

University of Windsor

Scholarship at UWindor

Electronic Theses and Dissertations

Theses, Dissertations, and Major Papers

2006

Perfect duties in the face of human imperfection: A critical examination of Kant's ethic of suicide (Immanuel Kant).

Ryan S. Tonkens
University of Windsor

Follow this and additional works at: <https://scholar.uwindsor.ca/etd>

Recommended Citation

Tonkens, Ryan S., "Perfect duties in the face of human imperfection: A critical examination of Kant's ethic of suicide (Immanuel Kant)." (2006). *Electronic Theses and Dissertations*. 3042.
<https://scholar.uwindsor.ca/etd/3042>

This online database contains the full-text of PhD dissertations and Masters' theses of University of Windsor students from 1954 forward. These documents are made available for personal study and research purposes only, in accordance with the Canadian Copyright Act and the Creative Commons license—CC BY-NC-ND (Attribution, Non-Commercial, No Derivative Works). Under this license, works must always be attributed to the copyright holder (original author), cannot be used for any commercial purposes, and may not be altered. Any other use would require the permission of the copyright holder. Students may inquire about withdrawing their dissertation and/or thesis from this database. For additional inquiries, please contact the repository administrator via email (scholarship@uwindsor.ca) or by telephone at 519-253-3000ext. 3208.

NOTE TO USERS

Page(s) not included in the original manuscript and are unavailable from the author or university. The manuscript was scanned as received.

88 - 90

This reproduction is the best copy available.

UMI[®]

**Perfect Duties in the Face of Human Imperfection: A Critical
Examination of Kant's Ethic of Suicide**

by
Ryan S. Tonkens

A Thesis
Submitted to the Faculty of Graduate Studies and Research
through Philosophy
in Partial Fulfillment of the Requirements for
the Degree of Master of Arts at the
University of Windsor

Windsor, Ontario, Canada
2006
© 2006 Ryan S. Tonkens



Library and
Archives Canada

Bibliothèque et
Archives Canada

Published Heritage
Branch

Direction du
Patrimoine de l'édition

395 Wellington Street
Ottawa ON K1A 0N4
Canada

395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file *Votre référence*
ISBN: 978-0-494-17038-0
Our file *Notre référence*
ISBN: 978-0-494-17038-0

NOTICE:

The author has granted a non-exclusive license allowing Library and Archives Canada to reproduce, publish, archive, preserve, conserve, communicate to the public by telecommunication or on the Internet, loan, distribute and sell theses worldwide, for commercial or non-commercial purposes, in microform, paper, electronic and/or any other formats.

The author retains copyright ownership and moral rights in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

AVIS:

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque et Archives Canada de reproduire, publier, archiver, sauvegarder, conserver, transmettre au public par télécommunication ou par l'Internet, prêter, distribuer et vendre des thèses partout dans le monde, à des fins commerciales ou autres, sur support microforme, papier, électronique et/ou autres formats.

L'auteur conserve la propriété du droit d'auteur et des droits moraux qui protègent cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

In compliance with the Canadian Privacy Act some supporting forms may have been removed from this thesis.

Conformément à la loi canadienne sur la protection de la vie privée, quelques formulaires secondaires ont été enlevés de cette thèse.

While these forms may be included in the document page count, their removal does not represent any loss of content from the thesis.

Bien que ces formulaires aient inclus dans la pagination, il n'y aura aucun contenu manquant.


Canada

ABSTRACT

The purpose of this work is to offer a critical examination of Immanuel Kant's ethic of suicide. Kant's suicidology marks an influential view regarding the moral stature of suicide, yet one that remains incomplete in important respects. Because Kant's moral views are *rationalistic*, they restrict moral consideration to rational entities. Many people who commit suicide are not rational at the time of its commission, for they suffer from severe mental illness. Because of this, Kant's suicidology devastatingly excludes certain human demographics from moral consideration, current Canadian statistics indicating that such people mark one of the highest populations at risk of committing suicide in the first place. This work contains a presentation, analysis, and critique of Kant's ethic of suicide, leading to an attempt to state criteria for an adequate suicidology.

DEDICATION

This work is dedicated to the four most radiant and influential women in my life: Irene, Lorraine, Ashley, and Christine. Also, to the members of the Department of Philosophy at the University of Windsor, for their willingness to take a chance on a long-shot.

TABLE OF CONTENTS

ABSTRACT	iii
DEDICATION	iv
LIST OF ABBREVIATIONS	vi
CHAPTER	
I. INTRODUCTION	1
Defining Suicide	5
Why Is Suicide a <i>Problem</i> ?	9
II. KANT'S MORAL PHILOSOPHY	15
Moral Agents as Rational and Autonomous	15
Rationality, <i>A Priori</i>	15
Freedom and Autonomy of the Will	20
Three Formulations of the Categorical Imperative	25
Subjective Maxims	25
The Categorical Imperative	28
Duty and a Good Will	36
Failed Subjective Principles	40
III. KANT'S SUICIDOLOGY	44
The Immorality of Suicide According to Kant	44
Blameworthy Suicide in <i>LE</i>	49
Self-murder from Self-love	50
Moral Agents as Un-free to Eliminate Freedom	51
Kant's Religious Condemnation of Suicide	53
Suicide in Kant's <i>FPMM</i>	54
Suicide in Kant's <i>MM</i>	57
On Kant's Casuistical Questions Regarding Suicide	60
Suicide as a Cure for Rabies	63
IV. TOWARDS AN ETHIC OF SUICIDE	66
Context-inclusiveness	66
Consideration of All Possible Victims of Suicide	70
Moral Agency Versus Moral Patienthood	71
Kant on Mental Illness	73
Irrationality, Insanity & Suicide	78
Prevention & Intervention	82
Kant's Practical Ethics & Suicide Intervention	83
An Account of the Phenomenology of Death	87
Is death Negative, <i>A Priori</i> ?	89
On the Logical Opaqueness of Death	91
V. CONCLUDING REMARKS	94
SELECTED REFERENCES	98
VITA AUCTORIS	102

LIST OF ABBREVIATIONS

AP: Anthropology from a Pragmatic Point of View; Immanuel Kant.

CPR: Critique of Pure Reason; Immanuel Kant.

CPrR: Critique of Practical Reason; Immanuel Kant.

FPMM: Fundamental Principles of the Metaphysic of Morals; Immanuel Kant.

LE: Lectures on Ethics; Immanuel Kant.

MM: The Metaphysics of Morals; Immanuel Kant.

I. Introduction

Once the reader has finished reading this text, roughly two hundred and fifty of the world's inhabitants will have killed themselves.¹ Since human beings have the ability to end their own life; since human beings *do* commit suicide, the question arises as to whether it is morally permissible for them to do so.

Albert Camus characterized the problem of suicide as one of the most fundamental philosophical problems:

There is but one truly serious philosophical problem and that is suicide. Judging whether life is or is not worth living amounts to answering the fundamental question of philosophy. All the rest—whether or not the world has three dimensions, whether the mind has nine or twelve categories—comes afterwards. These are games: one must first answer.²

The discussion of suicide within the history of philosophy is by no means restricted to Camus; the issue of suicide is present throughout the writing of Sartre³, Dostoyevsky⁴, Kant, Hume⁵, Seneca⁶, Schopenhauer⁷, to name a few. Despite Camus' powerful convictions, suicide's urgency as a philosophical problem has been largely overlooked in favour of other problems in many respects. Consequently, regardless of the exigency of its solution, the problem of suicide remains shadowy, imperative, and irresolute. Since normative ethics deals with how human beings ought to act; since suicide is a human act, it follows that any decision regarding whether or not human beings are permitted to commit suicide needs to be informed by normative ethics. As the current situation indicates,

¹ The World Health Organization (2002) reported findings that "someone around the globe commits suicide every 40 seconds". See Canadian Mental Health Association (2003).

² *The Myth of Sisyphus*, page 11.

³ Suicide is a theme running throughout Sartre's fiction, especially his *Roads to Freedom* trilogy.

⁴ At one point in *Crime and Punishment*, Raskalnikov contemplates the possibility of self-termination.

⁵ See Hume's *On Suicide*.

⁶ See Seneca's *Letters from a Stoic*, for example, letter LXXVII. Also, for a detailed examination of both the Stoic and Kantian view regarding suicide, see Seidler's "Kant and the Stoics on Suicide" (1983).

⁷ See Schopenhauer's "On Suicide" in Schopenhauer, Arthur (1994): *Philosophical Writings*. Edited

more work needs to be done on the issue of suicide.

This work is focused on one question: is it or is it not *morally* permissible to commit suicide? This question leads to other questions of equal importance. For instance, once a conclusion to the former question has been reached (assuming such a conclusion is *possible*), what would the encapsulating ethical paradigm look like which satisfies it? Furthermore, can such a theoretical ethic of suicide reach the goal of sound practical application in human individual and social reality at large? It is not the purpose of this discourse to seek answers to the above questions directly, but rather to offer a critique of an influential ethic of suicide that itself attempts to do so. Relying heavily on an exposition and critique of the views of Immanuel Kant regarding (what he terms) *self-murder*, my primary goal is positive in nature. By examining Kant's views on the moral standing of suicide, we become better suited to establish certain principles that a sound ethic of suicide *ought to encompass*. Hence, the positive argument found in the closing chapter here is an attempt to establish sound guidelines for a normative ethic of suicide, based largely on apparent shortcomings in Kant's ethic of suicide, which are manifested through the insights generated by a negative critique of his general suicidology.⁸

The specific problem under scrutiny, then, is whether reason alone can provide proper moral guidance with respect to the act of suicide. In other words, is Kant correct in arguing that 'suicide is morally impermissible because it contradicts the moral law (in various ways) which reason sets for itself?' Kant's account is complicated and metaphysical; it is also incomplete. It is my contention that Kant's moral philosophy cannot offer a complete solution to the problem of suicide for four main reasons, each of which will be elaborated in Chapter Three. A brief summary of these reasons now follows.

by Wolfgang Schirmacher. New York: Continuum Publishing Company.

⁸ Although suicidology is a broad term that has been identified with "the study of suicide," it will be used in the present discourse to refer to the *moral* issues surrounding suicide, and is for the most part interchangeable with "ethics of suicide".

1. **Universal application and context sensitivity:** *The inability of Kant's moral doctrine to account for all cases of suicide, exemplified by the 'exceptions' to his rules* (especially the casuistic questions as found in *The Metaphysics of Morals*). Kant affords certain *quasi*-exceptions to the immorality of suicide, which suggests that whatever fine-line dictates where specific cases of suicide fall along the continuum between morally permissible and morally reprehensible needs to be examined and clarified. Judging by Kant's 'mysterious' casuistic questions in *The Metaphysics of Morals*, these fine-lines continue to be vague and unhelpful.

2. **The 'irrationality' of suicide:** *Kant's emphasis and reliance on rationality as the dictator of the moral law, in effect reason as setting laws for itself.* This may be a sound assessment of suicide with respect to those human beings who *are* rational (although, even this claim remains controversial). However, the point is that Kant's doctrine fails to account for those human beings who *are not* rational at the time of their suicide, i.e. those human beings who are *irrational*. A substantial number of human beings fall into this category of lacking rationality, especially where the issue of suicide is concerned. For example, young children and adolescents, people who are diagnosed with severe mental illness, and people who are extremely intoxicated are all susceptible to suicide, and are all characteristically irrational.⁹ Since such is the case, then an accurate view of the moral standing of suicide needs to take these demographics into account. In other words, it surely cannot be the case that the same moral theory that applies to rational agents insofar as they are rational may equally apply to those agents who are not rational.

⁹ Throughout this work, when the term "irrationality" is used in describing people who are mentally ill, it is assumed that the evaluation is being made from a perspective external to the beings in question. In certain instances, the terms "arational" or "non-rational" may be more appropriate. Since rationality comes in degrees, and since the mentally ill may range from having mildly to severely impaired rational faculties, different descriptions may be appropriate in different cases. While the term 'irrational' is used throughout, it is understood that at times such beings may be more aptly

3. **Intervention:** *The impracticality of Kant's theoretical conjectures when it comes to informing prevention strategies.* A sound ethic of suicide needs to inform prevention practices. However, it will be shown that Kant's ethic is inadequate for the purpose of informing prevention and intervention strategies in all cases.

4. **Incomplete account of the nature of (the phenomenology of) death:** *Kant's failure to attend to the phenomenology of death with any significant (moral) insight, leaving the question of the nature of the result of suicide open, and hence any subsequent judgements regarding suicide wanting of a secure foundation.* If we accept the life / death dichotomy as being exhaustive, then any act that is done in life, let alone done to end life (and hence to initiate death), must take into account, and be consistent with, the nature of death. Kant offers nothing by way of considering the nature of death in a moral context, and hence his suicidology is incomplete. It is not to say that a deontological ethical theory is ultimately inadequate; it is merely to say that reason must be informed regarding the consequences of an action, even to know whether such an action ought to be sought out as an end in itself in the first place. Self-preservation, as *not-killing-oneself*, is an end that largely assumes the righteousness of maintaining life, an idea itself based on a relatively unrehearsed and ultimately uncertain phenomenology of death.

In sum, as will become clear throughout this discourse, a proper verdict regarding the moral standing of suicide (whatever it may turn out to be) must be context-sensitive, include all human beings under consideration, inform intervention strategies, and have as one of its foundational tenets an understanding of the phenomenology of death. Kant's suicidology fails in several respects in meeting these relevant guidelines, and hence offers at

labelled arational. For the critique of Kant made herein, arationality of the mentally ill (or the mentally ill being entirely without reason) is not required.

best an incomplete account of the moral standing of suicide. An elucidation of the importance and support of these conjectures will make up the bulk of the final chapter.

In the first chapter, an account of Kant's general moral philosophy is given, one more conservative than controversial. Although such an exposition is crucial for the task at hand, it serves merely to draw out the main tenets of Kant's overall moral philosophy, leaving an exposition of the finer details for more developed works currently in the literature (see for example O'Neill (1988), and Rawls (2000)). Such an examination lays the groundwork for Chapter Two, where the focus is restricted to an examination of Kant's views regarding the moral standing of suicide specifically. In the final chapter, our previous examination of Kant's arguments prove valuable for establishing some preliminary guidelines for the establishment of a sound ethic of suicide.

If the problem of suicide can be viewed as a fundamental *moral* problem, then the question of whether suicide is morally impermissible or otherwise becomes of primary concern if any sound general moral theory (and practice) is to be conceived of and established. More importantly, theoretical soundness would provide grounds for a solidified perspective concerning the successful manoeuvring of suicidal situations in everyday life, which is of paramount concern since such situations constitute concrete examples of the reason why suicide is a moral dilemma to begin with.

Before proceeding, two preliminary notes are necessary: an explication of what suicide *is*, and a characterization of why it is taken to be *a problem*.

1.1 Defining Suicide

"Suicide" as a concept enjoys a myriad of definitions that appear both within the philosophical literature and elsewhere. It is a truism that suicide happens; it is also for the most part agreed upon as to what characteristic properties of suicide distinguishes it from, say, murder, euthanasia, kamikaze, mass suicide, prolonged self-destructive behaviour

(cigarette smoking for example), accidental self-immolation, *et cetera*. I offer a few definitions of suicide by way of elucidating what the concept means, which helps in formulating an operational definition of suicide to be used throughout this text:

According to Immanuel Kant, suicide¹⁰ is “the total killing of oneself”, that is, the *intentional* physical termination of one’s life. (Mutilating oneself, interestingly enough, is considered by Kant to be a partial or *incomplete suicide*).¹¹ Furthermore, Kant contends that “wilfully killing oneself can be called murdering oneself...only if it can be proved that it is in general a crime committed against one’s own person or also, through one’s killing oneself, against another (as when a pregnant person takes her life)”.¹² Whether or not committing suicide is rightly considered a *criminal* offence is orthogonal to our current study. However, considering the idea that moral philosophy has historically influenced legal constitution and practice, answers to the questions central here could conceivably inform legal policies and practice.

Another definition of suicide is offered by Edwin S. Shneidman,¹³ the leading suicidologist of his day. According to Shneidman, suicide is defined as the “human act of self-inflicted, self-intended cessation,” and “is a conscious act of self-induced annihilation, best understood as a multidimensional malaise in a needful individual who defines an issue

¹⁰ In “Suicidology and the Right to Die,” Margaret P. Battin writes: “The German *Selbstmord*, the term most frequently used in ordinary spoken and written discourse, carries extremely negative connotations, no doubt associated with its literal meaning, self-murder, including the implication of moral wrong” (390). Battin goes on to argue that “German’s fourth term for self-caused death, however, is quite another matter. *Freitod* (literally free death or voluntary death) is a positive term, free from connotations of either moral wrongness or pathology” (391). The fact that Kant used the former term to denote suicide may be beside the point; however, the fact that the German language has such a term as the latter suggests that Kant could have been more neutral when assigning a term to denote such a serious moral problem as suicide.

¹¹ *MM*, page 176.

¹² *MM*, page 176.

¹³ Edwin S. Shneidman was a leading suicidologist whose groundbreaking work with suicide notes led to his label as being the founder of the aforementioned discipline. Suicidology, although having different definitions for different people, can be summed up as the discipline whose area of study is suicide, its various dimensions, prevention, and phenomena.

for which the suicide is perceived as the best solution”.¹⁴ Not only is the idea of “intent” present in Kant’s definition also observed in Shneidman’s characterization of suicide, but Shneidman also notes the importance of *psychological* considerations, insinuating that suicide ‘victims’ are proximally and for the most part people who are suffering in some way, or are otherwise “needful”. This definition seems *prima facie* incomplete because it apparently restricts the suicidal person to a human being lacking or deficient in some way, suppressing the fact that fully functional human beings, people who are not needful in any relevant sense, equally commit suicide. In other words, although it is true that psychological factors play a role in a great number of suicides, to *define* suicide as necessarily involving psychological malaise is to over-restrict its defining traits, and hence to reject certain cases of genuine suicide from falling within its domain.

Victor Cosculluela, in *The Ethics of Suicide*, offers another definition of suicide. Before arguing that “it is unlikely in the extreme that any analysis of suicide will ever become universally received or that there is an analysis which is both plausible and perfectly precise,” Cosculluela defines suicide as follows:

Person S commits suicide at time T if and only if:

1. S intends at T to bring about his own death.
2. S acts at T in such a way so as to bring about his [or her] own death.
3. The intention specified in (1) causes (through a number of general actions) the action described in (2).
4. The causal route from the intention specified in (1) to the action described in (2) is more or less in accordance with S’s action-plan, and
5. S acts voluntarily in bringing about his [or her] own death.¹⁵

Yet another definition of suicide can be found in any standard dictionary. For example:

su-i-cide *n.* 1. The intentional taking of one’s own life. 2. Self-inflicted political, social, or commercial ruin. 3. One who has taken his own life. *v.i.* -cid-ed, -cid-ing *Informal* To commit

¹⁴ Maris (1993), page 3.

¹⁵ See page Cosculluela (1995). Although for the most part I think Cosculluela drastically misinterprets Kant’s overall doctrine (especially his suicidology), he does stress the importance of a sound definition of suicide if the ethics of suicide as a sub-discipline is to be fruitful, not to mention successful. At bottom, however, this definition, albeit more technical in nature, greatly resembles Kant’s definition of suicide provided above.

suicide. [< NL *suicide* < L *sui* of oneself + *caedere* to kill]¹⁶

The point is clear: there exist many definitions of the concept “suicide”. Nevertheless, certain characteristics are common across them all, *viz.*, suicide is something like *wilful self-death*. Consequently, for our present purposes, the term “suicide” is defined as follows:

(S1): Suicide is the wilful and intended ending of one’s own existence, rid of outside force or coercion, regardless of the particular means or motive.

I include “regardless of particular means or motive” since it is irrelevant, when considering the *defining traits* of suicide, *why* a human being wilfully ends her existence in the sense of what drove her to *consider* suicide, or what considerations led to her intending to commit suicide in the first place. The important question is not how she ends her life, but rather what her intentions were underlying her acting the way she did. This is a subtle yet important distinction since someone may both end their life without intending to (in which case it does not seem accurate to label the act as a case of suicide, strictly speaking), or may equally be motivated to kill herself through considerations of others, or self-sacrifice, or unsound reasoning, or delusional beliefs, or through the hope of a better ‘afterlife,’ *et cetera*. Such cases as the latter are nevertheless all instances of suicide since the intentions were to self-terminate. Admittedly this definition is not immune to objection or appeal, yet it will nevertheless serve the needs of our present discussion sufficiently.

By way of clarification, we shall see that, for Kant, the idea of *motive* is central to classifying whether cases of suicide are morally permissible or otherwise. In fact, some motives are counter-dutiful (and hence morally reprehensible), while others are dutiful (and hence morally praiseworthy). The point made above is not that the motive forces behind a suicidal act are irrelevant to a discussion of whether suicide is morally permissible or otherwise, but merely that it is irrelevant when deciding whether a case of suicide *is actually a case of suicide in the first place*. Where a definition of “suicide” is what is being sought,

¹⁶ Funk and Wagnall (1989).

we must assume the action to have a motive in the sense of being intentional, but the specific content of that motive is irrelevant.

The definition offered here (S1) may be considered a minimalist conception of suicide. This is because it concerns only those suicides where one individual is involved. Cases of assisted euthanasia, community (mass) suicides, ritual suicide, suicide pacts, and so on may not fall under this definition, and hence the conclusions drawn here are not necessarily readily applicable to such sub-classes of suicide, generally speaking. The idea is that only once we have established clear and determinate conclusions regarding the 'most basic' type of suicidal case (i.e. one's involving only a single agent) can we then safely proceed to cases that may be more complicated in nature (due to their involvement of additional people).

