

KANT'S CATEGORICAL IMPERATIVE AND AQUINAS' NATURAL LAW THEORY: A CRITICAL AND COMPARATIVE ANALYSIS

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Abstract: This paper titled: “Kant’s Categorical Imperative and Aquinas’ Natural Law Theory: A Critical and Comparative Analysis”, is an attempt towards a better understanding of the compatibility or otherwise, that may exist between the works of the two great minds in the history of philosophy- Thomas Aquinas and Immanuel Kant. The paper aims at a critical comparison of the basic premises of Kant’s and Aquinas’s ethical philosophy, intending to find similarities and dissimilarities as well as compatibility or incompatibility between them. This paper adopts a conceptual clarification of our discourse and engages in an analytic, critical exposition, and appraisal of the subject matters.

Keywords: *Categorical Imperative, Natural Law, Inclination, Obligation, Reason.*

Introduction

In the world of experience in which we live and work, there are different minds, different modes of thinking, and different and varying thought influences. The reason for these differences in thoughts, ways, and manners of thinking may be attributed to the political, religious, cultural, sociological, ethical, and economic forces present in our world today. Whether we are aware of these forces or not, does not change the fact they influence and affect our mode of thinking and reasoning, decisions, and even our actions. But then, these different forces and influences notwithstanding, man must not only act but be responsible for his actions. He is held responsible for the rightness and wrongness of his actions. This, of course, has been the issue of the morality of which all men from all generations have faced and continue to face in one way or the other. Interestingly, Kant and Aquinas have put forward theories that would enable man to, not only face the issue of morality but also choose the right course of action. It is against this backdrop, that we seek to critically compare and contrast the ethical theories of Thomas Aquinas and Immanuel Kant.

Kant's Biographical Note

Immanuel Kant, a German philosopher, was born on April 22, 1724, at Konigsberg in East of Prussia. He was the fourth of nine children. His father, Johann Cant was a poor and uneducated saddle-maker who was a master-craftsman and a man of the people. Kant's mother, Anna Regina Nee Reuter, was a devoted Lutheran; a woman of strong religious beliefs. Kant was deeply attached to her and was brought up in the strict Lutheran creed especially in its pietistic or puritanical form. Consequently, his life and philosophy were deeply influenced by his religious upbringing in an orthodox Lutheran home.

Although as a mature man, Kant did not show any interest in participating in church services, he had high regard for morality and great faith in God. This seems to have been necessitated by his study of theology at the University of Konigsberg besides his pietist tendencies. He emphasized the ethical aspect of a "rational religion" which is in contrast with the revelation of specific Creeds. Kant detested the rigorous regulation and mechanization of religion so much that he rejected all prayer (Carl xxi). However, it is believed that his later insistence on religion as the basis for doing good for its own sake, as contrasted with all system of morality which relate the doing of good to the securing of some reward, no doubt has its roots in this deeply felt difference between the piety of his parents and the severe discipline of his school years.

Kant was a child of the age of Enlightenment, the age of Hume, Rousseau, and Voltaire. He was also a witness to the French and American Revolutions. As a child of the Enlightenment, Kant had great respect for science and sympathized with its humanistic ideals. He was a firm believer in the rationality of man who grew up so to say, in the "heavenly city of the eighteenth-century philosophers" and lived in it until his fifty sevenths (57) birthday. During this period, he dealt a lethal blow against his country's unbounded faith in the limitless potentials of reason. Kant's influence has been enormous, both in Europe and in the English-speaking world, while his philosophical system stands as one of the greatest achievements in our intellectual history. He died on February 12, 1804, at the age of eighty years.

Thomas Aquinas: A Brief Biographical Note

Thomas Aquinas was a Catholic theologian and philosopher, born about the year 1224, at Roccasecca, in Italy. He began his elementary education at the age of five under the Benedictine Monks. He studied at the University of Naples; there he joined the Dominican Order and later went to Paris to continue his studies at the University in liberal arts. He received his license to teach from the University of Paris in the year 1256. Aquinas became a professor of philosophy and theology and taught at the University of Paris and in some theological and philosophical institutions in Italy.

Thomas Aquinas, a prolific writer, wrote many treatises. His writings belong to many fields of activity and are a faithful mirror of his participation in the religious and intellectual life of his age. His age, however, influenced him much more than it listened to him. It gave him the problems with which he was to be concerned; in many cases, it even set for him directions that he was to follow, explore, and complete. He died in the year 1274.

