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**The Categorical Imperative**  
Analyzing Immanuel Kant's Grounding for  
A Metaphysics of Morals

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# **The Categorical Imperative**

**Analyzing Immanuel Kant's Grounding for a Metaphysics of Morals**

**By Anders Bordum**

***Keywords:***

Categorical imperative, discourse ethics, duty, ethics, monologic, dialogic, Immanuel Kant, Jürgen Habermas, self-legislation, self-reference.

## **Abstract**

In this article I first argue that Immanuel Kant's conception of the categorical imperative is important to his philosophy. I systematically, though indirectly, interconnect the cognitive and moral aspects of his thinking. Second, I present an interpretation of the Kantian ethics, taking as my point of departure, the concept of the categorical imperative. Finally, I show how the categorical imperative is given a dialogical interpretation by Jürgen Habermas in his approach, usually referred to as discourse ethics. I argue that the dialogical approach taken by discourse ethics is more justifiable and therefore more useful<sup>1</sup>.

## I

### ***The Synthesis of Rationalism and Empiricism***

The philosophy of Immanuel Kant (1724-1804) is in the main inspired by two different schools of thought. Classical rationalism and classical empiricism. The basic difference between classical rationalism and empiricism is that they have opposing views on questions concerning the prime sources of knowledge and the constitutive role of reason. Rationalism traditionally maintains that it is possible to obtain knowledge by reason alone, that everything is in principle explicable by reason, that knowledge forms a single system, and that reason is deductive in character, starting with general concepts and claims. Empiricism on the other hand traditionally maintains that scientific knowledge is obtained by experience and is skeptical about all-embracing metaphysical systems. To empiricists reason is inductive in character, starting with sensations and observation. Empirical knowledge is therefore delineated by the possibility of sensations, observations and experiments.

Immanuel Kant's three famous critiques: *Critique of Pure Reason* (1781), *Critique of Practical Reason* (1788), and *Critique of Judgement* (1790) can be seen as suggesting a synthesis between the positions of classical rationalism and empiricism. The cognitive core of this synthesis is to be found in his concept of synthetic a priori knowledge, its normative core is to be found in the categorical imperative. But the latter seems to be given priority and to function as the logical middle interconnecting the three critiques.

Immanuel Kant's synthesis of rationalism and empiricism is based on his transcendental dialectic. That includes the standpoint that all ideas are contingent, and that sense-data does not give us any knowledge of the things as they may exist in themselves, but only of their affect on us. Kant used the famous distinction between "the thing in itself", and "the thing as a phenomena for us". He rejects the idea that we can have knowledge of "the thing in itself" at all, although it may lie at the foundation of these phenomena as we might sense them (Kant 1988:58, §9). This makes the view possible that our knowledge is not determined by anything external to us, and gives room for concepts like autonomy and freedom of interpretation (Kant 1994:61, 462). Giving up the external world as the limit to reason, Kant is left with the problem of identifying the (self-imposed) limits to reason. This is the approach taken in the three critiques. This is also an answer to why the categorical imperative, which states a principle of self-imposed but universalized reason regarding principles guiding action, is central to understanding Kant's philosophy. The categorical imperative

demands a cognitive generalization of the general principles guiding conduct. It states a cognitive rule of a self-imposed generalization of one's own principles guiding practical action. The categorical imperative is hereby given a meta-cognitive status, which implies that the moral and practical aspects of the world are given priority over the cognitive and theoretical aspects, whenever we have knowledge detached from the external world, e.g. practical knowledge of moral actions. Judging a priori and independent of all experience seems to have its pure case in the moral point of view which has its formula in the categorical imperative. Kant argues that freedom and autonomy are necessary for morality (Kant 1993:xvi). In *Critique of Pure Reason* he says:

“Suppose now that morality necessarily presupposed liberty, in the strictest sense, as a property of our will; suppose that reason contained certain practical, original principles a priori, which were absolutely impossible without this presupposition; and suppose, at the same time, that speculative reason had proved that liberty was incapable of being thought at all. It would then follow that the moral presupposition must give way to the speculative affirmation, the opposite of which involves an obvious contradiction, and that liberty and, with it, morality must yield to the mechanism of nature; for the negation of morality involves no contradiction, except on the presupposition of liberty” (Kant 1988:17).

Kant's transcendental dialectic implies a rejection of pure idealism, which assumes that things only exist as products of the mind (e.g. George Berkeley). It also implies a rejection of the idea that the things are directly represented to our minds (e.g. John Locke). This view leads more or less directly to infinite regressions, when asking to what or whom it is represented. Or by asking what secures the interpretation. Some standard answers to the problem have been theories of even smaller entities e.g. homunculus, “the little man inside the head”, or theories claiming that the mind represents the world like a reflecting mirror (Cf. Rorty 1979). The former leads to a further regression with even smaller and smaller men, the latter to a conception of a passive mind. These are both unsatisfying answers. By conceiving the mind-world relationship in a new way, the transcendental dialectic undermines the underlying relation of conflict between classical rationalism and empiricism. Taking the judgement as the point of departure room is made for autonomy and freedom by changing the perspective away from the external world and instead focusing on the active faculties of judging and of reason itself. Kant compared his change of perspective with the Copernican turn in natural science, where the sun replaced the earth as the center of our solar system (Kant 1988:12).

To Kant, we organize and classify our sense-data and experience by concepts. Judgements are our basic form of awareness. When we plan our actions and act intentionally with a view to an end, we let our actions be guided by our judgements and accordingly by our concepts. Concepts support our ability to make judgements, and our capacity to apply rules or laws to particular instances. For Kant, concepts without intuition (theoretical understanding) are empty, and intuitions without concepts are blind (Brandt 1994:615).