With a working definition of suicide firmly in place, a discussion of why suicide is a *problem* is now in order.

1.2 Why Is Suicide a *Problem*?

Why is the wilful and unforced termination of one's own existence a problem? Millions of dollars are spent in Canada each year in trying to grasp why people commit such an act, educating people regarding its problematic nature (both individually and socially), and, perhaps most importantly, setting up initiatives geared towards its prevention (whether clinical, pharmacological, or otherwise). If no complete ethic of suicide has hitherto been established; if no exhaustive understanding of its nature has been grasped, then why has so much effort been exerted surrounding a solution to the *problem of* suicide? In short, how are we sure that it is a problem to begin with?

Actions are considered *problematic* in large part due to the negative effects rendered by those actions. In a Kantian sense, the consequences of an action are considered in two ways. First, measuring the results of an action is relevant when considering whether

that action is universalizable, that is, eligible for becoming a moral law. Secondly, the effects an action has on the acting being's rationality and autonomy must be taken into account as well. For example, in Kant's discussion of drunkenness in *MM*, he measures the effects of excessive consumption of fermented drink in order to deem such an action as a vice rather than a virtue. According to Kant, "a human being who is drunk is like a mere animal," and is "not to be treated as a human being".¹⁷ Presumably, this is the case since, through excessive drinking, such a human being debases her ability to reason, and consequently acts more animalistic than human. If the consequences of excessive drinking were not determined in the first place (drunkenness), and their resulting effects measured (a diminished ability to reason clearly), then Kant would have no grounds for deeming the excessive use of drink as morally impermissible (or permissible). The act of suicide is analogous to drunkenness in the sense that it is an action that can only be deemed problematic (or otherwise) once its effects have been determined and assessed. Although Kant undoubtedly considers the consequences of actions, he is interested in what happens to rationality and autonomy in the wake of performing an action, rather than measuring the amount of resulting pleasure (something the hedonistic consequentialist is interested in).

The effects of suicide have been determined: through committing suicide, the agent dies; hence, the factual effect of suicide is nothing other than the cessation of the suicide victim. However, although the effect of suicide has been determined, how well have its effects been *assessed*? It is at least *prima facie* possible that the effects of suicide are not negative, or even something to be avoided. If such were the case, it would be premature to deem the act of suicide as problematic (in either an individual or social respect), at least in the sense of "problematic" suggested above. This issue is taken up again in the final chapter. For now, let it suffice that the idea of suicide being a problem in the first place is itself problematic. It involves at least two difficult issues: the *moral standing* of suicide (which is

¹⁷ *MM*, page 180.

largely assumed to be negative in nature) and the phenomenology of *death* (also something largely assumed negative).

Taken in this light, it is not a question then of how to *prevent* suicide, but rather one of whether suicide *ought to be prevented* in the first place. This theme was articulated as far back as Plato. After receiving his death-sentence by the Athenian authorities, Socrates spoke:

To fear death, gentlemen, is no other than to think oneself wise when one is not, to think one knows what one does not know. No one knows whether death may not be the greatest of all blessings for a man, yet men fear it as if they knew that it is the greatest of evils. And surely it is the most blameworthy ignorance to believe that one knows what one does not know.¹⁸

Plato's point here is one of the sparks of our inquiry, one that is attended to in Chapter Three. The point for now is this: suicide is viewed as a problem largely because death is viewed as something negative in nature, something to be avoided, something no person is better off seeking as opposed to remaining alive. The question now becomes: is suicide, in this regard, *really a problem*?

Some philosophers, including David Hume, have argued that suicide may not in fact be a morally impermissible action for human beings to commit. In *On Suicide*, Hume writes:

A hair, a fly, an insect, is able to destroy this mighty being whose life is of such importance. Is it an absurdity to suppose that human prudence may lawfully dispose of what depends on such insignificant causes?

It would be no crime in me to divert the *Nile* or *Danube* from its course, were I able to effect such purposes. Where then is the crime of turning a few ounces of blood from their natural channel!¹⁹

Others, like Arthur Schopenhauer for example, have confronted the relationship between suicide and the phenomenology of death head on, highlighting the nature of suicide through

¹⁸ Plato's *Apology*, page 33.

¹⁹ Hume, *On Suicide*, page 5.

its dependence on a metaphysical understanding of death. Thus, in his “Schopenhauer on the Ethics of Suicide,” Dale Jacquette writes of Schopenhauer’s metaphysics:

The philosopher is not to choose suicide as a bad faith affirmation of the will to life in an abject effort to avoid suffering... Yet for a subject to have any sort of preference about living or dying contradicts what is supposed to be the saint’s absolute indifference to life and death. As such, it is just another manifestation, rather than an overcoming, of the will to life, even, paradoxically, when it embraces the idea of an ideal death. The main problem in Schopenhauer’s philosophy is not the internal conflict of will which it deprecates, but the inconsistencies in Schopenhauer’s pessimism as he tries in a more positive light to demystify the meaning of death.²⁰

From these considerations, suicide is seen as problematic in a *philosophical* light; the issue of suicide is problematic with respect to uncertainties regarding its moral standing and its close tie to the phenomenology of death. The problematicity of suicide viewed either from widely held social or philosophical perspectives, although different in nature, both demand the same conclusion: we have presently little reason to conclude that suicide is either a problem or otherwise since we have yet to establish an infallible verdict regarding its effect (death), nor, consequently, its moral standing (whether it is right or wrong).

Having said this, we must however start from the assumption that suicide *is* a relevant issue, both social *and* philosophical. At least intuitively, the idea that people wilfully end their own existences makes one’s stomach turn. A drive to live seemingly permeates human kind, in which case the occurrence of individuals wilfully seeking out their own termination seems unnatural, wrong, and irrational. However, could this feeling merely be an unfounded assumption? A taboo-like social construction? A dogmatically instilled appeal to history or authority? If suicide is not really a problem, then all of its individual, social, and philosophical ties need to be drastically re-evaluated, not unlike what Nietzsche²¹

²⁰ Jacquette ((2000), page 54.

²¹ In *Twilight of the Idols*, Nietzsche writes: “Socrates was a misunderstanding: *the entire morality of improvement, the Christian included, has been a misunderstanding...*The harshest daylight, rationality at any cost, life bright, cold, circumspect, conscious, without instinct, in opposition to the

demanding with respect to metaphysics and religion in general. If suicide is not taken as an issue in the beginning, however, then no attention would be given to seeking answers to such pending questions that surround it, and hence no real conclusive understanding of its nature and moral standing would ever be reached. Suicide, therefore, is treated here as a fundamental issue in normative ethics and social life in general. Since this is the case, a brief clarification of the issue of suicide as it currently stands is relevant.

Based on current national statistics in Canada, suicide rests as the eleventh leading cause of death in the country each year.²² Worldwide, it is estimated that one human being commits suicide during every forty seconds that pass.²³ As shocking as these numbers are, they become even more so when it is noted that the highest number of suicides across age groups comes from people between the years of adolescence and young adulthood (roughly ages fifteen to twenty-five). In 2003, roughly seventy people under the age of twenty-five ended their existence for every one hundred thousand people in Canada.

The widespread prevalence and scope of suicide has been noted throughout the world, not just in Canada. Michael Cholbi describes the current situation in the United States as follows:

The chances are good that each of us will someday confront a person close to us contemplating suicide. Every year in the United States, suicide attempts lead to 30,000 deaths and nearly half a million visits to the emergency room. This number does not even include a still larger group that contemplates suicide or forms suicidal intentions but never actually initiates a suicide attempt. And for each such suicidal person, there are numerous other persons—friends, family members, and health care providers among them—for whom a troubling moral question should arise: How, if at all, may I act in order to prevent another person from taking her life?²⁴

instincts, has itself been no more than a form of sickness, another form of sickness—and by no means a way back to ‘virtue’, to ‘health’, to happiness...To *have* to combat one’s instincts—that is the formula for *décadence*: as long as life is *ascending*, happiness and instinct are one” (page 44).

²² Statistics Canada, 1997.

²³ WHO (2002), in Canadian Mental Health Association (2003).

²⁴ Cholbi (2002), page 245.

Because so many human beings choose suicide as their last act as living beings, and because so many of the aforementioned are members of the world's youth, then suicide is an issue whose importance ought to be assumed for further inquiry, if only tentatively.

Having set out these two preliminaries—what is meant by the concept “suicide” and why it is seen as an issue for human beings—we are now adequately prepared for the main task at hand. In the next chapter I examine Kant's moral philosophy in general, focusing on an elucidation of rationality and human freedom as two foundational tenets of his moral thought, the role Kant reserves for the categorical imperative, and what criteria a maxim must meet in order to be morally acted upon. In Chapter Two, I offer an examination of Kant's ethic of suicide specifically, based on what he wrote in *Lectures on Ethics (LE)*, *Fundamental Principles of the Metaphysics of Morals (FPMM)*, and *The Metaphysics of Morals (MM)*. Kant's arguments for the moral impermissibility of suicide are divided into the categories of those pertaining to self-love and those that violate human freedom; both are examined therein. In the final chapter, some general suggestions for the eventual establishment of a sound ethic of suicide emerge, ideas based largely on the examination of Kant's suicidology that appears in the preceding chapters.

II. Kant's Moral Philosophy

Our main task is to outline Immanuel Kant's ethical thought on the whole. I do this in three sections. The first deals with Kant's idea of the practical moral law for human beings as grounded in both their rational nature and their condition as free and autonomous agents. These two ideas comprise the basic tenets of Kant's moral philosophy. This discussion leads to an examination of the various formulations of the practical law of morality itself (the categorical imperative) in the second section. Because the categorical imperative is closely connected to the notions of subjective maxims, duty, and a good will, each are then discussed in turn. Once an understanding of what Kant believes is supposed to guide human action has been reached, we must understand the conditions a maxim is obligated to meet if it is to satisfy the pure practical law of morality. Therefore, the purpose of section three is to examine the two broad forms of contradiction to which maxims may succumb, namely, contradictions in *conception* and contradictions of *volition*.

By the close of this chapter a general overview of Kant's moral philosophy will be in place. From there a thorough examination of Kant's suicidology is undertaken.

2.1 Moral Agents as Rational and Autonomous

2.1.1 Rationality, *A Priori*

In *FPMM*, Kant argues for the existence of a moral law that is both synthetic and *a priori*. According to Kant, a *synthetic* judgement (or proposition) is one where the conceptual content of the subject is amplified by a predicate that is not previously contained in the subject. Such judgements are distinguished by *analytic* judgements, which are those where the subject of a proposition contains the concept of the predicate within itself, and hence constitutes a connection through identity. According to Kant, synthetic judgements "add to the concept of the subject a predicate which has not been in any wise thought in it, and

which no analysis could possibly extract from it".²⁵ The moral law is synthetic since its conception is necessarily connected to the will of all rational beings as such, yet it is not necessarily made concrete through their actions. In other words, the moral law remains an *ideal* guiding principle of action, ever-present, yet disregard-able (albeit immorally) in real human action. The moral *ought* does not imply that an action *is actually* done. Nevertheless, certain ways of acting are necessarily attached to the free and rational will as such. Kant writes:

I connect the act with the will without presupposing any condition resulting from any inclination, but *a priori*, and therefore necessarily... This is accordingly a practical proposition which does not deduce the willing of an action by mere analysis from another already presupposed (for we have not such a perfect will) but connects it immediately with the conception of the will of a rational being, as something not contained in it.²⁶

Here the further idea of a condition of the moral law being *a priori* is presented.

A judgement (or proposition) that is *a priori* is one which does not draw on sensory experience, is absolutely necessary, and is universal.²⁷ If a judgement is thought to be otherwise (this is to say *not necessary*); if its applicability is contingent; or if its conception draws upon sensory experience in any way, then the judgement is not said to be *a priori*, but rather *a posteriori*. According to Kant, morality has an *a priori* foundation in pure reason alone, that is, outside of all possible experience. As we shall see in the next section, this *a priori* foundation is none other than the conception of the moral law as such, articulated through the various formulations of the categorical imperative.

Rational beings *qua* rational do not need to *learn* what is moral, for it is already established within their nature insofar as they are rational.²⁸ In other words, rational agents

²⁵ CPR, page 48 (B11).

²⁶ FPMM, page 48.

²⁷ See CPR, page 43 (B2-B3).

²⁸ This is not to say that Kant adopts the Platonic view that all knowledge is preordained in the soul, forgotten at birth, and re-established through recollection (learning). Rather, morality is a consequence of rationality. Rationality, moreover, is a consequence of human nature (at least part of

are aware of the moral law *a priori* through their very ability to reason. Without rationality, such a moral law would not exist in the first place. Kant is explicit on the idea that the moral law stems from pure reason alone (at least initially):

Thus every empirical element is not only quite incapable of being an aid to the principle of morality, but is even highly prejudicial to the purity of morals, for the proper and inestimable worth of an absolutely good will consists just in this, that the principle of action is free from all influence of contingent grounds, which alone experience can furnish.²⁹

Through the mere conception of the moral law, one realizes its inevitably entailing the further thought that such a conception of morality is absolutely necessary. Like the concepts of space and time, the categorical imperative is apodictic and immovable from pure reason. In other words, the moral law as a law given in pure reason is attributed to *all rational agents*, and is therefore universal.

By accepting the moral law as being given *a priori*, Kant is not suggesting that experience plays absolutely no role in moral discourse whatsoever. In fact, experiential judgement is required in concrete situations in order to aid agents in applying rules to conduct, learning from previous experience, and using new and old information alike to inform their present (and future) moral judgements.³⁰ In light of this, Kant distinguishes morality from *practical anthropology*, the former founded on pure reason alone, the latter founded on and guided by experience in the world. In *Anthropology From a Pragmatic Point of View (AP)*, Kant describes practical anthropology as follows:

The sum total of findings generated by pragmatic anthropology as to the classification of [human beings] and the characterization of [their] development is as follows: [Human beings are] destined by [their] reason to live in a society of other people, and in this

it).

²⁹ *FPMM*, page 54.

³⁰ According to Kant, "No doubt these [moral] laws require judgment sharpened by experience, in order on the one hand to distinguish in what cases they are applicable, and on the other to procure for them access to the will of the man...Since man is acted on by so many inclinations that, though capable of the idea of a practical pure reason, he is not so easily able to make it effective *in concreto* in his life" (*FPMM*, page 12).

society [have] to cultivate [themselves], civilize [themselves], and apply [themselves] to a moral purpose by the arts and sciences. No matter how great [their] animalistic inclination may be [toward]...happiness, [they are] still destined to make [themselves] worthy of humanity by actively struggling with the obstacles that cling to [them] because of the crudity of [their] nature.

Man must, therefore, be educated to the good. But he who is to educate him is again a human who still finds himself in the crudity of nature. This human...is expected to bring about what he himself is still in need of. This accounts for man's continuous deviation from his destiny and his ever-repeated return to it.³¹

What this amounts to saying is that what is given *a priori* must subsequently be applied and perfected *a posteriori*.³² What guides these further considerations is not morality alone, but morality coupled with human experience in the world.

Since the possibility for morality (and, consequently, the possibility for moral obligation) is founded on rationality, it follows that reason inflexibly commands what the agent ought to do. Reason is the determining source of human moral action, its rules given outside of experience, where the agent proceeds to act from the conceptions of such laws. Because rationality exists as an end in itself, and because human beings are rational beings, human beings themselves are *a priori* ends in themselves as well.³³ In essence, reason presents itself with an ideal conception of the moral law and then directs the agent's action based on those very same laws. Despite the force of reason in giving moral imperatives, however, human beings do not always follow the self-prescribed moral law. For Kant, such failures often result from conflicting drives of human nature. On the one hand, we may be swayed by natural drives or temptations to act in certain ways; yet, on the other hand, reason commands an agent's conformity to the moral law unexceptionally.

³¹ *AP*, page 242.

³² In *FPMM*, Kant writes: "...there arises a two-fold metaphysic—a *metaphysic of nature* and a *metaphysic of morals*. Physics will thus have an empirical and also a rational part. It is the same with Ethics; but here the empirical part might have the special name of *practical anthropology*, the name *morality* being appropriated to the rational part" (page 10).

³³ *FPMM*, pages. 56-57.

According to Kant, therefore, the nature of human beings is dichotomous. It is divided between two components, namely, reason, on the one hand, and instinct, desire and inclination on the other hand. The rational (or intelligible or *noumenal*) aspect of human nature concerns a human being's ability to rationally and freely determine and choose ends for themselves, henceforth realizing those ends within the realm of nature. The intelligible character of an agent is, according to Kant, "the cause of those same actions as appearances, but which does not itself stand under any conditions of sensibility, and is not itself an appearance".³⁴ Kant takes it to be a postulate of pure practical reason that part of a human's being lies beyond experience in the *things in-themselves*. Opposed to this, the instinctual (or sensible or *phenomenal*) aspect of human nature concerns an agent's natural condemnation or requirement to seek certain ends, for example seeking food for the satisfaction of hunger. As an entity belonging to the sensible realm, human beings have an empirical component 'whereby her actions, as appearances, stand in thoroughgoing connection with other appearances in accordance with the unvarying laws of nature'. From the idea that human beings possess a sensual character, Kant suggests that human beings are equally appearances, or sensual entities. In other words, we can also see ourselves as mere *things*.³⁵ If we are not careful, our instincts as beings belonging to the sensible world may take over control and sway our actions towards ends inconsiderate of intelligible ends, which is to say ends inconsiderate of morality.

The objective law of morality, however, acts as a guiding light or compass of human action in the face of human beings' phenomenal nature. Human volition, as the willing of a subject that is both noumenal *and* phenomenal, is necessarily faced with cases of conflict between the two competing natures. Whereas the role Nature has assigned to inclination is to obtain happiness and the satisfaction of basic needs for survival, in a sense

³⁴ *CPR*, page 468.

³⁵ *CPR*, page 468.

dealing exclusively with relationships concentrating on the means towards happiness and other contingent ends, reason has been assigned a different role. Reason has the purpose of acting in accordance with objective laws, toward the end of establishing a good will and moral character. Kant writes:

[We] must admit that the judgement of those who would very much lower the lofty eulogies of the advantages which reason gives us in regard to the happiness and satisfaction of life, or who would even reduce them below zero, is by no means morose or ungrateful to the goodness with which the world is governed, but that there lies at the root of these judgements the idea that our existence has a different and far nobler end, for which, and not for happiness, reason is properly intended, and which must, therefore, be regarded as the supreme condition to which the private ends of man must, for the most part, be postponed.³⁶

The fact that morality is founded on rationality makes up one of two basic tenets of Kant's moral thought. By way of foreshadowing our later critique, the fact that Kant takes rationality as a fundamental tenet of morality is worrisome with respect to suicide, since many human beings who commit suicide are not rational at the time of their suicide. The worry is that, as *irrational*, such human beings are not considered under Kant's moral doctrine, and hence receive none of its associated moral guidance. Yet, as human beings, such people both equally do commit suicide, and may be equally deserving of moral appraisal. For now, however, the second basic tenet of Kant's moral theory needs to be discussed: human freedom and autonomy of the will.

2.1.2 Freedom and Autonomy of the Will

As discussed in *MM*, freedom or rational self-determination, according to Kant, is the only innate right of human agents,³⁷ and it necessarily entails equality, self-ruling, being outside reproach, and reciprocity within the community. Kant writes:

Consequently as practical reason or as the will of a rational being

³⁶ *FPMM*, page 20.

³⁷ See "There is Only One Innate Right," *MM*, page 30.

it must regard itself as free. That is to say, the will of such a being cannot be a will of its own except under the idea of freedom. This idea must therefore in a practical point of view be ascribed to every rational being.³⁸

Every rational being is conceived of as a being that is free. The practical law of morality becomes a guide for action through the rational faculty of all human beings, dictating what is reasonable to do in order to reach their goals, in the face of preserving their fundamental freedom. It is reason guiding itself; free action in conformity with rational laws. Kant continues:

What else then can freedom of the will be but autonomy, that is the property of the will to be a law to itself? But the proposition: The will is in every action a law to itself, only expresses the principle, to act on no other maxim than that which can also have as an object itself as a universal law. Now this is precisely the formula of the categorical imperative and is the principle of morality, so that the free will and a will subject to moral laws are one and the same.³⁹

At the outset it is worth mentioning that Kant does not pretend to offer an infallible argument proving the existence of human freedom. In fact, in his *Critique of Practical Reason (CPrR)*, Kant makes it explicit that the idea of freedom can in no way be proven apodictically. Freedom as the ground of human causality and action (at least in their noumenal orientation) is not concretely exemplified in reality, since, as appearances, objects in the world are not open to penetration regarding their true motive forces. Nevertheless, rational moral agents are *assumed to be free*. Kant writes:

The determination of the causality of beings in the sensible world can as such never be unconditioned, and yet for every series of conditions there must necessarily be something unconditioned and so too a causality that is altogether self-determining. Hence the idea of freedom as a faculty of absolute spontaneity was not a need but, *as far as its possibility is concerned*, an analytic principle of pure speculative reason. It is, however, absolutely impossible to give anywhere in experience an example of it, since among the causes of things as appearances no determination of causality would be absolutely unconditioned can be found; hence

³⁸ *FPMM*, page 80.

³⁹ *FPMM*, page 78.

we could *defend the thought* of a freely acting cause, when we apply this to a being in the sensible world, only insofar as this being is also regarded...as a noumenal...".⁴⁰

From this it is clear that, according to Kant, the practical existence of human freedom can (and must) be assumed, even if this assumption is based solely on theoretical necessity and metaphysical speculation. Having said this, despite the existence of freedom being for the most part postulated, its role in Kant's moral thought is crucial and undeniable. Freedom from outward and inward determination (inclination), manifested in a human being's ability to choose based on rational exercise, becomes the canon for a self-determining will in all rational beings as such.