The Categorical Imperative

The categorical imperative is an unconditional imperative that immediately commands certain conduct without having as its condition any other purpose to be attained by it. It commands actions as good in themselves and not as a means to other ends. Paton noted that the categorical imperative is "that which the objective principle of practical reason is not conditioned by any end, rather, the action in question is enjoined for its own sake, as good in itself without reference to any further end"(Paton 3). In other words, Paton believes that the categorical principles state an unconditional, practical necessity of acting, even

apart from willing any further end. For Paton, the categorical principles also command conformity to law in general – which is that the maxims which serve as our principles of volition should conform to universal law. In his earlier work on Kant, Paton noted that ‘the categorical imperative is an a priori, synthetic, practical proposition that accepts no exceptions, and which obliges all men to act in a certain way’ (Paton 3). Thus, the categorical imperative is the imperative of morality. Hence Kant argues that only the categorical imperative is the truly moral imperative since it alone commands actions as being necessary and universally good in themselves. The categorical imperative was also called by Kant, the “apodictic practical principle.” For Kant therefore, there is only one categorical imperative and it is this: *Act only according to that maxim whereby you can at the same time will that it should become a universal law* (Kant 7). According to Roger Scruton, this imperative is “designed to capture in a pregnant philosophical phrase the persuasive force of the moral question to which all rational beings respond, - the question, ‘what if others were to act likewise?’ (Scruton 17).

Although Kant gave three different formulations of the categorical imperative, scholars, however, differ on the number of the formulations, hence Paton writes: “we might have expected Kant to be content with one formulation of the categorical imperative. Instead, he embarrasses us with no less than five different formulae, though curiously enough, he intends to speak as if there were only three” (Paton 4). Others such as Frederick Copleston and James Collins aver that the formulations are five in number. Some other writers like J.I. Omoregbe list six formulations. These differences notwithstanding, we shall limit our study to only three formulations as Kant himself presented them in his book, *Groundings for the Metaphysics of Morals*.

Kant formulates the first of the categorical imperative as follows: “*Act as if the maxim of your action were to become through your will a universal law of nature* (Kant 10). By maxim, Kant means the subjective principle of action. “A maxim,” he says, “contains the practical rule which reason determines following the condition of the subject and is thus the principle according to which the subject does act” (Kant 10). What Kant means here is that a maxim is a rule of action a man follows as part of his policy of life, whatever rules of living other men may have. Kant contrasted maxims with laws. Laws, he says, are objectively valid for all rational beings, while a maxim is “my” own personal principle of action. This first formulation, however, roughly means that in formulating a principle of conduct, a rational being is constrained to postulate an ideal. In positing such an ideal, and himself as part of it, the agent sees himself about other rational beings as one among many, of equal importance with them, deserving and giving respect based on reason alone, and not based on those empirical conditions which create distinctions between men. According to Roger Scruton, this first formulation of the categorical imperative is for Kant, the philosophical basis of the famous golden rule - that we should do as we would be done by (Scruton 18).

The second formulation is: “Act in such a way that you treat humanity, whether in your person or the person of another, always at the same time as an end and never simply as a means” (Kant 14). This principle implies that a rational being is constrained by reason not to use his fellow human beings merely as a means to achieve his own purposes, not to enslave, abuse, or exploit them, but always to recognize that they contain within themselves the justification of their existence, and a right to their autonomy. However, this does not mean that we do not at all use people as a means. For instance, if I go to a barber and ask him to barb my hair; in this case, I use the barber as a means for the end which I seek or desire. Nevertheless, what Kant means in effect is that even though we use people as means at times, we should not use them merely as means without realizing that they are ends in themselves and that they have rights like ourselves. The second formulation, therefore, supports universally accepted laws and so forbids such things as murder, theft, dishonesty, rape, and fraud, etc. Hence, a universal duty to respect the rights and interests of others is imposed on us by this second formulation.

The third is: “Always so to act that the will could at the same time regard itself as giving in its maxims universal laws” (Kant 14). This third formulation is similar to the first formulation. Since the will leads to actions, the will should seek only that which leads to moral actions that can be adopted by everybody as a guide. In other words, the will should be able to distinguish between right and wrong, such that in choosing the right, it can act as a measure for universal laws. An analysis of the four formulations reveals that the first formulation is just a little variation on the general formulation of the categorical imperative. The only change is the extension of the phrase “universal law”, to “universal law of nature.” The interpretation of the first formulation requires you to apply the general principle or formulation of the imperative in the world as we know it. Thus we are to consider whether the maxims of our actions, when universalized, could be consistent with the empirical facts of the natural world in which we have to act.

