

## Mock Trial: IMMANUEL KANT



Kant was an 18th Century writer and philosopher whose ideas are at the heart of many modern beliefs about how to build a good society, how justice should work, what our duties are as human beings, and what goodness really is. He argued, among many things, that perpetual peace could be secured through universal democracy and international cooperation. To achieve that, humanity must agree on certain moral universals – that is, humanity must exist under universally shared ideas of human rights, justice and law, morality and ethics. Human nature, which is the set of irrational or animalistic characteristics of humanity – selfishness, greed, lawlessness, amorality – are the enemies of good societies and good behavior, and should be rejected and suppressed as people try to build this international society of virtue. Humanity is the goal of all action, not the means to end.

The only universally good quality that a person can have is a good will, which is the will to do what is best for others and the society. For our tribunal, Kant says that individuals who use their will for bad purposes, such as lying and harming other people, must be stopped, and that means their crimes must be punished: “But whoever has committed murder, must die. There is, in this case, no juridical substitute or surrogate that can be given or taken for the satisfaction of justice. There is no likeness or proportion between life, however painful, and death; and therefore there is no equality between the crime of murder and the retaliation of it but what is judicially accomplished by the execution of the criminal.”

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See especially: “**The Right of Punishing and of Pardoning.**” Pp. 446-450.

“Immanuel Kant (1724-1804).” In: *History of Philosophy: great thinkers from 600 B.C. to the present day.* Octopus Publishing Group Limited, 1997. Pp.88-89 +. Print. (available in NHHS Library; call # REF 190 OLI 1997)

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### **VIDEO:**

“Justice: What's The Right Thing To Do? Episode 02: "PUTTING A PRICE TAG ON LIFE" . . .”  
YouTube. YouTube, Sep 4, 2009. Web. 15 Jan 2016.  
<https://www.youtube.com/watch?v=kBdfcR-8hEY>

Sandel, Michael. “Episode 6: Discussion Guide (Advanced).” Harvard University’s Justice with Michael Sandel. Harvard University, 2011. Web. 20 Jan 2016.  
<http://www.justiceharvard.org/2011/02/episode-06/#watch>

“Kant says that morality is doing the right thing for the right reason. But what is the right thing? What is our duty? Kant’s claim is that our duty is given by the idea of a *law*—something that tells us what we *must* do, no matter what. The idea of a law is that it binds everyone, unconditionally. Everyone has to obey it. But this means that, for something to be a law, it must be the case that everyone *could* obey it.”