Immanuel Kant on Duty towards Non-Human Animals: A Critical Evaluation

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Abstract:- This work examines Kant's arguments for duty towards non-human animals. In The Metaphysics of Morals, Kant argues that human animals do not direct duties to non-human animals. This is because non-human animal lack the rational capacity and self-consciousness that is characteristic of human animals. Kant argues that only human animals are ends in themselves, have autonomy, and are worthy of respect; everything else are instrumentally valuable. Human beings are intrinsically valuable. Therefore, we only have indirect duties to animals, insofar as our treatment of animals affects our treatment of human animals. Through the method of textual analysis, this study argues that Kant's theory does not understand what it means to treat animals badly. He fails to recognize the intuitive notion that treating animals wrongly transgresses duties we owe to those animals. Second, we must also take into consideration the fact that babies and the comatose lack reason and autonomy and some other people with serve mental disorder. The question is: Can we treat them as means to an end, or do we ascribe moral obligation to them? If the answer is in the affirmative and yet, these human beings do not have different psychological capacities from certain nonhuman animals, then to deny those non-human animals same moral consideration would be contradictory. This study concludes that Kantianism can be reformed togive room for direct duties to animals and especially duty to promote animal welfare without unduly compromising its core theoretical commitments, especially its commitments concerning the source and nature of our duties toward human animals.

Keywords:- Human/Non-human Animals, Categorical Imperative, Maxim, Specism.

I. INTRODUCTION

Since the beginning of Western philosophical speculations, the question of the moral status of non-human animal in relation to right and duty-based argumentation has always been a subject of much intense discussion -both in its ontological and ethical sense. David DeGrazia, introduces a series of questions to be answered as regards to the non-human animal ethics:

How are we to understand the moral status of animals? Are animals due any moral consideration at all? If not, why not? If so, do animals deserve consideration at all? If not, why not? If so, do animals deserve consideration simply because of the way our treatment of animals affects *us humans*? Or is it because animals' interests have moral importance *in their own right*? If animals' interests matter in their

own right, how much do they matter? Should they be given as much consideration as human interests? If so, what does that mean, exactly? What would such equal consideration amount to? And if not, in what way- or how much- do animals' interests matter? (DeGrazia 36).

One might simply come up with easy solutions to answer or solve these moral questions, because there are ready-made answers that are provided especially by religions and cultural conventions. But the problem is that these questions are not easy to answer for moral theorists. Moral assumptions on non-human animals have already been made in the early days of philosophy. In the 6th century BCE, Pythagoras advocated for dietary restrictions and supported the idea of abstaining from animal flesh for moral reasons (Porphyry 124).

In the ancient period, Aristotle is of the school of thought that animals do not havemind of their own in terms of thinking, because they do not have reason and capacity to think. This argument as we might discern from Aristotle is predicated on the condition that since human beings are rational animals, non-human beings do not possess reason. Thus, Aristotle refused to assert any moral standing to non-human animals as a result of their lack of capacity to speak to speak. However, after Aristotle's denial of reason to non-human animals and the Stoic's exclusion of non-human animals from moral concern, *logos* became and still continue to be one of the key concepts in discussions that concern the moral status of non-human animals (Mesaros 185).

In the late 18th century, Jeremy Bentham's utilitarian philosophy brought along a new thinking about the moral status of non-human animals. Bentham asserted that what should be morally considered or valued is not whether a being is able to speak (possess the faculty of language) or reason but whether a being is able to feel pain (Bentham 122). Bentham's influence on great number of areas such as economy and ethical, legal and political philosophy and Peter Singer's revision of Bentham's utilitarian ideas on the moral status of animals in late 20th century (Singer 2002) have favorized the emergence of sentience as a key concept in the field of moral theory in general and in questions regarding the moral status of animals in particular.

In his *The Metaphysics of Morals*, Immanuel Kant argues that human animals are the only being subject to ascription of right and direct and perfect duty. He claims that only beings with reason are kingdom of ends with autonomy for self-respect. Every other thing, including animals are things. These being are valuable only because they serve human purposes. Human beings are the only being that have

intrinsic value. We only have indirect duty to non-human animal because when we treat them wrongly, it affects our relationship with other rational beings. Kant based his argument for an indirect duty to non-human animals on their lack of capacities for rationality and self-consciousness.

From the above background, our aim in this essay is to give a brief account of Kant's arguments for duties towards non-human animals and evaluate this account in the light of other theories. This endeavour is geared towards a proper understanding of the nature of the correlation between human animals and non-human animals in their moral responsibility.