The second and third formulations differ more radically from the general formulation. The third formulation synthesizes the first and the second formulations, bringing together the two ideas of universal laws and rational beings, we could all will the same things as universal laws. The four formulations of the categorical imperative above point to the following: (1) the duty to refrain from suicide, (2) the duty to refrain from making false promises, (3) the duty to develop our talents, and (4) the duty to help others. Classifying this further, we notice that (2) and (4) are duties to others, while (1) and (3) are duties to ourselves. Kant distinguished between perfect and imperfect duties.

The categorical imperative is a law which neither depends on our desires or feelings nor prescribes any particular action. It merely imposes an abidingness to the law for its own sake. Hence it speaks about the conformity of one’s action to the universal law. A morally good man for Kant, therefore, is he who seeks to obey a law valid for all men and follow an objective standard not determined by his desires. Kant speaks of the categorical imperative which determines the law of our action, as the source that every man as a rational being recognizes. As Martin J. Wash pointed out, the categorical imperative affirms and points to three basic moral insights or conceptions, namely, the universality of the moral law, the supreme worth of the rational person, and the freedom or autonomy of the will (Wash 325). Here the idea of freedom is a particularly necessary condition for morality.

Kant’s application of the imperatives is primarily a negative test. Thus, any action whose maxim goes contrary to the categorical imperative is “impermissible” or “ought not to be performed.” But then, how about actions that agree with the categorical imperative? Are they permissible? If they are permissible, then there arises a problem in Kant’s application, for there are many actions that can be universalized and do not involve treating people solely as means, but which are certainly not obligatory. A good example is that we can certainly will football playing to be a universal law – that everyone should play football as a form of exercise for fitness. But this does not, in any case, imply that I have a moral duty to do so myself. Meanwhile, Kant is not saying that actions that agree with the categorical imperative are permissible ones. What he says is that any such actions which are in accord with the categorical imperative are morally permissible not obligatory. From this, we can deduce that the primary task of the categorical imperative is to distinguish between permissible and impermissible actions or morally right and morally wrong actions.

The Concept of Goodwill

The only thing that should act as a man’s motive for his actions is nothing but “goodwill.” For Kant, “goodwill” is the only thing “good” without qualification (Kant 29). What Kant means here is that goodwill alone must be good in whatever context it may be found. It cannot be good in one context and bad in another. It is not good as a means to one end and bad as a means to another. The goodwill is not

good if you happen to want it and bad if you do not want it. Its goodness is not conditioned by its relation to a context or an end or a desire. It is good in itself and not merely in its relation to something else. Thus: Goodwill is good not because of what it affects or accomplishes, nor because of its fitness to attain some proposed end; it is good only through its willingness; i.e., it is good in itself. When it is considered in itself, then it is to be esteemed very much higher than anything which it might ever bring about merely to favor some inclination or even the total of all inclinations (Kant 30).

It is important to understand at this point that Kant's use of the term "goodwill" does not have the same meaning as the meaning we attach to it in our everyday discourse, viz good "intentions." For Kant then, a "goodwill" is "not a mere wish, but the summoning of all (the) means in our power" to do the deed which is our duty. But then, even as goodwill is the only thing good without qualification, Kant insists that man's "will" cannot be good unless it acts from the sense of duty. Because for the will itself to be unconditionally good, it is not sufficient that it acts merely with any good intention; it must conform with duty for it to have moral worth or value. Kant tries to make clear the nature of goodwill by proposing to discuss the concept of duty. In the same vein, having discussed the concept of "goodwill", we shall now discuss the concept of duty. The synthesis of "goodwill" and "duty" concerning the categorical imperative will lead us to discover, determine, and establish what constitutes moral actions or conduct.

The Concept of Duty

No "thing" is good or evil. When we talk of good and evil, it rightly applies to acting will, and the acting will is designated as good by Kant without qualification only when it acts for the sake of duty. Kant defines duty as that which makes a human action morally good. According to him, "action done solely out of duty does have distinctive moral worth" (Kant 19). On the other hand, actions that spring from personal inclination and interest have not moral worth. Hence, it is the motive of duty and not the motive of inclination that gives moral worth to an action. In other words, the determination of morally right or wrong actions depends on the motive of duty. For Kant, if an action is to be morally right (good) or wrong (bad), the motive of duty, while it may be present at the same time as other motives, must by itself be sufficient to determine the action as having moral worthiness or not having moral worthiness. Thus: "duty for duty's sake, such as the only authentically moral motivation; and only one impulse of the heart is permitted to contribute to this pure motivation: respect for the law" (Kant 19). What this means is that duty must be done for duty's sake; only this is a moral or pure action. Thus to act for the sake of duty means to act out of reverence for universal law. In this sense action done from duty has its moral worth not from the result it attains or seeks to attain, but from a formal principle or maxim – the principle of doing one's duty whatever the case may be. What Kant is saying here is that goodwill cannot derive its unconditional goodness from the conditioned goodness of the results which it aims at.

