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Kant's Rational Morality and the Mentally Impaired: The Quest for a Universal Moral Account

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Abstract

Kantian deontology makes at least three central claims: (1) All humans are ends in themselves, (2) All humans have moral obligations, and (3) Morality (the categorical imperative) is a rational endeavor. However, the universal claims of Kantian deontology become suspect when we consider the mentally impaired who, in some cases, cannot meet the rationality requirements implicit in the categorical imperative. In this paper, I argue that Kantian deontology cannot account for the entirety of the human population lest it exclude the mentally impaired as either non-moral agents or sub-human entities. I then suggest that by adopting the paradigm of virtue ethics, we can sufficiently avoid this problem and account for the dignity and moral agency of the mentally impaired. Finally, I consider one objection to this moral picture and respond.

I. A Short Preface

Before I officially begin, I would like to acknowledge that in considering this particular population—the mentally impaired—I approach very tumultuous ground. Therefore, I would like to state quickly my reasons for thinking about this topic. For one, I am the older sibling of a severely handicapped brother who is blind, autistic, and mentally impaired. So, much of this paper is fueled by my actual frustration with contemporary and historic ethical thinking: that it usually ignores or does not account for the mentally impaired. Secondly, having worked in the classroom with mentally impaired students, I believe the picture I am laying out has actual precedent for what educators and caretakers do. Finally, I would like to clarify who I mean by “mentally impaired”. Such disabilities have a wide spectrum, but I basically mean an individual who does not have the cognitive capacity to ensure their own physical wellbeing but has the ability to speak, form sentences, and engage in elementary reasoning.

II. Virtue: What is it?

The concept of virtue is notoriously broad. Aristotle, perhaps the first to present a systematic virtue ethics, considers magnanimity—greatness of soul—to be a paramount virtue, whilst Aquinas—in a rare moment of departure from Aristotle—maintains that humility (a kind of lowness of soul) is essential for human moral perfection. And virtue lists dot the pages of history, contradicting one another, claiming different ends for the human race.¹ But accounting for this wide variance is not essential to this paper; rather, it is important that we note a general feature of virtue: it is concerned with *ends*. The basic assumption behind virtue ethics is that human beings have an inherent purpose in their natures, and virtues are the kinds of excellent-making properties that reshape and refine our nature in such a way that we are able to meet those ends to which our nature directs us.²

In the development of this paper, we will therefore be utilizing the mechanics of virtue of ethics. Specifically we will consider *appropriateness*: the cognitive endeavors and moral responsibilities of an individual are dependent upon their ability (especially taken here to be *cognitive ability*) to engage in practical reason (the implementation of virtuous practices).³ We will analyze the benefits of a virtue ethics paradigm by examining, all too sparsely, the apparatus of Kantian deontology, and I will argue that Kantian deontology, because of its rigorous rationality requirements, effectively excludes a portion of human beings—the mentally impaired—from true moral agency. The upshot of this is that the Kantian must either weaken the universal claims of Kantian ethics, or she must accord to the mentally impaired a lesser degree of human dignity. Finally, we will consider why the apparatus of virtue ethics, particularly the notion of *appropriateness*, allows for the mentally impaired to retain their dignity and allows for the mentally impaired to have greater moral worth overall.

III. What is Kantian Deontology?

The distinctive paradigm of the Kantian deontological system is rationality. The exercise of reason is essential to the moral life, and the moral life—the laws and obligations which rational, moral agents follow—are based upon rational standards. Kant writes:

¹ For further discussion, which we cannot cover here, see: Adams, Robert Merihew, 2006, *A Theory of Virtue*, New York: Oxford University Press.

² Audi, Robert, 2009, “Moral Virtue and Reasons for Action”, *Philosophical Issues*, 19: 1–20.

³ For a discussion of the cognitive aspects of virtue, see: Bailey, Olivia, 2010, “What Knowledge is Necessary for Virtue?”, *Journal of Ethics and Social Philosophy* 4 (2): 1–17.

