

**IS YOUR LEGACY TO YOURSELF OR TO
OTHERS AND WHAT IS IMPORTANT FOR
MORALITY? MODIFYING KANT'S
CATEGORICAL IMPERATIVE.**

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Thesis Submitted for the Degree of Master of Arts

University of Otago

Dunedin, New Zealand

June 2016

Acknowledgements

For Eli and Ira, my inspiration and two favourite people in this world. To authenticity and all the exquisite lessons of 2015. Thanks to “the probies” (you know who you are) for holding me up when I was falling down. To Anne for love and lodgings; and Tom and Tans for just being the people that you are. To Francesca for turning my year on its head in completely unforeseen, unexpected, and superb ways (your family and friends are just lovely too). To Mrs R, Eleanor, and Catherine, for being those random, distant but close, and enduring unexpected connections. Andrew Moore and Lisa Ellis for being so enthusiastic and motivating. Allan Musgrave and Sally Holloway for giving me such a warm welcome back to the Philosophy Department, it was like I had never left. To Alex Miller who accepted me into the department and checked in to make sure I was progressing ok. Finally, a very special thank you to the Daniel Taylor Scholarship that became pivotal for my ability to continue with this MA.

For Eli and Ira

It may all end tomorrow
Or it could go on forever
In which case I'm doomed
It could go on forever
In which case I'm doomed

Morrissey

Piccadilly Palare lyrics © Warner/Chappell Music, Inc.

Reference abbreviations

G: Groundwork of the Metaphysics of Morals

MM: The Metaphysics of Morals

CPR: The Critique of Pure Reason

CPrR: The Critique of Practical Reason

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INTRODUCTION

The focus of this thesis is Immanuel Kant and his unique approach to ethics. However, questions of morality were being asked long before Kant developed his account and they continue to be asked today.

For the ancient Greeks the influence of the Gods was integral in accounts of human behaviour and this had implications for the moral accountability (or otherwise) of human beings. Behaviour that was understood as directed or fated by the Gods also implied that such human puppets were not wholly accountable for their own actions. Kenan Malik states:

Homer's gods are not wise and judicious like the later gods of Judaism, Christianity and Islam. Rather, they are capricious, vain, vicious and deceitful. But however savage and immoral the gods may be, they are also all-powerful, or seemingly so to humans. It is in part a reflection of the world as the Ancients saw it: messy, chaotic, largely unpredictable, barely controllable, and yet inescapable. Not only have human choices to be made against the background of divinely ordered fate, but the gods often force humans to act against their wishes (Malik 4:2014).

And,

In part, the history of moral thought is the history of attempts to address the problem of reconciling fate and free will. It is a dilemma with which not just believers but atheists, too, have been forced to wrestle (Malik 4:2014).

Once human behaviour and choice was removed from the realm of the Gods the terrain shifted and questions of human accountability came to the fore. Since this time humans have grappled with questions of morality and what it means to do the right thing and/or to be a good person. The Greek philosophers Socrates, Plato, and Aristotle all developed accounts about these matters.

Socrates searched for universal features of ethics and this is something he shared in common with Kant; these two also shared the view that rational deliberation could lead one to answer the question about what morality is. Socrates' posed the question (the Euthyphro dilemma¹): is something good because the Gods approve of it or do the Gods approve of it because it is good? This changed the face of ethics by bringing questions of morality back down to earth and led to Plato and Aristotle's deliberations on what it means to live a good life.

In Plato's *Euthyphro*, the character of Socrates tries to tease out universal definitions of various virtues; a definition of honesty for example, should not be relative to one particular situation but should provide an account of honesty that applies in every circumstance. By doing this he has removed these traits from the gods and also from humans because they exist independently of both:

Socrates has established something important, not just about piety, or goodness, but about morality itself, by suggesting that goodness, and hence morality, should have an objective existence independent of either gods or humans (Malik 23:2014).

This led others to pose the obvious follow-up question about morality, if morality is independent of humans and gods then what is it derived from? Or to put it another way, is it possible for humans to evaluate moral actions in an objective way?

Plato and Aristotle wanted to know what it meant to live the good life and how to seek out the right virtues for the soul. They had slightly different ideas of this. For Plato, virtues were more aligned to the social structure of the time, so those in the higher realms of society were able to be the most virtuous. For Aristotle the focus was eudemonia and human beings' use of reason to fulfil their purpose and potential, although for him too there were certain prerequisites (wealth,

¹ Plato, *Complete Works* (Hackett, 1996)

education) that were preconditions to reach the uppermost levels of virtue². Kant also had his own view of virtue, that virtue is its own end and its own reward, however his philosophy is not a virtue ethics approach as such (MM 6:396).

Virtue ethics is one version of normative ethics and has modern day proponents carrying on that tradition. Two other main schools of thought are consequentialist (utilitarian) and deontological perspectives³. Consequentialist accounts ground morality and goodness in outcomes because the bottom-line for utilitarians, such as John Stuart Mill, is to increase happiness and decrease unhappiness (Mill 1863). This can be calculated in different ways, for example by considering the total happiness of everyone or by averaging out happiness among individuals. Furthermore we can also consider whether the rightness of an act is due to the consequences of that particular act (act utilitarianism) or if what is important are the consequences from an ideal rule set (rule utilitarianism). Contemporary utilitarians, such as Peter Singer, provide modern day examples and applications of consequentialist accounts. He considers a wide range of topics, including for example, our moral responsibilities to animals, bioethics, modern technologies, and beginning (abortion, IVF) and end of life (euthanasia, suicide) questions (Singer 1975, 1979, 1985, 1990, 2015).

Deontological perspectives in comparison are not concerned with outcomes but with basing morality in the inherent dignity of human beings and their ability for rational deliberation. One way of framing the distinction between consequentialist and deontological accounts is in terms of what counts as right

² Lesley Brown, in the introduction to *The Nicomachean Ethics*, makes this point well: Happiness is available only to those whose age, gender, and civic status allow them to pursue a life of the excellent activities that make it up (Brown X1: 2009).

³ For a broad ranging account of the arena of moral philosophy see Hursthouse, R 1999; Gardner, M 2005; Ross, D 2009; Raphael, D 1991; Russell, B 1996; Shafer-Landau, R 2013. These authors provide expansive surveys of moral theory, including Greek ethics (Socrates; Plato; Aristotle); The British Moralists (Hume; Bentham, Mill); and 'continental' moralists (Rousseau; Kant; Hegel, Marx, Nietzsche).

action and what counts as good. For consequentialists the good comes before the right (maximising happiness and limiting pain is good and right action is what achieves this outcome); for deontologists the right comes before the good (right action for the right reason is what is important). As Parfit explains, Kantians argue:

that we have certain duties that we must fulfil whether or not doing so will produce optimal results in consequentialist terms (Parfit 8: 2013).

Kant's is a deontological account⁴.

This project

This project focuses on Kant's moral philosophy and the implications of it. The Kantian tradition provides one of the most significant and promising frameworks for thinking about and understanding morality. I want to explore it in sufficient depth to put forward the best expression of a Kantian viewpoint that is achievable. The goal is to undertake an internal, as opposed to an external, analysis of the Kantian framework. By this I mean that I will examine Kant's views and highlight points where the best expression of a Kantian view actually takes us away from his own account. The purpose is not to build a non-Kantian view via an external critique of his account but to hold on to some central elements of Kant's account and to develop them in a way that takes them in a different direction than Kant's. This offers an improved Kantian framework and an enriched account of morality. In short, the end goal is a new account of morality that is an expression of Kantian ethics but one that is adapted from and stronger than Kant's own account.

I agree with Kant's account in terms of morality being grounded in practical reason for rational beings. I am drawn to Kant's account in terms of the appeal

⁴ There is a branch of Kantian philosophy that focuses on the role of God in Kant's work and Kant also has a separate focus in this area. He was however specific and radical in developing a moral philosophy that was not based in religious belief. While he developed his own accounts of religion and the existence of God he kept these quite distinct from both his moral philosophy and from his epistemology and these other views are not the focus of this thesis.

to rationality in his moral schema, including the ability of rational beings to set their own ends, their ability to behave morally, and their ability to stand back from their inclinations to assess an acceptable course of action. Another feature of Kant's account that I endorse, is that it provides an explanation of moral fallibility. That is, in Kant's view, how it is that we decide to behave immorally rather than follow our reason (and the categorical imperative).