Kant distinguished between acting in conformity with duty and acting from the motive of duty. He illustrated this clearly when he says, "that a dealer should not overcharge an inexperienced purchaser certainly accords with duty; and where there is much commerce, the prudent merchant does not overcharge but keeps to a fixed price for everyone in general, so that a child may buy from him just as well as everyone else may. Thus customers are honestly served." But Kant says that this is not enough for making us believe that the merchant has acted this way from duty or the principles underlying of honesty; his advantage required him to do it. He cannot, however, be assumed to have also an immediate inclination towards his buyers, causing him, as it were, out of love to give no one as far as price is concerned any advantage over another. The action says Kant, was done neither from duty nor from immediate inclination, but merely for a selfish purpose. In other words, Kant is saying that such an action does not have any moral worth, nor is it praise-worthy.

Another example given by Kant is the preservation of one's life. According to Kant, to preserve one's life is a duty; and everyone has also an immediate inclination to do so. But on this account, the often anxious care taken by most men for it has no intrinsic worth, and the maxim of their action has no moral content. They preserve their lives, to be sure, following duty, but not from duty. On the other hand, when one through grief lost the immediate inclination to live and desire nothing so much as death, there remains the duty of preserving his own life; and that in doing so, not from inclination, but the sake of duty, the action has for the first time its genuine and unique moral worth.¹⁷ Thus, "acting in conformity with duty, I maintain...however right and however amiable it may be, has still no genuine moral worth. It stands on the same footing as other inclinations."¹⁸

For Kant, duty is that which is in man, inside of him, and which acts as a tap from which all actions, if they are to have moral worth, must flow from. Kant's conception of morality is based upon the reason for the exclusion of sentiment. Reason makes action according to principles or maxims possible, and all those maxims are moral which can become universally established. When Kant says that the moral law is a categorical imperative or command, the message he is putting forth is that duty binds man just by reasons of his rationality, not because of any order to any good which man desires, not even to an absolute good which fulfills man's nature.

Inclination

Inclination, Kant says, is not bad, only that they have no moral worth. Thus he says: It is no merit of yours that you happen to be benevolently inclined towards our neighbours by temperament. You are just doing what comes naturally and if something entirely different came more naturally to you, you would do that instead (Kant 10). Thus any action done out of inclination for Kant has no moral worth, but if an action is done out of duty with inclination put to one side, then that action has moral content. Inclinations, nonetheless, are morally right, but they are not praiseworthy. They are mere actions that have no moral value. As John Hospers pointed out, Kant recognized that duty and inclination do concur. For example, if a tradesman is always careful not to overcharge his customers, his behavior is certainly in accordance with duty, but it does not follow that he is acting for the sake of duty. For Kant, such a behavior "is in accordance with duty, but it is not done from duty...You are acting not from duty but from inclination" (Kant 14).

Sometimes too, duty and inclination propel us toward the same direction. In this kind of situation, we do not need a sense of duty to make us do the right thing. There are two important things Kant says about inclination: first, that "the act done from inclination is not necessarily wrong; rightness or wrongness is unaffected by whether or not the act is done from inclination (Kant 14). The rightness and wrongness depend mainly on the quality of the act. Secondly, "what you are inclined to do is very much a matter of what kind of native temperament you have, whether you are naturally warm or outgoing or naturally cold and unsympathizing (Kant 16).

The Source of Moral Obligation in the Categorical Imperative

From the discussion so far, it is clear that for Kant the source of moral obligation is the categorical imperative. What for Kant constitutes the value of an act is not the moral goodness of its object, but the logical appropriateness of its maxim to the requirements of the universality of the formal norm. Hence, I do not do right because I am doing good. What I do is good (is moral) only because I act according to a maxim which can be universalized without contradiction. Because an act derives from a maxim that is logically compatible with the universality of the form of the law, it is ethically or morally acceptable and is made to participate in the absolute best of the will.