For inasmuch as morality serves as a law for us only insofar as we are rational beings, it must also be valid for all rational beings.⁴

So for Kant, the moral law is not only applicable to us only if we are rational beings, but also, it must be “valid” for us; that is, it must be accessible to us. Kant, of course, is implying that “ought implies can.” Freedom is necessary if the moral law is to be valid, for no moral agent has actual moral responsibility if that moral agent cannot follow through with the moral law. Thus, freedom of the will is important to Kant’s ethical conception, and for Kant, it is reason that accompanies this freedom of the will.⁵ His classic *categorical imperative* is the culmination of the union of the free will and human reason. Kant formulates the Categorical Imperative in several ways, but for brevity’s sake, here is the first formulation: “act only in accordance with that maxim through which you can at the same time will that it become a universal law.”⁶ The process of this formulation goes something like this. I formulate a maxim that displays my reasons for acting as I wish to. I transpose that maxim into a universal law that I envision to be morally binding on all moral agents. I then consider whether this maxim makes sense in the world, and whether I could reasonably will my acting upon this maxim. And if the answer is positive, then said action is morally permissible.

To add to our account, a second formulation of the *categorical imperative*: never act in such a way as to treat a fellow human, whether ourselves or others, as a means only but always as an end in themselves.⁷ Again I will leave this as it stands. It is enough that we have sketched the rational method of coming to the first instantiation of the *categorical imperative*, but this second formulation need only stand as a facet of Kant’s morality, and one which we desire to preserve for good reason.

This is a very cursory account of Kant’s moral system,⁸ but we are only highlighting those aspects of Kant’s ethical thought that are directly relevant to our critique. We can notice a few things about Kant’s system. First of all, all humans are ends in themselves, according to the second formulation of the *categorical imperative*. We should treat human moral agents as ends in themselves because they have a certain dignity, and this dignity is a product of their moral status. This moral status is, as we observed at the top of this section, a product of humanity’s rational capacities. Secondly, all humans have

⁴ Kant, *Groundwork of the Metaphysics of Morals*, 4:421

⁵ For further discussion, see Aune, Bruce, 1979, *Kant's Theory of Morals*. Princeton, NJ: Princeton U. P.; Beck, Lewis White, 1960, *A Commentary on Kant's "Critique of Practical Reason"* Chicago: University of Chicago Press; Herman, Barbara, 1993, *The Practice of Moral Judgment*. Cambridge, MA: Harvard U.P.

⁶ Kant, *Groundwork of the Metaphysics of Morals*, 4:421

⁷ Kant, *Groundwork of the Metaphysics of Morals*, 4:423

⁸ For a fuller account, one which we cannot give here, see: Rawls, John, 1989, “Themes in Kant’s Moral Philosophy,” in *Kant's Transcendental Deductions*, E. Förster, ed., pp. 81-113. Stanford: Stanford U. P.

moral obligations just because humans have rational capacities that enable moral reasoning. And thirdly, this moral reasoning enables us to reason out the *categorical imperative*—to form moral propositions. Finally, we have noted that Kant’s system is meant to apply universally; that is, it is meant to apply to *all* of humanity.

IV. The Argument

We have laid out three deontological premises above:

1. All humans are ends in themselves.
2. All humans have moral obligations.
3. The categorical imperative (the formation of moral propositions) is a rational endeavor.

We observed Kant claiming above that “[the moral law] must also be valid for all rational beings.” And it seems like Kant’s system meets these requirements, but I am not convinced. There are members of the human race who are not able to fulfill Kant’s rationalistic standards; however, it is not clear that they are entirely irrational beings, so they must have some moral standing, right? Let’s introduce a claim about some mentally impaired individuals (those who are sufficiently cognitively impaired to prevent their caring for themselves but still able to engage in basic reasoning):

4. If an individual is mentally impaired (in the manner stipulated above), then that mentally impaired individual cannot fulfill (3).

