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Kant: The Philosophy of Right

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KANT: THE PHILOSOPHY OF RIGHT

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To Lewis White Beck

Acknowledgements

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Preface

The present study is an attempt to present a critical exposition of Kant's philosophy of right. By a 'philosophy of right' I understand an attempt to discover those principles definitive of the moral rectitude of *actions*. The contrast here is with a theory of virtue – an attempt to characterise (generally in terms of motives) the morally worthy *agent*. The large place in the literature on Kant's ethics has stressed his conception of virtue, where discussions of such mentalistic notions as 'respect for duty' and 'the good will' abound. By focusing upon the philosophy of right, I do not intend to depreciate Kant's theory of virtue. Rather, in keeping with the thrust of this series, I focus upon the philosophy of right because it is here that principles are presented which illuminate the issues of social and political ethics – viz. duties to others which are *prima facie* a proper object of enforcement through State coercion. There is some controversy over whether or not Kant regards *pflichtmässig* or right actions as capable of having any moral worth at all; however, since I have discussed this question in detail elsewhere,¹ I shall here simply assume that *pflichtmässig* actions (i.e. externally right actions considered without regard to the motive which prompts them) are a proper object of moral evaluation and can be said to have moral worth.

Parts of an earlier draft of this manuscript were read by Professors Robert L. Holmes and Lewis White Beck of the University of Rochester, and by Professor Gareth Matthews, my former colleague at the University of Minnesota. I have learned much from their helpful comments but have, no doubt to my eventual regret, resisted their enlightenment at many points. And so the usual claim for sole responsibility for error is quite

in order. Professor Holmes is owed a special debt of thanks. He advised my doctoral dissertation, from which part of the present study is drawn, and clarified my thought at many crucial points. To Professor Beck I owe my original interest in Kant and most of what I know of the Kantian philosophy. His courses and seminars were the high point of my graduate study. And so, in spite of its weaknesses and the extent to which I am sure he would disagree with much of it, the present study is dedicated to him.

I should also like to thank Professor A. D. Woozley, the general editor of this series, for his careful and illuminating comments on an earlier draft of the entire manuscript. What now confronts the reader is shorter, more intelligible and more free of error than it would have been without his scrutiny.

The Graduate School of the University of Minnesota provided me with a grant, for which I am very grateful, to aid in the completion of the manuscript.

Finally, I should like to express gratitude to my parents and apologies to my wife. My parents were a constant source of assistance and encouragement throughout all of my university studies. And my wife has learned the hard way that the writing of philosophy is not inclined to produce in the writer that kind of temperament and composure generally called philosophical.

In making the always difficult choice between a cumbersome text and numerous notes, I have (for better or worse) adopted the latter alternative. Since many of these notes expand or qualify the argument of the text in important ways, I hope that the reader will not choose to ignore them entirely.

JEFFRIE G. MURPHY

A Note on the Texts

Unless otherwise noted, all references to Kant's works are to the edition issued by the Royal Prussian Academy in Berlin. The volumes of the Academy edition which contain the principal works cited are as follows:

	vol.
<i>Kritik der reinen Vernunft</i> (<i>Critique of Pure Reason</i> , 2nd ed., 1787 – cited as 'B')	III
<i>Grundlegung zur Metaphysik der Sitten</i> (<i>Foundations of the Metaphysics of Morals</i> , 1785)	IV
<i>Kritik der praktischen Vernunft</i> (<i>Critique of Practical Reason</i> , 1788)	V
<i>Kritik der Urteilskraft</i> (<i>Critique of Judgment</i> , 1790)	V
<i>Religion innerhalb der Grenzen der blossen Vernunft</i> (<i>Religion within the Limits of Reason Alone</i> , 1793)	VI
<i>Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis</i> (<i>Concerning the Saying: That May be True in Theory but not in Practice</i> , 1793)	VIII
<i>Zum ewigen Frieden</i> (<i>Perpetual Peace</i> , 1795)	VIII
<i>Metaphysik der Sitten</i> (<i>The Metaphysics of Morals</i> , 1797: pt. I <i>Metaphysische Anfangsgründe der Rechtslehre: Metaphysical Elements of Justice</i> ; pt. II, <i>Metaphysische Anfangsgründe der Tugendlehre: Doctrine of Virtue</i>)	VI

In quoting from these works, I have placed the page number from the Academy edition immediately following the title citation. This is followed by the page numbers of the translation on which I have relied (with occasional modifications) and the name of the translator. For example, a citation from the *Founda-*

tions of the *Metaphysics of Morals* would appear as follows:

(*Foundations*, 398; Beck, 14)

There are three exceptions to this general procedure. In quoting from the *Critique of Pure Reason*, I follow the standard practice of citing the page numbers from both the 1781 first ('A') and 1787 second ('B') editions of that work. For example:

(*Critique of Pure Reason*,
A 841 = B 869; Kemp Smith, 659)

Also, in quoting from the pre-critical *Lectures on Ethics*, I have relied exclusively on the English translation by Louis Infield and all page references are to this translation. In using Kant's 1770 *Inaugural Dissertation (Form and Principles of the Sensible and Intelligible World)* I have relied on the English translation (from the Latin) by John Handyside.

Full publication particulars for all these works may be found in the Bibliography.