. In the latter case the law would be a positive (contingent) and chosen[r] law. A law that binds us a priori and unconditionally by our own reason can also be expressed as proceeding from the will of a supreme lawgiver, that is, one who has only rights and no duties (hence from the divine will); but this signifies only the idea of a moral being whose will is a law for everyone, without his being thought as the author of the law.

Imputation (*imputatio*) in the moral sense[12] is the *judgment* by which

[m] As Kant notes in the *Critique of Pure Reason* A 730, B 758, the German language has only one word, *Erklärung*, to express "exposition," "explication," "declaration," and "definition." Despite the strictures he places upon "definition," he adds that "we need not be so stringent in our requirements as altogether to refuse to philosophic expositions [*Erklärungen*] the honorable title, definition." At the conclusion of the present paragraph he gives *definitio hybrida* as equivalent to *Bastarderklärung*. See also his use of *Definition* and *Erklärung* (or *definieren* and *erklären* in, e.g., 248–9, 260 and 286–7). Both in the *Doctrine of Right* and in the *Doctrine of Virtue*, where Kant is discussing the *Erklärung* of the concept of virtue, I have used "define" and "definition," indicating the German words in notes.

[n] *Erklärungsprinzip*

[o] animal or enslaved power of choice

[p] *Vermögen*

[q] *erklärt aus*

[r] *willkürlich*

someone is regarded as the author (*causa libera*)[s] of an action, which is then called a *deed* (*factum*) and stands under laws. If the judgment also carries with it the rightful consequences of this deed, it is an imputation having rightful force (*imputatio iudiciaria s. valida*);[t] otherwise it is merely an imputation *appraising* the deed (*imputatio diiudicatoria*).[u] – The (natural or moral) person that is authorized to impute with rightful force is called a *judge* or a court (*iudex s. forum*).

If someone does *more* in the way of duty than he can be constrained[v] by law to do, what he does is *meritorious* (*meritum*); if what he does is just exactly what the law *requires,* he does *what is owed*[w] (*debitum*); finally, if what he does is *less* than the law requires, it is morally *culpable*[x] (*demeritum*). The *rightful* effect of what is culpable is *punishment* (*poena*); that of a meritorious deed is *reward* (*praemium*) (assuming that the reward,
6:228 promised in the law, was the motive to it); conduct in keeping with what is owed has no rightful effect at all. – Kindly *recompense*[y] (*remuneratio s. respensio*) stands in no *rightful relation*[z] to a deed.

The good or bad results of an action that is owed, like the results of omitting a meritorious action, cannot be imputed to the subject (*modus imputationis tollens*).[a]

The good results of a meritorious action, like the bad results of a wrongful[b] action, can be imputed to the subject (*modus imputationis ponens*).[c]

Subjectively, the degree to which an action *can be imputed* (*imputabilitas*) has to be assessed by the magnitude of the obstacles that had to be overcome. – The greater the natural obstacles (of sensibility) and the less the moral obstacle (of duty), so much the more merit is to be accounted for a *good deed,* as when, for example, at considerable self-sacrifice I rescue a complete stranger from great distress.

On the other hand, the less the natural obstacles and the greater the obstacle from grounds of duty, so much the more is a transgression to be imputed (as culpable). – Hence the state of mind of the subject, whether he committed the deed in a state of agitation or with cool deliberation, makes a difference in imputation, which has results.

[s] free cause
[t] judiciary or valid imputation
[u] judging imputation
[v] *gezwungen werden kann*
[w] *Schuldigkeit*
[x] *Verschuldung*
[y] *gütige Vergeltung*
[z] *Rechtsverhältniß*
[a] by way of taking away imputation
[b] *unrechtmäßig*
[c] by way of adding imputation

IV.[d] ON THE DIVISION OF A METAPHYSICS OF MORALS*

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In all lawgiving (whether it prescribes internal or external actions, and whether it prescribes them a priori by reason alone or by the choice of another) there are two elements: **first,** a law, which represents an action that is to be done as *objectively* necessary, that is, which makes the action a duty; and **second,** an incentive, which connects a ground for determining choice to this action *subjectively* with the representation of the law. Hence the second element is this: that the law makes duty the incentive. By the first the action is represented as a duty, and this is a merely theoretical cognition of a possible determination of choice, that is, of practical rules. By the second the obligation so to act is connected in the subject with a ground for determining choice generally.

All lawgiving can therefore be distinguished with respect to the incentive (even if it agrees with another kind with respect to the action that it makes a duty, e.g., these actions might in all cases be external). That 6:219
lawgiving which makes an action a duty and also makes this duty the incentive is *ethical.* But that lawgiving which does not include the incentive of duty in the law and so admits an incentive other than the idea of duty itself is *juridical.* It is clear that in the latter case this incentive which is something other than the idea of duty must be drawn from *pathological*[e] determining grounds of choice, inclinations and aversions, and among these, from aversions; for it is a lawgiving, which constrains, not an allurement, which invites.