The difference between a practice and *praxis* is that the latter is guided by a theoretical understanding of general laws and principles (Kant 1983:273). *Praxis* is intended and justified deductively in such a way that the action is derivable from a valid principle or law. It is therefore no more possible to separate rationalism and empiricism in a meaningful way in *praxis*, than it is to separate the law and the case (the major and minor premises) in a valid practical syllogism. If we have a judgment based on the conclusion “Socrates is mortal” in a syllogism which is deductively

derived from the known law “all men are mortal”, and the observed case “Socrates is a man”, then the absurd demand by classical rationalism and empiricism is that we have to choose only one of the premises (the law or the experienced case) and exclude the other. Rationalism gives authority and priority to the law and empiricism to the experienced case. This meaningless separation of law and case seems to be the implication of classical empiricism and rationalism. To Kant they are both equally meaningful and possible to synthesize in valid logical reasoning. To Kant, knowledge can either be dependent of experience or not, the latter being called knowledge a priori. All our knowledge begins with experience of what is the case (Kant 1988:25). But by the faculty of cognition (reason and judgment), we conceptually connect his experience to our prior knowledge and knowledge we have independent of all experience.

The task for Kant in *Grounding for the Metaphysics of Morals*, from 1785, is to construct the possibility of a moral philosophy that fits the conception of reason as developed in the *Critique of Pure Reason*, giving room for human freedom based on willful action and self-imposed reason. Along the lines of Isaac Newton’s physics, Kant sees nature as necessity, determined causally by laws of nature. The price of including reason as free and autonomous is two different and apparently incompatible determinations of man. This dualism between causality and freedom and the corresponding determination of man permeates the philosophy of Kant. The first views man as a part of the physical universe and the world of phenomenon, determined by laws of nature. The other views man as a free self-governing subject belonging to the realm of ends (Kant 1994:54, 453). About the contradiction between the deterministic necessity of nature and the autonomy and freedom of the will, Kant says: “There arises from this a dialectic of reason, since the freedom attributed to the will seems to contradict the necessity of nature. And even though at this parting of the ways reason for speculative purposes finds the road of natural necessity much better worn and more serviceable than that of freedom, yet for practical purposes the footpath of freedom is the only one upon which it is possible to make use of reason in our conduct” (Kant 1994:56, 455). Any intended and planned practice, that is *praxis*, presupposes freedom in order to let reason guide our actions.

Only by taking the footpath of freedom can Kant explain how freedom is possible. With the categorical imperative he develops a moral point of view, which is based on reason alone. This makes the core of Kant’s moral philosophy as we find it in the categorical imperative the unifying core of the three critiques, the pure form of judging a priori. The categorical imperative therefore seems to bind his thoughts and arguments together.

## II

### ***Immanuel Kant’s Conception of Duty and the Categorical Imperative***

There is no doubt that Kant takes duty to be a very central concept in understanding morally right action. The question to consider here is how we may understand and define duty according to Immanuel Kant’s conception. This question must be answered in order to avoid possible misunderstandings caused by alternative uses of the concept. The concept of duty can be found in everyday interpretations, where duty is perceived as pertaining to the person, the social, the

religious, or to the everyday in the conception of common usage. These interpretations are very different from the very specific concept of duty we find in Immanuel Kant's thinking. I will therefore in the following present an interpretation of Kant's moral philosophy, wherein I explicate and reconstruct the concept of duty.

Imperatives are expressed with the word "ought" (Kant 1994:24, 413). Stating imperatively by an "ought" that something would be good to do, or bad and therefore something to be avoided, is like suggesting a course of action to a rational will. An imperative is not in itself a motivation, but preserves the difference between wish and act. The "ought" in a sentence justifies to a rational will, with a normative force but not with empirical force, that something should be done. The difference here between what we ought to do and what we do I call the motivational gap. Kant is seeking a formula which can validate statements, which expresses moral laws understood as principles which are valid for all rational beings (Kant 1994:23, 412). Kant believes he has found this formula in what he calls the "*categorical imperative*." For Kant there are two different ways of justifying an action. One is with reference to a purpose considered to be good, the other with reference to a principle or rule, which is self-evidently good. Imperatives command either hypothetically with reference to the goodness of some purpose, or categorically with reference to an action's necessity independent of any specific purpose (Kant 1994:25, 415). In Kant's moral philosophy the categorical imperative defines the difference between morally valid and morally invalid principles of reasoning about action. The categorical imperative expresses the normative ethical distinction between morally right and wrong. The morally right actions are those where the *maxim*, that is, the subjective principle of acting, may be tested by and derived from the categorical imperative (Kant 1994:13,400, 30, 421). Maxims are subjective rules, which proceed from the understanding of man (Kant 1960:84).

A duty thus cannot be expressed in a hypothetical imperative, but must be expressed in a categorical imperative (Kant 1994:33, 425). The implication of this is that the morally right is defined very narrowly. But that is the price to pay when looking for something unconditionally right in all possible worlds. Conceptual sharpness will often imply conceptual narrowness.

It is not only for conceptual reasons but also due to maturity and life experience that Kant defines the morally right in this conceptually distinct way. Kant begins his *Grounding for the Metaphysics of Morals* with the assertion that "There is no possibility of thinking of anything at all in the world, or even out of it, which can be regarded as good without qualification, except a *good will*" (Kant 1994:7, 393). His point is that we cannot believe that there can be found in this world anything, which is unconditionally good except for the good will. Knowledge, skills and competence may be used opposed to their good purpose if the good will is failing or is absent. The sad experience is that anything can potentially be abused. The only guarantee against abuse is that of a good will. The good will is only possible, understood as a positive self-reference<sup>1</sup>, because if the good will changes into something not good, it immediately invalidates and dissolves itself. The statement rests on the principle of non-contradiction. If the good will was not itself an instance of the good it would be a contradiction. The good will therefore has to be good in itself. To Kant the good will is present when acting for the sake of duty. A duty is an action, which we are obligated to perform out of respect for the moral law (Kant 1994:13, 400). The normative force may guide empirical forces but can never alone determine the actual course of actions. The good will is good in itself and the

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<sup>1</sup> The concept of positive self-reference is a concept I have developed in Bordum 2001.



categorical imperative is the formula for the good will. The categorical imperative is the core of Kant's works.

I can, through a reading of *Grounding for the Metaphysics of Morals*<sup>2</sup> from 1785, find four different types of formulations<sup>3</sup> of the categorical imperative, which are consistent with and may all be argumentatively derived from the basic formulation of the imperative as a principle of universalization. The connection is to be found in Kant's ideas of rationality, autonomy and moral self-legislation.

### ***The categorical imperative formulated as a principle of universalization.***

"I should never to act except in such a way that I can also will that my maxim should become a universal law" (Kant 1994:14, 402).