Kant explains that people behave immorally (which is irrational) when they abandon reason and follow alternatives such as their inclinations and desires. By exploring our fallibility Kant also provides a schema by which we have the ability and a strategy to stand back from our inclinations and desires and to act on a basis (reason) other than them. Attractive features of Kant's view include:

- Rationality as key to our ability for dignified decision-making⁵
- The use of practical reasoning in our prudential and moral decision making (although I go beyond Kant's account of this in terms our prudential decision-making)
- That there is a rational foundation and basis of ethics/morality
- Providing an explanation of our moral fallibility
- That the categorical imperative is the right account of morality
- That our use of reason shows us that we should treat others as ends-in-themselves and never merely as means
- That we have the ability, as rational beings, to base our decisions and actions on reasoned grounds. That is, we are not a slave to nor ruled by our instincts, desires, or inclinations and can make decisions that override these influences.

Overall however, I depart significantly from Kant and I do so by teasing out some factors and implications of his own account. In particular I make a conditional

⁵ Rational beings though we may be, humans have a long and recidivist history of behaving in undignified ways towards each other, other species, and their environments. Kant's point is that, even though we have a record of very undignified behavior, we have the ability to behave in inherently dignified ways due to our ability for rational deliberation. Another way of putting this is that our dignity lies in our rational personhood, for Kant we have to presume this if we are to be practically rational.

claim in terms of Kant's own account of happiness – that his account of happiness has implications for his account of morality that he did not see. I develop a broader account of prudence than Kant that has implications for our understandings of prudence and of morality. There are several points at which I depart from Kant's views, including:

- That the scope and content of his categorical imperative is too wide
- That his account of prudence is too narrow
- That he fails either to make an essential distinction between self-regarding and other-regarding maxims or that when he does make this distinction he fails to see the implications of it⁶
- That he miscategorises the example of suicide (as in all instances a moral problem rather than a prudential one in some circumstances)
- That there are no moral duties to ourselves, only to others.

I use Kant's own ideas to argue that the categorical imperative is other-regarding and not self-regarding. I argue that self-regarding maxims and imperatives do not meet the criteria for universalisation and that the humanity formula only applies to other-regarding maxims and imperatives⁷.

I agree with Kant that, due to our rationality we can, in a somewhat detached way, assess our moral obligations to others via the categorical imperative. I disagree that this means that our prudential decision-making cannot incorporate other-regarding factors as well. I argue that what Kant calls moral duties to self are in fact prudential matters (and so non-moral on Kant's own framework). I agree with Kant that duties to others are moral matters relating to the categorical imperative. Kant maintains that an imperative is hypothetical if an action is not commanded absolutely, is a means to something else and is conditional; which he compares to a categorical imperative, which is based on no

⁶ I introduce a distinction between self-regarding and other-regarding *factors* and self-regarding and other-regarding *contexts*. This distinction will be elaborated on in section IV of this thesis.

⁷ The feature of universalisation and the humanity formula will be discussed in detail in subsequent sections.

interest and is unconditional (G 4:416). There are several distinct and key areas in the moral debates about these matters, including the following:

1. Are moral imperatives categorical or hypothetical? I agree with Kant that they are categorical.
2. Are self-regarding maxims/imperatives moral or non-moral? I argue that they are non-moral, for Kant moral imperatives are self-regarding and other-regarding.
3. Are non-moral maxims/imperatives (that is, prudence/wellbeing) hypothetical or categorical? Subjectivists say that they are hypothetical; objectivists say that they are categorical. Kant is of the view that prudential maxims/imperatives are hypothetical and I uphold this perspective.

Kant's division of categorical and hypothetical imperatives is central to his account. For him, categorical imperatives relate to morality and hypothetical imperatives relate to prudence. I maintain this distinction, however I also significantly alter the scope and content of the categorical imperative and provide a richer conception of prudence than Kant.

There are different ways to define and consider prudence. For Kant it is a very egoistical endeavour, related inherently to self-interest and to happiness. I agree with Kant that prudence is a hypothetical imperative, but disagree with his narrow definition of prudence and equating it with happiness. I will argue that prudential practical reasoning is broader than his egoistic account, involves more than merely seeking out our own happiness, and that it can factor-in our social relationships with others. I maintain that a broader understanding of prudence is not only intuitive but can be aligned, in a reconstructed way, with some of Kant's own views of hypothetical and categorical imperatives. I agree with Kant that the categorical imperative is what is important for morality, however I limit its application to other-regarding contexts only. I also argue that prudential decision-making can incorporate other-regarding factors.

A broader conception of prudence defines it as something beyond the mere pursuit of happiness and as incorporating both other-regarding and self-

regarding factors. The new account departs markedly from Kant's own view. In the reconstructed account the categorical imperative is still what drives moral reasoning, however moral reasoning is other-regarding only. In sum the scope of moral reasoning lessens and the account of prudence is broader. Kant links prudence explicitly to happiness⁸; the broader account developed here defines it in terms of wellbeing or welfare, which includes (but is not limited to) happiness. Kant identifies 'happiness' as a prudential imperative and I will argue that he should have classified other matters, specifically self-regarding matters, as being in this realm too. He however categorises other self-regarding matters as moral 'duties to self'. For Kant all moral matters generate moral duties and so for him there are moral duties to others as well as moral duties to oneself. An implication of the new account developed in this thesis is that there are no moral duties to oneself and only moral duties to others. This is because what Kant identified as moral duties to self are understood in the new framework as prudential matters and so as non-moral.

Section I begins with a general examination of Kant's ethics, in particular highlighting some of its key elements and strengths. This section will address some uniquely Kantian terminology, including his two-fold metaphysic and concept of "a good will". It will also discuss conceptions of reason and rationality; moral obligation, duty and morally worthy action; moral fallibility and the moral law; and freedom, embodiment and the pathological self. Understanding each of these elements is pivotal to identifying strengths, weaknesses, and implications of Kant's account as it stands.

Section II focuses on more specific elements of Kant's account, particularly the categorical imperative and moral duties. It includes Kant's three versions of the

⁸ Being prudent may of course include my behaving in ways that may not make me happy e.g. giving up smoking; not overindulging in food/alcohol; working overtime. However, Kant can account for these scenarios by pointing to a mistaken view of happiness e.g. that over-indulging won't make me happy in the long run or that working overtime will. Kant discusses an example of over-indulgence in terms of prudence and of it counting against happiness when it brings on bodily pain/diseases (MM 6:427). He also goes on to present a different argument about a moral duty to self not to over-indulge.

categorical imperative and outlines Kant's own arguments and his examples of: suicide; false promising; self-development; and beneficence.

Section III focuses on practical reason. It begins with identifying the terrain and disputes in this area and then looks at Kant's account of practical reason specifically. This section ends with Kant's account of prudence and happiness, as these will be essential elements in a reconstructed account of Kant in the next section.

Section IV unifies discussion in the previous three sections by providing a reconstruction of Kant. Practical reason will be reconsidered and a comparative analysis of Kant's account of happiness and an account of self-preservation developed. The upshot of this comparative analysis will be a conditional argument that Kant's own account of happiness has implications for how he should understand other prudential matters and morality. I will use as my primary exemplar what Kant calls a duty to self about suicide⁹. I will argue that what Kant categorizes as duties to self are not (moral) duties at all because they are hypothetical imperatives of prudence and not categorical imperatives of morality. In sum I will argue that if Kant's account of hypothetical imperatives is correct, that these don't have the form of the moral law and establish no obligation; and that if self-regarding maxims are hypothetical imperatives, then they too are non-moral.

In Section V a new taxonomy of morality and prudence will be proposed, one that bases moral duty in how we treat others. I will argue that self-regarding matters are prudential (not moral) and so, contrary to Kant, there are no moral duties to self.

⁹ In Section V, I will provide a brief sketch of the implication of the reconstructed account for Kant's other duties to self which include: not to commit suicide (G 4:429, MM 6:422); self-development (G 4:430); not to defile oneself by lust (MM 6:424-427); not to stupefy by excessive use of food, alcohol or drugs (MM 6:427-429); avarice (for Kant this is about not depriving oneself to the point of dysfunction) (MM 6:432-434). A more complete analysis of these other duties to self is beyond the scope of this thesis.

