

## Key terms

A judgement is *analytic* if the predicate is contained in the concept of the subject. A judgement that is not analytic is *synthetic*.

An epistemological distinction:

The justification for a statement is *a priori* if it is independent of sense experience, and *a posteriori* or *empirical* if it involves sense experience.

So a statement is *a priori knowable* if it is possible to know it based on an *a priori* justification.

## Objections to Kant

### Conflicting principles

**Objection:** our moral principles can conflict. The demands of fidelity and helpfulness can clash, for example.

**Reply:** O. O'Neill admits this is true for any ethic of principles: 'trade-offs' are not part of the theory, so there is no routine procedure for deciding between conflicts. The theory provides side-constraints to action, and it is only when no action falls within all constraints that the problem of multiple grounds of obligation arises. O'Neill admits the virtue-ethical objections of Williams and Nussbaum, that Kant does not say enough the regret appropriate when some moral commitment has to be unavoidably violated/ neglected is apt.

### Rigorism

**Objection:** Kant's ethics is too strong; it fails to allow us to take account of differences between cases.

**Reply:** As O. O'Neill puts it, "universal principles need not mandate universal treatment". For example, 'taxation should be proportionate to ability to pay' is a universal principle that demands differentiated treatment.

**Objection:** Kant's principles are 'too abstract' to guide action, hence cannot be action-guiding.

**Reply:** O. O'Neill argues that Kant emphasises that the application of principles to cases requires judgement and deliberation. Principles must be abstract: they are side-constraints, not algorithms. They guide, and do not make, decisions. The moral life, O'Neill says, "is a matter of finding ways of acting that meet all obligations and violate no moral prohibitions".

### Moral value

**Objection:** Robert Johnson notes that many have objected that actions done solely from duty are not better than actions done out of emotional concern or sympathy for others, for example for the sake of friends and family. Moreover, it seems to be the case that moral worth requires *solely* action from duty, independent of considerations like love or friendship.

**Reply:** Johnson goes on, however to note a line of defence for Kant's defenders. According to this view, Kant's point is that *from the point of view of someone deliberating what to do*, the only decisive concerns are those of what one ought to do, of duty. The vital point is that the expression of a good will requires considerations of duty to take priority over all other interests; it need not be taken as recommending a character that merely follows rules, devoid of human warmth.

### Hegel's emptiness objection

**Objection:** Hegel objects to Kant's formula of universal law by arguing the universal law test is empty. For Hegel, all Kant's argument shows is that a system without deposits is contradicted by one with deposits – not that there is a contradiction in the system without deposits. Thus, Kant assumes a system of property and argues that if everyone kept what belongs to others, there would be no system of property. But, Hegel objects, he fails to explain why there should be property.

**Reply 1 (on logical contradiction interpretation):** the contradiction is generated when the agent attempts to universalise his maxim and to will his maxim *at the same time*. The case degenerates into one similar to the lying promiser.

**Reply 2 (on practical contradiction interpretation):** the person trying to will this kind of maxim as a universal law is willing a situation where the practice of deposits does not exist – but he is also willing the practice of deposits to exist so he can exploit it. Likewise, he cannot rationally will to use a promise to achieve his end at the same time he wills a situation in which promises will not be accepted, because this latter situation defeats his end.

### Hegel's poverty objections

**Objection:** Hegel also objects to the formula of universal law on the basis that it is too strong. As Bradley puts it, “ ‘succour the poor’ both negates and presupposes (hence posits) poverty”. We cannot imagine a world in which people give to the poor and there are no poor, so Kant's rule is self-contradictory.

**Reply 1 (on logical contradiction interpretation):** the maxim is to succour *those who need it*, and this maxim can be held consistently even if nobody needs help. Thus, it is not inconceivable that the maxim be universalised: it just leaves one nothing to do.

**Reply 2 (on practical contradiction interpretation):** one's purpose in succouring the poor is to give them relief. The world of the universalised maxim only contradicts one's will if it thwarts one's purpose – but the world without poverty does not do this, it satisfies it.