II. IMMANUEL KANT'S CATEGORICAL IMPERATIVE

Kant's categorical imperative is an attempt to predicate the action of man on a universal moral condition. He made a distinction between hypothetical and categorical imperative. He maintains that a moral action is hypothetical when it is based on desires or condition. In contrast to such approach, Kant maintains that the moral commands must be categorical in nature in the sense that its applicability must be universal regardless of their wants and feelings (*Grounding for the Metaphysics of Morals*30).

The categorical imperative is a method by which you consider what your responsibilities are. It is categorical in the sense that it must apply to everyone without limitation and exception and it imperative in nature since it is a command. Therefore, it is a command that applies to everyone at all times and in all conditions. This is because the principle on which it is predicated on is supreme. We must follow them despite any condition or desire we might have to the contrary. Kant maintains that all our actions are moral when we obey the categorical imperative and irrational when we disobey them. The fundamental principle of morality, that is, the categorical imperative is nothing but the law of autonomous will. Thus, according to John Collins:"... at the heart of Kant's moral philosophy is a conception of reason whose reach in practical affairs goes well beyond that of a Humean 'slave' to the passions." (17)

Kant argues that, it is the manifestation of the self-governing reason in each person that offers decisive grounds for viewing a moral agent as possessing equal worth and value. The first maxim of the Categorical Imperative states thus: "Act only according to that maxim whereby you can, at the same time, will that it should become a universal law" (Grounding for the Metaphysics of Morals 30).

Kant expressed extreme dissatisfaction with the moral doctrine of his era especially utilitarianism on the condition that it will not outshine the setting up of the hypothetical imperatives. His argument is that the hypothetical imperative can never be considered as the building block for expressing and making moral judgments. This is because the commands are built on subjective considerations. Thus, his solution to this was to present a deontological moral doctrine that is predicated on the demand of the categorical imperative as an alternative.

As demonstrated from the above discussion, Kant concludes that a true moral position is that position that avoids any condition that is attached to it which includes the identity of the moral person. Pelegrinis explains that Kant's idea regarding the univeralizablity and objectivity of moral propositions and judgment must be disassociated from the certain physical details surrounding the proposition so as to be applied to any rational being. This, according to him leads to the first maxim of the categorical imperative which is sometime called "the univeralizablity principle" (Pelegrinis 92). Kant argues that because laws of nature are by their condition universal, the first maxim of the categorical imperative can be stated as: "Act as if the maxims of your action were to become through your will a universal law of nature". This is called the law of nature maxim or formulation of the categorical imperative. The two duties imposed by this formulation are the duties we owe to ourselves and the duties we owe to other moral beings (Grounding for the Metaphysics of Morals 4:421). Kant equally makes a distinction between perfect and imperfect duties, (Grounding for the Metaphysics of Morals 4:421). We shall discuss this in the next section.

Kant states the second maxim of the categorical imperative thus:

Act in such a way that you treat humanity, whether in your own person or in the person of any other, never merely as a means to an end, but always at the same time as an end (*Grounding for the Metaphysics of Morals* 4: 429).

The second maxim is called 'the humanity principle'. This maxim of the categorical imperative is derived from the first. The combination of the first and the second maxim entails that a person has perfect duty to always use the human person always as an end and not a means to further other ends. It also leads to the imperfect duty to advance the ends of ourselves and others. Therefore, all ends must be sort equally especially as those ends will not contradict the perfect duty we owe to ourselves.

Kant goes on to state the third maxim. The first maxim according to him stipulates the objective condition and criteria for the categorical imperative. His intent is to make the maxim universal in form and thus being capable of vielding to a law of nature. The second maxim stipulates the subjective condition which is intended to advance the idea that there should be a particular and unique ends in themselves, which is human beings. (Grounding for the Metaphysics of Morals 4: 431). The result of these two considerations gave rise to the third maxim. In the third maxim, Kant insists that each moral being using his reason must consider a maxim that is universal in nature and does not equally affect the freedom of others. The third maxim requires that the categorical imperative is autonomous. That is to say that it is predicated on the freedom and free volition of the moral person.

III. KANT'S CONCEPT OF DUTY

The fundamental aim of Kant's *Metaphysics of Morals*, especially where he discussed "Doctrine of Virtue", is to articulate a catalog of our responsibilities as human beings.

