

About the conception of conscience by Kant

Cristóbal Holzapfel

In the Theory of virtue, within the *Metaphysics of customs – Metaphysik der Sitten* – Kant proposes a representation of conscience as tribunal. Certainly he is very clear about the big historical change that this means in relationship with other conceptions of moral conscience, specially in comparison with Thomas von Aquin's conception of conscience that includes two instances: a so called 'syntéresis', that is the higher level of conscience, where supposedly God himself speaks in us, a *vox dei*, and the level below, that is the *conscientia*, that has to obey what has been said at the higher level, and therefore needs to read and interpret in the best way *conscientia* can to avoid error or a bad interpretation. We have to think that the christian doctrine, same as the doctrine of other religions, is certainly very complex, and to hear, read and interpret the superior mandate of *synteresis* requires of course high skills. At the end the *liberum arbitrium* makes the decision to act according with that lecture and interpretation of the *conscientia*, and if *synteresis* itself cannot fail (she is infallible), the *liberum arbitrium* certainly can, as happens usually.

Interesting is also in this conception that *synteresis* is strictly an artificial terminus, that proceeds of a bad lecture of Hieronymus of the greek term *syneidesis*, from where comes our different termini of conscience in most of the european languages.

Because of this, as we can see, this artificial terminus, and at the end an error of lecture made a big service for the scholastical conception of the conscience. That is perhaps an irony of destiny or as Hegel points, an "astuteness of reason".

It is clear that the tomasian conception of conscience is heteronomical, which implies that something other, the *synteresis*, gives the moral order, and therefore the whole of this ethics is of a heteronomical character.

Five centuries later, in the second half of the 18th century, Kant develops not only an autonomous ethics, but also, corresponding with it, an autonomous conception of the moral conscience. In this sense I would say that in Kant's philosophy we have two different *copernical revolutions*, one related to theoretical reason and the other related to practical reason. Both of them are of a huge relevance in the history of mankind. The first one, the copernical revolution of the theoretical reason, makes a radical change in our perception of reality, of that what is *being*, when we say that something "is". The subject modifies the object through his representation. Colors, sounds, forms, etc. are modified in this process of representation. Therefore Kant makes the distinction between *phenomenon* and *noumenon*, or the *thing itself*. The second revolution, that one about the practical reason, signifies the change from a heteronomical to an autonomous conception of moral. Since Kant we no longer require to found or judgements of values in something other, like a sacred book or the word of a prophet, but in our own

convictions, in Kant's case, this conviction given by the categorical imperative. One of his expressions is: "Act in that way that justifies what you do, so that everybody ought to do the same". Kant, like no other before, refers the value of each individual to the universal of mankind. We can act following maxims, that are subjective, like the decision of helping a friend who is in trouble, but some of these maxims are enabled to be converted in imperatives, which are objective and universal; in our example, this would be expressed in the form that everyone should help a friend when he is in trouble. According to the *Metaphysics of customs*, the categorical imperative refers not only to the given formulation or another (Kant proposes at least five), but also so the way to the basic elements of ethics, like honesty, loyalty, honor and so on; all these are all expressions of this imperative.

This has to do by Kant with his conception of the "transcendental", in the meaning of *condition of possibility* of something. In the case that we examine, each act of the man has to be justified by the transcendental of the maxim or an imperative. In this relationship, it's funny to be aware of the own personality of Kant, who acted according exactly in correspondence with this thinking. For instance, after his death in Königsberg there was discovered a very simple paper that said "Lempe muss vergessen werden", "Lempe has to be forgotten". Lempe was the chamber assistant of Kant and because of something we don't know, Lempe was fired; perhaps he thought to the garbage some very important write of the Professor, and for this reason it stands there, with the meaning of a maxim: "Lempe muss vergessen werden".

If we recognize each of both Copernican revolutions, we said already that these are also revolutions of mankind; we can clearly recognize other revolutions that have transformed humanity throughout history:

1. The transition from mythos to logos. For a long period of time it never was clear for me, about how come this transition was supposedly made by the Greeks, since in the orient, in Egypt, in Babilon, or elsewhere since longer time apparently this transition took already place. I have found in Karl Jaspers an answer to this question. The transition of mythos to logos is no more a transition to a practical wisdom, like the wisdom, in the sense of a know-how, in relationship with agriculture, medicine, economy, and even politics, that is to say, a practical wisdom, but it is the transition to a wisdom which has no direct application, a so called useless wisdom. Well this wisdom is beyond our whole progress.

2. The transition from a contemplative to an active way of life, from the *vita contemplativa* to the *vita activa*. Again Jaspers gives for me the key issue about this. According to his *Psychology of the world conceptions – Psychologie der Weltanschauungen* - of 1919, the contemplative attitude, which can be an intuitive, aesthetical or rational attitude, lets the object be, whereas the active attitude doesn't let the object be as it is, and modifies it. As we see the world has visibly changed to an active attitude, and most of our problems, especially with the environment, has to do with this change.