SECTION I: KANT'S DEONTOLOGICAL ETHICS (Preliminary features)

Deontological accounts of morality are based in conceptions of rationality, duty, and particularly for Kant the inherent dignity of rational beings. Kant's overall view of ethics for imperfectly rational beings is that "morality is a matter of constraint, and this is why he maintains that morality is a matter of imperatives or commands" (Thorpe 40:2015). The fact that we are imperfectly rational and make decisions based on self-interest or instinct, compared to reasoned deliberation, drives Kant's view that we require guidance in the form of unconditional categorical imperatives to keep us on the straight and narrow. These imperatives are what make clear to us what we ought to do and what our moral obligations are. This can be distinguished from other normative accounts that base what constitutes right action or the good in other factors such as outcomes, happiness, virtue, or social contract arrangements. This section is focused on outlining some fundamental components and concepts essential to understanding Kantian ethics; the next section will then progress to a more detailed discussion of specific elements of Kant's moral philosophy, particularly the categorical imperative.

Kant's terminology and language: a two-fold metaphysic¹⁰

In the preface of the *Groundwork of The Metaphysics of Morals* (hereafter "the Groundwork") Kant explains his two-fold metaphysic. His first point is:

All rational cognition is either *material* and concerned with some object, or *formal* and occupied only with the form of the understanding and of reason itself and with the universal rules of thinking in general, without distinction of objects (G 4:387).

¹⁰ The 'two-fold metaphysic' was outlined in Kant's *Critique of Pure Reason* and he carries those factors over into the Groundwork (G 4:388). This distinction is important as Kant makes it clear that in the Groundwork he is focused on the metaphysical part only.

He further specifies that formal philosophy is called logic and that material philosophy concerns the laws of nature (physics) or the laws of freedom (morals) (G 4:387). He defines pure philosophy as concerned with *a priori* principles and as *metaphysics* when the sole focus is on “objects of the understanding” rather than on actual objects in the world (G 4:387). We can consider this in terms of modality. For example, deontic modalities (about obligation/how we ought to act) can be contrasted to causal (empirical) or epistemic (knowledge) modalities (Audi 574:1999). So there are different ways (or modes) of how propositions can be thought of:

The modality of a proposition is the way in which it is true or false. The most important division is between propositions true of necessity, and those true as things are: necessary as opposed to contingent propositions. Other qualifiers sometimes called modal include the tense indicators ‘it will be the case that p’ or ‘It was the case that p’, and there are affinities between the deontic indicators ‘it ought to be the case that p’ or ‘it is permissible that p’ and the logical modalities (Blackburn 2016).

The usual classifications of the different ways that propositions can be true or false, and how they apply to particular subject matter, are in terms of whether or not they are assertoric, problematic, or apodeictic (Audi 574:1999). *Assertoric* propositions state that something is or is not the case, for example, that Melbourne is bigger than Wellington. It can be thought of as a statement of fact. *Problematic* propositions are neither statements of fact nor self-evident truths, as per the evaluative judgement “musical endeavours are more creative than philosophical ones”. *Apodeictic* propositions are self-evident truths, for example that $2 + 2 = 4$. *Deontic* propositions concentrate on how we ought to act and thus on what it is permissible or impermissible to do. Kant’s deontological ethics is a form of rationalism, which is the idea that objective ethical knowledge is achievable. Robert Audi points out that rationalism, such as Kant’s:

takes ethical knowledge to be a priori and accordingly models it on the paradigm of pure mathematics. Ethical concepts on this view, concern morality understood as something completely distinct from, though applicable to, natural phenomena, something whose content and

structure can be apprehended by reason independently of sensory inputs (Audi 288:1999).

So for Kant ethics is an authentic branch of knowledge in which ethical judgements can be true or false (that is, ethical properties either exist or they do not) and for him we find out which ones are true or false by our *a priori* use of reason. By our use of reason we can in fact know if the proposition “murder is wrong” is a true or false proposition. What’s more, for Kant, the truth or otherwise of the matter applies to all rational beings, not just to human beings. An important feature of deontological ethics is that once we discover the truth or falsity of a particular proposition, such as “murder is wrong”, then an obligation or duty is entailed. If, “murder is wrong” is a true proposition applying to all rational beings, then there is a corresponding moral obligation or duty, that is, not to commit murder.

According to Kant we cannot even account for what does happen until we have first of all laid down the (non-empirical) foundations of what ought to happen and why. Hence the two-fold metaphysic is a very important distinction in both his epistemology and his moral philosophy. In the Groundwork Kant both has a dig at his competitors and reiterates his two-fold metaphysic. He notes that “attempts” to ground morality in “popular taste” (our experience) have resulted in there being “a bit of this and also a bit of that in a marvellous mixture” of moral theories and postulates of what is right - from perfection, to happiness, moral feeling, and the fear of God (G 4:410). He criticises these alternative formulations for not grasping the need to first develop a metaphysic of morals that comes before and does not rest on empirical elements. Following on in a footnote he explicitly distinguishes metaphysics from applied moral philosophy:

By using this name (metaphysics) one is also reminded at once that moral principles are not based on what is peculiar to human nature but must be fixed *a priori* by themselves, while from such principles it must be possible to derive practical rules for every rational nature, and accordingly for human nature as well (G 4:410).

In sum, moral concepts are not to be drawn from the empirical world so that they remain clear, foundational, and are not mixed with empirical factors that

detract from the a priori status of his categorical imperative. Kant's first principles approach and the metaphysics of morals requires that ethics (for rational beings) is about how people *ought* to act and how they can come to figure this out. It is not about how people *do* act. It is because humans are fallible that they require a system of morality. Their fallibility is due to their not being perfectly rational, and by their being swayed by things like desires and inclinations. When we don't follow our rational obligations, in terms of moral decision-making, we are acting immorally and therefore also irrationally.

The relevance of the two-fold metaphysic is that Kant explicitly uses it to rid his metaphysical account of morals of anything empirical and grounds his moral theory firmly in terms of reason, a good will, and duty. This is the same process that he used in the critique of pure reason and his account of how we gain knowledge of the world¹¹. He states:

In this way there arises the idea of a two-fold metaphysic – a *metaphysic of nature* and a *metaphysic of morals*. Physics will therefore have its empirical part, but it will also have a rational part; so too will ethics, though here the empirical part might be given the special name *practical anthropology*, while the rational part might properly be called *morals* (G 4:388).

So we can see from his two-fold metaphysic, that Kant attributes a special character to moral concepts and he assigns what he calls the *categorical imperative* the status of the supreme practical principle of morality. For Kant, moral philosophy, like pure philosophy¹², has two components: one element is “practical anthropology” (how we do act) and the other is a metaphysical component (how we ought to act). The metaphysical part comes first and is non-empirical. He compares ‘determinate objects’ in the world to ‘determinate

¹¹ In that critique Kant asserted that we can know that the world-in-itself exists (i.e. he is a metaphysical realist) although we cannot access it as it is, due to our cognitive make-up because our cognitive experience is structured in terms of space and time.

¹² The metaphysical part of pure philosophy looks at principles of knowledge and how we gain knowledge, it is not about stuff in the world i.e. physics/ laws of nature.

objects of the understanding'¹³. Determinate objects of the understanding actually govern how we can experience the world at all (for Kant the essential concepts are space, time and causality) and determine moral obligation (for Kant it's the categorical imperative). An important component of Kant's first principles approach is that the metaphysic of morals concerns laws of freedom, which are apodeictic and relate to practical reason¹⁴ (CPrR 5:5). Our freedom is something that is objective and that relates back to his two-fold metaphysic. Kant contrasts being subject to moral laws with being subject to laws of nature. I agree that Kant's two-fold metaphysic provides an accurate starting point for grounding morality.

Kant's terminology and language: the "will"

A starting point for Kant in the Groundwork is the bold claim that the only thing that is unconditionally good is a good will. A "good will" is motivated to do the right thing for the right reason. For Kant this is primarily acting in observance to the moral law. Kant states that:

The will is thought as a capacity to determine itself to acting in conformity with *the representation of certain laws* (G 4:427).

So we can think of a will in terms of intentional decision-making, including the reasons for acting once a decision has been made. His language can be somewhat off-putting when for example he uses terms such as "determine the will" however in modern-day terms what he is talking about is reasons for action. His own description of an agent's use of their will is:

the ability to determine their causality by representation of rules, hence insofar as they are capable of actions in accordance with principles and

¹³ Kant states the same distinction in very general terms in his Introduction to Logic (first published in 1800). He states:

All rules which the understanding follows, are either *necessary* or *contingent*. The former are those without which no exercise of the understanding would be possible at all; the latter are those without which some certain definite exercise of the understanding could not take place (Trns Abbot, Thomas Kingsmill 4:2005).