In this section, Kant makes a distinction between judicial duties and ethical duties. The former according to Kant are duties that enforced coercively by external authority from outside, like the civil, criminal or other groups of social and political inclinations. The latter on the other hand are not enforced by any external forces but the subject seeks for the enforcement of these duties as a rational being with the feeling of respect, conscience and love of other human person. Therefore, the moral person must be constrained to abide by them because of the love he has for other moral beings. (Metaphysics of Morals 6:399-404). The ethical duties are further divided into duties we owe to ourselves and duties we owe to others. Kant further divided duties we owe to ourselves into "perfect" and "imperfect" duties. As regards to duties to others, the strict or narrow duties are called 'duties of respect' while the wide or meritorious ones are called 'duties of love' (Roger 29).

In short, we can come to a good appreciation of Kant's catalog of duties through the humanity as end formulation of the categorical imperative. Kant states thus:

Only the concept of an *end* that is also a duty, a concept that belongs exclusively to ethics, establishes a law for maxims of actions by subordinating the subjective end that everyone has to the objective end (*Metaphysics of Morals* 6:389).

Kant makes a distinction between perfect and imperfect duty. An imperfect duty is one whose action leads to a duty of virtuous living. A perfect duty is one in which failure to perform it would amount to failure to respect humanity as an end in someone's person.

In pursuance of the duty of virtue, Kant maintains that one's own happiness is inconsequential because our happiness is something that we must pursue without any hindrance (*Metaphysics of Morals* 6:386). However, Kant believe that my happiness should be pursued when failure to promote my happiness might impinge on the duties and happiness of other.(*Groundwork of the Metaphysics of Morals* 4:399). Kant further argues that duties to sacrifice one's happiness are unlawful on the condition that the maxim will be self-destructive in nature and equally frustrate others' happiness if we make it a universal law (*Metaphysics of Morals* 6:393). This is why Denis infers that "duties are not about self-interest but about self-perfection and being worthy of one's humanity" (Denis 349-370).

There are equally two basic divisions within duties to oneself. Kant calls these duties perfect and imperfect duties. Kant describes the perfect duties as "limiting (negative) duties" that "forbid a human being to act contrary to the end of his nature and so have to do merely with his moral *self-preservation*" (*Metaphysics of Morals* 6:419). Kant further divided these duties into duties coming from the fact that we are animals and duties coming from the fact that we are moral beings. (*Metaphysics of Morals* 6:420). Kant includes the duty for the preservation of our lives under imperfect duties. the duty forbidding "defiling oneself by lust" and the duty rejecting "self-stupefaction through food and drink" (*Metaphysics of Morals* 6: 422-427).

Kant believes that the most fundamental perfect duties to oneself is one that serves as an inner arbiter of one's action. This is what Kant calls conscience or metaphorically, court. Kant maintains that our duty unless we have a conscience, we cannot be morally responsible for our actions. Thus, conscience is a given for our moral consideration. (Metaphysics of Morals 6:400). Our fundamental duty is to act according to dictate of our conscience (Metaphysics of Morals 6:438).

The duties which one owe itself are imperfect on the condition that we are supposed to have them and they are beneficial to us but we are not to be blamed when we fail to promote them. This is further divided into duty to natural perfection and duty to moral perfection. The former is further divided into "power of spirit", "power of soul" and "power of body". (*Metaphysics of Morals* 6:445). Kant believes that we are morally perfect when our actions conform to the dictate of morality. Consequently, Kant believes that as rational being, the duty of respect obliges us as moral beings to always respect others even in their use reason especially as we try to point out their errors. (*Metaphysics of Morals* 6:462).He forbids us to treat humans with contempt (*Metaphysics of Morals* 6:462-463). According to Kant, we have

a duty not to censure [a human being's] errors by calling them 'absurdities', 'poor judgment' and so forth, but must rather suppose that his judgment may yet contain some truth and we must try to seek this out, uncovering, at the same time, the deceptive illusions [that misled him], so as to preserve his respect for his own understanding (*Metaphysics of Morals* 6:463).

Kant also argues that it is also our perfect duty not to scandalize anybody. Kant outlines three prominent vices that contravene these duties. They are defamation, arrogance and ridicule.

IV. IMMANUEL KANT ON DUTY TOWARDS NON-HUMAN ANIMAL

In his lecture on ethics entitled "Duties to Animals and Spirits", Kant argues that we do not have direct duty to nonhuman animals but only an indirect duty to them. As we demonstrated in Kant's categorical imperative, we owe a duty to a being 'y' on the condition that 'y' is a finite rational being and the reason to accord 'y' this duty is predicated on the condition that we respect humanity in the person of 'y'. Kant argues that our duties are only directed towards other human person. Kant is of the opinion that as kingdom of ends, our duty is directly towards other human beings and not to non-human animals or to God and spirit. All beings are categorized under persons and things. That is rational beings and non-rational beings. While persons are ends in themselves, things have valuable as long as they help man achieve their ends (Groundwork of the Metaphysics of Morals 4:428). Kant makes this assertion succinctly thus:

As far as reason alone can judge, a human being has duties only to human beings (himself and others), since his duty to any subject is moral constraint by

that subject's will. Hence the constraining (binding) subject must, first, be a person; and this person must, second, be given as an object of experience, since the human being is to strive for the end of this person's will and this can happen only in a relation to each other of two beings that exist ... But from all our experience we are acquainted with no being other than a human being that would be capable of obligation (active or passive). A human being can therefore have no duty to any beings other than human beings; and if he represents to himself that he has such duties, it is because of an amphiboly in his concepts of reflection, and his supposed duty to other beings is only a duty to himself. He is led to this misunderstanding by mistaking his duty with regard to other beings for a duty to those beings. (Metaphysics of Morals 6:442)

Kant is of the view that it is only human persons that we have duty towards: "a human being is under obligation to regard himself, as well as every other human being, as his end" (*Metaphysics of Morals* 6:410).Kostas Koukouzelis provides some conditions to which Kant denies direct duty to non-human animals. According to him, what provides a being with some moral worth and singles him out as end in themselves is the intrinsic capacity for freedom, the capability to make moral law and to act at of respect for the moral law. (62)

V. CRITICAL EVALUATION

Without doubt, Immanuel Kant is considered to be one of the most preeminent scholar and philosopher of the enlightenment period which springs from the 18th century. In his ethical theories, he sets out to provide us with a system that is not devoid of any religious inclination or empirical scientific justification. His result according to Korsgaardis an ethics of virtue that provide understanding on how to live a good and fulfilling life no matter our beliefs or condition we might find ourselves. Kant's intention is to sum up our moral obligation and duties under one single heading which he calls "the categorical imperative." (Korsgaard 7).

Some Scholars have claimed that the major merit of Kant's theory of 'duty' to non-human animal is that Kant contributed to the development and improvement of animal protection rightin Germany as was the case with Jeremy Bentham in Britain (Baranke 2). This is in line with Kostas Koukouzelis argument that "Kant's overall view agrees with a specific objection to most contemporary theories of environmental ethics." According to Koukouzelis:

The idea of ascribing interests to species, ..., as a way of making sense of our concern for these things, is part of a project of trying to extend into nature our concern to each other, by moralising our relations to nature. I suspect, however, that that is to look in precisely the wrong direction. If we are to understand these things, we need to look to our ideas of nature itself, and to ways in which it precisely lies outside the domestication of our relations to each other (70).

Despite the merits of Kant's moral philosophy and his theory of duty towards non-human animal in particular, scholars have claimed that Kantian moral philosophy is inimical and repugnant both to the moralclaims and to the legal rights of non-human animals. One of the major demerits of Kant's moral philosophy has been its inability to make a case for duties towards animals. Kantians have come to the conclusion that if Kant cannot properly account for such duties, it would be a major bleak to his moral theory (Skidmore 541). Animal rights defenders believe that animals are beings with intrinsic value, and therefore we owe them direct duties. In "The Case for Animal Rights", Tom Regan who is regarded as one of the major advocate of animal right argues that animals have intrinsic rights as we do. He maintains that we should allocate rights to beings that are 'subject of a life'. According to Regan, by having desires, beliefs and emotions, we must allocate rights to them. He maintains that creatures with these intrinsic features order their life according to a pattern. According to him, a right to life is one way of protects this. According to him: "We are each of us the experiencing subject of a life, a conscious creature having an individual welfare that has importance to us whatever our usefulness to others" (487).

While Kant ascribed indirect moral duties to non-human animals, Regan allocated direct moral duties to animals. For Regan, because animals have right to life, they cannot be used a means to further the life of human beings because animal's right to life is equal to human life. According to him, even though some people are capable of much greater things than others, we must not discriminate between more valuable' human lives and 'less valuable' animal lives. Therefore, there is no justification for any medical experiment that using animals for it.

Another animal liberation advocate who considered animals as a being with moral status and thus entitled to the same right as man is Peter Singer. Singer is considered one of the best known advocates for animal liberation. Like Regan, Singer argues that humans should discontinue the use of animals to further their interest. He likens animal liberation to the liberation championed by women and minorities American during the middle part of the 20th century.

Consequently, Singer uses the principle of equality to argue that there is no moral divide between animals and humans. He understands this equality principle as giving every moral being the consideration to see every agent as equal. What makes animal relevantly similar to humans claims Singer, their ability to have interest. He succinctly states this claim thus:

... the basic element, the taking into account of the interest of the being, whatever those interest may be must, according to the principle of equality, be extended to all being, black or white, masculine or feminine, human or non-human (Singer 5)

To have interest according to Singer means to have preference for attaining pleasure and to avoid pains.