"Act only according to that maxim whereby you can at the same time will that it should become a universal law" (Kant 1994:30, 421).

"Act according to that maxim which can at the same time make itself a universal law" (Kant 1994:42, 437).

### ***The categorical imperative formulated as a practical principle.***

"Now I say that man, and in general every rational being, exists as an end in himself and not merely as a means to be arbitrarily used by this or that will. He must in all his actions, whether directed to himself or to other rational beings, always be regarded at the same time as an end" (Kant 1994:35, 428).

"Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means" (Kant 1994:36, 429).

### ***The categorical imperative formulated in relation to the kingdom of ends<sup>4</sup>.***

"Therefore, every rational being must so act as if he were through his maxim always a legislating member in the universal kingdom of ends" (Kant 1994:43, 438).

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<sup>2</sup> The original German title is *Grundlegung zur Metaphysik der Sitten*. H. J. Paton translates it to *Groundwork of the Metaphysics of Morals*. Lewis White Beck translates it into *Foundations of the Metaphysics of Morals*. James W. Ellington translates it into *Grounding for the Metaphysics of Morals*. They all agree on the last part of the title – the *Metaphysics of Morals*.

<sup>3</sup> Charles Dunbar Broad finds three different formulations of the categorical imperative in "Five Types of Ethical Theory", Kegan Paul, Trench, Trubner & CO. LTD. New York: Harcourt, Brace & Company, 1944. p.131-133. The first two are identical to the ones I have identified. The third Broad identifies is: "A principle of conduct is morally binding on me if and only if I can regard it as a law which I impose on myself" (p.132). H.J. Paton (1964) finds three formulations in *Groundwork of the Metaphysics of Morals*, p.27 (to be found at p.70, p.96, and p.98-99). The first two are identical to the formulations I present.

<sup>4</sup> With the concept *kingdom of ends* Kant formulates a regulatory ideal that shall be understood as the possibility to unite the autonomy of individual wills through self-legislation and objective laws which apply to and are made by all.

“...Act in accordance with the maxims of a member legislating universal laws for a merely possible kingdom of ends...” (Kant 1994:43, 439).

***The categorical imperative as the absolute good will’s self-legislation in analogy to the laws of nature.***

“Act as if the maxim of your action were to become through your will a universal law of nature” (Kant 1994:30, 421).

“Act according to maxims which can at the same time have for their object themselves as universal laws of nature” (Kant 1994:42, 437).

When I state that the formulations of the categorical imperative are different, it is due to the fact that they each are specially formulated with different referents. They are respectively formulated in relation to: (1) the rational self-legislating person themselves and to self-legislation as such, (2) other rational self-legislating persons, both themselves and others, (3) an objective law which can unite all persons’ rational self-legislation, (4) self-legislation in analogy with the laws of nature.

Upon closer examination all of the formulations express the idea of an obligation that stems from a duty to be free in the sense of being rationally self-legislating. According to Kant it is only rational beings who have the ability to act according to a concept of laws or principles and can therefore be said to have a will. To have a will is simply to choose that which reason alone views as good. This conception of will is rationalist and non-consequentialist per se. Non-consequentialism derives the moral worth from valid principles and reasoning, whereas consequentialism derives the moral worth from the consequences judged to be good. In the book *Education* Kant makes his non-consequentialist perspective plausible by saying: “Ability is the possession of a faculty which is capable of being adapted to various ends. Ability, therefore, does not determine any ends, but leaves that to circumstances as they arise afterwards. Some accomplishments are essentially good for everybody – reading and writing for instance” (Kant 1960:19). Another example of non-consequentialism given by Kant is games where the occupation is pleasant in itself without having any other end in view (Kant 1960:68). But his main idea is that our self-determination within the moral sphere where we identify what ought to be the case is an activity which cannot be guided by empirical knowledge of expected consequences, but can only be guided by reasoning about what ought to be our duty. Because Kant’s arguments are very non-consequentialist as such, non-consequentialism is often wrongly equated with deontology. I will suggest an interpretation where we equate non-consequentialism with the categorical imperative and consequentialism with hypothetical imperatives (Kant 1994:25, 415). My main justification for this interpretation is that the categorical imperative is unconditional whereas the hypothetical ought rests on some condition.

In the book *Critique of Judgement* we find a different kind of argument supporting the non-consequentialist conception of action out of duty as having a moral worth, which is not derived from a value attributed to an action’s purpose or consequences. Kant’s argument is basically that we may control our principled normative justification of our actions, but may have no control over all the possible empirical consequences of an action. That normative statements about what we ought to judge transcends the sphere of empirical experience and of synthetic a posteriori

judgments is clear when Kant speaks of the judgment of taste. Here a judgment of taste claims normatively that everybody ought to describe something as beautiful, when a claim about beauty is made (Kant 1951:74,§19). A judgement of taste is a normative judgment, which regarding its validity cannot be derived from a subject's experience alone. Regarding normative judgments we are free and it is possible to be in control. It would on the other hand be logically problematical to claim to be obliged to something outside our control – e.g. the consequences of action.

“The formal characteristic of my actions (their subordination under the principle of universal validity), wherein alone consists their inner moral worth, is quite in our power; and I can quite well abstract from the possibility or the unattainableness of purposes which I am obliged to promote in conformity with that law (because in them consists only the external worth of my actions), as something which is never completely in my power, in order to look to that which is of my doing” (Kant 1951:323, §91 note32).

From this we may conclude that all the different formulations of the categorical imperative we have identified relate to a rationalist and non-consequentialist concept of duty. A duty which is unconditional, has a value in itself, and thus without contradiction can be generalized to apply to all rational beings. If duty cannot be generalized it must have an external worth in relation to something else, for example a person's inclinations and private objectives, and cannot have unconditional value in itself. The categorical imperative can be justified counterfactually from Kant's concept of reason and the rational being. In Kant's universe all maxims are rejected which are not consistent with the will's own legislation of universal law, that is with self-legislation (Kant 1994:38, 431). This is what constitutes the identity between the four formulations of the categorical imperative. Autonomy of the will is defined self-referentially as the property that the will has of being a law to itself (Kant 1994: 44, 440). To Kant the autonomy of the will and the idea of it as giving laws to itself, is the very foundation of a universally accepted concept of morality (Kant 1994:48, 445). The different formulations of the categorical imperative may thus be indirectly justified not just in relation to duty but also in relation to autonomy and the concept of self-legislation. What is at stake when the categorical imperative is related to autonomy and self-legislation is the question of identity and the status of the proper self (Kant 1994:60, 461).