¹⁴ Practical reason is the subject of section III of this thesis.

consequently also in accordance with a priori practical principles (CPrR 5:32)

What this means is that we can use our practical reason to make principled decisions. These kinds of (principled) decisions can be distinguished from decisions we may make in relation to our wants and how the will is thought of in these contexts. Lewis Beck explains this distinction well, stating:

“Will” suggests more directly the dynamic impulse involved in action; “practical reason” suggests something cold and deliberate and without any “push” (White 76:1996).

And,

What I want appears as an incentive, and it speaks to my inclination, impulse, drive, and propensity. What I ought to do in order to achieve what I want is discerned by reason (White 76:1996).

For Kant our reasons for acting can be based in either contingent principles, that for him relate to hypothetical imperatives, or they can be based in and derived from a priori principles that for him relate to categorical imperatives¹⁵. What matters, in the realm of practical reasoning, is that our decisions and actions are principled and not based on something else such as instinct, natural inclination or desire. If we think back to the distinction amongst modal propositions, an agent can base their reasons for acting in terms of the objects of understanding or the objects in the world. In terms of morality I can use reason to come to an understanding of how I (and others) ought to act and I can also look at the reasons that I do act. For example I may tell the truth because I believe that I ought to or I may tell the truth because I want to be viewed as a truth teller by others. These are different on Kant’s account and only one way is the correct reason for acting. Acting for the right reasons exhibits a good will; acting for other reasons does not. Acting for the right reasons is also what makes action morally worthwhile (these points will be elaborated on below).

¹⁵ Hypothetical and categorical imperatives are the focus of sections II and III of this thesis.

In the Groundwork Kant considers and compares a good will with other candidates for what could be considered “good without limitation” and he finds that the other candidates are qualified and require a good will to moderate them (G 4:393). For example, he considers various talents (wit; intelligence); temperaments (courage; resolution) and gifts of fortune (power, wealth) and complete wellbeing (worthiness to be happy) (G 4:393). When he compares these to a good will he finds that having a good will precedes or qualifies the goodness or otherwise of these traits. Lucas Thorpe explains this as follows:

Kant is not denying that happiness, wealth, health, courage and intelligence are good things; his point is that the bravery and intelligence of a serial killer or the happiness of a rapist are not good (Thorpe 95:2015).

To put this in another way, we could imagine that one’s being intelligent, powerful, or witty could be thought of in terms of one’s expressing or exhibiting a good will. However someone could have these traits and exercise them in a manner that we (rational beings) would not consider to be expressive of a good will. The person with a good will, by contrast, applies their will to mediate how these talents or characteristics are manifested, using reason to ensure or at least appraise and think about the reasons behind their actions¹⁶. So we can consider what it is for actions to be undertaken for the right reason(s) and that undertaking actions for the right reason also incorporates undertaking them with the appropriate motivation.

Kant maintains that all other candidates for goodness can go bad if not qualified by a good will because the good will corrects and adjusts their influence on the rational mind to universal ends – the focus is not on what is good for me or on the outcome of a course of action, but on what is the best thing full stop. This is inherently related to Kant’s conception of us as rational beings. For him rational

¹⁶ This is reminiscent of Aristotle’s idea of excesses and failings being mediated to be virtues, however these ideas of course take place in quite different places – for Aristotle it is in virtue ethics and having a virtuous character. For Kant it is about a good will behaving morally (i.e. selecting the morally correct action) by acting for the right reasons and with the correct motivation.

beings have the ability, as per the two-fold metaphysic, to reason in a pure way that does not rely on our particular situation in the world¹⁷. When a rational being deliberates about reasons for acting they can do so in an objective way that is different from subjective reasons for acting. As Thorpe explains:

Kant argues that a good will is not characterised by what it achieves but in terms of its principle of motivation. An agent with a good will is a being that is motivated by the moral law, and as such a good will is the idea of a being whose reason is practical (Thorpe 94:2015).

Another way of saying this is that for Kant, every other candidate for goodness is qualified. So take for example, the consideration of power or wealth under the influence of a will that is not good. Kant's point is that these alternative candidates for goodness can be extremely negative. The powerful person could use that power to usurp others. The wealthy person, rather than using their wealth in a morally worthwhile (that is, principled way), could simply amass more and more fortune at the expense of others and for reasons (for example, self-gain) that are not motivated by or based on a priori principles at all. A key feature of a good will, that all other potential candidates for goodness do not have, is that a good will is governed (that is, directed) by reason to consider what is the right thing to do, for the right reasons; not on what is the best thing for me (G 4:394).

Against consequentialist and virtue ethicists Kant maintains that a good will is not good due to its accomplishments and that the characteristics contributing to the inner worth of an individual are not good without the qualification of a good will to guide those traits (G 4:394). A good will has a positive influence on the rational mind regarding all the other candidates and traits and will also influence the principle(s) of action that a person acts on. A Kantian good will is:

- Good in itself, that is, unconditionally good
- Directed by reason

¹⁷ Kant applies this to moral reasoning only, it is an open question whether or not this could also be applied to prudential reasoning, for Kant it is not so applied because all prudential reasoning is based in hypothetical imperatives.

- Motivated by principled action, that is, adherence to the moral law.

In short, it is good in itself because it is directed by reason (G 4:395).

Reason and rationality

Kant has lofty ideas about the power of our use of reason¹⁸. An important part of Kant's view is that not only does pure practical reason drive his account but also that the order of this is explicit. Kant has no problem with practical rules being derived from grounding principles but it is the grounding principles that must come first, that must apply to all rational beings, and that make up the metaphysics of morals. He notes that if we ran on instinct then we would have an easier time (G 4:394). Kant is saying that if we are only interested in what is best for our own individual egos, or happiness, or our preservation, then going by instinct would be much easier than reason. He states:

Now in a being that has reason and a will, if the proper end of nature were its preservation, its welfare,¹⁹ in a word, it's happiness, then nature would have hit upon a very bad arrangement in selecting the reason of the character to carry out this purpose (G 4:393-396).

This is in relation to the good will and is about moral reasoning specifically, not something else such as prudential reasoning. The proper end for rational beings is for Kant related to moral reasoning, not to something like prudential reasoning, which seeks out personal interests. It is because we are rational

¹⁸ Although rationality is without a doubt a prominent feature of Kant's account, rationality is not the only feature relevant for moral decision-making. Baron and Fahmy point out that in the *Metaphysics of Morals* Kant expresses an "interest in the cultivation of dispositions, attitudes, and even feelings, and (these) show that it is a mistake to hold that Kant considered rationality to be the *only* morally important feature of persons" (Baron and Fahmy 226:2009).

¹⁹ I disagree with the idea that 'welfare' is reducible to the narrow conception of happiness that Kant holds, this point will be elaborated on in the section on prudence.

beings that we are looking to an a priori guide and the only candidate for this role is reason²⁰.

An important feature of Kant's account is that our rationality is limited. This is the case for all rational beings, and Kant compares such limited wills to what he calls a *holy will* for which rationality is not limited (CPrR 5:32). For Kant a being with pure rationality is one for which there would never be a conflict with the maxims they utilize and the moral law; these would always coincide. Limited rational beings in contrast, can (and do) choose not to follow the moral law and follow instead their own inclinations, desires, or instincts which are not based in principled a priori concepts. When I refer to 'rational beings' throughout the rest of this thesis it is this limited rationality to which I refer. Another important point is that rational beings who act on inclinations, desires or instincts are able to realise, or at least have the ability to realise, that there is an 'ought' in terms of how they should act in a given situation. However, they often choose to act, and are free to act, to the contrary. Furthermore it is because we have a *pure* but not a *holy will* that we (rational beings) require imperatives to guide our moral actions (CPrR 5:32). Another way of putting this is that a holy will doesn't require notions of obligation because they do the right thing automatically (they always follow what reason dictates). Other rational beings however do require obligations (spelt out in the form of moral imperatives) because they need to do the right thing for the right reason (and do not do so automatically). They

²⁰ Kant does not hold a traditional view of what reason is and diverges from both rationalist and empiricist accounts. Thorpe points out that Kant has a view that merges these two traditional views:

Both rationalists and empiricists, for very different reasons, had assumed that the mind has only one cognitive faculty which is the source of our knowledge of the world. The rationalists explain cognition purely in terms of the operation of the intellect, whereas the empiricists explain it purely in terms of the operation of sensibility. Kant, in contrast to both, argues that human cognition requires the cooperation of two faculties: sensibility, which he names the lower faculty of cognition, and the intellect, which he names the higher faculty (Thorpe 173,174: 2015).