An act, therefore, is ethical or moral because it is commanded by the law. And it is commanded by the law because its maxim can be universalized, or willed to be universalized, without contradiction. On the other hand, an act is forbidden or contrary to the moral law because it is logically impossible or contradictory, either to universalize its maxim or to will to universalize its maxim. Thus the morality of an action does not lie in the desires and purposes of the doer or in its consequences. It lies rather, in its conformity to law in general. My action says Kant, is moral if and only if, I can also will that my maxim should become a universal law, and if I can not will my maxim to become a universal law, then, my action is not moral. This is the principle of the first formulation of the categorical imperative. Thus, the source of moral obligation or the moral standard is the “Categorical Imperative,” that is, the principle of universality or universalization of the maxim, as discussed above.

Thomas Aquinas’s Natural Law Theory

Law is conceived and defined by Aquinas as “an ordinance of reason, directed towards the common good, and promulgated by the one who has the care of the community”(Omogbe 14). What this means is that a law is not just a command or a directive, but it must also be reasonable. According to Aquinas, if a law is contrary to reason, then it is not a law at all. Besides, it must be directed towards the common good of all and must be promulgated. In other words, so that a law obtains the binding force which is proper to law, it must be made known and applied to the men who have to be ruled by it. The rule and measure of a human act is the reason which is the first principle of human acts. A law, therefore, is a rule and measure of acts, whereby man is induced to act or is restrained from acting.

Types of Law

Aquinas distinguished between four kinds of law, namely, the Eternal Law, the Natural law, the Divine Positive law, and the human Positive law. Let us examine each one of them.

The Eternal Law

The eternal law, according to Aquinas, is the law by which God governs the whole of creation, moving all things to their due end (Aquinas 93 a 1). It is a law adapted to the rational nature of human beings, and as it applies to human beings it becomes natural law. The eternal law comes from the divine reasons and man shares in this divine reason as a rational being. Aquinas, therefore, holds that all things – (including both rational and non-rational beings) participate in some degree in the eternal law, in so far as they derive from it certain inclinations to those actions which are proper to them(Aquinas 93 a 1). This follows from the fact that the world, says Aquinas, is governed by divine providence and all things subject to divine providence are measured and regulated by the eternal law. As for rational and non-rational beings, Aquinas says they are all subject to the eternal law according to their nature. The non-rational beings (e.g. animals) are subject to it by the necessity of their nature and as it applies to them. Consequently, as the eternal law is adapted to man’s rational nature, the eternal law automatically becomes the law of reason –a law dictated by reason and discoverable by reason.

Human Positive Law

This is manmade law – civil law. All human laws must be based on natural law and must derive from it. Hence Aquinas states: “Human law has the nature of law in so far as it partakes of right reason... and is derived from the eternal law”(Aquinas 93 a 3). Aquinas any human laws that conflict with the natural law is not a law but a pervasion of law, and it has no binding force. Thus Aquinas has this to say: “any law has the nature of law in so far as it is derived from the law of nature. If in any case, it is incompatible

with the natural law, it will not be law, but a pervasion of law”(Aquinas 93 a 3). Thus laws that are contrary to the natural law are immoral and should not be obeyed. However, Aquinas explains that even an unjust law though being formed by one who is in power is derived from the eternal law in so far as it retains some appearance of law since all power is from God (Aquinas 93 a 4).

The Natural Law

Natural Law says Aquinas is the law by which God governs and rules rational beings, each according to its being (Aquinas 93 a 1). Because man is a rational being, he is not governed in the same way by God as the other creatures are governed. Other creatures in the universe are governed by God by the physical laws of necessity, but man is governed through the moral law which, according to Aquinas, is rational participation in the eternal law. Hence Aquinas avers that “the natural law is nothing else but a participation of the eternal law in a rational creature... This participation in the eternal law by rational creatures is called “Natural Law”(Aquinas 93 a 1). It should be noted here that Aquinas’ concept of natural law is synonymous with moral law. Thus natural law for him means the same thing as moral law. Meanwhile, Aquinas regards natural law as the law written in the heart of men which cannot be blotted out. The natural law principles for Aquinas are of two types, namely, the primary and the secondary principles. The primary principles are self-evident and are known by the natural power of the human mind to know certain things intuitively without having to be taught about them. This is what Aquinas calls *synderesis*. Synderesis, he says, the law of our mind, because it is a habit containing the precepts of the natural law, which are the first principles of human actions (Aquinas 94 a 1). Thus, the natural law is held habitually; the precepts of the natural law, we are told, are to the practical reason, what the first principles of demonstrations are to the speculative reason; because both are self-evident principles. Consequently, the first principle in the practical reason is one founded on the notion of good, viz, that good is that which all things seek after. Hence this is the first and the most fundamental precept of the natural law that good is to be done and pursued, and evil is to be avoided (Aquinas 93 a 3).