Human freedom has both a negative and a positive conception. Human beings are free in a *negative* sense insofar as no foreign causal forces dictate what she, as a rational agent, ought to do. Human beings are free in a *positive* sense insofar as reason is free to give itself laws of its own fabrication—free will as subject only to its own laws. Kant writes:

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 the ability of pure reason to be of itself practical.⁴¹

Human beings, therefore, are accommodated with the ability to choose freely, which is distinguished from choice based on inclination. Whereas the former stems from the rational agent's capacity to guide her own actions, hence affording human beings the ability to choose *freely*, the latter type of choice affords human beings with *animalistic* freedom,⁴² which represents achieving ends and undergoing acts that are determined by inclination.

What separates autonomous agents from inautonomous agents in this regard is that the former acts independent of alien causation, whereas the latter has its action determined by biological and environmental forces, and is hence dependent in some way. Because

⁴⁰ *CPrR*, pages 42-43.

⁴¹ *MM*, page 13.

⁴² See *MM*, page 13.

human beings exhibit a dual nature, they act from both natures at least some of the time. The positive conception of freedom yields the conception of human beings as *autonomous*, as independently lawmaking beings. Because free will is conceived as being itself a lawmaker, the difference between it and a will that is subject to moral laws is blurred and eliminated; in fact, according to Kant, “a free will and a will subject to moral laws are one and the same”.⁴³ ‘The idea of morality, then, reduces to the idea of freedom’; we are driven to presuppose the concept of freedom in order to understand ourselves as initiating moral causation, and hence as conceiving all rational beings as (potentially) exhibiting such causation.⁴⁴ In other words, the moral law is presupposed through the idea of human free will, itself (merely) necessarily a presupposition.

A worry arises, however, in that our high regard for the moral law surely cannot rest on presuppositions, in which case it would be ill founded and dogmatic. In other words, where does the moral law derive its force?⁴⁵ The answer, according to Kant, again stems from the fact that human beings are both sensual and intelligible beings. Human beings have two perspectives from which to view themselves: first, insofar as they belong to the world of sense, they are subject to the laws of Nature; second, insofar as they belong to the intelligible world, under the subjection of the laws founded in reason alone.⁴⁶ Because we can conceive of ourselves as free beings, we can only so conceive ourselves as such as members of the world of understanding, and hence the recognition of our autonomy follows necessarily, as does, consequently, our recognition of ourselves as moral agents. In fact, the pure practical law of morality only becomes possible because the conception of freedom compels human beings to recognize their membership in an intelligible realm. If this were the only ‘world’ in which the nature of human beings was founded, then all actions would

⁴³ *MM*, page 88.

⁴⁴ *FPMM*, page 80.

⁴⁵ *Ibid.*, page 82.

⁴⁶ *Ibid.*, pages 84-85.

stem from rational volition, and hence would never fail to conform to that same will as autonomous. That is not to say that immoral action would be eliminated in such a hypothetical world. It is merely to say that the conflict between animality and rationality would cease to exist; hence there would be less animal coercion away from following the moral law, from acting from duty.

However, because the actions of human beings can stray from moral causation, they do not always necessarily conform to the autonomy of the will. Because of this, in some cases our actions must be guided and controlled by reason so as to avoid succumbing to the desires and inclinations of our physical nature. 'What human beings morally "ought" to do is then what they necessarily "would" do as a member of the world of the understanding, and is conceived by them as an "ought" only inasmuch as they likewise consider themselves members of the world of sense'.⁴⁷ Hence the categorical *ought* reveals itself as reason's tool for rational self-determination in the face of inclinational temptation. Kant writes:

Reason is not competent to guide the will with certainty with regard to its objects and the satisfaction of all our wants (which it to some extent even multiplies), this being an end to which an implanted instinct would have led with much greater certainty; and since, nevertheless, reason is imparted to us as a practical faculty, i.e. as one which is to have influence on the will, therefore, admitting that nature generally in the distribution of her capacities has adapted the means to the end, its true destination must be to produce a will, not merely good as a means to something else, but good in itself, for which reason was absolutely necessary.⁴⁸

This is Kant's conception of freedom in a nutshell, and constitutes the second main tenet of his moral philosophy. The moral agent is presupposed by Kant to possess both rationality and freedom, although he does acknowledge that the strength and potency of either trait may vary across differing individual agents in practice. With a discussion of the two basic tenets of Kant's moral thought in place, we are now well equipped to see how

⁴⁷ *FPMM*, pages 87-88.

⁴⁸ *Ibid.*, pages 20-21.

these two tenets come together to articulate the moral law in the form of the categorical imperative.

2.2 Three Formulations of the Categorical Imperative

As we have seen, morality, according to Kant, is possible only through rational agents' conception of themselves as free and autonomous agents in the world. Moreover, this conception upholds a reciprocal relationship between itself and the agent's natural ability to reason. The moral law is nothing other than human freedom giving laws to itself, through the agent's exercise of reason.

With rationality and freedom as the two characteristic points of departure for morality, Kant proceeds to articulate the moral law through the conception of what he terms *the categorical imperative*. The categorical imperative is not a tool that Kant uses in order to explain *his* views regarding what human agents ought to do. Nor is it a law found in the sensual world, merely tapped into by rational beings. Rather, the categorical imperative, in all of its formulations, stems from reason alone, and is *a priori*; it is ever-present in humanity insofar as humanity is free and rational.

2.2.1 Subjective maxims

In order to assess whether an action is morally permissible or otherwise, an agent must test her subjective maxim against the objective formal criteria of the categorical imperative. By a *maxim* here is meant nothing other than a subjective rule or principle of action. Kant writes:

A maxim is subjective principle of action, and must be distinguished from the *objective principle*, namely, practical law [categorical imperative]. The former contains the practical rule set by reason according to conditions of the subject (often its ignorance or its inclination), so that it is the principle on which the subject *acts*; but the law is the objective principle valid for every rational being, and is the principle on which it *ought to act*

that is an imperative.⁴⁹

Whereas a maxim is a self-formulated, self-directed principle of action, regardless of whether it stems from reason or inclination, in order for it to become convertible into a moral *law*, it must first pass the test of universalizability. In other words, it must be believed of the specific maxim that *all* moral agents would adopt it as their own subjective principle. Maxims are not concretely established in the sense that they themselves are universal *per se*. Rather, maxims are subjective, which means that they vary across time, individuals and cultures, but are to 'become' universal (if possible) through the thought experiment of applying them to the categorical imperative. Kant writes:

A principle that makes certain actions duties is a practical law. A rule 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...

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.⁵⁰

It is only maxims that satisfy the criteria of morality (i.e. as being conducive of objectification), as set forth by reason *a priori*, that can be *morally* acted upon.

Although it is often quite tempting to make one's maxim the one and only exception to the rule, Kant repeatedly stresses the immorality of doing so:

If now we attend to ourselves on occasion of any transgression of duty, we shall find that we in fact do not will that our maxim should be a universal law, for that is impossible for us; on the contrary we will that the opposite should remain a universal law, only we assume the liberty of making an *exception* in our own favour (just for this time only), in favour of our inclination. Consequently, if we considered all cases from one and the same point of view, namely, that of reason, we should find a contradiction in our own will, namely, that a certain principle should be objectively necessary as a universal law, and yet

⁴⁹ *FPMM*, page 49f7.

⁵⁰ *MM*, page 17.

subjectively should not be universal, but admit of exceptions.⁵¹

Thus, the moral law prohibits exceptions, regardless of circumstances, status, accomplishments, desires, *et cetera*. Although such exceptional instances are not themselves failures of a maxim to be universalizable, they nevertheless represent moral reprehensibility, since the agent succumbs to inclination over reason (duty). Hence, when a subjective maxim is found conducive of objectification, in the sense of being a possible universal law for all rational beings, and where an agent nevertheless acts in violation of such a maxim (that is to say, does not act on the moral maxim), the agent acts immorally. In other words, an agent acts immorally when she acts upon a maxim that cannot be universalized or, what is the same, when she does not act on a maxim that *is* universalizable (discussed in the next section).

It is prudent in our current discussion to offer an elucidation of the *suicidal maxim*, which helps to clarify what a maxim is, and, for our later purposes, promotes a better understanding of why Kant argues that the suicidal maxim is not universalizable. As outlined in *FPMM*, the suicidal maxim is illustrated in two ways:

1. From self-love I adopt it as a principle to shorten my life when its longer duration is likely to bring more evil than satisfaction.⁵²
2. He who contemplates suicide should ask himself whether his action can be consistent with the idea of humanity *as an end in itself*.⁵³

For the purposes of this paper, the suicidal maxim is characterized as follows:

(SM): Can I will that ‘I ought to wilfully and intently end my own existence when enduring my present life circumstances no longer seems fit for the purposes of happiness (for example)’ to be a universal law of Nature?

As demonstrated later, and as Kant himself acknowledges, this marks only one type of suicidal maxim; maxims are by definition subjective, and hence context sensitive. In

⁵¹ *FPMM*, page 53.

⁵² *FPMM*, page 50.

⁵³ *Ibid.*, page 58.

fact, Kant's suicidal maxims outlined above exemplify maxims that exclude circumstantial details, whether the acting agent is rational *or irrational*, for example. Moreover, articulating a particular maxim can prove difficult (if not downright impossible) due to the large amount of underlying and relevant circumstantial considerations that need to be thought through in the process of maxim formation and assessment. For now, let it suffice to say that, in order to conclude whether a maxim of suicide is morally permissible or otherwise, it must first be articulated in its specificities, and then subjected to the various formulations of the categorical imperative indiscriminately.

2.2.2 The Categorical Imperative

Once an agent's maxim has been conceived, it is not to be subjected to just any type of imperative, but must be applied to the *categorical* imperative. Thus, Kant draws the distinction between imperatives that are hypothetical and those that are categorical. Whereas the former type refer to laws of possible actions merely as *means* to certain proposed or desired ends (for example, to journey from New York City to Toronto I can travel by train, *or walk, or hitchhike, or teleport, or dig a series of underground tunnels, et cetera*), the latter represent objectively necessary actions, regardless of whether the end is actually achieved or otherwise. In essence, categorical imperatives are only formulated for the sake of the end itself. For example, 'I ought to foster my talents because it is *dutiful* to do so'. Imperatives of the categorical sort then represent a focus on the *ends* rather than on the *means* of attaining such ends. Kant writes:

Since every practical law represents a possible action as good, and on this account, for a subject who is practically determinable by reason, necessary, all imperatives are formulas determining an action which is necessary according to the principle of a will good in some respects. If now the action is good only as a means *to something else*, then the imperative is *hypothetical*; if it is conceived as good *in itself* and consequently as being necessarily the principle of a will which of itself conforms to reason, then it is

categorical.⁵⁴

It is only by acting on the categorical imperative that one can be said to be acting in the realm of moral imperatives, for it is only here that one does not merely act *in conformity with duty*, but *from duty*. Such categorical determination is not contingent or ever-changing, but rather objectively necessary, and represents itself as a valid apodictic law of pure practical reason.⁵⁵ The important point is that imperatives which dictate the means for achieving happiness (for example) are not *commanded absolutely*. Kant writes:

Now skill in the choice of means to his own greatest well-being may be called *prudence*, in the narrowest sense. And thus the imperative which refers to the choice of means to one's own happiness, I.e., the precept of prudence, is still always *hypothetical*; the action is not commanded absolutely, but only as means to another purpose.⁵⁶

In fact, such means necessarily change from one person to the next, from one context to the next, since happiness as a concept is obscure and context-dependent. The imperatives of prudence cannot be apodictic because there is no *a priori* method of attaining and securing happiness; hence there exists no concrete or static act (or set of actions) that necessarily yields happiness.

In the categorical imperative itself is contained the concept of one's obligation to it; such a law involves the concept of unconditional necessity of action on behalf of the agent. It commands rather than counsels. Even in the face of animalistic (phenomenal) inclination or desire, the idea of such a law obligates one to follow its ruling. In direct contrast with counsels of happiness, the categorical imperative presents actions as practically necessary, *a priori*. This is not to say, however, that the distinction between hypothetical and categorical imperatives is obvious in human reality. In fact, there exists an inherent uncertainty of the driving spring behind any action, as potentially deceiving and *contra-*

⁵⁴ *FPMM*, page 42.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*, page 43.

dutiful. There exists a real (and perhaps insurmountable) fear that all imperatives hitherto acted upon were done so from motives as means to subsequent ends, rather than for the sake of the end itself, and hence the fear that all imperatives acted upon have hitherto been hypothetical rather than categorical. "In fact," writes Kant, "it is absolutely impossible to make out by experience with complete certainty a single case in which the maxim of an action, however right in itself, rested simply on moral grounds and on the conception of duty...[We] can never get behind the secret springs of action".⁵⁷ Despite the difficulty in distinguishing the two types of motives in real life, the distinction nevertheless holds and, more importantly, it is only motives of the categorical type that are imputable to morality, and hence conducive of moral action.

The difficulty of establishing the possibility of the categorical imperative, according to Kant, rests on the fact that it is a synthetic *a priori* proposition. In *FPMM*, Kant seeks to establish its possibility by examining the *mere conception* of such an imperative.⁵⁸ By conceiving of a (possible) categorical imperative, its contents are revealed to be nothing other than the concept of the law itself and the necessity of one's action (or subjective maxim) to be in conformity with that law as universally valid and applicable. The first formulation of the categorical imperative runs as follows:

Act only on that maxim whereby thou canst at the same time will
that it should become a universal law [of Nature].⁵⁹

All duties and moral obligation stem from this principle of volition. It is by testing one's subjective maxim with respect to this law that one can decipher whether it can be morally acted upon.

As alluded to earlier (see page 20), if the nature of human beings were not

⁵⁷ *FPMM*, page 34.

⁵⁸ *FPMM*, page 48.

⁵⁹ *FPMM*, page 49. It is important to note that, although some may be inclined to argue that a distinction ought to be made between the universal law and the law of Nature, a separation ultimately amounting to the creation of two separate formulations of the categorical imperative (derived from the

twofold—this is to say, inclinational *and* rational—then perhaps there would be no non-rational obstructions to veil what one ought to do. However, this can be equally viewed from the opposite perspective: if all actions were dictated by instinct alone (this is to say, if the nature of human beings were only phenomenal) then all actions would be determined and the notion of autonomy (and morality along with it) superfluous. However, since the nature of human kind is such that its members possess both noumenal *and* phenomenal characteristics, it is the burden of the agent to decide which force is to take precedence in any given situation. Furthermore, it is from this dual nature that the categorical imperative, in the form of a moral law of pure practical reason, *is even possible in the first place*.

By rationally conceiving herself as a free agent, the agent places herself in the intelligible world, amidst all other rational entities. All actions in this realm pertain to her autonomy and, if she were nothing other than an intelligible being, all of her actions would henceforth conform to this autonomy. But, she simultaneously conceives herself as bound by certain desires and inclinations, and hence, simultaneously as part of an unintelligible world. All of her free actions, therefore, do not of themselves necessarily affirm her noumenal character, although they nevertheless *ought to*. This “ought,” as demanded by the moral law, is affirmed for all rational entities as such, and hence what one ought to do is also what *all* rational agents ought to do as well.

The second formulation of the categorical imperative emphasizes the treatment of rational beings with respect and dignity, *qua* rational and dignified beings. Kant articulates it as follows:

So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as a means only.⁶⁰

This notion of the worth of rational beings as intrinsic and deserving of respect is itself

one outlined above), given their similarity, I treat them as one formulation.

⁶⁰ *FPMM*, page 58.

intrinsic, or known *a priori*. Hence it is not merely a subjective maxim of person *r* to treat humanity as an end; rather, this law represents a supremely limiting range on subjective maxims of action, for all rational beings as such. By urging the agent to treat others as ends in themselves, the moral law is in essence demanding that one interact with and employ others not merely on the basis of their *utility*, but to recognize them as above all else deserving of respect as an equally free and rational agent as oneself. Situations where one agent is taken advantage of by another, for the sake of money for example, constitute violations of this formulation of the categorical imperative. Although one may accept money from other people who are willing to lend, acceptance of such gratuity is not permitted at the expense of the lender's dignity as a rational and free agent in the world.

The third formulation of the categorical imperative emphasizes the human will as *lawgiving* as well as *law abiding*. In a sense, this formulation most emphasizes the idea of rational agents as both negatively and positively free entities. It runs as follows:

Hence follows the third practical principle of the will, which is the ultimate condition of its harmony with the universal practical reason, viz.: the idea of the will of every rational being as a universally legislating will.⁶¹

Through her ability to reason, the agent is both creator and abider of the moral law. In fact, 'the agent is so subject to the law that she must regard herself as its dictator, which marks the reason why she is bound by it in the first place'.

The culmination of the three formulations of the pure practical law of morality outlined above is represented in Kant's idea of an ideal *Kingdom of Ends*. The conception of a possible world where all one's subjective maxims, and all those subjective maxims of all other rational agents, coincide with the pure law of morality is nothing other than the conception of a harmonious community, a kingdom where all agents have achieved the

⁶¹ *FPMM*, page 60.

highest good of virtue coupled with happiness.⁶² In this striven-for ideal world, all citizens have achieved an absolutely good will. It is here that the moral law is established and followed as a “system of common laws,” analogous to a system of Nature. Kant describes the Kingdom of Ends as follows:

[All] rational beings come under the law that each of them must treat itself and all others never merely as means, but in every case at the same time as ends in themselves. Hence results a systematic union of rational beings by common objective laws, i.e., a kingdom which may be called a kingdom of ends, since what these laws have in view is just the relation of these beings to one another as ends and means. It is certainly only an ideal.⁶³

This hypothetical society marks the highest individual and collective moral achievement a society populated with rational agents can reach. It represents each individual respecting the laws of morality as set forth by their capacities as both rational and autonomous.

To gain access to the moral law, it is helpful to apply the given maxim under review to all the varying formulations of the categorical imperative, hence offering different moral perspectives on the situation at hand. In fact, Kant himself argues that all the various formulations of the categorical imperative in the end amount to *one moral law*:

The three modes of presenting the principle of morality that have been adduced are at bottom only so many formulas of the very same law, and each of itself involves the other two. There is, however, a difference in them, but it is rather subjectively than objectively practical, intended namely to bring an idea of the reason nearer to intuition...and thereby nearer to feeling.⁶⁴

According to John Rawls in his *Lectures on the History of Moral Philosophy*, ‘Kant’s point is that the three formulations of the categorical imperative are more effective than any one by itself in bringing that law as an idea of reason nearer to intuition’. This idea brings Rawls to suggest a *categorical imperative-procedure* (or *ci-procedure*), one which the

⁶² In *CPrR*, Kant writes that “In the highest good which is practical for us, that is, to be made through our will, virtue and happiness are thought as necessarily combined, so that the one cannot be assumed by pure practical reason without the other also belonging to it” (page 95).

⁶³ *FPMM*, page 62.

⁶⁴ *FPMM*, page 65.

agent must follow in order to determine the moral validity of her maxim. The agent is to begin with her subjective maxim in mind, a principle supposed to be valid for her. Once this maxim has been adequately formulated, the agent is then required to attempt to generalize her subjective maxim, in effect applying it to all three formulations of the moral law consecutively. The final step in the procedure is to 'transform' the newly generalized maxim into a law of Nature (if possible), "as if such a law was implanted in us by natural instinct".⁶⁵

About this final step, Rawls writes:

We are to adjourn the as-if law of nature at step (3) to the existing laws of nature (as these are understood by us) and then think through as best we can what the order of nature would be once the effects of the newly adjoined law of nature have had sufficient time to work themselves out.⁶⁶

Two important implications of Kant's doctrine, often overlooked or underemphasized, are highlighted by Rawls in the above passage. First, the idea that there is a temporal aspect involved in the deliberation process of whether or not a maxim could be a sound universal law. The agent must project her maxim out into the real world of which she finds herself part of, which is at the same time a projection into the future of that same world. Knowledge of the future consequences of establishing her maxim as a moral law make up a part of what is required for accurate assessment of whether her subjective maxim can be objectified, whether *now or anytime in the future*. Although this general foresight is crucial in order to determine indubitably whether a maxim can be universalized or otherwise, the worry arises that such foresight is inevitably limited, and hence all verdicts regarding the universalizability of a given maxim remain to an extent speculative and fallible.

As Hans Jonas pointed out in his "Technology and Responsibility," traditional ethical views (of which Kant's moral philosophy is for Jonas a paradigm example) fail to

⁶⁵ Rawls (2000), page 168.

⁶⁶ Rawls (2000), page 169.

account for broad temporal and spatial consequences of actions, and hence restrict an agent's responsibility to the here-and-now. According to Jonas, "the good and evil about which action had to care lay close to the act, either in the praxis itself or in its immediate reach, and were not a matter of remote planning".⁶⁷ Jonas' point is that sound maxim formulation and assessment must take into account the possible future consequences of the given act if such a maxim were to become universally applied, rather than merely the effects that are obvious at first glance. This point will emerge again later with respect to suicidal maxims in particular. It seems that, at best, the categorical imperative may only be a loose guiding principle, a thought experiment of sorts, since the acting agent at hand is obligated to (or assumed to) have an *impossible* amount of information in her possession, most notably an acute rational capacity *and* an ability to 'predict' the consequences of universalizing her maxim in a world saturated with uncertainty. Even if the agent may call upon her faculty of judgement, in unison with her rational and moral tendencies, in order to better assess her maxims, perhaps even learn from her mistakes, *et cetera*, the worry is that certain mistakes are drastically irreversible (such as, say, the nuclear destruction of the world, or committing suicide). Since this is the case, ethics needs to offer guidance to human activity so that such mistakes are avoided in the first place, such guidance being something Kant's ethical theory may not be able to offer.