The mere conformity or nonconformity of an action with law, irrespective of the incentive to it, is called its *legality* (lawfulness); but that conformity in which the idea of duty arising from the law is also the incentive to the action is called its *morality.*

Duties in accordance with rightful[f] lawgiving can be only external

* A *deduction* of the division of a system, i.e., a proof that it is both complete and *continuous* – that is, that a transition from the concept divided to the members of the division takes place without a leap (*divisio per saltum*) in the entire series of subdivisions – is one of the most difficult conditions which the architect of a system has to fulfill. Even what the *highest divided concept* would be, the division of which are *right* and *wrong* (*aut fas aut nefas*) calls for reflection. This concept is the *act of free choice* in general. Teachers of ontology similarly begin with the concepts of *something* and *nothing,* without being aware that these are already members of a division for which the concept divided is missing. This concept can be only that of an *object* in general.

[d] This section was numbered III in AK.

[e] *von den pathologischen Bestimmungsgründen der Willkür.* See *Groundwork of the Metaphysics of Morals* (4:399, note j).

[f] *rechtlich.* The term is introduced here as, apparently, synonymous with "juridical" (*juridisch*).

duties, since this lawgiving does not require that the idea of this duty, which is internal, itself be the determining ground of the agent's choice; and since it still needs an incentive suited to the law, it can connect only external incentives with it. On the other hand, ethical lawgiving, while it also makes internal actions duties, does not exclude external actions but applies to everything that is a duty in general. But just because ethical lawgiving includes within its law the internal incentive to action (the idea of duty), and this feature must not be present in external lawgiving, ethical lawgiving cannot be external (not even the external lawgiving of a divine will), although it does take up duties which rest on another, namely an external, lawgiving by making them, *as duties,* incentives in its lawgiving.

It can be seen from this that all duties, just because they are duties, belong to ethics; but it does not follow that the *lawgiving* for them is always contained in ethics: for many of them it is outside ethics. Thus ethics commands that I still fulfill a contract I have entered into, even though the other party could not coerce[g] me to do so; but it takes the law (*pacta sunt*
6:220 *servanda*) and the duty corresponding to it from the doctrine of right, as already given there. Accordingly the giving of the law that promises agreed to must be kept lies not in ethics but in *Ius.* All that ethics teaches is that if the incentive which juridical lawgiving connects with that duty, namely external constraint, were absent, the idea of duty by itself would be sufficient as an incentive. For if this were not the case, and if the lawgiving itself were not juridical so that the duty arising from it was not really a duty of right (as distinguished from a duty of virtue), then faithful performance (in keeping with promises made in a contract) would be put in the same class with actions of benevolence and the obligation to them, and this must not happen. It is no duty of virtue to keep one's promises but a duty of right, to the performance of which one can be coerced. But it is still a virtuous action (a proof of virtue) to do it even where no coercion may be *applied.*[h] The doctrine of right and the doctrine of virtue are therefore distinguished not so much by their different duties as by the difference in their lawgiving, which connects one incentive or the other with the law.

Ethical lawgiving (even if the duties might be external) is that which *cannot* be external; juridical lawgiving is that which can also be external. So it is an external duty to keep a promise made in a contract; but the command to do this merely because it is a duty, without regard for any

[g] *zwingen.* Kant uses *Zwang* (and *zwingen*) for both the constraint exercised upon one's choice by one's own will, through the thought of duty, and the constraint exercised by another's choice, through one's aversions. When *Zwang* (or *zwingen*) occurs in the context of right and without the modifier *äussere* (external), it is translated as "coercion" (or "to coerce"). *Äussere Zwang* is translated as "external constraint." If there is room for doubt regarding the context, the word is given in a note. See also 6:222, note a.

[h] *besorgt werden darf*

other incentive, belongs to *internal* lawgiving alone. So the obligation is assigned to ethics not because the duty is of a particular kind (a particular kind of action to which one is bound) – for there are external duties in ethics as well as in right – but rather because the lawgiving in this case is an internal one and can have no external lawgiver. For the same reason duties of benevolence, even though they are external duties (obligations to external actions), are still assigned to ethics because their lawgiving can be only internal. – Ethics has its special duties as well (e.g., duties to oneself), but it also has duties in common with right; what it does not have in common with right is only the kind of *obligation.* For what is distinctive of ethical lawgiving is that one is to perform actions just because they are duties and to make the principle of duty itself, wherever the duty comes from, the sufficient incentive for choice. So while there are many *directly* 6:221
ethical duties, internal lawgiving makes the rest of them, one and all, indirectly ethical.