All other precepts of the natural law are based upon this so that whatever the practical reason naturally apprehends as man’s good (or evil) belongs to the precepts of the natural law as something to be done or avoided. The secondary principles are, on the other hand, deductions from the primary principles. Natural law, according to Aquinas, is the same for all men. It is a law founded on human nature, and since human nature is the same for all men and does not change, it then follows that the natural law cannot be changed. Men can not, therefore, plead ignorance of the natural law regarding the most general principles. Men, however, on account of the influence of some passion, may fail to apply a principle to a particular case.

For Aquinas, the rule and measure of human acts is the “reason” since as he says, the reason directs man’s activity towards his end. The reason, therefore, orders and imposes obligations, though it is not the arbitrary source of obligation nor does it impose whatever obligation it likes. Thus the natural law is rational and natural because it is not arbitrary or erratic. The first principle does not change, though its secondary precepts may be modified in rare and special cases. Man, Aquinas opines, has a certain natural inclination towards certain ends intended for him by God. Natural inclinations are therefore indicative of God’s intention for man. According to Aquinas, there are three levels of being in man’s nature. In the first level called the *universal level*, man has an inclination to do good following nature which he has in common with all substances: inasmuch as every substance seeks the preservation of its own being, according to its nature, and by reason of this inclination, whatever is a means of preserving human life, and of warding off its obstacles, belongs to the natural law (Aquinas 93 a 2). From this, it follows, therefore, that suicide is morally wrong since it is against the natural law.

It equally follows that self-defense is morally accepted as a principle of natural law. The second level is called *the animal level*. On this level, Aquinas explains that there is in man an inclination to things that pertain to him more specifically, according to that nature which he has in common with other animals and in virtue of this inclination, those things are said to belong to the natural law, which nature has taught all animals, such as sexual intercourse, education of offspring, etc (Aquinas 93 a 2). Following Ulpian, Aquinas thinks that in order to know what nature has taught to all animals, that is, in order to know how nature intends sex to be used; we should observe the way animals make use of it. Animals use sex only for procreation and they never have sexual relations except when the female is ready for pregnancy. Also, they never have sexual relations when the female is already pregnant. Moreover, animals of the same sex never have sexual relations. From all these, Aquinas concludes that nature intends sex to be used exclusively for procreation.

The third level is called *the rational level*. On this level, man is said to have an inclination to do good, according to the nature of his reason, whose nature is proper to him: thus man has a natural inclination to know the truth about God and to live in society and in this respect, whatever pertains to this inclination belongs to the natural law; for instance, to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination (Aquinas 93 a 2). All these precepts of the law of nature, says Aquinas, have the character of one natural law, in as much as they flow from one precept, therefore, there is in every man a natural inclination to act according to reason, and this is to act according to virtue. Furthermore, for Aquinas, since good has the nature of an end, and evil, the nature of that which is contrary, therefore, all those things to which man has a natural *inclination* are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil and objects of avoidance. Wherefore, according to the order of natural inclinations, is the order of the precepts of the natural law (Aquinas 93 a 1).

For Aquinas, natural law is the ideal law and the source of all valid laws. He explains that both the legal and the moral features of positive laws come from natural law. Positive laws, he says, are meant to help man observe natural law, hence they (positive laws) derive their validity and obligatory force from the natural law. Aquinas, therefore, holds that any law has the nature of law in so far as it derives from the law of nature. Hence, any positive law that conflicts with the natural law is not a law but a perversion of the law. The validity of a law, says Aquinas, depends upon its justice. What this implies are those unjust and immoral laws that conflict with the natural law is ipso facto null and void. The natural law is the totality of the universal dictates of right reason concerning that good of nature which is to be pursued and that evil of man's nature which is to be shunned.