The second point brought up by Rawls is with respect to the context sensitivity of the moral procedure. What effects come about depend largely on the state of the world, which in turn depends largely on how the acting agent *perceives* the world, and how the world actually is. "The procedure applies," Rawls writes, "to maxims that lucid and rational agents have arrived at in view of what they regard as the relevant features of their circumstances".⁶⁸ Is this to say that two *identical* (yet subjective) maxims, tested by two

⁶⁷ See Jonas' "Technology and Responsibility" in Kaplan (2004).

⁶⁸ Rawls (2000), page 168.

separate individual agents, could possibly end in the same maxim maintaining differing moral verdicts? The answer is both “yes” and “no”.

The answer is “yes” in the sense that, since the two agents’ differing circumstances may lead them to different conclusions regarding the identical maxim under scrutiny, the maxim can be thought universalizable by one agent and not the other. This being said, if the two agents come to different moral verdicts (i.e. one believes the maxim to be universalizable while the other maintains its non-universalizability), then one of them is necessarily mistaken (according to Kant). The reason the answer to our above question is “no” is that there can only be one true answer regarding the morality of each subjective maxim, regardless of whether the agent (or both agents in unison) actually reaches the proper verdict. The idea is that, through proper exercise of reason and knowledge of the moral law, the agent will ideally come to the proper conclusion. In fact, just by going through the proper motions of the *ci*-procedure, the agent is presupposed by Kant (and Rawls) to be seeking the correct moral verdict in the first place. Rawls writes:

What led us to check our maxim by the categorical imperative procedure [in the first place]...was not our inclinations but our moral sensibility and the practical interest we take in the moral law. Without this...we would not bother to check...whether we could incorporate that inclination into a permissible maxim.⁶⁹

Although different agents *can* come to different moral conclusions for their given maxims, it is Kant’s view that they *ought not to*. Or, put somewhat differently, the agent can only be correct if her verdict truly reflects the dictation of the moral law.

2.3 Duty and a Good Will

So far it has been shown that, according to Kant, in order for an agent to be moral she must be rational and free, so as to be able to act in accordance with the pure practical law of morality. In a sense, rational and autonomous activity in accordance with the categorical

imperative marks the path to attaining the goal of establishing a moral character. A different way of understanding Kantian moral thought is to view the agent as required to act dutifully for the sake of duty.

According to Kant, nothing (whether real or merely conceivable) is unqualifiedly good except for a good will.⁷⁰ It is the goodness of a will that ensures the proper control in the use of other so-called goods (for example riches, political influence, *et cetera*), so as to ensure that their use and application in concrete situations are not corrupted or misguided. Hence, 'without the principles of a good will, exerting self-control (for example) may become extremely bad,' as when "the coolness of a villain not only makes him far more dangerous, but also directly makes him more abominable in our eyes than he would have been without it".⁷¹ According to Kant, a good will is *good in itself*. It is not good because it makes its possessor perfect, or nice, or happy (which is to say good as a means to some other proposed end), but rather it is good for its own sake. Kant writes:

Even if it should happen that, owing to special disfavour of fortune, or the niggardly provision of a stepmotherly nature, this will should wholly lack power to accomplish its purpose, if with its greatest efforts it should yet achieve nothing, and there should remain only the good will...then, like a jewel, it would still shine by its own light, as a thing which has its own value in itself.⁷²

A good will then is not to be measured on the basis of utility, but rather as an end in itself. In fact, the reason that rational beings possess a rational capacity is not for the attainment or contemplation of happiness, but rather for the cultivation of a will towards its *becoming a good will*, achievable only by acting in accord with one's duty. By acting from duty, and hence in accordance with the practical law of morality, and by applying one's subjective maxims to the test of morality, one seeks to achieve the establishment of a good will. It is only through such an achievement that rational agents may become worthy of happiness in

⁶⁹ Rawls (2000), page 178.

⁷⁰ *FPMM*, page 17.

⁷¹ *FPMM*, page 18.

the first place. As a good will is achieved for human beings only through *dutiful* action, an elucidation of what is meant by “duty” is in order.

Kant defines duty as “that action to which someone is bound. It is therefore a matter of obligation, and there can be one and the same duty (as to an action) although we can be bound to it in different ways”.⁷² Kant distinguishes between duties that are perfect (or narrow) and those that are imperfect (or wide), as well as those that concern actions directed towards others as opposed to being directed towards oneself. By a duty that is *perfect*, Kant is referring to a duty that is narrow, straightforward (with regards to specific actions to be taken or avoided), and without exception. The strictness of perfect duties entails a temporal consistency, which is to say that a perfect duty is done all the time, for example as when an agent continuously chooses to act so as to not commit suicide.

Perfect duties are contrasted with *imperfect* duties, which are duties specified by *general* guidelines of action, without specific terms, and are increasingly context-specific relative to perfect duties. It is not that such duties afford of exceptions; no duty (in the strict sense of the term) affords of exception. Rather, a duty that is imperfect is one which may be achieved through several means, each equally aiding in the accomplishment of the dutiful end under question, and each meeting the requirement of acting from duty, rather than merely in conformity with duty. The inexactness or looseness of imperfect duties entails that such duties are less temporally demanding than perfect duties are; they need to be done in order to uphold morality, yet not on a constant basis. Giving to the poor, for example, marks a wide duty to others and ought to be done, but cannot be expected of an agent who herself is in need of comparable charity. In a sense, we can view perfect duties as having both their form and substance dictated by the law of morality, while imperfect duties suggest merely a form, to which the agent may apply a myriad of different substantive contents.

⁷² *Ibid.*, pp. 18-19.

⁷³ *MM*, page 15.

An example of the former type of duty, Kant argues, is self-preservation. Maintaining one's life (or not committing suicide) is the supreme perfect duty to oneself. Suicide, according to Kant, does not admit to any exceptions (except, as will be shown later, in the highly unusual case of *heroic* suicide), is not a matter of degree (i.e. one cannot, strictly speaking, partially kill oneself or commit suicide today and be alive to not commit suicide tomorrow), and is morally forbidden. Aiding others in pursuing their own self-perfection and fostering one's own talents are both examples of duties of the imperfect orientation. Fostering one's natural talents could mean any number of things: spending all of one's free time playing the electric guitar, working steadily so that one develops into the most influential poet in the universe, educating oneself in matters of the law, improving one's woodworking skills, and so on. In a rough sense, wide or imperfect duties can be a matter of subjective interpretation and degree, while perfect duties are strict and immovable, irrespective of subjective variables.

Not only is self-preservation a perfect duty, but it is also a duty to oneself. Duties towards oneself are just that: duties that are directed toward no one other than oneself. The agent in question has a duty toward herself in matters of self-preservation, treating oneself with respect (respecting humanity within herself), and acting towards self-perfection. Conversely, duties towards others are just what their name implies: duties that involve one's actions towards others. Such duties include benevolence and truthfulness.

In *FPMM*, Kant makes three important claims about duty with respect to moral action. The first is that for an action to be moral, it must be done from duty rather than from motives of desire or inclination, or merely in conformity with what duty prescribes. As mentioned above, it is difficult (if not utterly impossible) to know without a doubt whether an agent is acting from duty or otherwise. Nevertheless, in order for one's action to meet the requirements of morality, one's action must both conform to *and stem from* duty. The second claim is that the moral worth of an action as done from duty is found not in the end

sought but in the act itself (or in the acting agent's principle of volition). Kant's point with regards to the second principle of duty is not whether the agent focuses on the means or focuses on the ends of an action (for, in order for an action to be moral, the agent must undoubtedly consider the dutiful end rather than the means), but rather that whether or not the goal of the action is in fact achieved is irrelevant to the act being a moral one. Unconditional moral worth is found in doing one's duty, not for reason of the *actual effects*, but rather from the principle of the will itself.

Thirdly, for Kant duty is the necessity of acting in such a way so as to exhibit respect for the moral law as such. In other words, an action that is performed from duty and hence which excludes considerations of desire is determined by the objective law, and is hence respected by the moral subject through her adherence to this law. The agent's will is hence determined twofold: by the objective law as necessary and by the *pure* respect the law deserves, upheld through her dutiful action.

2.4 Failed Subjective Principles

Kant argues that a subjective maxim can fail to meet the requirements of being a possible universal practical law in (at least) two ways. In her *Constructions of Reason: Explorations in Kant's Practical Philosophy*, Onora O'Neill terms these failures *conceptual inconsistency* and *volitional inconsistency*. Kant writes:

We must be able to will that a maxim of our action should be a universal law. This is the canon of the moral appreciation of the action generally. Some actions are of such a character that their maxim cannot without contradiction be even conceived as a universal law of nature, far from being able possible that we should will that it should be so. In others this intrinsic impossibility is not found, but still it is impossible to will that their maxim should be raised to the universality of a law of nature, since such a will would contradict itself.⁷⁴

Cases where a maxim signifies a contradiction in conception are cases where the maxim

cannot be consistently conceived in itself as a universal law; in effect it is conceptually impossible to actualize in reality. If what the maxim demands from reality (or what constraints it puts on the physical world) is impossible *in concreto*, then that maxim itself is conceptually impossible. For example, the maxim that one ought to become a slave owner is inconceivable as a universal precept since to will such a maxim as universal overlooks the idea that for there to exist slave-owners there must exist slaves; but if all rational beings were slave-owners, then no (rational) human being would be left over to populate the slave category. To say that all agents ought to 'own' slaves is conceptually impossible since one half of the dichotomous relationship is necessarily sacrificed in its entirety. O'Neill formulates this test of one's maxims as follows:

A maxim of action may in the first place be incoherent simply because it expresses an impossible aspiration...Agents whose underlying maxims incorporate such conceptual inconsistencies do not, of course, succeed in performing impossible acts; rather, the pattern of their actions appears to pull in opposite directions and to be in various ways self-defeating.⁷⁵

Maxims that signify a contradiction of *volition* result when a maxim cannot be consistently *willed* by the agent, often playing on the idea of differing interests or volitions. Here the individual willing agent contradicts *herself*, failing to will simultaneously the necessary means to the prescribed end and the end to be attained. In other words, the agent vicariously adopts a maxim in which she excludes herself from being accountable. It is as if she imagines herself as being an exception to the rule to which all other rational agents are bound, or simultaneously wills two maxims that ultimately contradict each other.⁷⁶ O'Neill

⁷⁴ *FPMM*, page 52.

⁷⁵ O'Neill (1989), pages 89-90. Although not ultimately crucial for a clear understanding of Kant's idea of inconsistent maxims, Onora O'Neill distinguishes between *inconsistencies without universalizing* and *inconsistencies in universalizing* maxims. Although their respective labels are more or less self-explanatory, see Chapter Five in O'Neill's *Constructions of Reason* for her discussion of the topic.

⁷⁶ Kant puts the idea quite nicely in *FPMM*: "If now we attend to ourselves on occasion of any transgression of duty, we shall find that we in fact do not will that our maxim should be a universal law, for that is impossible for us; on the contrary we will that the opposite should be a universal law, only we

writes:

This amounts to saying that to will some end without willing whatever means are indispensable for that end, insofar as they are available, is, even when the end itself involves no conceptual inconsistency, to involve oneself in a volitional inconsistency. It is to embrace at least one specific intention that, far from being guided by the underlying intention or principle, is inconsistent with that intention or principle.⁷⁷

An example of this type of contradiction is to will that slavery ought to be abolished from the world, yet to simultaneously act so as to preserve a State where slavery exists (by, for example, voting for a political party that condones slavery, or, during the time of the Underground Railroad, providing the authorities of the day with information that would threaten its continued existence). In such cases a volitional conflict exists since one cannot realistically will the end of non-slavery while simultaneously willing the means that are conducive to upholding slavery.

In his *Lectures on the History of Moral Philosophy*, John Rawls gives a useful discussion regarding the ways a maxim can fail to pass the moral imperative test, one that is complimentary to O'Neill's characterization. According to Rawls, in order for a subjective maxim to be found morally permissible it must satisfy two conditions: acting on the maxim must be *possible* on behalf of the agent as rational and free; and, secondly, the maxim must not be *self-contradictory*. In other words, the agent must be able to act from such a maxim, i.e. 'the agent must exhibit the possibility of intention towards acting on the maxim when she regards herself as a member of the 're-organized' social world that includes this new law, and must conceive herself as such that she is acting in that world and is henceforth subject to its conditions'.⁷⁸ Moreover, she must also be able to will such a newly revised social reality, "she must be able to will this adjusted social world itself and affirm it as if she

assume the liberty of making an *exception* in our own favour of (just for this time only) in favour of our inclination" (page 52).

⁷⁷ O'Neill (1989), page 91.

⁷⁸ Rawls (2000), page 169.

were already a member belonging to it".⁷⁹

This chapter has been devoted to explicating Kant's moral philosophy in general. It was shown that his ethical thought is based on the two major themes of rational and autonomous agency, which in turn are closely linked with the categorical imperative (as the pure practical law of morality articulated), achieving a good will through acting according to duty, and the testing of subjective maxims so as to ensure their universalizability and consistency. In the next chapter, our understanding of Kant's general moral thought is applied specifically to the moral standing of suicide.

⁷⁹ Rawls (2000), page 169.

III. Kant's Suicidology

Now that we have a picture of Kant's general moral theory in place, we are well positioned to examine his views regarding the moral standing of suicide specifically. I do so in the present chapter by discussing his views regarding suicide found in *LE*, *FPMM*, and *MM*. Although each work is quite limited in its discussion regarding the moral standing of suicide, taken in unison these three works offer a more or less complete picture of Kant's overall suicidology.

Throughout my exposition of Kant's ethic of suicide, some suggestions are offered as to where Kant's views may be criticized. Nevertheless, these considerations remain somewhat secondary to my main purposes. It is what Kant *does not account for* in his analysis of the moral standing of suicide that will mark the main target of my later critique. The indication being that his non-inclusiveness of crucial ideas negatively affects his overall ethic of suicide. My present task, however, is merely to articulate Kant's suicidology accurately, so as to be well positioned to suggest possible welcome additions to it in the next chapter.

3.1 The Immorality of Suicide According to Kant

I begin my discussion of Kant's views regarding the moral standing of suicide with an examination of *LE*. I do so, however, keeping three cautions in mind. First, *LE* is largely an exposition of Alexander Gottlieb Baumgarten's ethical view, itself an influential theory during Kant's time, and hence what may appear to be Kant's views may not always be so.⁸⁰ Secondly, *LE* is made up of notes taken by Kant's students at the time, and may not entirely or consistently state Kant's views. In other words, through interpretation, as well as

⁸⁰ In his introduction to Kant's *LE*, J.B. Schneewind suggests that "[Kant's] textbooks in ethics were...always or almost always the same: two works by Alexander Gottlieb Baumgartner (1714-62),"

translation, some of the original meaning may have been sacrificed. Lastly, we must keep in mind that *LE* represents some of Kant's earliest work in moral theory, and his views grew and developed over time. At best we can hope to compare what Kant says here with what he wrote elsewhere, gaining a more thorough understanding of his overall views. Having said this, *LE* nevertheless provides a rich source of information regarding Kant's suicidology.

In *LE*, as in his later writing, Kant argues that suicide is the paramount infringement of duties towards oneself.⁸¹ However, there are different types of suicidal cases, where the morally restricted must be distinguished from the morally permissible; some cases of suicide, according to Kant, do not constitute moral violations (in the strict sense). This is important to keep in mind since, when we ask ourselves what constitutes a case of suicide that is morally reprehensible versus one that is not, a direct analysis of Kant's distinction may prove fruitful for drawing practical conclusions.

One type of suicide, according to Kant, is the suicide that is *blameworthy*. In such cases, the suicide is morally *prohibited* since the suicide victim renounces her moral worth, respect, humanity, freedom, and autonomy. An exposition of the reasons why such instances of suicide are morally impermissible is provided later. *Prima facie*, this type of suicide seems to be the predominant historical conception of suicide, and exemplifies the foundational ideology that fuels the widespread belief that suicide is to be considered immoral, sacrilegious, inhumane, or otherwise problematic.

A second type of suicidal case is the *heroic*. This type marks the only version of suicide proper that Kant deems as morally *permissible* (as in *allowable*). Kant argues that, when faced with conflicting duties, it is sometimes morally permissible, nay, morally *obligatory*, to choose to end one's life in order to uphold more strict or elevated moral

and it "helps in reading Kant's lectures on ethics to know a little about Baumgarten's moral philosophy and about the textbooks in which he expounded it" (xix).

⁸¹ Interestingly enough, despite holding suicide as abhorrent, impermissible, horrific, *et cetera*, Kant reveals somewhat how un-enlightened the Enlightenment was when he writes: "suicide is not as

dictums. Heroic suicide does not represent a supererogatory act on behalf of the agent, but rather one that *duty demands*. Kant writes:

It is better to sacrifice life than to forfeit morality.⁸²

Furthermore, Kant continues:

The preservation of life is not the highest duty; one often has to give up life merely to have lived in an honourable way.⁸³

Already we can see that Kant makes a distinction between specific cases of suicide. In other words, he thinks that the motives and circumstances surrounding a suicidal act are relevant in determining whether such an act is morally reprehensible or otherwise. Kant continues this line of thought with respect to the intricacies of caring for one's life:

[If] certain persons, in all innocence, were to be accused of treason, though among them there were really a few men of honour, along with others of the baser sort, having no inner worth, and if these people were together condemned to die, or to undergo a life-sentence of penal servitude, and each had to choose which of these punishments he preferred, it is perfectly certain that the honourable ones would choose death, and the worthless ones the penal servitude. The man of inner worth is not afraid of death, and would sooner die than be an object of contempt and live among felons in servitude. But the worthless man prefers servitude, almost as if it were already the proper thing for him. There are duties, therefore, to which life must be inferior, and in order to fulfill them we must evince no cowardice in regard to our life. The cowardice of man dishonours humanity, and it is very cowardly to set too much store by physical life. The man who on every trifling occasion is exceedingly fearful of his life, strikes everyone as very ridiculous. We must await our death with resolution. There is little worth in that which there is great worth in treating with disdain.⁸⁴

It is difficult to draw any concrete conclusions regarding whether Kant can simultaneously assert (i) that life must be treasured (i.e. that self-preservation is a strict duty to oneself,

ignoble and base as masturbation [and] homosexuality..." (LE, page 161).

⁸² LE, page 149.

⁸³ Ibid., page 151.

⁸⁴ LE, page 150.

albeit an animalistic one⁸⁵), and (ii) that life is sacred only insofar as one continues to be able to live morally (i.e. that certain cases of suicide are morally permissible, where the motive is to uphold morality). At first glance, in order to be consistent, it seems as though Kant cannot include heroic suicide (or any other 'permissible' types of suicide) as being morally sound, regardless of the situation in which it takes place. This is not to say that one cannot simultaneously sanction the moral impermissibility of suicide while holding that there may be exceptions to the rule. Rather, it is only because of Kant's cherished foundations of morality, namely, reason and freedom, that such an inconsistency arises in the first place; in the case of heroic suicide, the so-called exception to the rule may not be a *genuine* exception at all, for, it is not clear that heroic suicide does not violate freedom or rationality. However, although it is one of the worst case scenarios confronted by rational agents—being in a situation of forced choice between continuing to live and sacrificing her moral character—nothing takes precedence over the maintenance of her moral character:

It is a very subtle question, how far we ought to treasure our life, and how far to risk it. The main point is this: Humanity, in our person, is an object of the highest respect and never to be violated in us. In the cases where a man is liable to dishonour, he is duty bound to give up his life, rather than dishonour the humanity in his own person.⁸⁶

The process of deliberation in such cases presents a double-edged sword, yet the choice that ought to be pursued is nevertheless clear: commit suicide to maintain morality.

Kant argues that such situations of permissible suicide are rare, and certainly must be appropriately qualified so as to avoid moral reprehension. "One must certainly admit of this example," writes Kant, "that in such a case, where suicide is a virtue, there seems to be

⁸⁵ In *MM*, Kant writes: "There will be a subjective division of a human being's duties to himself, that is, one in terms of whether the subject of duty (the human being) views himself both as an animal (natural) and a moral being or only as a moral being. There are impulses of nature having to do with man's animality. Through them nature aims at (a) his self-preservation, (b) the preservation of the species, and (c) the preservation of his capacity to enjoy life, though still on the animal level only. The vices that are here opposed to his duty to himself are murdering himself, the unnatural use of his sexual inclination, and...excessive consumption of food and drink as weakens his capacity for making purposive use of his powers (page 175).

much to be said for it. It is also the one example that has given the world an opportunity at defending suicide. Yet it is also but one example of its kind".⁸⁷ Just because heroic suicide is obligatory does not make it ideal, or suggest that other types of suicide ought to be condoned. Perhaps labelling heroic suicide morally permissible is misleading, despite Kant himself using similar language.⁸⁸ It may be more appropriate to regard such instances from the point of view that one must uphold morality *to the extent possible* in the given situation. Where the context demands a choice between suicide and violating a higher law, then suicide is demanded by the pure practical law of reason, rather than violating the higher moral obligation. Perhaps such cases then are more aptly labelled *obligatory* suicide, rather than heroic. For now, suffice it to say that some instances of suicide are *less morally reprehensible* than others (according to Kant).