3. The transition, following in this the thinking of Paul Ricoeur in *Finity and Culpability*, of an externality of evil (and the good) to an internalization of both, with has to do with the birth of culpability. Ancient cultures experimented the evil as coming from the outside, as an externality, as destiny or something given by gods

or demons. Therefore the way of confronting that evil was through rituals and ceremonies of expiation of it. The subject who committed a crime could circulate free within the tribe after his act, and to confront this situation the superation of it was the practice of sacrifice of something specially loved, like the princess or some of the best warriors. The fault was experimented only as not observing some rule. While at certain moment evil is internalized, the elder evil as an impurity, something dirty, a stain, is now internalized and at the same moment dematerialized. Culpability has now been borned, a dematerialized stain in us, which whom everything what happens is to be related.

Properly this is also the birth of something, which is better to call ethical conscience, than moral conscience. Nevertheless the use of the term moral conscience is so extended, that it is better at the end to use it, so that we can understand each other.

And by introducing ourselves in Kant's conscience conception, again appears here a coincidence between the fields of theoretical and practical reason, which is reflected in the common representation of a tribunal (a tribunal or a court of the reason and a tribunal of conscience). Let's have a look on the background of this representation. Since Kant understands freedom and moral related to a norm or a principle (freedom is by Kant submission to the norm or the law), is very understandable this recourse to a juridical representation. In the first field, that of the theoretical reason, in the main work Kant's reason constitute itself in a tribunal and the one who has to appear in court is the same reason. In the second field that of practical reason, conscience constitutes itself in a tribunal and the one who has to appear in court is the same conscience. Kant recognizes that this representation is impure, because in both tribunals the parts are the same, the judge and the accused. No concrete tribunal would be acceptable in this way. But Kant argues that this is unavoidable: no other instance can judge about reason as itself; there is no instance before or beyond reason to which she should give her testimony. And the same happens with conscience: there is no instance before or beyond her to which she should testify. Nevertheless this still remains an impure representation of a tribunal.

Following this problem is remarkable that Kant's conception of the Enlightenment in his script *What is enlightenment? (Was ist Aufklärung?)*, where he defines the enlightenment in the meaning that it is the time that the humanity has gotten mature, elderly, grown-up (*mündig*) and therefore the time has come when she can direct herself only guided by its own understanding. This means that precisely what makes the great thing in mankind and in the phenomenon of enlightenment is this: that we are enabled now to judge and to decide our own life and future. This is also, as Kant points out, the *sapere aude (to dare to know)*, as a signal of the modern times.

Although the autonomous force by Kant is notable, the autonomy in the case of the conception of conscience as a tribunal is not fully reached, and this is because he proposes that God is still the head, the judge of this tribunal. But then we have to question Kant and at the same time, ourselves: what in the world leads Kant, although his huge autonomous impulse, his, in our terms, "second copernical revolution", to maintain God and indeed at the very center of the conscience. If we discuss this issue in the way of *pro* and *contra*, for the side of *pro* we have to say

that Kant's tribunal is composed not only by a judge and the accused, but also of the public prosecutor or the district attorney and the counsel of the defense, and of course the case or the cause, the lawsuit, and still at the very end, of the trial, and not to forget, the sentence. This is most important, since it makes a distinction in comparison with the tomasian conception of the synteresis: you follow the word of the synteresis or you are condemned. By interpreting this, we have to say that in Kant's conscience conception there is the possibility of doubt, irresolution, hesitation, and therefore she can be characterized as a modern conception of conscience. This interior experience of conscience that we go through is more in a tomasian or in a kantian way? I think the second is much more representative of our conscience conflicts. Do we have to finish this relationship because it got empty? Do we have to decide to have nuclear energy or is it too dangerous for the environment and us? If we began with clonation, do we have to stop it in front of the possibility given by science of human clonation? If there are everywhere signs of global warming and the so-called progress of human being has participation on it, do we have to change our way of life? All these very actual questions are examples that show us that evidently we live the life of conscience in the way of sometimes very long trials.