Aquinas' Source of Moral Obligation

The source of moral obligation for Aquinas is "right reason". Thus, the right reason is the justification of ethical judgment in Aquinas's thought. In the case of volitional activities, however, the proximate standard is human reason, but the supreme standard is the eternal law, that is the law with which God governs the whole of creation, directing and moving all things to their respective ends. The difference between the proximate and the supreme standard lies in the fact that the supreme standard is the ultimate, definitive, or conclusive standard. That is, the standard of judgment that is highest or final, hence it is based on god's eternal law. The proximate standard, on the other hand, is the immediate or secondary standard of judgment. In other words, it is neither ultimate, conclusive nor final, since it is based on human reason. We, therefore, recall here that the natural law is defined as a "participation" of the eternal law in a rational creature. Hence for Aquinas:

The natural law is expressed passively in man's natural inclinations, while it is promulgated by the light of reason reflecting on those inclinations, so that in as much as every man naturally possesses the inclinations to the end of man and possesses also the light of reason, the eternal law is the totality of the universal dictates of right reason concerning that good of nature which is to be pursued and that evil of man's nature which is to be shunned, and man's reason could, at least in theory, arrive by its own light at a knowledge of these dictates or precepts(Copleston 409).

Therefore, whenever a man's action proceeds to its end in accord with the order of reason and of the eternal law, then the act is right; but when it is twisted away from this rightness, then it is a sin. In other words, the act in question is morally wrong or evil. This is why Aquinas said that: *The rule and measure of human acts is the reason, which is the first principle of human acts since it belongs to the reason to direct to the end, which is the first principle in all matters of action*(Aquinas 90 a 1). Reason thus gives orders, which imposes obligation; though Aquinas acknowledges that the reason is not an arbitrary source of obligation, the yardstick for determining what is morally right or wrong.

The Categorical Imperative Versus The Natural Law Theory

Kant's categorical imperative and Aquinas' natural law share certain common qualities or similarities that would be of interest to scholars. In the first place, Kant maintained that there is only one categorical imperative. This can also be seen in Aquinas' theory of natural law, where he identifies the first precept of the natural law as indicating "that good is to be done and pursued, and evil is to be avoided." Again, the categorical imperative and the natural law theory are both moral laws. The idea of categorical imperative contains implicitly the idea of the autonomy of the will. Kant speaks of the will as "the supreme principle of morality" and as "the sole principle of all moral laws."

Similarly, both Kant and Aquinas agree that there are three ways of saying the same thing or speaking of morality. For instance, while Kant speaks of three formulations of the categorical imperative, Aquinas speaks of three natural inclinations in man. Another significant similarity is the concept of "good". The term "good" (bonum) appears in both Aquinas' and Kant's theories respectively. They both hold that the "good" is the primary object of the practical reason. But while Kant speaks of the "highest good" (the summum bonum), Aquinas speaks only of the "good". For Kant, the moral law commands us to promote the summum bonum, while for Aquinas, the "good" is the end of human conduct whose first principle is that we should always pursue good and avoid evil. Thus, Aquinas and Kant are of the same opinion that the moral law commands us to promote the highest good (summum bonum).

Furthermore, while the fundamental principle of the natural law states that good must be sought and evil avoided, the supreme principle of the categorical imperative is that we should act only on that maxim through which we can at the same time will that it should become a universal law. These two principles, though stated differently, are saying the same thing. They are both talking about performing only those actions that are right.

The term "reason" appears in both Aquinas' natural law theory and in Kant's categorical imperative. But they are used in different ways as we shall point out very soon. The fact that both Aquinas and Kant made use of the concept of "reason" in their moral philosophies shows the important place accorded human reason in moral thinking. Both the categorical imperative and the natural law forbid such things as false promises, murder, stealing, etc. Again, the two theories claim not to depend on our desires or feelings but are independent of these emotions.

We also see the use of the terms “universal” or “universality” in both theories. While Kant uses the term to indicate that we should “act only on that maxim through which we can at the same time will that it should become a *universal law*,” Aquinas uses the term “universal” to indicate that the moral law is the same (universal) for all men. Hence, Kant and Aquinas agree that moral law is universal. In the same vein, both philosophers agree that everything in nature works according to laws and that rational beings alone have the faculty of acting according to the concepts of laws.

The categorical imperative and the natural law theory are a priori or synthetic propositions. Kant speaks of the categorical imperative as what every man as a rational being recognizes, while Aquinas speaks of the natural law as being the same in all men and recognized by all men (rational beings).

Finally, the idea that there is a universal law of nature discoverable by reason, which obliges all men, is a common feature in both theories. The similarities notwithstanding, there are however some notable differences with regards to what Kant and Aquinas say about the categorical imperative and natural law respectively. We consider these differences in what follows below.