Lastly, Kant suggests that some cases of suicide are in fact *permissible*. This type of 'suicide' plays on the definition of suicide proper. The permissible cases, argues Kant, are those cases where the *intent* was not there to end one's existence in the first place. An example of this type of "suicide" would be an accidental self-death, or ignorance leading to death, where the agent ends her own life out of misfortune or neglect. For example, accidentally injecting a deadly amount of heroine into one's veins, despite the intent merely to experience an escapist euphoric sensation, represents a case of permissible suicide. To be sure, Kant distinguishes between *true* suicide (either blameworthy or heroic) and permissible suicide (perhaps more aptly characterized as *unintentional self-killing*): "It is the intention to destroy oneself that constitutes suicide".⁸⁹ Kant writes:

He who shortens his life by intemperance, is certainly to blame for his lack of foresight, and his death can thus be imputed, indirectly, to himself; but not directly, for he did not intend to kill himself. It was not a deliberate death. For all our offences are

⁸⁶ *LE*, page 150.

⁸⁷ *LE*, page 145.

⁸⁸ *Ibid.*, pages 144-146.

⁸⁹ *LE*, page 146.

either *culpa* [due to fault] or *dolus* [done with intent]. Now although there is no *dolus* here, there is certainly *culpa*. To such a one it can be said: You are yourself to blame for your death, but not: You are a suicide.⁹⁰

Without the intention to kill oneself, such a 'suicide' becomes morally neutral; it is merely a tragic and unfortunate accidental death, rather than a suicide. If nothing else, intuition leads us to conclude that accidental death, even at the hands of oneself, does not constitute suicide.⁹¹

According to Kant, then, some cases of suicide are in fact better characterized as *pseudo-suicides*, rather than suicides properly speaking. Moreover, Kant includes a consideration of select cases where suicide is in fact morally *obligatory*. Such cases depend to a large extent on the context in which the maxim is applied, and, more importantly, whether other (higher) moral obligations are protected from violation in the process. Putting these two types of suicide aside, what I am interested in for the most part is why cases of blameworthy suicide are considered by Kant to be violations of one's moral duty. I will now examine the arguments he provides in *LE*, *FPMM*, and *MM*.

3.2 Blameworthy Suicide in Kant's *Lectures on Ethics*

Kant gives several arguments for the impermissibility of blameworthy suicide in *LE*, which I separate into two broad categories. Suicide may be found morally impermissible for reasons of *self-love* or for going against human *freedom*. Due to the similarities across Kant's arguments against the moral permissibility of suicide in the three texts examined herein, this classificatory scheme can be applied throughout our discussion. Although Kant offers

⁹⁰ Ibid.

⁹¹ In his *Ethics of Suicide*, Victor Cosculluela offers an example that may help to drive this point home: "While cleaning a loaded rifle, Al accidentally pulls the trigger, thereby killing himself" (page 134). Cosculluela suggests that Al may have even been cleaning his gun in preparation for using it to commit suicide. However, because squeezing the trigger at that moment was accidental, despite his general intent to kill himself, Al did not commit suicide, but rather accidentally ended his own life. Cosculluela rightly argues that, to say that suicide is merely *any act of self-killing*, is to give too wide of an account of suicide, which includes cases like the former.

arguments against suicide other than these (for example, his arguments from religious considerations), they represent the two most repeated arguments against suicide throughout his writing.

3.2.1 Self-murder from Self-love

Kant repeatedly argues that suicide is morally impermissible when the motives behind it are inclinational rather than dutiful, animal rather than rational, phenomenal rather than noumenal. The arguments against suicide from *self-love* draw on the idea that actions are only moral insofar as they are acted on through a sense of duty in the agent as rational and autonomous, rather than sensuous motives. For instance, Kant writes:

By the rule of prudence there might be cases where to escape from all one's troubles one may kill oneself; but it is contrary to morality, for the intention is, by sacrificing one's condition, to abandon at a stroke all the pains and hardships of life; but in so doing, humanity is subordinated to animal nature, and my understanding is under the sway of animal impulse; and if so, I contradict myself when I demand to have rights of humanity.⁹²

Elsewhere Kant continues:

So suicide evokes horror, in that man thereby puts himself below the beasts. We regard a suicide as a carcase, whereas we feel pity for the one who meets his end through fate.⁹³

Not only does Kant condemn the agent who commits suicide from self-love, he is shown here also as condemning the blameworthy suicide as no longer deserving of noumenal considerations. In the case of self-love, the motive is not one of consideration for one's duty as a rational agent, but rather from the avoidance of pain, the securing of happiness, the satisfaction of desire. In fact, when such a maxim is acted upon, it violates the categorical imperative in that it debases humanity in oneself and finds the agent succumbing to means of securing contingent ends; the agent negates her noumenal nature by acting from

⁹² *LE*, pages. 70-71.

⁹³ *LE*, page 146.

phenomenal motives.

Specifically, such an egoistic maxim represents a contradiction of volition: the very definition of self-love entails that one needs to continue to live in order to ensure and increase it; in this case, the means of loving oneself are not willed along with the end of self-love. An agent cannot both will to be happy and simultaneously act so as to bring about the end of being able to be happy in the first place. The agent here is not considering herself as an end, but rather is only considering the avoidance of suffering—her self-termination as a means for achieving that end. When it seems that misery lies ahead, so much so that death becomes more appealing than to persevere in life, one must nevertheless refrain from committing suicide. This is because happiness (for example) is a ‘bestly’ motive, not a moral one:

By the rule of prudence, it would often be the best course, to remove oneself from the scene; but by the rule of morality it is not allowed under any condition, because it is the destruction of humanity, in that mankind is set lower than the beasts.⁹⁴

By sacrificing her life for base and animalistic reasons, the agent renounces her rights as being worthy of respect. Committing suicide from such motives is to demand that one be treated as an animal rather than as a human being, since the agent is seeking animal ends rather than dutiful ones. This maxim cannot be willed to be universal since it violates the imperative claim that all rational beings be treated with respect, as the rational and autonomous beings that they are, rather than being treated as non-rational entities.

3.2.2 Moral Agents as Un-free to Eliminate Freedom

Along with his arguments against suicide motivated from self-love, Kant provides several arguments that suggest suicide to be a violation of duty because it compromises and contradicts human *freedom*. Kant writes:

⁹⁴ *LE*, page 147.

So far...as anyone destroys his body, and thereby takes his own life, he has employed his choice to destroy the power of choosing itself, but in that case, free choice is in conflict with itself. The agent is using his life to put an end to his life".⁹⁵

Elsewhere, Kant continues:

Suicide is contrary to the supreme self-regarding duty, for the condition of all other duties is thereby abolished. It transcends all the limits on the use of free choice, for the latter is only possible insofar as the subject exists.⁹⁶

The argument presented here is that freedom, as a component of human noumenal nature and a condition for morality, cannot be used against itself; freedom cannot contradict freedom. "If freedom is the condition of life," writes Kant, "it cannot be employed to abolish life, since then it destroys and abolishes itself".⁹⁷

What does Kant mean to say when he writes, "freedom is the condition of life"? Presumably, he is implying something like the following: because human beings are free by their very nature as rational agents in the world, which directly entails personal freedom from outward determination (manifested in their ability to choose based on rational thought), it is for that same reason a necessary condition of their life as rational, independent, and wilful entities. Freedom is one of the characteristics that set human beings apart from the rest of the phenomenal world, both in itself, and through its relation with rationality. In a sense, to use freedom to end the existence of freedom in oneself eliminates the separation of human beings from non-human entities (something that came up in Kant's opposition to suicide from self-love also), which it served to establish in the first place. As free and rational agents, human beings have an obligation to remain so. Therefore, they are required to act so as to uphold their noumenal character. The maxim of self-destruction cannot be *freely* willed universal since its objectification would uproot freedom itself from the world, hence destroying a precondition for establishing such a universal law in the first place.

⁹⁵ *LE*, page 144.

⁹⁶ *Ibid.*, page 145.

Morality itself (or the possibility thereof), in a sense, is consequently eliminated from the world through committing suicide.

3.2.3 Kant's Religious Condemnation of Suicide

A third type of argument that Kant offers against the moral permissibility of suicide, as found in *LE*, stems from religious considerations. To be sure, Kant argues that religious reasons for regarding suicide as morally impermissible have little force if God's reasons for abhorring suicide are not first clarified:

Suicide...is impermissible and abhorrent, not because God has forbidden it; God has forbidden it, rather, because it is abhorrent. So all moralists must begin by demonstrating its inherent abhorreny.⁹⁸

Kant seems to be suggesting an answer to a similar 'paradox' as Socrates' proposed dilemma in Plato's *Euthyphro*⁹⁹: God deems suicide as wrong because it is abhorrent, not *vice versa*; and what makes it abhorrent, presumably, is that it is immoral. Despite this qualification, Kant nevertheless offers an argument against the moral permissibility of suicide based on religious considerations as follows:

We have been placed in this world for certain destinies and purposes; but a suicide flouts the intention of his creator. He arrives in the next world as one who has deserted his post, and must therefore be seen as a rebel against God. So long as we acknowledge this truth, that the preservation of our life is among God's purposes, we are in duty bound to regulate our free actions in accordance with it. We have neither the right nor the authority to do violence to our nature's preservative powers, or to upset the wisdom of her arrangements. This responsibility lies upon us until such time as God gives us his express command to depart this world.

Men are stationed here like sentries, and so we must not leave our post until relieved by the beneficent hand of another. He is our proprietor, and we His property, and His providence ensures what is best for us: A bondman who is under the care of a kindly master invites punishment if he defies the latter's

⁹⁷ *Ibid.*, page 144.

⁹⁸ *LE*, page 149.

⁹⁹ See Plato's *Euthyphro*, page 14.

intentions.¹⁰⁰

I offer Kant's religious argument against suicide merely to illustrate the myriad of different perspectives from which the moral standing of blameworthy suicide can be examined. Above, we have seen Kant's arguments in *LE* for the impermissibility of non-heroic suicide. As shown in the next section, identical conclusions are reached in *FPMM*.

3.3 Suicide in Kant's *Fundamental Principles of the Metaphysic of Morals*

Kant's discussion regarding suicide found in *FPMM* is restricted to an explication of how subjective maxims are to be applied to the various formulations of the categorical imperative. Both instances offered therein mimic earlier discussions in *LE*, yet are worth reiterating here.

In order to illustrate the first formulation of the categorical imperative, Kant applies it to four examples, the first of which is a suicidal maxim (as discussed in Chapter One). As in the case of the arguments from self-love, suicide is here condemned as morally wrong for similar reasons. Kant writes:

A man reduced to despair by a series of misfortunes feels wearied of life, *but still so far in possession of his reason* that he can ask himself whether it would not be contrary to his duty to himself to take his own life. Now he inquires whether the maxim of his action could become a universal law of nature. His maxim is: From self-love I adopt it as a principle to shorten my life when its longer duration is likely to bring more evil than satisfaction. It is asked then simply whether this principle founded on self-love can become a universal law of nature. Now we see at once that a system of nature of which it should be a law to destroy life by means of the very feeling whose special nature it is to impel to the improvement of life would contradict itself, and therefore could not exist as a system of nature; hence that maxim cannot possibly exist as a universal law of nature, and consequently would be wholly inconsistent with the supreme principle of all duty (Emphasis mine).¹⁰¹

A number of interesting issues are raised in the above quote. First, Kant assumes that the

¹⁰⁰ *LE*, page 149.

agent in question is in possession of a certain rational capacity. This assumption is worrisome in several respects, one of which being central to our current project: considering that an extensive number of *irrational* human beings commit suicide, and, considering the championed role that rationality plays in the psychology of Kant's conception of the moral agent, Kant's ethical theory does not possess the conceptual resources for addressing some of the current concerns regarding suicide, especially some of those stemming from contemporary research in psychology. I will attend to an elucidation of this worry in the next chapter. For now, suffice it to say that an ethic of suicide needs to account for irrational people (*qua* human beings) who commit suicide, yet Kant's ethic does not seem to do so.

Second, Kant formulates the agent's maxim in a specific way. It does not follow, however, that this is the *only* possible suicidal maxim. In other words, many differing characterizations of maxims may follow from the above situation or situations similar to it. Again, this worry will be fleshed out in the next chapter. Worth mentioning, however, is an example of a suicidal maxim that differs from Kant's, as presented by Michael Cholbi:

Admittedly, describing the suicidal agent's maxim is challenging. The oft-heard metaphor of a person as simply a 'shell' surrounding a deadened will suggests the maxim might run as follows: Because I no longer can value ends, I take my own life in order to be rid of my body, the instrument of desire and of the pursuit of ends--so as to bring my physical being in line with my psychological being.¹⁰²

The point is that, when testing a suicidal maxim for its universalizability, we need to consider a very large amount of contextual data simply to be able to account for the variance across circumstances within which different agents act. Presumably, if we cannot survey *all* of the relevant circumstantial information, the possibility of an ethic of suicide that applies to all cases of suicide imaginable seems unrealistic at best. The extent to which Cholbi's Kantian suicidal maxim differs from Kant's original formulation demonstrates reason to take

¹⁰¹ *FPMM*, page 50.

¹⁰² Cholbi (2002), page 249.

this concern seriously.

The second account of suicide found in the *FPMM* results from Kant's illustration of the practical application of a subjective maxim to the second formulation of the categorical law. Although almost identical in context, the application of the second formulation yields results that are different from, yet consistent with, the first. Kant writes:

He who contemplates suicide should ask himself whether his action could be consistent with the idea of humanity *as an end in itself*. If he destroys himself in order to escape from painful circumstances, he uses a person merely as *a mean* to maintain a tolerable condition up to the end of life. But a man is not a thing, that is to say, something that can be used merely as a means, but must in all his actions be always considered as an end in himself. I cannot, therefore, dispose in any way of a man in my own person so as to mutilate him, to damage or kill him. (Kant's emphasis).¹⁰³

Treating oneself and others as ends in themselves, rather than merely as utilities, represents for Kant a supreme limiting condition on all action. By committing suicide, the agent is not respecting herself as an end, but merely as a means to some other desired end. Because of this, as Kant argues in the above quote, such a maxim violates one's duty to act so as to treat one's and others' humanity unexceptionally as ends in themselves, rather than merely as means to ends.

Our exposition of Kant's account of suicide as found in *FPMM* is appropriately brief. However, before proceeding to an examination of his views on suicide as found in *MM*, I mention two further ideas that should be kept in mind, both of which make up central themes in our final chapter. First, nowhere in his account of the moral standing of suicide does Kant offer an account of the phenomenology of death or how it relates to the immorality of suicide. The *prima facie* worry is that, by failing to do so, Kant consequently fails to recognise the possibility of death being something positive in nature, in which case, possibly conducive to being sought out *rationally*.

¹⁰³ *FPMM*, page 58.

Second, the only intervention or prevention technique Kant has on offer with respect to suicide is the force of the moral law itself. Kant, however, fails to acknowledge the possibility that some human beings may not be considered under his moral theory, and hence that there may be cases where the categorical imperative procedure would be of no help in aiding an agent in moral deliberation. Furthermore, if certain irrational agents are to be deterred from acting immorally (committing suicide), then those who are to intervene require some way to successfully prevent the agent from doing so. The categorical imperative may not be sufficient (or relevant) ammunition for aiding or informing the intervener since this method assumes that the suicidal person would listen to or understand what *reason* prescribes they ought to do, and subsequently follow this dictation, an assumption that seems misguided where the suicidal person in question is irrational. Again, these issues are taken up later. They are mentioned here simply to make my critical intentions clear from the outset.

3.4 Suicide in *The Metaphysics of Morals*

Of the three main texts examined here regarding Kant's suicidology, *MM* offers what is perhaps his most interesting account of the moral impermissibility of suicide. Here, I discuss the two main arguments Kant puts forth in *MM*, along with a discussion of the casuistical questions he advanced at the end of the section devoted to suicide. The two arguments found here are similar in many respects to the one's already examined; the casuistical questions are what make his discussion in *MM* interesting, for they are both mysterious and worrisome.

In Part One, Book One, Chapter One of the Doctrine of Virtue entitled "A Human Being's Duty to Himself as an Animal Being," Kant states that self-preservation is the primal duty of a human agent of this sort.¹⁰⁴ Two acts are thought by Kant to be direct

¹⁰⁴ *MM*, page 176. Kant writes: "The first, though not the principle, duty of a human being to himself as an animal being is to preserve himself in his animal nature".

violations of this duty, namely, self-mutilation and the total killing of oneself. For Kant, killing oneself constitutes *self-murder*, and hence is a criminal act; suicide is not just morally reprehensible, but legally as well. Moreover, suicide can be reprehensible either with respect to the agent herself or with respect to others (what has come to be referred to as “Other-Regarding arguments” against suicide¹⁰⁵). I focus mainly on Kant’s reasons for the former condemnation of suicide, but will first speak briefly to the latter.

Kant gives several examples that constitute a violation of strict duties to oneself with regards to others through suicide. For example, when a pregnant mother ends her life, taking the unborn child’s life along with hers; suicide as a violation against a spouse (“until death do us part...”) or one’s children (as dependents); violations against other people as fellow citizens; and even a violation against God.¹⁰⁶ We are not primarily concerned with Kant’s arguments based on considerations of others since such arguments tell us nothing about whether suicide is permissible in cases where *no other-regarding considerations exist*. For this reason, such arguments at best yield impartial verdicts with respect to the general moral standing of suicide, as paradigmatically involving only one human being. In following the lead of our minimalist definition of suicide offered earlier (see S1, page 7), we are concerned primarily with a minimalist conception of the *suicidal situation*, which is to say where only one individual is (directly) involved.

Kant offers two arguments against suicide in *MM*. The first is somewhat different from what we have already seen, for it includes the idea that it is more *courageous* to continue living, rather than to commit suicide out of a fear of life (or through the absence of fear of death). Kant writes:

It seems absurd to say that a human being could wrong himself.

¹⁰⁵ For a discussion of Other-regarding arguments against suicide, see for example Cosculluela’s *The Ethics of Suicide* (1995).

¹⁰⁶ Kant argues that suicide may be thought of as a violation towards God as Other since it constitutes “one’s [i.e. the suicide’s] abandoning the post assigned him in the world without having been called away from it” (*MM*, 177).

Hence the Stoic thought it a prerogative of his (the sage's) personality to depart from his life at his discretion (as from a smoke-filled room) with peace of soul, free from the pressure of present or anticipated ills, because he could be of no more use in life. But there should have been in this very courage, this strength of soul not to fear death and to know of something that a human being can value even more highly than his life, a still stronger motive for him not to destroy himself, a being with such powerful authority over the strongest sensible incentives, and so not to deprive himself of life.¹⁰⁷

This argument attacks the Stoic belief in the moral permissibility of suicide.¹⁰⁸ According to Kant, if one can face the indeterminateness of death with a courageous attitude, then, despite one's reasons for contemplating suicide, one must have equal courage for remaining alive, hence not committing the suicidal act. By suggesting that it is more courageous to continue living in the face of a boring, or useless, or mediocre, or unhappy life, Kant is merely offering another incentive to avoid acting on the suicidal maxim. Despite the seeming uniqueness of this argument, it nevertheless plays on the idea that debasing one's humanity for phenomenal reasons is morally impermissible.

Kant's second argument found in *MM* runs as follows:

A human being cannot renounce his personality as long as he is a subject of duty, hence as long as he lives; and it is a contradiction that he should be authorized to withdraw from all obligation, that is, freely to act as if no authorization were needed for this action. To annihilate the subject of morality in one's own person is to root out the existence of morality itself from the world, as far as one can, even though morality is an end in itself. Consequently, disposing of oneself as a mere means to some discretionary end is debasing humanity in one's person, to which man was nevertheless entrusted for preservation.¹⁰⁹

The argument given here falls into both the category of suicide done from self-love and suicide as eliminating freedom from the world. On one hand, Kant reiterates that moral agents, as noumenal beings, are not allowed to debase their noumenal aspects, so as to give

¹⁰⁷ *MM*, page 177.

¹⁰⁸ For an informative account of the Stoic view regarding the moral standing of suicide, especially how it relates to Kant's own views, see Michael J. Seidler's "Kant and the Stoics on Suicide" (1983).

¹⁰⁹ *MM*, page 177.

in to phenomenal desires. All cases of blameworthy suicide are indicative of debasing the agent's moral personality, and hence acting from animalistic motives. On the other hand, using freedom for the sake of eliminating freedom from the world, and abolishing the possibility of morality along with it, is self-contradictory. In essence, if such a maxim were universalized, there would no longer exist a world inhabited by rational and free agents so as to ensure the existence of morality in the first place.

This marks the last of Kant's specific arguments for the immorality of suicide to be examined. According to Kant, whether it be a case of suicide from self-love, of eliminating freedom from the world, from religious concerns or otherwise, all *blameworthy* suicide is morally impermissible. Before offering some suggestions for the proper establishment of a sound ethic of suicide, suggestions which present themselves through issues raised throughout our previous discussion, one more topic is taken up from *MM*: Kant's mysterious and vague casuistical questions.

3.4.1 On Kant's Casuistical Questions Regarding Suicide¹¹⁰

Kant offers four "casuistical questions" at the end of his discussion of suicide in *MM*. What exactly did Kant have in mind by calling such questions "casuistical"? What was intended by including them in his discussion of suicide? What answers (if any) did he believe his reader would arrive at once having posed them? The answers to these questions are unclear, and hence in need of examination.

According to Kant, the division of ethics labelled "Doctrine of the Elements," which pertains to 'the concepts of pure practical reason with regards to the duties of moral agents,' is itself split into the divisions of "Dogmatics" and "Casuistry". About this latter distinction Kant writes:

¹¹⁰ See "*Casuistical Questions*" at the end of "First Article Of the First Chapter On Killing Oneself," *MM*, pages 177-178.