A break with (1) *The categorical imperative formulated as a principle of universalization* will dissolve the person's own identity as a rationally self-legislating person. This is the implication if rationality is understood as a characteristic which necessarily is identical for all rational beings.

A break with (2) *The categorical imperative formulated as a practical principle* will limit other persons' freedom and free will and thereby dissolve the possibility for a universal concept of freedom and of the self-legislation of all other rational beings. The individual's possible identity as a rationally self-legislating being is also invalidated in this case.

A break with (3) *The categorical imperative formulated in relation to the kingdom of ends* will imply an exclusion of the person from the systematic union of different rational beings through common laws, and would make the legislation external to the person instead of being a result of self-legislation. This would in analogy be comparable to excluding oneself from the constitution of society, which neither appears a practical possibility, nor is particularly rational. Again the person's identity as a rational self-legislating being seems to be dissolved with the exclusion from the union of all rational beings.

A break with (4) *The categorical imperative as the absolute good will's self-legislation in analogy to the laws of nature*, is comparable to not recognizing the laws of nature, which in itself does not seem at all rational. An example could be a person who is not recognizing that human beings are a part of nature. This is basically a demand for an inner understanding of outer necessities. For Kant, rationality here is equivalent to self-legislation in analogy to and corresponding with nature's laws. Kant is sometimes criticized for keeping this dualism between the causality of nature and the freedom of man throughout his writings. But who can really solve this dualism?

Formulated positively the above argumentation can be interpreted as (1) a duty to rational self-legislation and thereby to oneself (2) a reciprocal duty to recognize other's rational self-legislation (3) a duty to acknowledge all persons' objective and common rational self-legislation (4) a duty to recognize nature's limitations for self-legislation.

The categorical imperative can in this way be justified counterfactually with the evidence that the logical alternatives appear obviously irrational in the light of the free will, self-legislation, and the existence of the moral choice between the right and the wrong. The principle of universalization can be understood as a demand for consistency between one's own judgement and that which all rational persons would arrive at. The rational person's autonomy and self-legislation is presupposed in the idea of a duty commanded by a categorical imperative, because only to such a person can a categorical imperative command. A command of duty is not founded upon the advantages or disadvantages of observing it (Kant 1994:151, 482). The categorical imperative's validity rests in our self-understanding as rational beings, on the possible freedom to self-legislation, and on the idea that the rational person necessarily has a moral choice which the irrational person doesn't have. To remain rational a person must let his choice be guided by reason.

### ***The non-teleological approach to morality***

The word teleology has its roots in the Greek word *telos*, which translates into final end, or purpose. The concept of teleology has its historical roots in the Aristotelian way of conceiving explanation of actions in terms of a final end - the *causa finalis*. The final cause is defined by Aristotle as "...that for the sake of which a thing is done..." (Aristotle 1984: 194b33). This concept is in family with the modern idea of intentionality and of acting purposeful with a view to an end. There is nothing in Aristotle's definition of teleology as the final cause, which excludes the possibility that a duty or an obligation may be conceived as the final cause, although his own suggestion is that happiness (eudaimonia) is the telos of morally right actions. "Further, the final cause is an end, and that sort of end which is not for the sake of something else, but for whose sake everything else is; so that if there is to be a last term of this sort, the process will not be infinite; but if there is no such term there will be no final cause" (Aristotle 1984:994b9, cf. 1013a32). An action is teleological when done for the sake of a purpose. It is non-teleological when motivated, justified, and explained otherwise. Teleological reasoning is always done within a means-end structure. The operational difference between teleological and non-teleological is whether a conception is expressed using a means-end structure or not.

Somehow the non-teleological has often been wrongly identified with deontology. I suggest an interpretation where deontology is not equated with but is understood as an instance of a non-

teleological rationality. The opposition often made between teleology understood as purposeful behavior and deontology understood as duty, makes sense within a Kantian context, but does not make sense as an analytical distinction. Deontology and teleology may equally well be seen as two different and historically competing conceptions of duty. The opposition is analogous to making an opposition between doing the right thing and doing the most effective thing. These may of course sometimes coincide and do not as such represent an analytically valid systematic distinction.

Although the categorical imperative has had different formulations, they express the same insight in different ways. This is another reason why I say that they may be derived from the first formulation.

The principle of universalization is absolute and non-teleological, because the demand for universalization is formulated with reference to the lawgiver himself and independent of the means-ends conceptions.

It would be tempting to believe that the practical principle is conceived within a teleological means-end structure, but it is not. The means-end structure is just used to formulate the practical principle. The difference between means-ends structures and ends in themselves is preserved. The practical principle is formulated without, but with a reference to a teleological frame of understanding, because the imperative is conditioned by and defined in relation to means and ends, without using a means-end structure. This second formulation defines Kant's concept of duty more precisely and excludes the possibility of a purely teleological interpretation of other rational persons. A teleological or instrumental relationship to others, where they exclusively are treated as means and not as ends in themselves, is excluded as a possibility by the categorical imperative, because such a relationship is inconsistent with autonomy, freedom and self-legislation for all. Formulated positively, the meaning of the imperative is that all other persons exist as an end in themselves, which can be understood as another way of claiming that freedom to rational self-legislation is an end in itself. One could question, whether it is possible for anyone to deny their own freedom to self-legislation. Such a denial is a performative contradiction and will without doubt give the person a problem of trustworthiness. Freedom and autonomy must necessarily be presupposed before the denial of having freedom makes any sense at all. A non-free denial of freedom would be self-refuting.

With the concept "kingdom of ends" Kant conceives of a systematic union of different rational beings through common laws. If we abstract and disregard personal differences and the content of individual's different goals, we can imagine a kingdom of ends where goals are common and systematically united. The practical principle, to act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means, can in practice realize the kingdom of ends, if followed (Kant 1994:39, 433). The categorical principle formulated as a practical principle builds a bridge between subjective principles of action and the objective principles valid for all rational beings. Kant thinks that he can derive the kingdom of ends from the categorical imperative formulated as a practical principle. Freedom, autonomy, and self-legislation would not be possible without the same kind of reflexivity, which makes the rationality of an individual linked to that of others.