Because the formation of the categorical imperative—coming to know the moral law—requires a certain amount of cognitive and rational power, those who do not possess such power are incapable of engaging in the kind of rational endeavor that the Kantian thinks all humans must engage in. It is simply not expected that a mentally impaired person be able to engage in the kind of moral reasoning that Kant requires in the formation of the *categorical imperative*. Let us take the argument a step further:

5. If a mentally impaired individual cannot meet (3), then that same mentally impaired individual cannot meet (2).

I rely here upon the notion that *ought implies can* which Kant also insinuates, as mentioned above. While there is some controversy around this notion, I think it a staple of any ethical theory that it should allow for the capability of meeting its edicts; after all, if we posit a moral code that we cannot meet, it does not seem to be practical, and if anything, morality should be a catalyst of human flourishing. In any event, if the mentally-impaired individual cannot engage in the categorical imperative—cannot know the universal law, then they do not have moral obligations because they cannot,

under any circumstances, come to know that a certain action violates a duty. That they ought not to lie is unknown to them; thus, they cannot be held culpable for lying under a deontic system. And finally, we come to our last premise:

6. If a mentally impaired individual cannot meet (2), then that same mentally impaired individual cannot meet (1).

Because a mentally impaired individual does not have moral obligations—or at least does not have *all* of the moral obligations that most other humans have—then that individual does not seem to meet the description of a human moral agent. And a human moral agent has moral status because that individual has moral obligations and the ability to reason morally. But since the mentally-impaired individual has none of these capacities, then that individual's moral status is suspect. I do not mean to imply here that the Kantian must call these individuals monsters or beasts; rather, they do not have the same kind of *dignity* that other humans do, and that is a problem.

Why is this a problem? It refutes the Kantian claim of universality. Unless the mentally impaired *are not human*, then the claim that *all* humans are moral agents must be refuted, and likewise, that moral obligations are *universal* must be restricted to a lesser claim: moral obligations are applicable to *most* human beings. But this is a weaker claim, one which endangers the objectivity which Kant strives for. *Not all* humans are ends in themselves (or have the same moral dignity), and *not all* humans have moral obligations. Either the Kantian stipulates non-universal moral obligations, or the Kantian accepts a limitation of the moral dignity and worth of mentally impaired individuals.

But this seems to intuitively go against our practice. Often enough, we treat mentally impaired individuals with enough cognitive function to have some moral awareness as culpable for particular actions; however, these individuals cannot engage in the kind of reasoning with the *categorical imperative* requires. So intuitively, we assign to them moral obligation because they are conscious of their violations of certain ethical principles, but they cannot sufficiently reason to these principles; instead, their instructors and caretakers must inform them. I will return to this situation later, but first let's look at a potential solution to the problem.

V. A Virtuous Solution

My proposed solution is one that relies on *appropriateness*, a feature of virtue ethics. Appropriateness refers to the fluidity of virtue ethics; that is, that while the end of human nature is a virtuous end, how one achieves the virtuous end will be determined upon a case by case basis. So, for instance, if one warrior is exceedingly cowardly and another is exceedingly reckless, then the coward will need to undergo a different kind

of “training” (one which is appropriate) in order to achieve the virtuous habit of courageous action, better defined as the *disposition* to act courageously. Here’s the revised argument altered by the inclusion of appropriateness:

1. All humans are ends in themselves. (I take this to be an incontrovertible claim, for we are ends in the eyes of both Kant and virtue ethics.)
2. All humans have **appropriate** moral obligations.

This is a claim that places a restriction on *universality*. “Appropriate moral obligations” are thus those that are tailored in such a way that the individual nature of a person carries the inherent capacities that enable the individual to fulfill these moral obligations. The application to the mentally impaired is obvious. They have appropriate moral obligations given their cognitive status; or rather, they have moral responsibilities appropriate to the capacities of their person. Here we are again relying upon the principle that *ought implies can*. My brother, for instance, cannot reason effectively that to the conclusion that murder is impermissible, but he can be held responsible for lying since he understands fully well that he ought not to do it.

Morality is an **appropriate** rational endeavor (proportioned to the cognitive capacities and ends of an individual).