Therefore, animal's interests are integral to the overall happiness quotient.

In his essay entitled, "A Critique of the Kantian Theory of Indirect Moral Duties to Animals" Sebo, Jeff challenged Kant's moral theory as he claims that Kant's arguments is predicated on the on the hypothesis that animals do not have reason. He argues that evidence suggests that some animals have the capacity to reason. According to him, recent research in cognitive ethology indicates that chimpanzees and bonobos can perform some sophisticated functions showing that they have intellectual abilities similar to a normal human child. He opines that

... [they] can form mental representations of themselves and others, communicate with symbols, discern cause-and-effect relationships, solve simple logical and mathematical problems and much more (2).

Similar to the above criticism is one presented by Nelson Potter. Potter claims that it does not make sense to say that duties to abstain from cruel treatment of animals are not direct duties to them. According to him, newborns, the demented, the severely retarded, the comatose, beings in a permanent vegetative state are not rational, yet we attribute direct duties to them. To say we have only indirect duties to such humans are to exclude them from the kingdom of ends, or our moral community". Duties that are merely "with regard to" animals or low-functioning humans have almost an accidental relation to such indirect objects. These would be the only reasons for an agent's morally constraining her behavior toward such an individual. This seems to be an unacceptable view to have towards a low-functioning human or a paradigm animal, even when it is adequate to morally constrain an agent's behavior within an acceptable range

Kant's view that we have only indirect duties to animals fails to capture the intuitive notion that wronging animals transgresses duties we owe to those animals. A suitably modified Kantianism can allow for direct duties to animals and, in particular, an imperfect duty to promote animal welfare without unduly compromising its core theoretical commitments, especially its commitments concerning the source and nature of our duties toward rational beings. This is equally captured by Michael Cholbi thus:

Kant overlooked a possible axiological category into which animal welfare appears to fall—non-derivative value that is neither conditioned nor unconditioned because its value is independent of its relation to rational willing. Once animal welfare is placed into this category, direct duties concerning animal welfare become intelligible. On the revised Kantian view I defend here, our duties concerning animal welfare are direct but imperfect. These duties demand that moral agents adopt animal welfare as an end but do not require the performance of every act that might promote such welfare (340).

Animal welfare, he argues, is a final and non-derivative good, worthy of choice for its own sake and due to its

inherent nature. Its human analogue, happiness, is not an end-in-itself because of its conditional relationship to the unconditioned good. But animal welfare bears no such relationship to our rational wills. Hence, its goodness can ground a direct duty thanks to its normative independence from the rational will. By rejecting the claim that only that which is unconditionally good is an end in itself, it becomes apparent that animal welfare is an end-in-itself because it is a final and non-derivative good whose goodness is nevertheless not conditioned upon any association with rational volition (Cholbi 340).

VI. CONCLUSION

In his *Metaphysics of Morals* and other works of similar orientation Kant argues that only rational beings are capable making and acting upon moral judgments. Thus, those rational beings are the only beings worthy of direct moral consideration. Kant denies that we have any moral obligations toanimals as such, because animals lack autonomous rational wills, the possession of which is a necessary condition for being an object of obligations. Kant held that we instead have indirect duties concerninganimals. That is, we have moral obligations not to mistreat animals because mistreating them exemplifies, or encourages the development of, bad moral character and is therefore at odds with our chief duty to ourselves, that of moral self-perfection. Kant explains that wanton destruction or harm to animals uproots the agent's inner disposition that is important in his moral character. His conclusions regarding animals seem much more obviously to be a straightforward application of the categorical imperative.

Despite the merits to which Kant's ethical theory has received, we must assert that Kant's moral theory is a repugnant moral doctrine. His moral doctrine regarding the ascription of rights and duties to non-human animal is speciesist and anthropocentric in nature. His theory is anthropocentric because the respect we have for nature and other non-human animal is predicated on the respect we have towards ourselves.

Consequently, we can equally conclude by objecting that Kant's theory misses what is wrong about treating animals badly. Instead of saying that the harm to the animalis wrong, Kant says it is the harm to ourselves. Secondly, we can note that babies also are not rational or autonomous (yet) and neither are some people with severe mental disabilities. Can we treat them as means to an end, or do we have moral duties towards them? If we do, and yet these human beings do not have different psychological capacities from certain animals, then to deny those animals similar moral consideration would be speciesist, it seems.

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