The connection to the categorical imperative formulated as self-legislation in analogy with the laws of nature, Kant formulates as, "Thus a kingdom of ends is possible only on the analogy of a kingdom of nature; yet the former is possible only through maxims, i.e. self-imposed rules, while

the latter is possible only through laws of efficient causes necessitated from without.....Such a kingdom of ends would actually be realized through maxims whose rule is prescribed to all rational beings by the categorical imperative, if these maxims were universally obeyed" (Kant 1994:43, 438). Whether the affinity with nature results from rational self-legislation according to the categorical imperative is an unsolvable question, but it is presupposed in Kant's characterization of a maxim. Kant stands here with the problem that those goals set by nature are not conceptually similar and are therefore not to be determined as conceptually necessary or apodeictical. Kant continues the dualism built into his philosophy with the inherent dualism between causality and the free will, and claims therefore only self-legislation in analogy with nature's laws. Kant concludes with the argument that autonomy of the will and self-legislation is fundamental to, and cannot exist without, developing a universally accepted concept of morality. Thereby he suggests that the free will have just as justifiable an existence as the laws of nature, at the same time as he rejects the problem of nature as irrelevant to morals or metaphysics. The theme here saves him by a thread.

There is a gap in motivation which stems from the circumstance that a person can well have an intention to act, or maintain that their actions are controlled by a principle of action which implies a given action, yet without acting in practice. This possible distance between a principle of action and the actual action or between intention and action I call the motivation gap. This gap can be thought of as a weakness of will (*akrasia*) or be explained away as merely indicating irrationality. Because we are speaking of a relation between language, concepts, or consciousness on the one side, and actual action on the other, overcoming the motivation gap understood as an inner motivation gap cannot be purely a question of logic. The motivation gap has bothered many philosophers because it inserts a distinction between philosophical conceptual analysis and moral action in practice. The motivation gap means that there is no necessary connection between moral theory and morality in practice, because any individual can in practice choose not to act or to act differently. The pragmatic motivation gap between thought and action, between action-principle and actual behavior, which always haunts practical philosophy as a problem, is solved by Kant with the concept of duty. The duty functions as a bridge connecting the action principle with an action. We could alternatively see the connecting power of dutiful self-legislation as a force.

Duty secures consistency between self-legislation and action and motivates internally in a way which external legislation, others' moralization, and an external exercise of power cannot. One of Kant's important insights, which other moral philosophers very often forget, is that duty does not come from the outside but from inside.

"Man was viewed as bound to laws by his duty; but it was not seen that man is subject only to his own, yet universal, legislation and that he is bound to act in accordance with his own will..." (Kant 1994:39, 432).

Duty becomes an obligation to oneself. A duty, which can only be rescinded at the cost of this very same self. That is why I argue that a dissolution of identity results when a break is made with the categorical imperative. Beliefs can be justified internally or externally to the being holding the beliefs. Kant understood that only an "internalist" justification can guide a believer's action in an authentic way. Moreover, he understood the motivational power of the inner relation of a rational being legislating laws to itself. The distinction between motivation and justification becomes less relevant if we see it from within the rationally self-legislating being's perspective. To a rational being, whatever is justified is motivating. This internal relation between justification and motivation is characteristic of the rational being. What Kant provides for us is an analysis of the

concept of duty, which is not subsumed under a motivational imperative. Described and conceptualized from the concept of duty understood according to the categorical imperative, there is no motivational gap. To the rational being reasons becomes motivating causes. To conclude, the motivation gap can be seen as an indication that the motivation is external, and not yet internalized.

### ***Kant's Examples of Duty***

Although Kant always operates with a generalized subject and not an empirical one, he gives three examples on duty.

(a) To preserve ones life is a duty. Especially if it is a person with suicidal tendencies or a death wish (Kant 1994:10, 398).

(b) To be beneficent or kind where one can is duty, in cases where there are no other inclinations (Kant 1994: 11, 398).

(c) To secure ones own happiness is at least indirectly a duty. Although all inclinations are summed up in the idea of happiness, a maxim of duty would indirectly produce happiness not driven by inclinations (Kant 1994:12, 399).

On this basis Kant proposes three principles:

(1) "But even in this case, if the universal inclination to happiness did not determine his will and if health, at least for him, did not figure as so necessary an element in his calculations; there still remains here, as in all other cases, a law, viz., that he should promote his happiness not from inclination but from duty, and thereby for the first time does his conduct have real moral worth" (Kant 1994:12, 399).

(2) "An action done from duty has its moral worth, not in the purpose that is to be attained by it, but in the maxim by which the action is determined. The moral worth depends, therefore, not on the realization of the object of the action, but merely on the principle of volition according to which, without regards to any objects of the faculty of desire, the action has been done" Kant (1994: 12, 399).

(3) "Duty is the necessity of an action done out of respect for the law. I can indeed have an inclination for an object as the effect of my proposed action; but I can never have respect for such an object, just because it is merely an effect and is not an activity of the will (Kant 1994:13, 400)

The first principle makes sure that happiness is not excluded by acting from duty, but at the same time excludes action from inclinations. The second principle expresses the non-consequentialism inherent in Kants position. The third principle expresses the claim that duty is universal and law-like.

Although most of Kant's discussion on duty is very abstract and theoretical, he does indeed give some ideas of how the theoretical framework may be related to experience in our daily life. Kant

makes some important distinctions regarding duty. He makes a distinction between duties to ourselves and to others, and between perfect and imperfect duty. Perfect duty is to be understood as one which permits no exception in the interest of inclination (Kant 1994:30n12, 421).

“Our duties towards ourselves consists, as has already been said, in guarding, each in our own person, the dignity of mankind. A man will only reproach himself if he has the idea of mankind before his eyes” (Kant 1960:103). An example of a perfect duty to oneself is not to commit suicide (Kant 1994: 30n13, 422). An example of a perfect duty to others is to intend to keep the promises one is making. To not keep a promise given is an instance of lying. About how to handle children when lying Kant says, that: “The withdrawal of respect is the only fit punishment for lying” (Kant 1960:91). An imperfect duty to oneself might be to cultivate and nurture one’s talents (Kant 1994: 31n14 & 15, 422, 423). An example of an imperfect duty to others is benefiting others.