[Ethics], because of the latitude it allows in its imperfect duties, unavoidably leads to questions that call upon judgement to decide how a maxim is to be applied in particular cases, and indeed in such a way that judgement provides another (subordinate) maxim (and one can always ask for yet another principle for applying this maxim to cases that may arise). So ethics falls into a casuistry, which has no place in the doctrine of right.

Casuistry is, accordingly, neither a science nor a part of a science; for in that case it would be dogmatics, and casuistry is not so much a doctrine about how to find something as rather a practice of how to seek truth. So it is woven into ethics in a fragmentary way, not systematically (as dogmatics would have to be), and is added to ethics only by way of scholia to the system.¹¹¹

What then is *casuistry*? According to Kant, it is the role reserved for judgement in applying practical laws of morality to concrete situations. What, then, is the role of including several casuistical questions at the end of his discussion regarding the immorality of suicide? Presumably, it is to stress the element of context-sensitivity present in all cases of suicide, the role of experiential judgement in moral deliberation. Whether the suicidal agent in question seeks to flee a painful life, to preserve her honour, or to avoid infecting others with rabies, *et cetera*, all cases of suicide reserve a certain idiosyncratic uniqueness, and hence require novel maxim formation and evaluation. However, this being said, why then does Kant not provide answers for his posed casuistical questions, in a sense demonstrating how to formulate such maxims, apply them to the categorical imperative test, and subsequently assess their moral standing? The answer to this question remains open, given the information Kant has left us; hence, any solution proposed remains speculative. The reader is lead to believe that self-preservation may be an imperfect duty to oneself; yet, were this true, it would surely contradict Kant's inclusion of his discussion of suicide in "The Doctrine of Virtue, Part I, Chapter I, Book I: Perfect Duties to Oneself" in *MM*.¹¹²

In the passage quoted above, Kant suggests that casuistry is reserved for dealing with issues surrounding *imperfect duties*, and, in a sense, its role is to aid in judging how a

¹¹¹ *MM*, page 169.

¹¹² *MM*, page 176.

particular maxim is to be applied in a particular case. Remember, however, that self-preservation is a *perfect* duty to oneself,¹¹³ hence *not* an imperfect duty. Because of this, it becomes unclear why casuistry should be associated with issues surrounding suicide in the first place. By asking four casuistical questions regarding suicide, Kant may be suggesting that suicide is not entirely a perfect duty to begin with. Regardless of the authenticity of this worry, the casuistical questions regarding suicide are worrisome in other (somewhat less speculative) respects.

Such questions, whether intended to or not by Kant, offer reason to speculate further about the conclusions offered regarding the moral standing of suicide found throughout his moral works. If Kant's inclusion of these questions was intended to clarify his case against suicide, then they have failed in their purpose; these questions in fact confuse the issue more than they aid in its clarification. If Kant's intention in including such questions was to illustrate the context sensitivity of suicidal maxims, or even to offer guidance in difficult or atypical cases of suicide, then one has reason to argue that Kant's account is deficient. This is so for two reasons. First, the answers to these questions are left open-ended; Kant gives no concrete conclusion in either direction. Because of this, the reader is left to decide for herself whether such cases mark (a) cases of suicide or otherwise, and (b) if the situation under question is representative of a suicide, whether such cases of suicide are morally allowable or otherwise. From Kant's previous discussion, however, insufficient information is provided to adequately aid the reader in doing so.

Secondly, because Kant has left the answers to such questions unavailable, the reader is led to believe that the context matters to such a great extent that no ready-made principle of morality (the categorical imperative) is sufficient as a guiding principle in assessing them, and hence for determining what one ought to do under such highly specific circumstances. By way of elucidation, I examine one of the casuistical questions Kant has on

¹¹³ *MM*, page 176.

offer.

3.4.2 Suicide as a Cure for Rabies

Kant's example of the suicidal person infected with rabies serves to illustrate my misgivings against the inclusion of the casuistical questions.¹¹⁴ Kant writes:

A human being who had been bitten by a mad dog already felt hydrophobia [i.e. rabies] coming on. He explained, in a letter he left, that, since as far as he knew the disease was incurable, he was taking his life lest he harm others as well in his madness (the onset of which he already felt). Did he do wrong?¹¹⁵

From this, *the rabies maxim* may be formulated as follows:

(RM): Can I will that, 'once infected with rabies, from respect for the safety of others around me, I adopt it as a principle to shorten my life when its longer duration is likely to bring worsened hydrophobia and madness, in which case others may become victims of my illness,' as a universal law?

From our understanding of Kant's moral philosophy outlined thus far, the answer to the question posed by Kant above might appear to be "yes, he did do wrong, morally speaking". This is the case since the agent acted directly against the supreme duty to himself, namely, to preserve his life (despite how horrible that life may be). He used his freedom against itself, in a sense debasing his humanity so as to be deserving of the respect (or *non-respect*) allotted to a beast, rather than a dignified rational moral agent. The only exception to this law, as offered by Kant, is if one were to dutifully sacrifice life ('heroically') in order to maintain an honourable and morally good character. From this point of view, the man clearly acted (at least partially) from motives that were not selfish or from self-love. He acted so as not to harm other people through the madness accompanied by his disease, in a sense acting honourably. In other words, the man infected with rabies killed himself in order

¹¹⁴ Omitted here are the questions dealing with smallpox inoculation, royal self-sacrifice for the sake of the State, and kamikaze suicide. However, the worries noted here are assumed readily applicable to all four questions, not only the one regarding the victim of rabies.

¹¹⁵ *MM*, page 178.

to uphold other moral ends, say, treating others as ends in themselves. Perhaps then the man committed heroic suicide rather than blameworthy suicide, in which case his action was morally obligatory rather than punishable. If these considerations are accurate, then our answer above becomes questionable, and in need of revision. In fact, it seems that our previous answer ought to be replaced with “no, the man did not do wrong, morally speaking”.

One further consideration serves to highlight the ambiguity of the situation, especially with respect to the maxim (RM) itself. Very little specific contextual information is provided regarding the agent himself, other than that he has been infected with rabies, he has since committed suicide, and he apparently did so in order to protect others from being harmed or infected (as indicated by a note he left behind). But, many relevant questions remain unanswered, or their answers are left incomplete. Was the agent rational at the time of his suicide? Did the agent inquire into whether a cure for rabies in fact existed, or did he take his life based on the assumption that there was none? Was the agent contemplating suicide prior to being infected (hence, for some alternative reason)? These and other such questions are relevant and need to be answered in order for a proper subjective maxim to be formulated in the first place, as well as encouraging the distinction between whether the agent’s suicide represented a ‘heroic’ act or a blameworthy one. Because of this, (RM) (as it stands) seems inadequate.

It is difficult to speculate what the role is that Kant had reserved for these questions in closing his most explicit dealing of suicide in *MM*. On the one hand, it could have been a tool for his reader to apply her newly gained knowledge of morality to concrete examples, similar to the exercises found at the close of a beginner’s mathematics textbook. In this way, Kant may have been merely stressing the idea that experiential judgement is required in order to perfect one’s purely rational grasp of morality. On the other hand, the answers may have been left unfixed since they represent difficult moral situations an agent

may face, where the answer must be worked out in detail only once confronted by the situation itself, by making specific reference to the context. If this were the case, one would have expected Kant to aid in reaching an answer, rather than relying on his faith in the moral agent (his reader) to reach the correct verdict herself. Moreover, Kant offers his conclusions on what is and is not moral for the majority of the moral issues raised throughout his writings. Why exclude such considerations in this case, knowing that the examples mark difficult ethical situations, and that suicide is *one of the most abhorrent of moral violations possible?*

This concludes our discussion of Kant's ethic of suicide. From what has been shown throughout this chapter, several worries arise with respect to these views, and hence there is reason to argue that Kant's suicidology is incomplete. It is the purpose of the next chapter to examine some of these shortcomings, and, ultimately, to offer some suggestions towards establishing an ethic of suicide that *is* sound.

IV. Towards an Ethic of Suicide

As indicated in the introduction and throughout Chapter Two, certain shortcomings of Kant's ethic of suicide give reason to argue that his views on morality are incomplete in this regard. In fact, Kant fails to acknowledge several relevant ideas that ought to be central tenets of any sound suicidology. In this chapter, four general characteristics that a moral account of suicide ought to possess are offered. This is not to say that a sound ethic of suicide is *possible*; the ability of meeting such criteria may prove an absurdity in the end. It is merely to say that, *if* normative ethics can provide a conclusive verdict regarding the moral standing of suicide; *if* an ethic of suicide can be authoritative both theoretically and practically, then such an ethic should be based (at least in part) on the four criteria examined herein. Kant's moral theory does not exhibit these characteristics, or, if it does, does so to an insufficient degree.

Specifically, the following four ideas are relevant for establishing a sound ethic of suicide: (1) be readily applicable to all instances of human suicide; (2) include all human beings for moral consideration; (3) inform suicide intervention and prevention practices (if such practices are deemed relevant), and (4) take relevant insights regarding the phenomenology of death into account. This is not to say that these four criteria taken together mark sufficient traits for giving birth to a sound ethic of suicide. Rather, they are *relevant* conditions, and must be dealt with as such. I attend to each in turn.

4.1 Context-inclusiveness

It is not enough to ethically inform the 'easily' diagnosed cases or the most common cases of suicide that occur in the world. Moreover, it is not sufficient to inform only those cases of suicide that are obscure or unlikely. What is needed is an ethic of suicide that is readily applicable to *all occurrences* of suicide (whether actual or hypothetical). To be in the

possession of an ethic of suicide that applies only to 'textbook' cases of suicide, or suicides motivated from self-love, *et cetera*, is to be in the possession of a suicidology with only limited applicability.

In part, this criterion demands an accurate and detailed *definition* of suicide, so as to ensure that cases of suicide proper can be distinguished from *pseudo*-suicides. This being said, it is assumed that such a general definition of suicide is currently in place. As noted in our introduction, what seems to distinguish suicide from other suicide-like acts is the *intent* on behalf of the suicidal agent, and whether the act is undertaken *wilfully* or otherwise. Assuming that there exists sufficient guidelines for determining whether a case of seeming suicide is in fact an instance of suicide (see for example S1 outlined in the introduction), then all scenarios that meet this definition ought to be accounted for.

Along with a definitive characterization of what distinguishes suicide from *pseudo*-suicide, we require a detailed classificatory system of differing cases of suicide that may occur. If some instances of suicide are found morally reprehensible, while others are found morally allowable (or obligatory), then a schema must be in place so as to aid in the placement of all instances of suicide into their proper category. Kant offered some insight here through suggesting the distinction between blameworthy, heroic, and permissible suicide (see Chapter Two). All blameworthy suicides represent for Kant an agent's failure to act from duty; all heroic suicides represent an agent's acting in conformity with her duty; all of Kant's so-called "permissible" suicides are in fact *pseudo*-suicides, and hence are morally neutral. It was noted in Chapter Two that the labels Kant allots to the latter two types of suicide may be misleading; "heroic" suicide does not imply supererogatory action on behalf of the agent, but rather an act that she is obligated to perform. Furthermore, "permissible" suicides do not represent suicides at all, but rather accidental self-deaths. Whether Kant's classificatory system is accurate (or exhaustive), then, remains an open question.

In our discussion of Kant's suicidology, it was shown that his views are limited in

the sense of not being readily applicable to *all* cases of suicide. Two main points are worth reiterating. First, Kant's casuistic questions offered in *MM* remain unanswered and their inclusion 'mysterious'. It was argued that this is in large part due to their complexity, and because the intricate details required for proper maxim formation and subsequent testing were excluded. Is it, or is it not, one's duty to commit suicide when infected with rabies (assuming there is no cure)? The answer hypothesized earlier was both "yes" *and* "no," and, therefore, the answer was concluded to be indeterminate and elusive. This is not to say that our analysis of the rabies scenario was a complete account of the situation; it is merely to say that, given what Kant has on offer, any verdict in this case remains controversial and speculative.

Judging from the fact that Kant offered conclusions to most other moral dilemmas throughout his writings on ethics, it seems odd for him not to have offered a conclusion regarding these difficult cases of supposed violations of the *supreme (perfect) duty to oneself*. It is at least plausible that Kant did not do so since the answers to his casuistic questions are difficult to reach and do not readily fit into the framework of the categorical imperative test. Because of this, there is reason to believe that Kant's theoretical ethic of suicide is not readily applicable to all cases of suicide equally. Given the way that Kant insists on suicide being a *perfect* duty to oneself, he does not seem open to the possibility of having any situation where the moral verdict regarding the specific suicide on hand could be ultimately indeterminate. Therefore, there is reason to believe that Kant's suicidology fails to meet one central requirement of a sound ethic of suicide.

The second point is an extension of the first. Since a sound ethic of suicide needs to apply to all cases of suicide indiscriminately, that same ethic needs to acknowledge all the relevant variables across differing cases of suicide. Intricacies specific to individual cases of suicide need to be accounted for when designing the classificatory scheme stressed above. Hence, there must be in place specific resources to ensure, not only that all suicides are

accounted for, but also that all suicides of the same category are judged the same, regardless of possible incentives to judge preferentially (or detrimentally). Distinguishing between two similar cases of suicide may rest on one minute detail, and this one detail may dictate that one case is morally sound while the other reprehensible. In other words, a sound ethic of suicide needs to account for all cases of suicide equally—whether the suicidal victim is Socrates,¹¹⁶ Maria Von Herbert,¹¹⁷ a Canadian Aboriginal youth, a man infected with rabies, or Adolf Hitler,¹¹⁸ and so on and so forth. Yet, it also needs to judge all suicides of the *same class* identically, and account for minute details that may mark exceptions to the rule (such exceptions themselves marking separate categories).

For example, although from a Kantian moral perspective Adolf Hitler was not to act on his suicidal maxim (say), it may be relevant to argue that his case marks a subclass of blameworthy suicide where other facts of the case deem his maxim universalizable. In this case, the consideration that Hitler was the driving force behind the inhumane and irrational killing of millions of people, violating characteristics sacred to a Kantian perspective of morality, may over-ride the *prima facie* blameworthiness of his action.¹¹⁹ In light of this, Hitler's duty may have been to self-terminate. Hitler's suicide may have been, say, both *prima facie* blameworthy *and*, all things considered, obligatory. The point is that exceptions to the rules may mark a single case that enumerates a separate category of suicide all to itself; nevertheless, a classificatory scheme for suicide with respect to morality needs to be equally extensive as there are variations across the types of possible suicide.

This is not to say that Kant failed to meet this criteria; in fact, insofar as one is a

¹¹⁶ It is assumed here that Socrates in fact committed suicide. For an interesting argument in support of this, see R. G. Frey's "Did Socrates Commit Suicide?" (1978).

¹¹⁷ Maria Von Herbert was an acquaintance of Kant who sought his advice, and who, after repeatedly asking Kant for help, ended her own life. The correspondence between the two is included in Kant's *Correspondence*.

¹¹⁸ Although much controversy continues to surround Adolf Hitler's death, it is widely held that he committed suicide. For an interesting account see Redlich (1993).

¹¹⁹ Perhaps Hitler's suicide may be considered as an instance of capital punishment, which is, according to Kant, something all murderers deserve in consequence of their murderous actions. See

moral agent to begin with, the moral law is thought to be indiscriminately applicable. As we shall see next, however, problems arise with respect to who is to be considered a moral agent in the first place.

4.2 Consideration of All Possible Victims of Suicide

The main precept here to be followed is (roughly) “exclude no human being from moral consideration, whether irrational, hedonistic, young, homosexual, *et cetera*”.¹²⁰ This amounts to saying that, because almost any representative of the human species is able to commit suicide; since many types of human beings *do* commit suicide, then a sound ethic of suicide needs to account for human beings in general, whether past, present, or future, actual or merely possible.

Kant’s account of the moral standing of suicide finds its applicability restricted to rational beings only. Kant writes:

[Since] moral laws ought to hold good for *every rational creature*, we must derive them from the general concept of a *rational being*. (Emphasis mine).¹²¹

Clearly, Kant is shown here as founding morality on rationality. Morality is not restricted to human beings *per se*; if such human beings were in fact *without the ability to be rational*, then the moral law would no longer apply to them. Yet, there exist human beings who commit suicide and who are not rational at the time of their suicide.¹²² The failure here on

MM, pages 106-109.

¹²⁰ “Human being” is understood here from a biological perspective.

¹²¹ *FPMM*, page 39.

¹²² How do we know that a victim of suicide was in fact mentally ill at the time of their death? Specifically, if no knowledge of the victim’s being mentally ill were available or obvious before her suicide, then would it not be purely speculative to judge her mentally ill after she has already died? Although much debate continues surrounding such questions, researchers have begun to centre around one important tool in assessing a person’s mental state at the time of her death, after she is already dead. This tool is what Edwin Shneidman coined the *psychological autopsy*. The psychological autopsy is a procedure whose function is to classify ambiguous deaths, that is, ones whose cause remains uncertain, for example, distinguishing between true suicides versus accidental self-death. It is psychological since, in essence, the victim’s mental state is under questioning, since it may be thought to have had an influence on why that person has since died. Although the

Kant's behalf is not just that he does not consider irrational human beings as moral *agents*, but that he does not even take them to be moral *patients*. Kant's failure in this regard is unacceptable.

4.2.1 Moral Agency versus Moral Patienthood

One consequence of adopting a Kantian account of morality is that people who are irrational are not considered to be moral agents. Yet, as a subclass of irrational entities, people who are mentally ill nevertheless commit actions that, were such people to be moral agents, would be deemed as immoral, counter dutiful—suicide being a paradigm example of this. How is an ethic of suicide to account for this?

It is not clear that non-moral agents who act 'immorally' can be held morally responsible. In fact, it seems a truism to say that where a moral code does not apply to person *x*, person *x* cannot be morally punished for any of her actions that go against that moral code. Because of this, however, certain questions arise: if most cases of suicide find the victim mentally ill at the time of her death, and people who are mentally ill are not moral agents to begin with, then does it follow that most cases of suicide are not issues relevant to normative ethics in the first place (at least from a Kantian perspective)? If not, to what extent ought rational agents to intervene in suicidal situations, in a sense imposing their moral code on those to whom it does not apply? In other words, if certain beings do not meet the criteria for moral agency under a rationalistic moral code (irrational beings), then it follows that such a rationalistic moral code does not directly apply to their actions. From a rationalistic moral perspective, just because suicide is against one's duty as a *rational* being, it does not follow that it is an immoral act for *irrational* beings to commit, since our

psychological autopsy must be assumed as being only one asset in a group of many which in conjunction with each other help to paint a clearer picture of the death under question, it has become recognized as a valuable tool for the purposes of therapeutic assessment. See Berman (1993) and Jacobs & Klein (1993) for thorough accounts of the role of psychological autopsies with respect to

conception of duty is based on our conception of morality *as rationalistic*. If a rationalistic moral code is not applicable to irrational people, then ought we to prevent such people from committing suicide, all along our motives for intervention being that such acts are contrary to a *rationalistic* moral code?

Perhaps we ought to group human beings who are mentally ill together with other entities lacking sufficient rationality to reason about and apply a rationalistic moral code, like young children and animals. Perhaps, although we may not be able to hold such entities as being morally *responsible*, we nevertheless have moral *obligations* towards them. In this sense, people who are mentally ill can be said to be moral *patients*, despite not being afforded moral *agency*. The possibility needs to be considered that if a being is not a moral agent, she may still be a moral patient. A moral agent is a being who has moral obligations or responsibilities; a moral patient is a being (or entity) toward whom (or which) an agent has moral obligations or responsibilities. In maintaining a strategy adopted with respect to our conception of suicide as being problematic (see the Introduction), I assume that people who are mentally ill need to be considered moral *patients*, if only tentatively. This means that, at least until further progress has been made in this area, irrational human beings may be considered beings toward whom rational agents have obligations. Although the extent of this obligation remains unclear, it may include intervention and prevention practices, as well as education on the issues surrounding suicide in general.

It at least seems *prima facie* plausible to argue that, if suicide is wrong for *some* human beings to commit (that is, those who are rational), then it is equally wrong for *all possible human beings* to commit, regardless of the moral doctrine adopted or rational standing of the victim. However, this intuition must remain but one possible hypothesis (among many), for it may prove to be the case that people who are mentally ill and who commit suicide are not to be held morally responsible for their actions, nor that genuine

suicidology.

moral agents have any obligations towards them in this regard. This is not to say that irrational people are not deserving of respect as fellow human beings, or that we ought to adopt a *laissez faire* attitude with respect to the suicides that occur within this demographic. It is to say that an ethic that stresses the role of reason (as Kant's does) has serious difficulties when dealing with issues surrounding a) whether it is morally impermissible (or otherwise) for people who are mentally ill (irrational) to commit suicide, and b) whether rational agents (people who are not mentally ill) have the right or the responsibility to intervene in, prevent, or judge the suicides of the mentally ill (irrational).

For our purposes it is assumed that all human beings are deserving of at least minimal moral status. Nevertheless, certain ugly possibilities must be acknowledged: it may turn out to be the case that people who are irrational require a drastically altered moral doctrine from those who are rational; it may turn out that no rationalistic moral code can be (or ought to be) applied to those who are irrational; it may turn out that only those suicides where the victim is rational are relevant to normative ethics; it may turn out that suicide is not something to be avoided or condemned as immoral in the first place. Despite what the future of suicidology has in store, the prudent course for now is the one that assumes suicide to be a problem, which entails that all cases of suicide are in-themselves problematic as well, and hence that irrational human beings are to be afforded (at minimum) moral patienthood.