In the Critique of Judgement (1790) Kant divides this higher faculty into three distinct faculties: the faculty of understanding; the faculty of judgement and the faculty of reason, and he suggests that the faculty of judgement somehow mediates between reason and the understanding (Thorpe 174:2015).

require guidance to choose what reason shows is the right way to act rather than acting on some other basis, for example impulse, desire, or inclination.

Kant's idea of the *autonomy of the will* contrasts to what he calls *heteronomy* of choice (CPrR 5:33). Rational beings are subject to inclinations and desires and we have the ability to choose to follow the moral law/our moral duties, or not. If we were fully rational (or the Kingdom of Ends²¹ was real) then we always would follow the moral law and the idea of a duty or obligation to do so would be defunct. Kant states:

Thus the moral law expresses nothing other than the *autonomy* of pure practical reason, that is, freedom, and this is itself the formal condition of all maxims, under which alone they can accord with the supreme practical law (CPrR 5:33).

Heteronomy of choice refers to agent-specific and conditional matters. Moral commands in comparison are not agent specific and are unconditional. This feature of morality is fundamental for Kant. Moral commands apply to everyone, no matter what that person's particular circumstances are. Furthermore they apply by also entailing a moral obligation to act, or refrain from acting, in a certain way.

A significant notion of Kant's in this context is *pathology*. It is our pathology and freedom to follow our senses and inclinations that limits our rationality. Kant refers to a "pathologically affected will of a rational being" (CPrR 5:19). Mary J. Gregor in *Practical Philosophy: The Cambridge Edition of the Works of Immanuel Kant* references the German term *pathologisch* and that:

Kant uses "pathological" in the sense of "dependent upon sensibility" (Gregor 153:1996).

Rational beings with a higher faculty of reason require that their moral guidelines are spelt out categorically so that their pathological nature (that is, wanting to follow their inclinations) can be subordinated to this moral guidance

²¹ The Kingdom of Ends is one version of the categorical imperative and will be discussed in the next section.

in the form of universal and unconditional imperatives. We may not choose to subordinate our pathological desires but we have the ability to do so.

Kant specifies that reason is a “practical faculty”, “to influence the *will*”, and so people can cultivate or neglect it (G 4:396). He states:

These judgements have as their covert basis the idea of another and far worthier purpose of one’s existence, to which therefore, and not to happiness, reason is properly destined, and to which, as supreme condition, the private purpose of the human being must for the most part defer (G 4:396).

People can and do behave irrationally and choose to override what reason dictates for something much more self-serving. There are many candidates for what we may follow instead of reason, for example: instinct, self-interest, nepotism, despotism, greed, jealousy, selfishness, happiness, and the list goes on. This explanation is a bit confusing because he has already stated that a good will is good in itself. The point that he wants to establish is that, although we are not holy beings, because we are rational beings we can, via the use of reason, take an objective (a priori) look at matters such as morality. By doing this we can assess what constitutes morally right action and what does not. Consequently, although we may be inclined to look out for ourselves we can, via our capacity for rational deliberation, identify an account of morality that is normative and able to provide unbiased guidance for our moral deliberations. We can, in other words, account for how we should act (if we are being rational) even if we choose not to act in that way²².

These concepts and their contents are intertwined. A will is good in-itself when governed correctly by reason and reason operates optimally in beings via their good will. It is because humans are not perfect that we require an objective

²² Kant applies this to moral scenarios, however the same case can be made for prudential considerations. For example, I can rationally assess that it is imprudent to smoke but continue to do so. So an imperfectly rational being is one who can reason a priori, about how they ought to act, but who can also choose not to follow what reason dictates.

morality to guide us. If we were fully rational then we would simply do what we ought to, without the opportunity for inclination or desire to influence and ultimately provide a basis for over-riding rational decision making. Because our rationality is imperfect, Kant wants to provide an account of how rational people *ought* to act. As noted in the introductory section, Kant believes how people *do* act is a province of psychology or anthropology.

In a sense Kant is trying to prove that reason can be impartial towards the individual because, by the use of reason, we can see how we ought to act even though, because we are self-determining, we may choose to act otherwise. He is also extrapolating from the internal process of one individual (and their will) to a universalism that at one and the same time aims to make his account objective rather than subjective and to provide validity to his whole schema. By using reason, and applying the categorical imperative - to extrapolate out to all other rational beings - we can obtain objective ground by self-legislating moral laws, and adhering to the actions dictated by them. Furthermore when I choose not to follow the moral law then I am making an exception for myself. Kant is not specifying that an agent make use of a calculation every time (of the categorical imperative) to determine action in each situation. As Baron and Fahmy identify regarding Kant's moral theory:

What it tells us is that a particular maxim is, or is not permissible (or that it is, or is not required). It thus speaks more to our way of conducting ourselves than to isolated actions (Baron and Fahmy 212:2009).

Rather, and this ties to the Kingdom of Ends, Kant is concerned with the maxims of actions and the universal laws, more than directly with the actions themselves. These points will be addressed in detail in the next section.

Moral obligation, duty and morally worthy action

So far we have the idea of a good will directed by reason, that is, undertaking action via the use of reason and for the right reasons. Kant contrasts this kind of action from that undertaken from other motives, for example, out of desire or

inclination or seeking happiness. Furthermore the will that is directed by reason is good in itself. From these points Kant moves to the idea of duty, duty is again a slightly outmoded and antiquated term. What he means by this is that we have certain moral obligations, ones that arise from our a priori first principles of morality. Kant distinguishes actions that may just happen to conform to duty (more or less by accident or coincidence) from those that are primarily driven by the motive of duty and adherence to the moral law. It is the latter that has moral worth for Kant and this is primarily because the good will motivated by the moral law is undertaking action that is principled. For Kant the concept of duty “contains that of a good will, though under certain limitations and hindrances”²³ (G 4:397).

Kant begins the second section of the Groundwork by pre-empting a potential objection to his account. If our adherence to duty (for the sake of duty) is an inherent state then we can't look to conduct or consequences at all, and so we can't actually tell when someone is acting from duty²⁴. Kant is not however worried about his objection. He states:

In fact, it is absolutely impossible by means of experience to make out with complete certainty a single case in which the maxim of an action otherwise in conformity with duty rested simply on moral grounds and on the representation of one's duty (G 4:407).

He is not too worried about this objection because it is actually in keeping with his stance that the requirement to act from duty is established a priori and should not be explained by recourse to empirical factors. Kant's point is that “reason by itself and independently of all appearances commands what ought to happen”, what actually happens is not of much weight to him (G 4:408). A case in point that he suggests is that, even if there has never existed a sincere friend, reason can dictate that sincerity in friendship is a duty a priori (G 4:408). This

²³ The limitations and hindrances that Kant discusses in this context are self-seeking purposes, natural inclination, and self-interest (G 4:397).

²⁴ Kant's view has been classified as a form of motivational internalism because we cannot know the reasons or principles that a person acts on when these are not externally evident (Pasternack 9:2002).

feature of his account is quite important because it lands moral obligation in the territory of practical law, rather than subjective maxims. Moral obligations are derived from the categorical imperative and apply to all rational beings universally and unconditionally.

On Kant's account a good will, reason and duty are inextricably linked. It is via the use of reason that an individual imposes the moral law upon himself or herself and the person with a good will is someone who freely follows what duty dictates because it is the right thing to do. For Kant a rational being freely chooses duty, rather than the many other candidates, to drive moral decision-making. Considering moral obligation Kant states:

The ground of obligation here must not be sought in the nature of the human being or in the circumstances of the world in which he is placed, but a priori simply in concepts of pure reason (G 4:389).

It is the principle behind the action that is important for Kant and that principle-based motivation is to act from duty to adhere to the moral law. To act immorally is then the failure to base our actions on the motivation of duty or to make an exception for ourselves (G 4:424). In this way there is the idea of both freedom and constraint in Kant's moral theory. We need to constrain our desires and choose not to subordinate reason to our own self-interest²⁵. However, because we are free, we have a choice.