When giving these examples of actual duties, Kant is thinking of very specific situations. He is, e.g., thinking of a situation where a man has a useful talent and instead of working to improve his skills chooses to be lazy and led by inclination. Here Kant says that it is a duty, although an imperfect duty, to cultivate one’s talent (Kant 1994: 31, 423). Because Kant gives examples related to specific situations someone who may argue against Kant by giving another counterexample based on a man with a talent for something obviously unethical, let’s say murder or rape, cannot use this as a valid counter-argument to refute Kant’s idea of a duty. This would not only be misunderstanding the concept of talent, but also misunderstanding the idea of giving examples. It is not the case that Kant says that cultivating one’s talents, and helping other people struggling with something easy to oneself, is unconditionally a duty no matter what the situation is. He in fact says the opposite; that these actual duties are imperfect and therefore in other situations may permit for exceptions. When he gives examples of actual duties he does it situated and within a relatively clear context. He basically spells out what most people actually would consider as their duty. When a strong man helps a weakened person it is a duty, and he is benefiting others. We all consider it embarrassing if someone weak is struggling with something while someone capable is just watching and not caring to help.

What makes something a duty is not its purpose or the kind of motivation stemming from attaining some desired goal. This because there is a difference between what one wants to do and what one ought to do. This difference is mirrored in Kant’s distinction between the categorical imperative and the hypothetical imperative, which is always conceptualized in if-then or means-end structures, and therefore is teleological. According to Kant, duty can only be expressed in categorical imperatives, and not in hypothetical imperatives, if it is to have any legislative authority for our actions (Kant 1994:33, 425).

A practical aspect of this difference is to be found in the difference between acting from duty and acting in mere accordance with duty. If we take other persons’ actions as our object of analysis we may never know what their actual motives are, because we do not have immediate access to other people’s minds. This is the reason why confusion may arise between acts done from duty and acts done in apparent conformity with duty. Actions guided by the categorical ought are done out of respect for the principle or law, whereby we justify the motivating “ought”. An act from duty always is, whereas an act in accordance with duty might be morally proper.



## ***The Linguistic Justification of the Categorical Imperative***

In the primary formulation of the categorical imperative as a principle of universalization, an implicit connection is created between the unique rational being and all rational beings. Only the necessarily rational can be justified a priori, that is, can be justified as being true without reference to experience or observation. Only the necessarily rational resists the influence of empirically informed individuals, of difference of content, of private urges and inclinations as well as that of involuntary action and of arbitrariness. Morality cannot be based on empirical foundation because inclination or desire can never itself be rational in the sense of leading to, e.g., a categorical imperative. Inclinations are a part of nature which contrary to reason cannot produce law. Let us look closer at how Kant, purely technically, derives the categorical imperative from the two concepts, apodeictical and objective. Apodeictic defined as a proposition stating the conceptually necessary or impossible. A principle acknowledged a priori and therefore seen as true independent of any experience is apodeictic.

Kant speaks only indirectly of actions, but directly of maxims. A maxim is defined as the subjective principle of volition or acting (Kant 1994:13, 400, 30, 421) that will stand as a subjective principle of action and shall be understood as the rational being's self-prescribed or self-legislated principles of action. Imperatives are the formulas which guide the free will and prescribe their goals, objectively formulated as what one should do.

“A hypothetical imperative thus says only that an action is good for some purpose, either possible or actual. In the first case it is a problematic practical principle; in the second case an assertoric one. A categorical imperative, which declares an action to be of itself objectively necessary without reference to any purpose, i.e. without any other end, holds as an apodeictic practical principle” (Kant 1994:25, 415).

Kant distinguishes sharply between hypothetical imperatives and categorical imperatives. To make an analytic distinction between imperatives Kant uses the three modalities of a linguistic proposition: necessary, possible, and actual. The categorical imperative is apodeictical, that is to say, arrives with conceptual necessity from a linguistic (subject-predicate) relation, which is at the same time independent of any means-end structure. The duty in the categorical imperative originates therefore more from a conceptual force, or, as Kant says, a mental disposition, than from any other kind of force.

<b><i>Kant's Imperatives:</i></b>	<b>The Practical Principle's Modality:</b>	<b>Type of Relation:</b>	<b>Possibility:</b>
<b>Hypothetical:</b>	Problematizing (Possibility)  Assertoric (Actuality)	Means-End (Teleological)	Many determinations relative to ends and consequences
<b>Categorical:</b>	Apodeictic (Necessity)	Subject-Predicate (Conceptual)	Only one (Kant 1994:30, 421).

A cognitivist interpretation of Kant's argument reveals duty as a conceptual phenomenon, as an obligation to rational linguistic usage consistent with thinking and acting. Duty here is a duty to without contradiction let one's reason be guided by concepts, a duty to keep an identity as a rationally self-legislating being. That the categorical imperative obligates universally and stays obligatory, follows from Kant's definition of the concept "objective" which is to be understood as necessarily obligatory to all rational beings, and "apodeictic", understood modally as a conceptually necessary (a priori valid) judgement.

"The categorical imperative would be one which represented an action as objectively necessary in itself, without reference to another end" (Kant 1994:25, 414).

Kant's argument for the categorical imperative can in short be reconstructed as connecting the distinctions subjective / objective, and problematizing / assertoric / apodeictic, whereas the moral law is constructed as an indication of that which is objective and apodeictic. Only hereby can the moral imperative become categorical and be justified with necessity. The categorical imperative is constructed in such a way that it through conceptual necessity will be valid for all rational beings. It is somewhat technical, but gives Kant's conceptual apparatus an unsurpassed strength. Kant seeks with the categorical imperative to construct a theoretical standpoint, a "moral point of view", from which we impartially can make valid moral judgments about maxims. The categorical imperative is applied to maxims. It relates therefore indirectly to actions, although actions are not themselves judged by the categorical imperative.