4.2.2 Kant on Mental Illness

A significant number of suicide victims suffer from mental health problems at the time of their death. Research by the Canadian Mental Health Association (2003) concluded that:

People with mood disorders [e.g. depression, bipolar disorder, *et cetera*] are at a particularly high risk of suicide. Studies indicate that more than 90 percent of suicide victims have a diagnosable psychiatric illness, and suicide is the most common cause of death for people with schizophrenia.¹²³

¹²³ Canadian Mental Health Association, (2003).

Judging from this data, it becomes clear that, at least in Canada, suicide is highly correlated with mental illness, most notably schizophrenia and severe mood disorders. In fact, from the above quote it becomes apparent that more people diagnosed with schizophrenia die from suicide than die from any one 'natural' cause (for example, old age) by comparison. Because of this—since such human beings *do* commit suicide—any apt suicidology must account for those human beings who are mentally ill at the time of their suicide.

Although Kant does spend some time discussing mental illness and insanity, his story remains morally neutral, vague, and underdeveloped. Nevertheless, a look at Kant's views on human psychology gives hope in answering two related questions. First, are people who are mentally ill considered (by Kant) to be irrational? In other words, is irrationality a common symptom of mental illness? Second, does Kant discuss whether or not people who are mentally ill are deserving of moral consideration (and associated moral responsibility)? In other words, although reason reserves its right as one of the two basic tenets of Kant's moral philosophy, are mentally ill persons, as irrational, afforded any moral considerations whatsoever?

In *AP*, Kant writes:

On the side of the border of mental disorder is the sudden change of moods (*raptus*), an unexpected leap from one subject to a totally different without apparent motivation. Occasionally, the change precedes every disturbance as an indication; but frequently the mind is already so disorganized that such attacks of irregularity become the rule. Suicide is often just the result of a *raptus*. Because he who, in the violence of emotion, has slit his throat will soon after patiently allow it to be sewn up again.¹²⁴

Prima facie, Kant is suggesting that mental illness portrays symptoms closely related to irrationality, namely, a disorganized mind. If one wanted to diagnose the victim's state of mind in the suicidal case outlined above, it seems plausible to suggest that the victim was irrational at the time of his attempted suicide, since his mind was "disorganized".

Furthermore, it is not clear what Kant is implying when he writes that suicide is often *just* the result of a sudden change in one's mood. Admittedly, Kant does not pretend to provide any *moral* conclusions in *AP*. But, as seen elsewhere, suicide is a moral problem for Kant, and hence any information Kant provides about suicide in general may serve to properly formulate his overall view of its moral standing. According to Kant, any action through sudden impulse, or emotion, or desire, or inclination, is an action linked to the phenomenal nature of human beings. It is animalistic. Is this to say that, because the agent is not acting *from reason*, that the agent is acting *irrationally* (or non-rationally)?

According to Kant, with regard to sense perception, *mental disturbance* is either characterized as irrationality or as insanity.¹²⁵ This suggests that a distinction can be drawn between irrationality and insanity (for our purposes, the latter being roughly identical to mental illness). The crucial point is, however, that both irrationality and insanity fall under the same (admittedly vague) category of "*mental disturbances* in sensory perception". As a mental disturbance, irrationality may be assumed to be a mental illness, at least to a minimal extent. As it turns out, Kant goes on to blur the distinction between insanity and irrationality. Kant writes:

The simpleton, the imprudent, the stupid, the coxcomb, the fool, and the buffoon are all different from the mentally disordered. They differ not merely in degree but in the distinctive quality of mental discord. Despite their failings these people do not belong in a madhouse.¹²⁶

This suggests that there exists a difference between stupidity (say) and irrationality, but not necessarily one between irrationality and insanity (mental illness); madmen must have other people reason for them, even in cases where the matters are trivial. Elsewhere, Kant offers further reason to believe that mental illness and irrationality are quite synonymous, or at least highly correlated. Under the heading "On Mental Ailments," Kant describes an

¹²⁴ *AP*, page 110.

¹²⁵ *AP*, page 97.

instance of *insanity* as follows:

Insanity is that disturbance of the mind, wherein everything the insane person relates, is in accord with the possibility of an experience, and indeed with the formal laws of thought; but, because of falsely inventive imagination, self-concocted ideas are treated as if they were perceptions. Those who believe they are everywhere surrounded by enemies, and those who regard all glances, words, and otherwise indifferent actions of others as directed against them personally and as traps set for them belong to this category. These people, in their unfortunate madness, are often so acute at interpreting as directed against them what others do inadvertently, that, if the data were only true, we would be obliged to pay the highest respect to their understanding. *I have seen nobody who has ever been healed of this illness (because to be mad with reason is a peculiar sort of predisposition).* However, they are not to be counted among the asylum fools, because, being concerned only with themselves, they direct their supposed craftiness only to their own welfare, without putting anyone else in danger. Consequently they do not need to be locked up for the sake of safety.¹²⁷ (Emphasis mine).

This excerpt is the most in-depth account of insanity Kant has on offer. Unfortunately, it remains vague. Through interpreting this quote, we find reasons for arguing both that insanity and irrationality are mutually exclusive *and* mutually inclusive. With respect to the former verdict, by saying things such as ‘the insane person’s mind is in accord with the formal laws of thought,’ and ‘if what the insane person were saying were true, then their understanding is deserving of high respect,’ and, the ambiguous phrase¹²⁸, “to be mad with reason is a peculiar sort of disposition,” Kant seems to suggest that the insane person is not properly labelled “totally irrational”. With regard to the latter verdict, on the other hand, by saying things such as ‘the insane person experiences delusions of the mind,’ that ‘insane people exhibit a most unfortunate madness,’ and, again, the ambiguous phrase “to be mad with reason is a peculiar sort of disposition,” Kant seems to be suggesting that the insane person *is* irrational, hence not rational.

Due to the limited information provided by Kant, as well as certain inherent

¹²⁶ Ibid., pp. 97-98.

¹²⁷ *AP*, page 112.

tensions in the account of mental illness he does offer, we are restricted to drawing the somewhat weak conclusion that people who are mentally ill are irrational, at least *in certain respects*. Rationality and irrationality can be understood as coming in degrees. In other words, although no concrete conclusions may be drawn, there is some reason to argue that Kant himself believed some sort of irrationality to be a common symptom of insanity (mental illness). If this is the case, then it follows that Kant's rationalistic ethic does not afford moral consideration to those people who are mentally ill (due to their lack of rationality), at least if their mental disturbance is sufficiently serious that they cannot properly consider and apply the moral law. To repeat, this is worrisome since a significant number of people who commit suicide are mentally ill at the time of their death.

Although reaching a clear picture of the role irrationality plays in insanity is somewhat elusive with reference to Kant's psychology, other literature has been devoted to the same issue. In his article "Insanity Vs. Irrationality," Walter Sinnott-Armstrong discusses contemporary literature in the philosophy of law that views insanity as entailing irrationality. Although Sinnott-Armstrong's purposes are somewhat orthogonal to ours, his review of the literature illustrates that the idea that irrationality is symptomatic of insanity is not a new one, or a minority opinion, albeit a controversial one. Philosophers such as Feinberg,¹²⁹ Fingarette,¹³⁰ and Moore¹³¹ have all argued that irrationality and insanity are closely related, the former for the most part being a symptom of the latter.

For example, in his *Law and Psychiatry*, Moore claims both that "one is a moral agent only if one is a rational agent," and that "mental illness in ordinary understanding means an incapacity for rational action".¹³² For our purposes, two points will suffice. First, Moore demonstrates one instance of an argument in favour of irrationality being closely

¹²⁸ "Peculiar" can mean any number of things, from "odd" or "strange," to "absurd" or "surreal".

¹²⁹ See Feinberg (1970).

¹³⁰ See Fingarette (1972).

¹³¹ See Moore (1984).

related to insanity. Although the issue remains open and (admittedly) somewhat controversial, the point is that current literature indicates that it is at least fathomable that irrationality is a common symptom of mental illness. Secondly, Moore foreshadows the fate of Kantian moral theory in regards to this issue quite nicely. If morality only pertains to rational agents, and certain human beings are *not* rational agents, then certain human beings are not morally considered (under Kantianism). Although this claim remains speculative and in need of much elucidation, it serves to highlight the need for the “inclusiveness” criteria in a sound ethic of suicide, to account for all human beings.

4.2.3 Irrationality, Insanity, and Suicide

Research findings have concluded time and again that there exists a very strong correlation between suicide and mental illness, so much so that it is estimated by some that ninety-eight percent of human beings who commit suicide are mentally ill at the time of their death.¹³³ In his *Lectures on the History of Moral Philosophy*, John Rawls writes:

[Kant] always takes for granted, as part of the fact of reason, that all persons (*barring the mentally retarded and the insane*) acknowledge the supreme principle of practical reason as authoritative for their will. (Emphasis mine).¹³⁴

This is striking for anyone interested in Kant’s suicidology. If the mentally ill are irrational (and both Kant himself and Rawls talking of Kant suggest that they are), then it would seem that the pure practical law of morality does not apply to such non-rational beings. They are left without the help of Kant’s normative views, just as are irrational animals, rocks, bowling balls, and coat hangers. In other words, Kant’s moral philosophy does not apply to, and cannot act as a compass for, people who are mentally ill, entities that are not rational, or those whose rational capacity is otherwise impaired or underdeveloped.

¹³² See Sinnott-Armstrong (1987), page 8.

¹³³ See Cholbi (2002).

¹³⁴ Rawls (2000), page 148.

Objection One: But Kant is not limiting his moral theory to those agents who *are* rational and free. Rather, his theory is significantly more inclusive: the domain of moral agency allotted by Kant includes whoever has a *natural capacity to be* rational and free. Therefore, just because someone is not rational does not necessarily exempt them from moral consideration, insofar as they possess such a natural capacity.

If this objection is accurate, then what has been said regarding the exclusion of irrational people from Kant's moral doctrine is misleading. The objection, however, is not accurate, as a brief thought experiment serves to demonstrate. Imagine a human being with a severe mental illness, say, schizophrenia. Imagine also that this person has yet to develop her faculty of understanding; imagine her to be a young child. Imagine also that this particular human being exhibits the most severe and intense symptoms of schizophrenic behaviour ever recorded. Her symptoms include, but are not limited to, the following: severe and highly pervasive delusions, upheld despite strong evidence offered contrary to those beliefs; severe and highly pervasive hallucinations, defined as unjustified false and abnormal perceptions of the world and its objects, stemming from all five senses¹³⁵; disorganized speech, neologisms, and "word salads"; grossly disorganized behaviour, including inappropriate emotional reactions, catatonia, and poor impulse control; severe thought blocking (slowed thinking); avolition (loss of energy); anhedonia (the inability to experience pleasure); and attention deficits (including poor concentration), anxiety, and depression. Next, imagine the person under consideration having committed suicide. It is asked merely whether or not this person had *the capacity to be rational in the first place*, as a characteristic demanded by the objection considered.

If the answer is "yes" (which seems unlikely), then Kant's moral theory needs to

¹³⁵ The latter two symptoms fall under what has been termed "thought-content symptomatology". According to Marshall and Firestone (1999), "although the beliefs and perceptual experiences expressed are *irrational*, the ability to express them coherently may be more or less intact" (page 350). (Emphasis mine).

account for this particular person's situation, despite her seeming irrationality, which it does not do (judging in part from Rawls' comment)—the agent's correct application of her maxim to the categorical imperative test seems un-executable where the agent is irrational. On the other hand, if the answer is "no," then Kant's moral theory equally needs to account for her. This is because she is a member of a group that marks one of the highest suicide rates in Canada *per capita*, not to mention that she is a *human being*. The point is clear: although this marks an extreme case of a schizophrenic human being who committed suicide, it is undeniable that it is nevertheless a case that Kant's moral theory does not account for. Any complete ethic of suicide needs to account for such cases.

Objection Two: Kant's moral theory *does* account for people who are mentally ill. In a sense, Kant accounts for all irrational beings when he accounts for young children who have not yet developed a full rational faculty. In such cases, it is a right of the rational people involved (paradigmatically the child's parents) to guide the youth's actions in a moral and rational manner. Perhaps the same can be said of people who are mentally ill; it is the duty of those who are rational to take care of the irrational person and to guide them morally. This objection fares as poorly as the first.

In *MM* Kant argues for the right of parents over their children:

From this duty there must necessarily also arise the right of parents to manage and develop the child, as long as he has not yet mastered the use of his members or of his understanding: the right not only to feed and care for him but to educate him, to develop him both pragmatically, so that in the future he can look after himself and make his way in life, and *morally*, since otherwise the fault for having neglected him would fall on his parents. They have the right to do all this until the time of his emancipation, when they renounce their parental right to direct him as well as any claim to be compensated for their support and pains up till now. (Emphasis mine).¹³⁶

Part of the reason that parents have a right over their children is due to the child's being in a

state of development, especially where issues of moral education are concerned. As a fully developed rational agent in that same world, the parent is required to guide the child's actions, the hope being that someday the child may be fostered in such a way so as to be able to effectively guide her own actions. The crucial point is that, until that time comes, *the young child is not a rational agent* (at least according to Kant).

However, by way of rebutting the objection noted above, one further point needs to be considered. The relationship between a child and her parents is significantly different from the relationship between a rational person and an unrelated individual having a severe mental illness. The parent has obligations towards her child because the child was created by her, in effect brought into this world through her previous actions. Moreover, of the child it is thought that she 'will one day become rational,' or has the potential to be rational, and hence, with respect to Kantianism, will one day become a moral agent. The severe schizophrenic person, conversely, does not necessarily have such a binding relationship with other persons. What is more, the irrational person may never become rational (or even thought to be able to become rational), or be susceptible to rational persuasion in the first place. In effect, the rational agent may not have a right over the irrational person (something the parent has over the child), and the irrational person may not respond to rational persuasion by the rational person (something the child does, albeit partly through dependence). At best, to equate the role of the child with the role of the irrational or mentally ill is worrisome.

Adolescent suicide now becomes an issue of even greater interest, seeing how such victims may simultaneously be irrational on two counts: on the one hand, their ability to reason may not yet be (fully) developed; and, on the other hand, they may have lost whatever reason they once possessed due to the onset of mental illness (for example, severe schizophrenia). In such cases, Kant's suicidology is devastatingly insufficient. In effect, it

¹³⁶ *MM*, page 65.

seems that to say that human beings ought not to kill themselves because reason dictates that such a maxim is contradictory to upholding morality, human autonomy, and humanity in general, is to say that suicidal victims *ought not to be mentally ill at the time of their suicide*.

4.3 Prevention & Intervention

Of what use are arguments in an actual suicide case? Could you, or Plato, or Aquinas, or Kant argue my mother out of committing suicide?¹³⁷

If suicide is found to be morally impermissible, then intervention should be informed by an adequate ethic of suicide. If suicide is found morally allowable, then the appropriate educational, medical and institutional measures are equally in need of consideration and implementation. This is to say, a sound suicidology must be rich enough to inform intervention practices. This is so since questions of what types of intervention (if any) are permissible or otherwise in life and death situations are considered ethical issues. If Kantian suicidology lacks the conceptual resources to be in a position to offer moral advice on whether suicide intervention is acceptable, and if so, on what kind of intervention, then it is incomplete. Since Kant seems to allot moral agency only to rational entities, and since many victims of suicide appear to lack rational status (due to mental illness) when they self-terminate, there is found reason to argue that Kant's suicidology (and moral theory in general) may not have the conceptual resources needed to inform intervention practices. This is not to say that an ethical theory needs to offer detailed prescriptions regarding intervention strategies; rather, this is to say that such ethical theory would be maximally helpful were it sufficiently rich to morally constrain or otherwise guide suicide intervention procedures.

¹³⁷ Taken from David Novak's *Suicide and Morality: The Theories of Plato, Aquinas and Kant and their Relevance for Suicidology*, page 119.

4.3.1 Kant's Practical Ethics & Suicide Intervention

Although suicide intervention is not one of the main concerns in this work, some research currently being done in this area relates to issues that are central here. In "Suicide Intervention and Non-Ideal Kantian Theory," Michael J. Cholbi argues for a Kantian vision of suicide intervention he takes to satisfy the demands of moral action as prescribed by Kant, and allows for modes of paternalistic suicide intervention that may, *prima facie*, be considered violations of that same moral code. Cholbi writes:

I...argue that certain psychological features strongly associated with suicidal behaviour may sometimes necessitate methods of intervention that violate suicidal individuals' autonomy in ways Kantians generally find objectionable. But this conclusion can be avoided by seeing the threat of suicide as a non-ideal circumstance to which Kantian moral theory can be applied. In particular, once armed with a distinction between living Kant's ideal of a Kingdom of Ends and striving for that ideal, we may in fact intervene in the suicidal plans of others in ways that might initially seem at odds with Kant's emphasis on autonomy and choice.¹³⁸

Cholbi's article is discussed here for two reasons. First, Cholbi offers some discussion regarding the role that *psychological complexities* ought to play in a Kantian picture of suicidology with respect to suicide intervention. Secondly, Cholbi's essay offers an example of current literature where Kant's inconsiderateness of *irrational* human beings (most notably those who are severely mentally ill) is overlooked or underemphasized in certain regards. Cholbi writes:

Rational agency is not only the source of value within Kantian moral theory, but also the essential condition for moral appraisal. For Kantians, moral appraisal focuses on maxims, agents' justificatory principles of action. Hence, any attempt to understand the psychology underlying suicidal behaviour through a Kantian lens must focus on suicidal agents' maxims, which are themselves rationally chosen principles. Therefore, any attempt to draw substantive Kantian conclusions about the morality of suicide depends crucially on psychological facts surrounding suicide.¹³⁹

The main point drawn from Cholbi's article is that Kant assumes that the person who

¹³⁸ Cholbi (2002), page 246.

articulates the suicidal maxim, and who subsequently assesses it via its application to the categorical imperative test, is an agent that is *rational*. If this were not assumed, then Kant would be violating one of the two central tenets of his moral doctrine (see Chapter One). However, because this must be assumed by Kant, his account of the moral standing of suicide is found deficient with respect to intervention. In other words, although it is essential that Kant assume the rationality of those who fashion the suicidal maxim in order to be consistent with his own views, in reality those human beings who commit suicide are not always rational at the time of their suicide. Hence, a significant number of human beings who commit suicide may either articulate maxims that are themselves irrational, or, may equally *not even articulate a subjective maxim in the first place*. This is not to say that they *choose* not to articulate a (rational) maxim; nor is it to say that they *choose* not to apply their maxim to the moral test (if they do articulate a maxim). It is to say that such people may not possess the rational capacity to do either to begin with (as our thought experiment in Chapter Three served to demonstrate).

Although Cholbi recognizes the importance of the psychological state of the suicidal person in constructing intervention procedures, he never addresses the fact that such a person may be *entirely* irrational; Cholbi does suggest that certain human beings may be less rational than others, but his language never suggests that complete irrationality is at issue. Although there are surely degrees of rationality and irrationality, of primary concern for our purposes here is the individual that is to the greatest degree irrational (as the example of the severely schizophrenic child demonstrated earlier).¹⁴⁰ Being charitable to Cholbi,

¹³⁹ Ibid.

¹⁴⁰ The passage in which Cholbi (2002) seems closest to suggesting that suicidal people who are mentally ill are *completely* irrational comes in his conclusion: "Though we can understand the psychology of suicide as resting on the *absence of conditions for unified and autonomous rational agency*, this in turn makes many effective means of suicide intervention morally impermissible" (page 256, emphasis mine). I take Cholbi to be suggesting that some trace amount of moral agency remains in the suicidal person here denoted, albeit an agency that is in disunity. It seems, however, that if rationality were completely absent, then so too would be the person's autonomy (since, on Kant's account, rationality is a precondition for the latter's conception), and hence any agency, whether

however, it is assumed that all human beings who are irrational (to any degree) are considered under his non-ideal suicide intervention policies. If this is the case, then it follows that Cholbi is in fact considering even those people who are severely mentally ill at the time of their suicide.

Yet, Cholbi consistently assumes that the suicidal person who is mentally ill remains a moral *agent*. Since rationality is a necessary condition for Kantian moral agency, it seems then that Cholbi takes all suicidal human beings, whether mentally ill or otherwise, as being to a certain degree rational. However, as discussed earlier, moral agency may need to be distinguished from moral *patienthood* with respect to suicidal human beings who are irrational (severely mentally ill). Different verdicts regarding the permissibility of intervention practices may exist for people who exhibit a “diminished rational autonomy,”¹⁴¹ or those “not acting with full rational autonomy,”¹⁴² and those people who are irrational. The point for our present discussion is not to criticize Cholbi’s article, but rather to highlight the fogginess of the issue of suicide intervention as it currently stands.

Cholbi’s objective is not to provide reasons for arguing that a Kantian moral account of suicide is correct. Rather, for his purposes, the moral impermissibility of suicide is largely assumed. Cholbi’s goal is rather to offer a Kantian perspective of the permissibility and procedure of intervention in cases of suicide (especially where the “agent” is mentally ill). Because of this, the psychological state of suicidal persons becomes of paramount relevance. Cholbi writes:

Kant depicts the suicidal agent as calmly opting for one good, happiness, over another, rational autonomy. And surely there is a

unified or not, would be absent as well. Because of this, there is reason to argue that Cholbi does not consider severely irrational human beings when he speaks of the mentally ill. Through personal correspondence with Prof. Cholbi, however, it was made clear that Cholbi wants to include all people who are mentally ill (regardless of their varying degrees of rationality) for application of his non-ideal suicide intervention policies. In other words, although his language is somewhat misleading at times, and he doesn’t deal with such cases explicitly in his article, Cholbi does in fact consider extremely (completely) irrational people as a class of mentally ill people.