An interesting example given by Kant is the duty to preserve one's own life. He maintains that generally this is just what people do and because of this their "maxim has no moral content" - although it conforms with duty it is not driven from a motive to adhere to this duty (G 4:397/398). In contrast, the individual who despises his life and lives in hopeless misery and who "wishes for death and yet preserves his life without loving it" and who does so out of adherence to duty and not the natural inclination of most, has a maxim with moral content (G

²⁵ We shall see later that this self-interest need not be as purely egoistical as Kant professes but can be a more reasonable kind of rational and prudential interest. On this point the account to be developed will be in stark contrast to Kant's own view.

4:397/398). So if I act for duty's sake and not some other reason, my acts have moral worth. This example will be revisited later in this thesis.

To further bring out Kant's ideas about morally worthy action let us consider donating to charity²⁶. On the face of it this seems like it could constitute a morally worthy action, that is, a morally good action that a person could undertake. For Kant though we shouldn't jump to the conclusion that it is morally worthy without exploring the reason that a person might do so. For example, an individual may give to charity because they want to feel good, or to look good to others, or because they have a natural inclination towards giving to others, or because of their belief that it is the right thing to do because it is a moral duty. This final scenario is the only one that has moral worth for Kant. Intuitively a wealthy philanthropist who donates to charity by donating a minute amount of their overall wealth (and so the act has no real impact on them) may not appear to quite have the same moral value or status as that of an individual who gives their last \$5 to charity. We can recall however that consequences and situational factors do not matter for Kant, all that matters is the reason for the act. The wealthy philanthropist and the low income person who donate to charity *because it is their duty to do so* are operating under a good will that is moderated by reason. They could have used their judgement to spend that money elsewhere but by the use of reason they are motivated to donate to charity because it is their duty to do so. This thought is that all that matters is the content of one's will, all and any contingent circumstances are irrelevant.

The individual who donates to charity because they want a tax break or like the feel-good factor or are already naturally inclined to do so are not doing the right thing for the right reason. For the individual who has a natural inclination or desire to give to charity, they are just the kind of person who likes to do such a

²⁶ Kant is so eager to remove his account from the realm of the empirical that he is against providing examples and limits these to a specific few (suicide; lying; self-development; beneficence). Kant's own examples will be discussed in later sections of this thesis. We can note however that examples focusing on the content of one's will, intentions, and maxims remain consistent with Kant's first principles (a priori domain) approach.

thing. There is nothing wrong with this inclination on Kant's account, however such inclinations and desires do not have value in themselves and so do not impart moral worth. We can see how this relates to his two-fold metaphysic. By use of our reason we can assess that we ought to give to charity because it is our duty to do so. However, this doesn't mean that anyone will give to charity for this reason, if at all. In other words, how we ought to act, as determined by reason, is quite distinct and distinguishable from how we do act. This doesn't mean that inclination is irrelevant, but it is the motivation of duty that delivers the moral worth of the action for Kant. Someone could donate to charity out of a natural inclination and also because they assess that it is their duty to do so. This is well explained by Allison:

Kant's point is merely that the actions of *this particular individual* only attain moral worth when the duty motive takes the place of inclination, which is quite different from claiming that moral worth in general requires the absence of inclination (Allison 93:2011).

This is an important point. It is a misrepresentation of Kant to assume that, apart from the primary motive of duty, other factors such as inclination cannot also feature. Kant's point is that if you act only from some other basis than duty then it's not moral because you are only pursuing other ends, for example to be happy or to get approval from others. So for Kant the moral worth of an action is not simply determined, just because an action (such as donating to charity) appears to be good, the action is not morally worthy in its own right. To make the act morally worthwhile it must be done for the right reason, as Kant states:

For, in the case of what is to be morally good it is not enough that it conform with the moral law but it must also be done *for the sake of the law* (G 4:390).

A good will is one committed to act from the basis of moral duty, even when it does not want to. It is because acting from duty doesn't rest at all on feelings, or impulses, or inclinations; but in reason and the relations of rational beings to one another (via the universalisation of moral laws) that Kant identifies it as the only good candidate for guiding moral action.

A striking feature of Kant's account, and how he distinguishes himself from utilitarianism, is by not factoring in the outcome of an action at all but instead focusing on the motivation for it. As Thorpe explains:

A moral individual does not just do the right thing, but they do the right thing because they recognize that it is the right thing to do. They tell the truth because they recognize that they have a duty to be honest. What is important here is the motive of the action. Now some moral philosophers believe that what makes a motive good are the intended results. Kant, however, argues that what gives actions done out of duty their moral value is not their actual or intended results, but the principles on which they are based. For Kant then, good action is *principled* action, and in the Groundwork he argues that the only principle that is capable of being an absolute ground of rational action is the categorical imperative (Thorpe 82:2015).

Kant explicitly states that an action from duty does not gain moral worth in terms of the "purpose to be obtained from it" but only by the "principle of volition" (G 4:399/400). This clearly diverges from consequentialist/utilitarian views in which moral worth is considered in terms of the promotion or maximisation of happiness in relation to the outcome of an action.

Moral fallibility and the moral law

Kant accepts that because the will belongs to imperfectly rational beings (swayed by things such as temperament, inclination, greed etc.) there are "subjective limitations", namely that people can be driven by motives other than duty (G 4:397). Kant's account explains why people (often) behave immorally even though it is irrational for them to do so:

For the human being is affected by so many inclinations that, though capable of the idea of a practical pure reason, he is not so easily able to make it effective *in concreto* in the conduct of his life (G 4:389).

It is our judgment that leads us astray on many occasions when we use it incorrectly, that is, we (mis)use our judgment to prioritise our own needs over

rational decision-making. Our ability to use our own judgment is due to our freedom to act as we want. Freedom is an essential concept of Kant's account. If we weren't free, either we couldn't choose not to follow the moral law, or we wouldn't require the moral law because 'ought' and 'is' would always coincide. Conversely, we do choose not to follow the moral law and 'ought' and 'is' do not always coincide, so we are free. Paton²⁷ also very clearly makes the points that "Even a bad will is under moral laws and is free" and that "A will 'under moral laws' is not a will which always acts according to moral laws, but one which would so act if reason had full control over passion". We can choose not to follow the moral law because we are free and because we are imperfectly rational we do at least sometimes choose not to follow what reason dictates.

Kant defines a maxim as "the subjective principle of volition" and compares it to a practical law, which is "the objective principle"; he further specifies that the objective principle is that:

which would also serve subjectively as the practical principle for all rational beings, if reason had complete control over the faculty of desire (G footnote 4:401).

What he means by this is that if we all came together in his ideal 'Kingdom of Ends'²⁸, then subjective and objective principles would match because we would always follow what reason prescribes. He stipulates, however, that the subjective principle by which a person acts must be distinguished from the practical law, which is the imperative by which a person ought to act (G footnote 4:421). For example, I may have a personal rule (maxim) about not lying, but this is particular to me and may be influenced by past events and even personal inclinations. An objective principle or law about not lying in comparison, is one that is universal, applies to all rational beings, and is not influenced by inclination or personal experience. The basis (in Kant's words *ground*) of my maxim 'do not lie' could be consciously selected to comply with the moral law or it could be selected for another reason, for example that I want a good

²⁷ Footnote G 98, n2.

²⁸ The Kingdom of Ends will be discussed in Section II.

reputation. The objective ground of the moral law 'do not lie' is that it goes against reason to lie because a maxim of lying could not be universalised and would also violate Kant's requirement to treat others as ends. An adapted maxim for example, 'to lie when it suits me' might suit my particular situation but could not be consistently universalised (I will go into greater detail about consistency and universalisation in subsequent sections). So even though my maxim may match or coincide with the moral law, it is distinguished from the moral law by what it is based in, who it applies to (all rational beings in the case of the moral law), and because the moral law generates moral obligations that apply to all rational beings whereas my own personal maxims do not. In short, practical laws apply to all rational beings; maxims are my own self-selected principles that are orientated towards the actions that I undertake.

Part of Kant's account is the idea of reverence for the moral law. With regards to non-moral reasoning Kant links inclination and the object of desire; however for moral reasoning he links duty as necessarily acting from respect for the law.