Dissimilarities

One major difference between the categorical imperative and the natural law theory lies in the fact that while for Kant, the purpose of formulating categorical imperative is to have “an imperative which commands a certain conduct immediately, without having as its condition any other purpose to be attained by it,” (that is, his aim was to formulate the supreme principle of morality), for Aquinas, the natural law is seen as the higher or superior law to which all other laws are to be subordinate.

Again, while for Kant the source of moral obligation is the categorical imperative (the principle of universalization or universality: “so act that your will can regard itself at the same time as making universal law through its maxim”), for Aquinas, “right reason” is taken to be the source of moral obligation. Besides, the word “autonomy” features much in Kant’s categorical imperative, but not in Aquinas’ theory of natural law.

Aquinas speaks of the natural law as the law with which God governs rational beings. This implies that God controls and orders man’s actions towards the end he intends for man. Thus, man’s action is determined by God. But for Kant, the individual person determines what is good for him, since his actions are moral only when he is able to universalize the maxims of his actions. Thus, for Kant, man’s will is autonomous and so can decide for itself, what is good. For Aquinas, on the other hand, the will of God is the norm or morality; an idea rejected by Kant even though he did not say that this is morally irrelevant. For Kant, the autonomy of the moral will is the supreme principle of morality. The will is also called the “practical reason.”

Furthermore, while Aquinas distinguished between three kinds of laws – eternal law, natural law, and human law, Kant identified only one – the categorical imperative but gave it three formulations. Also while the categorical imperative has only one principle – “act only on that maxim through which you can at the same time will that it should become a universal law,” the natural law, on the other hand, has two principles – the primary and the secondary principles.

The use of the term “inclination” in Aquinas is different from Kant’s use of the term. Aquinas added the qualifier: “natural” to the word “inclination”. Hence, he speaks of “natural inclination.” For Aquinas, man has certain natural inclinations which help him to discover the principles of natural law. The natural inclination for Aquinas is indicative of God’s intent for man. This means that all man’s natural inclinations are morally good since they are derived from God’s intention for man. Thus for Aquinas, all those things to which man natural inclination are naturally apprehended by reason as being

good and consequently an object of pursuit and their contrary as an object of avoidance (Aquinas 93 a 1). The implication of this is that, since man has various natural inclinations (which include self-preservation), it follows that whatever means that he employs to do this, regardless of its moral worth, is good, in so far as man is naturally inclined to preserve his life. Kant differs from Aquinas here; for him, inclinations are not bad, but they have no moral worth. This implies that even man's natural inclination to self-preservation, in so far as it is not derived from the sense of duty in reverence for the moral law, has no moral value. Hence for Kant, unlike Aquinas, any action done out of inclination has no moral worth, but if an action is done out of duty, even when the inclination is set aside, that action still has moral content. Kant concludes that inclinations nonetheless, are morally right, but they are not praiseworthy. They are mere actions that have no moral value (Kant 14).

Another point of divergence between Kant and Aquinas is that, while for Kant, the source of law is the human will, for Aquinas, laws derive their legitimacy from eternal law and have the nature of law by conforming to the same. And while the theory of natural law suggests that men cannot promulgate a binding rule, Kant's theory states that it is a man who chooses (determines) for himself what is good or bad. Finally, and most importantly, Kant denies that natural law can be regarded as a moral law since, according to him, it does not originate from man.

Conclusion

In this work, we have made an exposition of Thomas Aquinas' natural law theory and Kant's categorical imperative. In discussing Aquinas' natural law theory, we saw both positive and negative aspects of Aquinas' moral theory. On the negative side, we tried to show that Aquinas is guilty of a fundamental error in making animal behavior the norm of human moral behavior. On the positive aspect, we agreed with him that the moral standard is the right reason.

And even though Kant is not regarded as a natural law theorist, we must acknowledge that his concept of the categorical imperative (moral law) has so much in common with the natural law theory. It is not out of place to say, therefore, that in spite of the differences between the two theories, they are not incompatible. In other words, we can point out areas of agreement in the two theories. However, considering the fact that Kant denies that the natural law is regarded as a moral law since according to him, it does not originate from man, one is tempted to conclude that the categorical imperative and the natural law theory are quite incompatible. But this conclusion would be quite wrong; for the fact that Kant denies that natural law is not a moral law does not in any way make natural law to cease to be a moral law. And even though Kant and Aquinas may differ in some respects, not much of a difference exists between their doctrines or theories, and both doctrines or theories draw our attention towards a better understanding of our responsibilities towards conforming with the natural or universal law.

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