### Problems with the formulas of universal law

- **They lead to unacceptable conclusions:** they condemn innocent principles and fail to condemn some we find immoral. A judicious rewording of the maxim can avoid the less acceptable results, but there seems to be no principled way to do this. If we make use of our intuitions in this way, moreover, we are not being guided by the formula so much as by our intuitions.
- **They do not capture what is central to moral deliberation.** Even if the universal law formulas correctly flag certain formulas as wrong, it does not explain why they are wrong. The murderer's wrongness seems to lie in more than the inability to

consistently conceive of his actions. Arguably, however, Kant thought that the full import of the moral law is only clear when all the formulas are taken into account.

## Problems with the formula of humanity

- **It is far from a determinate decision procedure:** something that becomes more problematic the more it is taken as a fully determinate premise for justifying strict moral rules. Hill argues that some writers (e.g. Donagan) may have more-than-warranted confidence in our ability to agree on what specifically the formula implies as “respecting a person as rational”.
- **The FoH seems to focus only on respect in a narrow person-to-person context:** for example, what may seem to be a disrespectful way of treating a person may be justified by further, wider ramifications – and the person may approve of this as a general policy. Hill argues that perhaps the best approach is to take the FoH as an evaluative attitude mandated for our deliberations about general moral policies when many complex factors may be relevant.
- **The more the FoH is taken to express substantive values, the less plausible it is that everyone would have good reasons to accept them.** Hill admits that it is often hard to convince everyone of even true propositions, but notes that, for example, Donagan’s non-consequentialism and Cummiskey’s Kantian consequentialism are essentially committed to different sides of issues on which reasonable persons disagree. Both theories must explain why some apparently reasonable common moral judgements are wrong.

Hill argues there is good reason for treating Kant’s supreme moral principles as a *framework* for moral deliberation rather than an independent and determinate guide. His view is that, given the wide range of cultural and individual conflicts, moral philosophy “needs to articulate a view...human beings can work together toward reasonable mutually acceptable principles and policies”. Any theory that renders too quick a judgement on controversial issues, Hill claims, defeats this purpose. For Hill moral theorists “should be careful not to unduly allow their own strong moral convictions about particular uses to shape their ideas about what is essential to a moral point of view.”

Hill sees Kant’s as taking morality to concern what reasonable persons can accept despite diversities, and so argues accounts of the basics of morality should leave room for “diversity and reasonable disagreement” regarding many particular situations.

## Questions for Kant

### Is there a single categorical imperative?

Kant’s official position is that all the formulations of the categorical imperative are equivalent. However, as Johnson points out, it is not clear what Kant means by this equivalence.

## Equivalent in meaning?

Kant says that each formula ‘unites the other two within it’, suggesting the formulas are equivalent in meaning. But this is not very plausible: the formula of universal law does not seem to mean the same as the formula of humanity.

## Logically interderivable?

Another suggestion is that the formulas are not equivalent in meaning, but they are nonetheless logically interderivable. Johnson suggests the best way of understanding this idea in the context of the Groundwork is as saying that each successive formula is derived from the immediately preceding one.

However, as Johnson notes, there are places in which Kant seems to be working in the opposite direction. For example, in his discussion of the formula of humanity, Kant seems to indicate an intention to derive the formula of universal law from the formula of humanity in section II of the Groundwork. However, as Johnson makes clear, this derivation would seem

to require a substantive synthetic claim to go through – contradicting Kant’s claim that that section is a merely analytic argument to establish the content of the moral law.

## Extensionally equivalent

Perhaps the most natural reading is that each formula generates the same set of duties. Johnson points out this fits Kant’s claim that there is no “objective practical difference” between the formulations, despite the “subjective” differences.

## Formula of universal law: what sense a contradiction?

Christine Korsgaard suggests three possible interpretations of the notion of ‘contradiction’ as employed in the formula of universal law:

1. The logical contradiction interpretation; versions have been defended by Dietrichson, Kemp and Wood.
2. The teleological contradiction interpretation
3. The practical contradiction interpretation

Korsgaard argues that the practical contradiction interpretation best handles the cases commonly put forward as problematic for Kant – and also elucidates a conceptual link in Kant’s thinking.

## Logical contradiction

According to this view, there is something like a logical impossibility in the universalisation of the maxim: if the maxim were universalised, the action or policy it proposes would be inconceivable. Most espousing this view look for something very like a logical or physical impossibility. This is largely motivated by the fact that taking logical possibility tout court would create real problems for dealing with contradictions in the will, when we are explicitly told the maxim is conceivable.