Kant states:

Now, an action from duty is to put aside entirely the influence of inclination and with it every object of the will; hence there is left for the will nothing that could determine it except objectively the *law* and subjectively *pure respect* for this practical law, and so the maxim of complying with such a law even if it infringes upon all my inclinations (G 4:400)

He also states that *duty is the necessity of an action from respect for the law*, which highlights the importance and prominence of this feature to his overall account (G 4:400). For Kant principled action is undertaken when the motive is to adhere to our duty out of respect for the moral law²⁹. Allison states this

²⁹ Allison points out that one problem with Kant's account of duty is that he fails to define duty before moving on to a discussion of it, however Allison also notes that Kant's process here is in keeping with his analytic method (Allison 87; 87 n38:2011). Allison also notes that Kant's later definition of duty (necessity of action from respect for the law) "presupposes the concepts of law and respect, neither of which has been introduced at the present stage of the argument" (Allison 87 n38:2011).

succinctly when he notes that “a fundamental thesis” is that “respect for the law is the moral incentive” (Allison 97:2011).

Freedom, embodiment and the pathological self

As discussed above, the idea of freedom is a central element of Kant’s theory and is inherently related to moral fallibility because we are free to follow reason and fulfill our moral obligation or to act irrationally and choose not to. Another way that we can put this is that we are free to will and to act however we choose to, but as rational beings we also allow ourselves to be constrained by Kantian tests. We do so because reason shows us that this is a rational kind of constraint.

For Kant our freedom relates to our will and to rational decision-making. We are free to will what we want and to follow or over-ride reason. His view of embodiment is much more limited. Kant’s account of embodiment is that it is pathological, that is, driven by the senses in the world of experience (sensible world), which can be compared to our detached use of reason in the intelligent world. His idea of this pathology (in terms of being driven by the senses) is not dissimilar to Hume who Kant says awoke him from a dogmatic slumber (Kant 1783; Hatfield 10:2004). Kant was affronted by the idea that we are overcome by our passions and unable to overcome them through the use of reason. However, in reacting to Hume’s idea that we are slaves to our passions, Kant created an account of the rational self that is arguably too far removed from its embodiment and place in the world as a social being.

On the account to be developed there is agreement with Kant that the rational self is free to make autonomous decisions. There is also agreement that the rational self participates in practical reasoning made up of skill-based, prudential, and moral reasoning. However a difference on the new account is that there is a richer understanding of the rational self that includes acknowledgement that rational beings are socially situated and embodied individuals. Kant agrees that reasoning about the prudential realm will include

factors such as our inclinations and embodiment, however where Kant and I differ is on what constitutes reasoning in this realm. The example that will be discussed to highlight this difference is that of suicide, for Kant it is a moral matter and not a prudential one. An argument will be made that it is a prudential matter (in self-regarding contexts) *and* a moral matter (in particular other-regarding contexts³⁰). It will be argued that an individual deliberating about their own suicide (in the prudential realm) will consider not only such factors as their own physical health, but also factors such as their relationships with others. On the new account to be developed there is an argument advanced that the decisions that we make can be impacted by factors that Kant did not seem to incorporate into his account of a rational being (operating in either the prudential or the moral realm). These themes will be discussed further throughout this thesis.

Furthermore I consider, as per Kant, that we are most free in our moral decision-making. We are free to follow the moral law, that is objective and applies to all rational beings, whether we actually follow it or not. In contrast to this is our prudential decision-making and I consider that we are more constrained in this realm by factors such as our embodiment, health, and histories. This idea is somewhat akin to Schopenhauer's view that moral freedom is metaphysical, not empirical. He states:

moral freedom is never to be sought in nature but only outside nature. It is metaphysical; in the physical world it is impossible. Our individual actions are, consequently, in no way free; on the other hand, the individual character of each of us must be regarded as a free act. It is as it is because it wants, once and for all, to be as it is. For will itself and in itself – even when it appears as an individual and thus constitutes the individual's original and fundamental volition – is independent of all knowledge, because it precedes all knowledge (Hollingdale 153:2014).

³⁰ The particular other-regarding context is when an individual is irrational; this example will be discussed in detail in subsequent sections.

My interpretation of this is that our empirical selves cannot help but be influenced by our embodiment and the environment in which we operate. However, an individual's own will is free from these constraints in terms of determining the kind of character that they want to have and the kind of person that they want to be. As a rational being, I can decide to behave in morally appropriate or inappropriate ways irrespective of my physicality and particular circumstances in the world, that this is the kind of person I will to be. For example, I may have a life characterised as easy or one characterised as difficult, which ever one eventuates I can make a decision to face my life circumstances with integrity. If we return to a Kantian framework then willing to be a person who behaves in morally appropriate ways is willing to follow the categorical imperative because it is the right thing to do and therefore my duty. So there is both convergence with and divergence from Kant on my account. I agree with him that the categorical imperative is important for morality and that our reason can be used to see this. I disagree with his view that the categorical imperative applies to self-regarding contexts. I will argue that these contexts are prudential and are intimately affected by our embodiment and place in the world as social beings. In sum, I hold the view that we are free in our moral choices and less free in our prudential ones.

Our prudential decisions are impacted by factors such as our lived experiences, mental health issues, addictions, and relationships with others. Our moral reasoning is figured out without recourse to such lived experiences. I will agree with Kant on this point but argue that this moral reasoning occurs in other-regarding contexts only. For example, consider that we establish, via the categorical imperative, that it is wrong to take someone else's savings. As a rational being I can figure out that it is morally wrong to take someone else's savings and I do not need to have taken someone's savings or to have mine taken to figure this out. We can compare this to considering a prudential matter such as giving up smoking. Imagine that I am considering whether or not to use a product such as medication, patches, or gum to give up smoking. A decision about this course of action is not one that will be right in all circumstances or wrong in all circumstances. We can compare this to the decision about whether

or not taking someone's life savings is right or wrong, for Kant once we decide (that is, reason shows us) that it is wrong then it is so in all circumstances. This is not the case for prudential decisions such as giving up smoking. To begin with, a decision about this is only relevant for someone wanting to give up smoking, not for all rational beings. For someone who is a smoker and wanting to give up then various factors will be considered and investigated. For example, finding out about the physical side-effects of products; the cost; duration of treatment; and comparing these to other alternatives. My actual physical makeup and other social circumstances (for example, income) may mean that a particular option is prudentially a good or bad decision for me. The fact is that in this realm I'm not going to come up with an answer that applies to every single rational being every time.

SECTION II: THE CATEGORICAL IMPERATIVE AND MORAL DUTIES

In his foundational text, the Groundwork, Kant lays down the supreme principle of morality and as noted, he asserts that without this first metaphysical approach there can be no moral philosophy at all (G 4:390). Kant prepares readers for the purpose of the Groundwork by stating the “sole aim” of the work:

The present groundwork is, however, nothing more than the search for and establishment of the *supreme principle of morality*³¹ (my emphasis) (G 4:392).

The consequences of moral action are not what is important for Kant, nor are character traits of the person undertaking moral action, such as virtue (although this is still important to develop it is understood differently to how Aristotle and other virtue ethicists conceptualise virtue³²). What matters for Kant is that a rational person does the right thing because it is their duty to do so. As rational beings we are free to choose to follow or disregard what he calls “the moral law”.

The Groundwork is set out in three sections. Section I addresses what Kant believes to be the common use of practical reason. Section II provides a critique of practical reason. Section III seeks to establish a synthetic use of pure practical reason and to thereby prove the categorical imperative at the heart of his ethics. He identifies the first two sections as analytic and the final section as synthetic (G 4:392).

³¹ The emphasis on morality is important to note for the account to be developed. Kant’s categorical imperative applies to moral scenarios only and he distinguishes this kind of imperative from others that apply in non-moral circumstances.

³² A virtuous person for Kant is one who does the right thing for the right reason. This can be compared to a virtue ethicist such as Aristotle for whom the virtuous person is someone who attains the mean of virtuous acts and by habitual acts enjoys doing so. As Brown states:

one of the most striking features of Aristotle’s ethical thinking is this insistence that to count as possessing and manifesting a virtue one must enjoy doing the associated actions (Brown note 1099a/page 208:2009).

Key features of Kant's account, developed throughout the Groundwork, are that:

- It is deontological
- The analysis is metaphysical to determine how we ought to act
- It is grounded in our use of reason to identify moral laws (as distinct from personal principles) that apply to all rational beings, that is, not just human beings
- What is morally right is rational and what is morally wrong is irrational
- Morality is a matter of constraint, that is, it limits what we ought to do if we adhere to what reason reveals to us (via the categorical imperative).

This section introduces distinctive features of Kant's three formulations of the categorical imperative. Kant's account of moral duties to others and moral duties to self will also be outlined as these duties are derived from the categorical imperative.