The connection between the objective and apodeictical can furthermore justify the non-consequentialism in Kant's argument because consequentialist thinking doesn't stem from the concepts of language itself (syntax and semantics), but from a contingent, in Kant's terminology hypothetical, pragmatic use of language. With the construction of the categorical imperative Kant can systematically exclude inclinations, tendencies, and subjective preferences, etc., from the moral law, with the justification that these are merely subjective. Teleology and consequentialism transcend the conceptual and are excluded as being contingent and non-apodeictical. In a certain

way, Kant constructs with this connection a self-perpetuating or self-sustaining argument which, if the premises are accepted, is very difficult to get around, because of the form “necessary necessity<sup>5</sup>” or “conceptually necessary for all”. To Kant, understanding is the knowledge of the general, judgment is the application of the general to the particular, and reason is the power of understanding the connection between the general and the particular (Kant 1960:71). With the categorical imperative, Kant demands universalization of moral reasoning. Kant lets the concept of duty refer back to the categorical imperative formulated as a principle of universalization, with the formulation:

“Now if all imperatives of duty can be derived from this one imperative as their principle, then there can at least be shown what is understood by the concept of duty and what it means, even though it is left undecided whether what is called duty may not be an empty concept” (Kant 1994:30, 421).

By now we can define Kant’s concept of duty as, by conceptual necessity guided self-legislation, according to the categorical imperative. The concept of duty is formal, and, if left uninterpreted, empty. Just like a book nobody has read is not meaningful. But why should it be left uninterpreted? And why should we not involve others affected in interpreting it?

### III

#### **Discourse Ethics**

It has been said, that the discourse ethics as developed by Jürgen Habermas can be understood as a dialogical continuation of the monological ethics developed by Immanuel Kant (1724-1804) as it was formulated in the categorical imperative in *Grounding for the Metaphysics of Morals* (McCarthy 1978:326). In this section I will elaborate on this idea that discourse ethics develops a dialogical version of the categorical imperative. My interpretive reconstruction generally substantiates the idea of discourse ethics being a dialogical continuation of the Kant’s ethics.

Jürgen Habermas takes over Kant’s ambition of finding a valid moral point of view, from where moral judgments can be tested regarding their validity. This idea, that moral judgments can be valid or invalid, shared by Kant and Habermas, is often in the vocabulary of meta-ethics called **moral cognitivism**. The concept of moral cognitivism is used when ethics and morality are internally connected to concepts like reason, rationality, justification, truth, and validity. Habermas insists

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<sup>5</sup> This formulation might seem strange at first glance, since necessary ought to have been enough and repetition would be redundant. But the construction of necessary necessity may point to the reflexivity or self-reference involved. I call the opposite to self-refuting statements or beliefs involving self-reference, positive self-reference. I define the positive self-reference as the logical opposite to a performative contradiction. Such a positive self-reference has the attributes of being self-sustaining, self-confirming, and self-demonstrating. I call all self-refuting arguments involving self-reference a negative self-reference. An example of a negative self-reference would be the paradox of the liar – where someone says: “I am lying” or the self-refuting statement “I do not exist” claimed in a conversation. Such statements dissolve by their propositional content their own possible truth and validity. In my opinion one of the strength of Kants argumentation is that he avoids getting caught in a negative self-reference when giving moral arguments.

that moral judgments have a rational basis with an appeal to reason and can be justified accordingly. Habermas claims an analogy between knowledge and (valid) moral judgments. If knowledge is defined as justified true beliefs, then moral validity may be defined in analogy as justified right beliefs. To Habermas, normative validity about what is right is analogous to what is true (Habermas 1991:76). The questions of truth and rightness are not identical, but both concerns beliefs which may be justified in a rational discourse. Therefore we only have analogy, not identity. Habermas justifies a moral cognitivist interpretation by the fact that norms may be shaped in discourses, can be learned, and may change over time. Furthermore, normative statements may be rationally justified in discourses, based on valid argumentation. The non-cognitivist cannot explain why a valid argument can be convincing and lead others to revise their moral beliefs, without reducing communication to an exercise of power. Moral norms express a genuine consensus and a “we-perspective” on beliefs about how things ought to be. It is part of the concept of a norm that it enjoys universal recognition, otherwise we are not talking about a norm, but about interests, preferences, or ethical beliefs about what is seen as good for me or us. In essence, complying with a norm means fulfilling a generalized expectation of behavior (Habermas 1984:85) (Habermas 1996:107). Therefore Habermas has a clear distinction between moral norms valid to all affected and ethical beliefs valid to some or only one affected. Habermas justifies his position by arguing that we cannot, as many non-cognitivists do, reduce moral norms to evaluative expressions, which have their pure form in first person singular sentences, whereby an “I” expresses preferences and judgements of taste. To Habermas, moral norms must be expressed in genuine first person plural sentences, where the “we” or “us” actually expresses a consensus regarding the validity of the norm in question. Whoever says “we” or “us”, and is not backed up by an actual consensus from the affected referred to and encompassed by this “we”, is actually making a false claim. These are some of the reasons why Habermas, like Kant, is in favor of a moral cognitivist interpretation of morality.

Another idea Habermas shares with Kant is that **duty** must be the core concept in order to understand and justify the motivating force of moral norms. If moral behavior is a duty to the rational person, then this position is closely related to Habermas’ conception of moral-cognitivism. It becomes immanently rational to act out of duty. The problem with Kant’s analysis is that it is blind to the social forces at work when duty appears as a mutual social obligation. Like many other individualistic philosophers Kant runs into the problem of deriving intersubjectivity from subjectivity. The motivation gap Kant attempts to fill out with the concept of duty is lacking the intersubjective relationships between persons. Habermas improves Kants analysis by adding to it the social obligations and social forces at work arising when rational consensus has been achieved about something. Then it is not only a personal matter whether to follow or break with a norm, but also a public social matter. *Noblesse oblige*, but so does discursively produced rational consensus. In discourse ethics, duty becomes a duty to act in accordance with rational consensus produced in a rational discourse based on valid arguments. Where Kant derives duty from the categorical imperative, Habermas derives duty from the principle of discourse ethics and the corresponding principle of universalization. The core idea in discourse ethics is formulated in **the principle of discourse ethics (D)**, which says:

"Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses" (Habermas 1996:107)<sup>ii</sup>.