¹⁴¹ Cholbi (2002), page 253.

¹⁴² Cholbi (2002), page 256.

kernel of truth here: by choosing to die, the suicidal agent has 'renounced' her rational autonomy. She is willing the will's demise. But is she renouncing her autonomy in favour of some other "good," in particular her happiness?¹⁴³

In describing the psychological complexities of the suicidal person, Cholbi is implying that some suicidal people are missing certain key requirements for the maintenance of rational agency—although Cholbi is admittedly vague in his article on what exactly is missing—in which case, attempts at intervention that appeal to reason may prove ineffective.¹⁴⁴ Cholbi continues:

[Suicidal agents] are no longer complete agents in a Kantian sense, for they lack a key ingredient of Kantian agency and a central drive toward self-individuation.

Thus, in the sort of suicide that especially concerned Kant, the usual psychological story is much more complex than he supposed. Agents do not simply calculate future goods and evils and opt for the good of death over the evils of life. Instead, the evils of life accumulate until the point that agents no longer feel a sense of attachment to their own happiness at all and are indifferent to their existence. It is here that a necessary condition of wilful Kantian agency and of rational deliberation...is most threatened.¹⁴⁵

Rationality is needed for the sake of being able to succeed at executing sound (Kantian) moral deliberation and practice. Equally, rationality is a prerequisite for maxim formation in the first place. Even if one were to argue that all Kant demands of a moral agent, in order for her to be able to deliberate, form maxims, and become a member of the moral Kingdom of Ends, is that she exhibit even a very base or minimal trace amount of rationality, it has been argued that, *prima facie*, some suicidal victims fail to meet these criteria.

Cholbi stresses the idea that Kantian rational persuasion may not succeed in effective interventions with suicidal agents exhibiting diminished rational agency. For the most part, this is so since such human beings may not be able to think rationally in the first

¹⁴³ Cholbi (2002), page 247.

¹⁴⁴ Through personal correspondence with Prof. Cholbi, it has been made clear that the key ingredient that mentally ill suicidal people are missing is the ability and desire to set ends for themselves. However, this does not denote a complete absence of rationality; rather, Cholbi nevertheless assumes such people to be rational to a certain degree and, what is more, all the while moral *agents*.

place, so as to be susceptible to rational persuasion. Cholbi's suggested alternative is intervention through paternalistic coercion.¹⁴⁶ As Cholbi himself notes, however, this is not an ideal method of intervention, but nonetheless required given the "non-ideal" circumstances surrounding suicides, especially where the victim is mentally ill. The point is that, as Cholbi recognizes, the Kantian pure practical law of morality in its original form represents a poor source for informing intervention practices where the suicidal person is not mentally healthy. Because of this, Kant's suicidology is incomplete.

4.4 An Account of the Phenomenology of Death

People who are no acquaintances of ours are 'dying' daily and hourly. 'Death' is encountered as a well-known event occurring within-the-world. As such it remains in the inconspicuousness characteristic of what is encountered in an everyday fashion. The "they" has already stowed away an interpretation for this event. It talks of it in a 'fugitive' manner, either expressly or else in a way which is mostly inhibited, as if to say, "One of these days one will die too, in the end; but right now it has nothing to do with us".¹⁴⁷

Without a deep and descriptive account of the nature of death, no suicidology can properly be termed complete. This may strike the reader as an odd or *impossible* requirement of an ethic of suicide to meet. However, it proves to be one of the most relevant.

As mentioned earlier, in order to pass judgement on an action, deeming it either right or wrong, the effect of the action must be understood. For example, when applying a slavery maxim to the categorical imperative test, one must understand what would occur were one to pursue the ownership of a slave—what end this action brings about, and the nature of this outcome—in order to be well equipped to pass moral judgement in the first place. Moreover, the consequences of acting on that maxim with respect to reason and

¹⁴⁵ Cholbi (2002), page 251.

¹⁴⁶ Cholbi (2002) concludes his article by writing that "since the suicidal plans of the mentally ill represent non-ideal circumstances, we may act in ways that further their autonomy even if these actions are coercive, duplicitous, or manipulative" (page 256).

¹⁴⁷ Martin Heidegger, *Being and Time*, page 297.

morally impermissible or otherwise. Kant's moral doctrine does not provide such an account, and is therefore incomplete in this regard.

But, one may object, even if an understanding of the phenomenology of death were relevant, death is surely not something that can be understood. This is because, as Kant himself rightly declares, 'no human being that is alive can know what it is like to be dead'. This objection is a fair one, and it is worthy of further attention.

4.4.2 On the Logical Opaqueness of Death

It is maintained that death is dichotomous to life. While death is the end of life, it also marks its antithesis, its opposite, its comparative other. When one is alive, one necessarily cannot be dead, and *vice versa*. Plainly, the result of suicide is death. But *what is death?* It may be the case that the only way to have knowledge of death (what it feels like, whether it is negative or positive in nature, whether it marks a *terminus* or a 'new beginning,' *et cetera*) is by being dead in the first place. Despite this worry, attempts have been made to decipher the nature of death from the perspective of the living. Moreover, despite how limited such attempts may prove in the end, all efforts must be exhausted before the establishment of a sound ethic of suicide is to occur.

In *The Ethics of Homicide*, Philip Devine argues that it is impossible for a human being to *rationally choose* death. This is the case because death exhibits an aura of *logical opaqueness*, which prevents its direct comparison with life, preventing the agent from having sufficient evidence for choosing between the two competing options (life versus death). What Devine has in mind is that death may be conceived as a certain type of condition, say, non-living. However, 'human beings cannot simply move past the mysteriousness surrounding death beyond the point of its opaqueness by representing it as

annihilation'.¹⁵¹ In fact, our best approximations of representing death are not fruitful in the least. This is so, according to Devine, since no infallible logical evidence about the nature of death can be obtained by living human beings, and hence all attempts to rationally or *logically* understand death remain speculative.

Sleep may be thought of as similar to death in certain trivial respects, but, just because one wakes from sleep, the two are different in every other (relevant) respect. Furthermore, "apparent dying," where one is said to have died and come back to life, also fails to approximate death since the resurrected agent nevertheless remains a *living* being in the end. Lastly, those who are dead (and remain so) are excluded from being able to provide an account of death practically by definition of their being dead; 'Death is by logical necessity that from which no human being returns to give tidings'.¹⁵² If Devine is correct about the logical opaqueness of death, then this may result in quite a large thorn in the side of any doctrine that proposes to illustrate a universally applicable ethic of suicide. The above discussion is relevant because it highlights the severity and urgency of the worry that finished the previous section.

Nevertheless, before they can be confirmed, an examination of the phenomenology of death needs to be undertaken—in a sense the *translucency of death* tentatively assumed—one that is as extensive as possible considering the specimen, and one that has an understanding of the moral standing of suicide as one of its goals. Devine considers death as having a *logical* opaqueness; yet, he does not consider any other mode of gaining knowledge other than logically examining first-hand empirical data. There are many other methods for securing knowledge, all of which being relevant to a study of the phenomenology of death. If we cannot penetrate the 'opaqueness' of death by means of logic or *post hoc* experience, perhaps there is yet much to learn by adopting psychological, or historical, or sociological,

¹⁵¹ Devine (1978), page 140.

¹⁵² Devine (1978), page 142.

or biological, or pragmatic, or genetic, or metaphysical perspectives and methods of inquiry, *et cetera*. Only after such investigations have been completed should our (at least tentative) optimism with respect to learning the nature of death turn into hopelessness. The point is not that we are able to know the nature of death in its entirety, but rather that we may be able to know much more than we currently do, yielding a more informed ethic of suicide.

This concludes our elucidation of the four suggested improvements to Kant's suicidology. In this chapter it was argued that a sound suicidology needs to account for all possible suicidal situations, all possible suicidal victims, inform intervention efforts, and account for relevant issues surrounding the phenomenology of death. These four traits were identified after certain corresponding shortcomings of Kant's moral philosophy were revealed: his doctrine is not readily applicable to all cases of suicide equally (exemplified by the case of a man with rabies), does not assume a majority of suicide victims (the mentally ill) as deserving of moral consideration; it is uninformative to intervention procedures when applied to cases of suicide where the suicidal person is irrational; and it failed to give an in depth account of the nature of death (especially with respect to morality).

V. Concluding Remarks

If [the problem of suicide] cannot be solved, then it is difficult to see how any subsequent problems, involving less intimately experienced objects and less fundamental conditions, can be solved.¹⁵³

As mentioned in the introduction, a large number of people have committed suicide during the time it took for the reader to finish reading this work. Although no formal or complete ethic of suicide was articulated herein, one which may have been useful to the aforementioned victims, four relevant criteria of a sound suicidology were identified: context-inclusiveness, a consideration for all possible suicidal victims, the ability to inform intervention procedures, and an informed understanding of the nature of death. Generally speaking, the first two criteria represent the need for an empirical understanding of the issues surrounding suicide, while the latter two demonstrate the need for further investigation into certain phenomenological and practical issues surrounding suicide. It was the incompleteness of Kant's ethic of suicide that made the identification of these criteria possible.

The first two criteria stress an *empirical* orientation towards suicidology. Each individual case of suicide is unique and context-specific. Difficulties in applying Kant's general practical law of morality to all such cases were uncovered, difficulties that need to be overcome if an ethic of suicide is to be a sound one. Furthermore, because Kant's ethical theory restricts those entities included under its moral umbrella to those who are rational and free, it consequently denies moral guidance and worth to human beings who are irrational or mentally ill. Specifically, because there exists a high correlation between mental illness and irrationality, and between mental illness and suicide, it was argued that Kant's suicidology cannot account for those human beings who are mentally ill and commit suicide, current

¹⁵³ Novak (1975), page 84.

Canadian statistics indicating that the number of human beings falling into this demographic is significant. Although irrational beings may not carry moral *agency*, it was argued that they need to be considered as moral *patients* (at least tentatively). A sound ethic of suicide needs to account for all human beings who *can* and *do* commit suicide. This may mean any number of things in the end, from having separate moral codes for rational and irrational beings, rational agents exercising certain obligations towards non-rational agents (by way of suicide intervention, for example), or that those cases of suicide where the victim is irrational need not be informed by normative ethics. The result of these suggestions is the conclusion that much more work of the empirical kind needs to be done in these areas.

Two further aspects of a sound suicidology were argued for in Chapter Three: one *phenomenological* and the other *practical*. The former deals with the relevance of knowing what the effects of suicide are. Since, in the case of suicide, the effects include death, a rigorous understanding of the phenomenology of death becomes of paramount concern (at least to the extent that such a concept lends itself to investigation). Although some argue that the nature of death is impenetrable, and hence impossible to know (logically), there remain several alternative methods to uncover the mysteries surrounding the nature of death. These include an exploration of the psychological, socio-historical, biological, conceptual, and metaphysical aspects of death, aspects unaffected for the most part by Devine's arguments for the logical opaqueness of death. Until all such avenues have been explored and their fruits exhausted, no ethic of suicide can be said to be complete.

The latter criterion deals with issues surrounding suicide intervention and prevention strategies. If suicide is deemed morally impermissible, then intervention and prevention strategies would necessarily need to be put into place. Because Kant's suicidology restricts moral agency to rational entities, two main problems arise: first, it is not clear that the same moral verdict is transferable (or ought to be transferred) from rational to irrational entities, and, second, any means of intervention founded on rationality may not be

effective when being applied to irrational people. For these reasons, Kant's suicidology highlighted the need for exploring questions surrounding intervention procedures further, and made apparent the possibility that more than one ethic of suicide (complete with intervention strategies) may be needed in order to account for the numerous types of suicidal individuals.

In all, the main point has been not so much that Kant's ethic of suicide is wrong; rather, it has been that Kant's ethic of suicide is incomplete. Kant's work has been used as a starting point for further investigation into the issues surrounding the moral standing of suicide. From an incomplete ethic of suicide emerge ideas on what to do in order to establish one that *is* complete. In this sense, although certain aspects of Kant's moral theory remain beneficial to progress in this area, his shortcomings may prove to be even more valuable.

Where do we go from here? There may be more criteria than the four outlined herein. Because of this, further work needs to be done by way of exploring what a sound ethic of suicide would look like. Moreover, many of the questions raised throughout this work remain unanswered. Because of their centrality to understanding the moral nature of suicide, these questions need to continue to be asked, and answers tirelessly sought. In order to do this, we must assume the problematicity of suicide—especially where intervention is concerned—as well that all human beings who commit suicide need to be accounted for, and that the phenomenology of death is translucent rather than opaque. If further research offers reason to refine current suicidologies away from such assumptions, then so be it. The goal for now ought to be the establishment of an ethic of suicide that is compatible with the criteria outlined above; in order to do this, extensive research needs to be conducted, whether empirical, phenomenological or otherwise.

If suicide is *immoral*, and if we ought to prevent it, then we need to take measures to put ourselves in a position to do so. If we ought *not* to prevent suicide, this is to say, if suicide is a moral (or amoral) human act, then we need to direct academic, financial,

educational, social, and political attention and labour to the issue accordingly. The main emphasis throughout this work has been to ask some of the questions that have habitually gone unasked or been underemphasized with respect to suicide, questions central to resolving the issues surrounding suicide. Is suicide a problem, whether social or philosophical (moral)? Is death positive or negative in nature? Who needs to be accounted for under an ethic of suicide? What would the theoretical and practical designs of a sound ethic of suicide look like? Because of its inability to attend to such questions, Kant's suicidology has been identified as being incomplete.

As the words of Albert Camus opened this work, it is only fitting that they close it as well:

[The problem of suicide] may seem both simple and insoluble. But it is wrongly assumed that simple questions involve answers that are no less simple and that evidence implies evidence. *A priori* and reversing the terms of the problem, just as one does or does not kill oneself, it seems that there are but two philosophical solutions, either yes or no. This would be too easy. But allowance must be made for those who, without concluding, continue questioning.¹⁵⁴

¹⁵⁴ Camus (1975), page 14.

REFERENCES

- Battin, Margaret P. (1993): "Suicidology and the Right to Die". In Leenaars, Antoon (Ed.), *Suicidology: Essays in Honour of Edwin S. Shneidman*. New Jersey: Jason Aronson Inc. (pp. 377-398).
- Berman, Alan L. (1993): "Forensic Suicidology and the Psychological Autopsy". In Leenaars, Antoon A. (Ed.), *Suicidology: Essays in Honour of Edwin S. Shneidman*. New Jersey: Jason Aronson Inc. (pp. 248-266).
- Camus, Albert (1975): *The Myth of Sisyphus*. London: Penguin Books Limited. First published in 1955.
- Canadian Mental Health Association (February 2003). Suicide. *About Mental Illness*. Retrieved September 30, 2005, from http://www.ontario.cmha.ca/content/about_mental_illness/suicide.asp?cID=3965.
- Chalier, Catherine (2002): *What Ought I to Do? Morality in Kant and Levinas*. Ithaca: Cornell University Press.
- Cholbi, Michael J. (2002): "Suicide Intervention and Non-Ideal Kantian Theory," *Journal of Applied Philosophy*, 19, 245-259.
- Cholbi, Michael J. (2000): "Kant and the Irrationality of Suicide," *History of Philosophy Quarterly*, 17, 159-173.
- Cosculluela, Victor (1995): *The Ethics of Suicide*. New York: Garland.
- De Leo, Diego & Russell Evans (2004): *International Suicide Rates and Prevention Strategies*. Cambridge: Hogrefe & Huber Publishers.
- Devine, Philip E. (1978): *The Ethics of Homicide*. Ithaca: Cornell University Press.
- Donnelly, John (Ed.). (1990): *Suicide: Right or Wrong?* New York: Prometheus Books.
- Feinberg, Joel (1970): "What Is So Special About Mental Illness?" In *Doing and Deserving*. Princeton: Princeton University Press. (pp. 272-292).
- Fingarette, Herbert (1972): *The Meaning of Criminal Insanity*. Berkeley: University of California Press.
- Frey, R. G. (1978): "Did Socrates Commit Suicide?" *Philosophy: The Journal of the Royal Institute of Philosophy*, 53, 106-108.

- Heidegger, Martin (1962): *Being and Time*. Translated by John Macquarrie & Edward Robinson. San Francisco: Harper & Row Publishers, Inc.
- Hill, Jr., Thomas E. (1991): *Autonomy and Self-Respect*. Cambridge: Cambridge University Press.
- Hume, David (2005): *On Suicide*. London: Penguin Books.
- Jacob, Douglas & Marci Ellyn Klein (1993): "The Expanding Role of Psychological Autopsies". In Leenaars, Antoon A. (Ed.), *Suicidology: Essays in Honour of Edwin S. Shneidman*. New Jersey: Jason Aronson Inc. (pp. 209-247).
- Jaquette, D. (2000): "Schopenhauer on the Ethics of Suicide." *Continental Philosophy Review*, 33, 43-58.
- Jonas, Hans (2004): "Technology and Responsibility". In Kaplan, David M. (Ed.), *Readings in the Philosophy of Technology*. (pp. 231-243). New York: Rowman & Littlefield Publishers, Inc.
- Kant, Immanuel (1999): *Correspondence*. Translated by Arnulf Zweig. Cambridge: Cambridge University Press.
- Kant, Immanuel (1997): *Lectures on Ethics*. Translated by Peter Heath. Cambridge: Cambridge University Press.
- Kant, Immanuel (1978): *Anthropology From a Pragmatic Point of View*. Translated by Victor Lyle Dowdell. Carbondale: Southern Illinois University Press. First published in 1798.
- Kant, Immanuel (1996): *The Metaphysics of Morals*. Translated by Mary Gregor. Cambridge: Cambridge University Press. First published in 1797.
- Kant, Immanuel (2005): *Critique of Judgment*. Translated by J. H. Bernard. New York: Barnes & Noble Publishing, Inc. First published in 1790.
- Kant, Immanuel (1997): *Critique of Practical Reason*. Translated by Mary Gregor. Cambridge: Cambridge University Press. First published in 1787.
- Kant, Immanuel (1988): *Fundamental Principles of the Metaphysic of Morals*. Translated by T. K. Abbott. New York: Prometheus Books. First published in 1785.
- Kant, Immanuel (1929): *Critique of Pure Reason*. Translated by Norman Kemp Smith. New York: Macmillan & Co., Ltd. First published in 1781.

- Leenaars, Antoon A. (Ed.) (1993): *Suicidology: Essays in Honour of Edwin S. Shneidman*. New Jersey: Jason Aronson Inc.
- Maris, Ronald W. (1993): "The Evolution of Suicidology". In Leenaars, Antoon A. (Ed.), *Suicidology: Essays in Honour of Edwin S. Shneidman*. New Jersey: Jason Aronson Inc. (pp. 3-21).
- Marshall, William M., & Philip Firestone (Eds.). (1999): *Abnormal Psychology: Perspectives*. Toronto: Prentice-Hall Canada Inc.
- Moore, Michael (1984): *Law and Psychiatry*. New York: Cambridge University Press.
- Nietzsche, Friedrich (1967): *The Will to Power*. Edited by Walter Kaufmann. New York: Vintage.
- Novak, David (1975): *Suicide and Morality: The Theories of Plato, Aquinas and Kant and their Relevance for Suicidology*. New York: Scholars Studies Press, Inc.
- O'Neill, Onora (1989): *Constructions of Reason: Explorations of Kant's Practical Philosophy*. New York: Cambridge University Press.
- Plato (2002): *Five Dialogues: Euthyphro, Apology, Crito, Meno, Phaedo*. Translated by G. M. A. Grube, 2nd edition. Indianapolis: Hackett Publishing Company, Inc.
- Rawls, John (2000): *Lectures on the History of Moral Philosophy*. Cambridge: Harvard University Press.
- Redlich, Fritz. C. (1993): "The Death and Autopsy of Adolf Hitler". In Leenaars, Antoon A. (Ed.), *Suicidology: Essays in Honour of Edwin S. Shneidman*. New Jersey: Jason Aronson Inc. (pp. 281-288).
- Schultz, Walter (2000): "On the Problem of Death". Translated by Chad Albers. *Continental Philosophy Review*, 33, 467-486.
- Seidler, Michael J. (1983): "Kant and the Stoics on Suicide". *Journal of the History of Ideas*, 44, 429-453.
- Seneca (1969): *Letters from a Stoic*. Translated by Robin Campbell. London: Penguin Books.
- Sinnott-Armstrong, Walter (1987): "Insanity Vs. Irrationality". *Public Affairs Quarterly*, 1, 1-21.

Statistics Canada (2005, February 17). Suicides, and suicide rates, by sex and age group. *Canadian Statistics*. Retrieved September 30, 2005, from <http://www40.statcan.ca/101/cst01/health01.htm>.

Statistics Canada (2005, February 17). Selected leading causes of death, by sex. *Canadian Statistics*. Retrieved September 30, 2005, from <http://www40.statcan.ca/101/cst01/health36.htm>.

Wood, Allen W., & George Di Giovanni (Eds.). (1996): *The Cambridge Edition of the Works of Immanuel Kant: Religion and Rational Theology*. Cambridge: Cambridge University Press.

Wood, Allen W. (1999): *Kant's Ethical Thought*. Cambridge: Cambridge University Press.

VITA AUCTORIS

Ryan S. Tonkens was born in 1980 in Toronto, Ontario. He graduated from Queen Elizabeth Park High School in 1999. From there he went to the University of Windsor, where he obtained an Honours BA in Philosophy & Psychology in 2004. He is currently a candidate for the Master's degree in Philosophy at the University of Windsor.