But what we just said is about a very general pro, in favor of Kant's conscience as a tribunal. Strictly we haven't still given a pro for the very particular point of God still remaining in human conscience and indeed as the judge. By the way, we have to add that Kant makes here a very singular turn, which is that we have to suppose as *if* it were a God in us, and this doesn't signify the supposition of a *real* God in us. So, if we now approach the question of an eventual pro of this supposition of God in our conscience, of a Dumnezeu (like in rumanian, perhaps a mixture between domine, the Lord and Zeus, like saying Zeus, our Lord, but maybe I'm fulling wrong with this etimological association), then we have to consider the ground of it, which is this supposition of an as-if (als ob). So we ask again: how come Kant supposes as if there is a God in our conscience. If we follow the *Metaphysics of costumes*, we won't find a straight answer to this question. From our side we only make by our own responsibility some other suppositions. For instance, that Kant had the conviction that man needs a God that judges him, otherwise he gets lost. If someone has committed a crime, for example, and he is judged because of this, he can always consider that the ones who judge him are men, with its limitations, failures, and so on, just like him. And, if we are paying attention to this analysis, we can then recognize that this would be the so-called pro of this extra-representation of a God in our conscience. And we may also quote that this is not trivial at all, because, after Kant the world has become more and more autonomous, and today we confront very big questions, like the ones of bioethics, or the ones of the necessity of animal rights, just like the Australian philosopher Peter Singer develops this issue. We can approve for instance, like in Spain, or other countries, the marriage between homosexuals, but we don't really know for sure if the adoption of children is also justified. Isn't it so that the kids learn through imitation of behavior? And if so, what kinds of freedom have these kids? These and many other questions are examples about how the extreme autonomy leaves us in a struggle and we don't find the way out, or, we do simply so, that we take decisions without knowing the consequences. At the end we can say, like Goethe once said:

“Mankind acts without conscience”. As Jaspers interpretes this, is the sense of our essential finitude, that we can never know about the all consequences of our decisions and acts, and also that we cannot know about the motivations. Perelman and Olbrechts-Tyteca in their *Treatise of argumentation*, the so called “new rethorics” analyzes the *argumentum ad ignorantiam*; in very different situations we make decisions without knowing all the possibilities that we have, sometimes because of urgency, or our personal interest that something has to be decided in a certain way. Considering this, isn’t it so that we are fully determined by an *argumentum ad ignorantiam*, and therefore again Goethe’s sentence that we act without conscience? Certainly what we say here at the moment doesn’t mean that we have to do all we can to make proper use of our autonomy, and our autonomical reason and conscience, as far as we can. But can we really? Can we find right solutions, when the world shows us, for instance that we construct at one moment atomical plants, to destroy them later, like Germany does it today? Isn’t it so that we need some inspiration in something other than mankind to find the right way? Anyway, I prefer to leave this question open.

Lets analyze now the contra of this supposition, the as-if there were a God in us. When Voltaire says (and perhaps very ironically) that if there were no God, we should invent one, Jaspers quotes at the end of one of his major works, *About truth (Von der Wahrheit)*, that in an invented God nobody would believe. This remembers me Robespierre that invented the Goddess of Reason and organized an enorm celebration to admire and recognize her. But this Goddess of Reason lived soon was forgotten. Considering all this, doesn’t Kant’s supposition seem very like to an invented God, in which someone could imposibly believe? How effective is then a God, whose ground in human nature is the supposition *as-if It is*? I rather prefer also to leave these other question open.

H. Gehardus Stoker, one of the first phenomonologist, quoted by Heidegger in *Sein und Zeit* in relationship with his extraordinary analysis of the conscience speaks about a *procession of conscience* and he means by this the way we normally experiment this phenomenon. Heidegger recognizes the remarkable level of this research, but criticizes it’s for him impossible mixture between phenomenology and Christianity. This manifests in the story of this procession.

At the beginning we have not a good conscience, because a so-called “good conscience” from a Christian point of view is unacceptable, is pharisaic; we are sinners, and therefore we can only justifie a sort of “quite conscience”, or even a “conscience in harmony”.

With the comittment of a sin this harmony is broken; here properly begins the procession of conscience, since we trie to find a way out of this uncomfortable situation. The sin, like all the following moments of this procession, that has the character of penitence, is before God; this is precisely the meaning of ‘sin’, in distinction to guilt.

Towards the way out of the lost of harmony, the first step that makes it at least possible, is humility; again what makes it possible is only the regard to God, ergo humility before, in face of God. But also the deep meaning of humility is that we are not at the end independent, autonomical, only grounded in ourselves. Humility means indeed a sort of hard dethronement of our ego.

Next moment is regret; this accuses the influence of Max Scheler; for him is regret (Reue) always the possible regeneration of mankind. Undoubtedly this is the most painful and the largest moment or road of the procession.

Then comes reconciliation, which is of course reconciliation with ourselves; after the pain of regret here we begin to see the first very thin light of the way out.

Last moment is forgiveness; here is regard to God most emphasized, because only God can forgive, and this forgiveness is only through grace, which means that merit doesn't count at all. This is, so to say, the mystical and at the same time, the suprarational moment of the procession. Only God forgives us and by grace, so that everybody, even the worst criminal, can be forgiven.

The recovery of the harmony in conscience through forgiveness marks the end of the procession, which can start over and over again.

If we reflect about this procession we can feel the power of religion and how has religion ordered and organized our psyche. And this is very much understandable, since religion touches and influences our deepest interior experiences: the ones of the conscience and of a procession of conscience.

But the thing is that what Stoker describes as the procession of conscience is so universal for mankind that also the lay, the atheist, the so-called agnostic make exactly the procession of conscience only without the regard to God.