This is procedurally explicated in the principle of universalization (U), which says: "For a norm to be valid, the consequences and side effects that its general observance can be expected to have for

the satisfaction of the particular interests of each person affected must be such that all affected can accept them freely" (Habermas 1991:120) (Habermas 1996:566)<sup>iii</sup>. Regarding the principle of universalization (U), Habermas says: "I have formulated (U) in a way that precludes a monological application of the principle" (Habermas 1993:66).

Habermas has two main objections to Kant's approach. The first is that it is monological, the second is that it is formal. Habermas' main improvements to Kant's theory are to give it a new dialogical (intersubjective) and procedural foundation.

The problem with Kant's conception of rationality is that it is purely monological and exists only in relation to an isolated individual independent of its location and place in a social context. The monological approaches to truth and validity have their roots in the classical discourses on epistemology. Here knowledge is understood as a person's knowledge. The standard approach in epistemology has been to identify the necessary and sufficient conditions, which have to be fulfilled before we can permit that a person is stating knowledge in a given proposition. A standard answer guiding the discourse on knowledge has been that a necessary condition for a person to have knowledge, is to have justified true beliefs about something (Plato 1994:208c) (Gettier 1963:121) (Dancy 2001:23). Epistemology has had its system of reference or locus in the person. Knowledge has been seen as belonging to the isolated knowing subject in a monologue with his inner or outer world. The monological frame of reference is egocentric and individualistic. It takes place within a relationship between a knowing subject and an object. Habermas sometimes equates the monological approach with the philosophy of consciousness. His expansion of the monological frame of reference includes the relationships between the knowing subject and other knowing subjects. To Habermas, justification of beliefs takes place in dialogues between persons, and are not restricted to monological processes within persons. The insight is that justification is always anchored in a social process oriented towards justification to other persons. To Habermas, truth and validity is not merely a private, but a public matter (Habermas 1987:100). He thereby moves the locus of knowledge from persons to the communication taking place between persons, and makes the communicative turn within philosophy (Habermas 1987:68). Habermas improves the monological perspective with the dialogical approach. One of Habermas' arguments is that it is possible to think in syllogisms, but not to conduct a dialogue in them. Syllogistic reasoning can be used to yield arguments for a discussion, but we cannot argue syllogistically with another (Habermas 1987:137). Habermas' main point is that the justification of norms requires that an actual discourse is carried out which cannot occur in a monological form, as a hypothetical process of argumentation occurring in the individual mind (Habermas 1991:68).

Habermas is not the only one who has seen the monological approaches as a problem. In 1970, Norbert Elias wrote that the classical theory of knowledge and science examines what happens when the 'subject', a solitary individual, thinks, perceives, and performs scientific work (Elias 1978:37). He continued by saying that the traditional philosophical approach to problems is egocentric, in that it limits itself to the question of how an individual can gain scientific knowledge (Elias 1978:43).

In *Knowledge and Human Interests* the monologic approach was characterized as: "When linguistic expressions appear in an absolute form that makes their content independent of the situation of communication, 'the difference in times and persons', then understanding is monologic" (Habermas 1987:163). The monological approach to moral matters has a tendency to privilege the person in taking an observers perspective, which isolates him in a monological fashion from the

interpretive horizons of the participants and excludes him from and denies him hermeneutic access to their intersubjectively shared moral world (Habermas 1993:48-49).

The categorical imperative may be interpreted either monologically or dialogically. The way Habermas understands the categorical imperative, the narrow individualistic concept of morality rests on a negative reading of the categorical imperative, understood as being applied in a monological fashion (Habermas 1993:60).

“...discourse ethics rejects the monological approach of Kant, who assume that the individual tests his maxims of action *foro interno* or, as Husserl put it, in the loneliness of his soul” (Habermas 1993:203).

In discourse ethics the main idea is that the only way we could actually apply the categorical imperative, without running the risk of committing a false interpretation of other people's moral beliefs, would be to involve them in a dialogue where they were asked whether they could agree to the generalized interpretation. This is what Habermas formulates in the principle of discourse ethics and the corresponding principle of universalization.

With these principles the categorical imperative is given a new intersubjective locus in the dialogue concerning validity taking place between persons. Kant's formalism, which may be empty if left uninterpreted (or if no valid moral maxims exist) gets a new intersubjective foundation in the discourse ethics. The foundation is procedural, and not merely formal. It is the procedure built into the concept of a rational discourse, which guarantees that the consensus achieved is stating a morally valid norm. Where Kant may be legitimately criticized for having created an empty formalism, this is not the case for discourse ethics. Every dialogue concerning the validity of moral maxims has content. Saying the opposite would be an insult to the participants in the discourses. The empty formalism argument is thereby ultimately defeated by giving the categorical imperative a procedural foundation and an intersubjective interpretation.

Habermas has often been criticized for taking a consensus-perspective. An argument often stated is that the world of communication would come to an end if we actually reached rational consensus, and silence would forever prevail. This is a serious misunderstanding of discourse ethics, where only consensus regarding knowledge and norms can be expected. Other modes of communication like expressions of taste, insults, entertainment, social confirmation, etc., are actually not affected by achieving a rational consensus. These modes of communication may on the other hand be emancipated from the historically given frustrating imperatives of validity. An intuition supporting the consensus-perspective on moral norms is that nobody can rationally agree, and at the same time be offended, without contradicting themselves. Achieving a rational consensus with all possible affected therefore effectively excludes that the affected could be offended or affronted. If all affected persons could agree in a rational discourse on the validity of an action norm, then nobody could legitimately claim that the norm was not valid, and nobody could be offended by the consequences of observing the norm.

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<sup>i</sup> I would like to thank my colleagues Thomas Basbøll and Asger Sørensen for providing a very constructive critique of this text.

<sup>ii</sup> The principle of discourse ethics has also been formulated as: "(D) Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity **as participants in a practical discourse**." (Habermas 1991:93). "(D) Every valid norm would meet with the approval of all concerned if they could take part in a practical discourse" (Habermas 1991:121). "(D) Only moral rules that could win assent of all affected as participants in a practical discourse can claim validity" (Habermas 1993:50).

<sup>iii</sup> The principle of universalization has also been formulated as (U) **all** affected can accept the consequences and the side effects it's **general** observance can be anticipated to have for the satisfaction of **everyone's** interests (and these consequences are preferred to those of known alternative possibilities for regulation)" (Habermas 1991:65).