This naturally follows from the second premise. Morality is a rational endeavor which is possible for the individual to carry out; thus, the individual *ought* to recognize those moral duties which they *can* reasonably conclude. This might be construed as a kind of epistemic duty, and the mention of that warrants another conversation, but for our purposes, we should note that in any ethical system individuals have certain obligations to act in certain ways because they know the proper way to act. Finally, I take the rest of the argument to follow easily enough. If a mentally impaired individual can engage in moral reasoning at all, then there is an appropriate rational endeavor they can carry out, which means that there are appropriate moral obligations that suite them, and lastly, if they can engage as moral agents (and need not meet a strict rationality requirement), then they can be accorded full human dignity. So, here it is for posterity:

1. If an individual is mentally impaired, then the mentally impaired individuals can fulfill 3.
2. If the mentally impaired individual can fulfill 3, then the mentally impaired individual can fulfill 2.
3. If the mentally impaired individual can fulfill 2, then the mentally impaired individual has an end and appropriate dignity.

We have therefore concluded that by altering the rigid claims to universality that Kant makes, we can account for a portion of the human population that would have been

excluded from equal moral dignity. An interesting note: we should notice that by weakening the universality of Kant's claims, we have increased the coverage of our moral system, and likewise, we should note that the reverse is true: when we make strict universal claims of morality and reason, we weaken the universal coverage of that ethical system. So, in sum, the issue with the strict rational morality of Kant is that it is actually too exclusive to faithfully account for the totality of the human species.

But this leads us to ask: what of virtue? The gist of the above argument displays the ability of virtue ethics to appropriately account for the multiplicity of human existences while still remaining consistent with its own standards. Take the mentally impaired, for instance. We noted earlier that it seems peculiar that, even though they do not have the cognitive capacities to engage in the rigorous rational practices of Kantian deontology, we still believe them to have moral obligations on a case by case basis; that is, we think them to have *appropriate* moral obligations (premise 2). And likewise, those especially who are involved in the education or caretaking of the mentally impaired encourage the mentally impaired to cultivate particular *habits* or *dispositions* that are *appropriate* to their cognitive capacities which accord with the moral obligations they have (premise 3). In that sense, educators and caretakers attempt to inculcate *virtue*. Now virtue can be partially a rational endeavor where one engages in theoretical reflection on the virtues, but we should note that the moral agents need not engage in this theoretical reflection to be virtuous; rather, they must cultivate the virtuous dispositions and *become* virtuous. In that sense, the mentally impaired are entirely capable of cultivating virtue *appropriate* to their cognitive capacities and abilities—especially with the help of others, and this is exactly why they too, like the rest of us, have *dignity*—they are moral agents: ends in themselves.

VI. A Quick Objection and Reply

Now the Kantian may respond with a critique of my virtue ethics response which goes something like this: “You mention *moral obligations* even as you discuss virtue ethics, but certainly you cannot mean to suggest that humanity, including the mentally impaired, have a duty to be virtuous. For if this is the case, then not only is virtue ethics merely the byproduct of Kantian ethics, but your portrait of our ethical lives succumbs to the same critique you leveled against Kant. It does not seem as though the mentally impaired could ever come to know they have this duty. If you're going to try to take me down, I'll take you down with me.”

I do not think I've shot myself in my own foot, for it does not seem that we have some kind of *prima facie* duty to practice virtue; instead, we have a certain *desire* to flourish—we have a notion that our lives require certain contexts and realities in order to be fulfilled. And it seems we have certain intuitions about these ends. For instance, most see peaceful and loving relations with other people to be a good, and a part of

establishing these good relations is not killing people or stealing from them. This may suggest a kind of duty; that is, a forceful reason for us to act in a certain way. But if an individual has practiced a life of perpetual thievery and not practiced restraining their anger, it seems difficult to see how this individual will be able to ever achieve that facet of human flourishing: peaceful relations with others. So yes, we can and should identify particular *goods* that humans should strive for and not violate, but how we achieve those *goods*—which are implicit in our natures as human beings—is a matter of virtue and not strict Kantian rationality. For such an emphasis on rationality surely excludes the mentally impaired from the moral life, but through the paradigm of virtue we can accord to all proper dignity as human beings and encourage all in the practice of the good life.

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