The Categorical Imperative

Kant provides (at least³³) three versions of the Categorical Imperative that he presents as a progression (G 4:436). These are as follows:

The Formula of Universal Law/Law of Nature (FUL/LN)

Act only in accordance with that maxim through which you can at the same time will that it become a universal law / act as if the maxim of your action were to become by your will a universal law of nature (G 4:421).

³³ Some commentators have identified more than three. For the purposes of this thesis I agree with the consensus view (of most commentators referenced throughout this thesis) that there are three main versions and that the Formula of Universal Law/Law of Nature are aligned because the Law of Nature formulation is an application of Formula of Universal Law (Wood xxiii:1996, Allison 2011). While the FUL/LN can be separated out and discussed separately, for ease of discussion I will discuss these in unison. For the purposes of the account to be developed the distinction is not critical. For an analysis of the transition from the FUL to the LN formulations see Allison 176-182:2011.

The Humanity Formula (HF)

So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means (G 4:429).

The Kingdom of Ends Formula (KoE)

Every rational being must act as if he were by his maxims at all times a lawgiving member of the universal kingdom of ends. The formal principle of these maxims is, act as if your maxims were to serve at the same time as a universal law (for all rational beings) (G 4:438).

Commentators generally agree that the three versions of the categorical imperative illustrate a progression, although there is some variance in views on the comparative status of the three versions (Wood 7:2009; Korsgaard 1:1986; Allison 9:2011)³⁴. Kant himself identifies this feature of progression, he states:

³⁴ For example, Wood argues that the FUL/LN is the weakest of the three: he states:

So we might have known that the formula of universal law, as the earliest stage of the progression, would also be the most provisional, least adequate and (as a merely formal principle) the poorest in content of the three formulas, while the formula of humanity would be the one from which insight into the matter of duty (the ends that are duties) could be had most easily, and the formula of autonomy would be the purest and hence the ‘universal formula’ which is the final touchstone of moral judgement – as Kant says it is, and as he also makes it in the Critique of Practical Reason and the Metaphysics of Morals (Wood 7:2009).

In keeping with this view Wood also emphasises the prominence of the HF in generating moral duties in Kant’s Metaphysics of Morals (Wood xxxi:1996). Other commentators however assert that the FUL/LN has significant importance. For example, Paul Scheffler states of Derek Parfit’s approach that:

Parfit, by contrast, sees great potential in the Formula of Universal Law. Swimming against the prevailing tide of interpretive opinion, he insists that the FUL “*can* be made to work”, and he argues that when “revised in some wholly Kantian ways, this formula is . . . remarkably successful (Scheffler xxi:2013).

I agree with Parfit on this, the test of universalisation is fundamental, but in other-regarding contexts only. Furthermore the fact that the formulations are developed as a progression need not mean that one becomes redundant or is superseded as the next one is developed, and I think Kant intends for them to be complementary rather than over-riding as the progression develops.

The above three ways of representing the principle of morality are at bottom only so many formulae of the very same law, and any one of them of itself unites the other two in it (G 4:436)

And,

A progression takes place here, as through the categories of the *unity* of the form of the will (its universality), the *plurality* of the matter (of objects, i.e., of ends), and the *allness* or totality of the system of these (G 4:436).

Interestingly however he also notes “one does better always to proceed in moral *appraisal* by the strict method and put at its basis the universal formula of the categorical imperative (4:436, 4:437). I think this last point in particular supports the idea that the three versions all have importance and that the progression does not lessen the status or importance of each. We will now look at the different formulations and specific features of them.

Features Of The Formula Of Universal Law/Law Of Nature (FUL/LN) Formulation³⁵

Kant’s initial formulation of the categorical imperative is the FUL/LN. This first version of the categorical imperative provides a formula to guide our actions in moral decision-making. He stipulates (the universal law formulation):

Act only in accordance with that maxim through which you can at the same time will that it should become a universal law (G 4:421).

Additionally he also provides an alternative formulation (The law of nature formulation):

Act as if the maxim of your action were to become by your will a universal law of nature (G 4:421).

³⁵ For further discussion on FUL/LN see Wood, A. *Kant's Ethical Thought*, 1999; and Herman, B. *The Practice of Moral Judgment*. 1993. These include discussion on the test of universalization and how the test works in relation to perfect and imperfect duties.

For Kant, to act against the categorical imperative of universal law is to act irrationally and this can occur in one of two ways. A maxim may not be consistent with becoming a universal law of nature or it may contradict the agent's own will.

The two different kinds of contradiction identified by Kant are: a contradiction in conception (an external contradiction) or a contradiction in willing (an internal contradiction). The first kind of contradiction means the maxim could not be willed at all because it could not, in Kant's terminology "subsist" with nature (for example: suicide, false promising) (G 4:423). The second kind of contradiction could subsist with nature but could not be willed without internal contradiction (for example: self-development, beneficence)³⁶. In Kant's words:

Some actions are so constituted that their maxim cannot even be *thought* without contradiction as a universal law of nature, far less could one *will* that it *should* become such (G 4:424).

In short the maxims in question either cannot subsist with nature or cannot subsist within the person willing them.

The ideas of what it is rational to will (or not) also relate to what it is to act immorally and what it is that we are actually doing when we do behave immorally. To act immorally is to make an exception for oneself and is irrational because (when we act immorally) we will a principle as objectively necessary and as subjectively non-universal. To make an exception for ourselves we do not stop willing that the maxim itself be retained. Rather we rely on that maxim being retained as a universal one for all (other) rational beings. As Kant puts it:

If we now attend to ourselves in any transgression of a duty, we find that we do not really will that our maxim should become a universal law, since that is impossible for us, but that the opposite of our maxim should instead remain a universal law, only we take the liberty of making an *exception* to it for ourselves (or just this once) to the advantage of our

³⁶ These are the examples that Kant himself provides and will be discussed below in relation to both the FUL/LN and HF.

inclination. Consequently, if we weighed all cases from one and the same point of view, namely that of reason, we would find a contradiction in our own will, namely that a certain principle be objectively necessary as a universal law and yet subjectively not hold universally but allow exceptions (G 4:424).

It is essential to note here that a consistency in willing is what is at issue, this is important to avoid tending towards consequentialist considerations and bringing outcomes into the equation or to assess the rightness or wrongness of actions in terms of the “outward aspects of actions” (O’Neill 177:2002). O’Neill further specifies:

We are invited here to consider that we *can* will or intend, what is *possible* or *consistent* for us to ‘will as a universal law’ (not what we *would* will or *would* find acceptable or *would* want as a universal law (O’Neill 155:2002)

Or to put this another way, consistency or inconsistency about universalisation and the content of an agent’s will is the driving consideration here.

We can consider this test of universalisation from not just a negative lens (what we cannot will to be universal) but also from a positive lens, and O’Neill again provides a good account of this. She states:

Since the principle (i.e. the categorical imperative) contains no reference to what everybody or anybody wants, nor to anything which lies beyond the agent’s own capacity to will, it is part of a moral theory for agents who, in Kant’s sense of the term, act *autonomously*. The principle asserts that such agents need only to impose a certain sort of consistency on their actions if they are to avoid doing what is morally unacceptable. It proposes an uncompromisingly rationalist foundation for ethics (O’Neill 2002:155).

His rationalism is uncompromising because how people do act or what they want, does not and cannot feature in his account. Rather a completely detached technical test of rational willing, in terms of what could be universalised, and what could not, is how we figure out what is morally acceptable and what is not. This test is rigid, unconditional, and applies to all rational beings. It is not

subject to change, nor in many ways to what we think of as moral progress. If it is morally unacceptable to lie (because permitting lying could not be universalised) then it is always and in all cases wrong to lie for all rational beings. If we consider cases in which viewpoints appear to have changed (for example, divorce, abortion, homosexuality, euthanasia) then what has changed is not that test of universalisation, but the application or conclusion of the test of universalisability. Take for example euthanasia³⁷ – on a Kantian account a maxim about this will either always have passed the test of universalisation or else always have failed it³⁸ (the HF provides a different test not under consideration here). So when we appear to make moral progress³⁹ at least two different things may have occurred: we may have applied the test of universalisation incorrectly previously (and so discover that something we thought couldn't be universalised can be) or we may have applied it to an incorrect specification of the maxim and when we reformulate the maxim the test can then be applied correctly. In short, people may have got the test wrong rather than the test itself being the problem⁴⁰. Another way of thinking about this is that what can or cannot be rationally willed does not change with what

³⁷ On the account to be developed in this thesis euthanasia is primarily a prudential matter (allowing for factoring in secondary other-regarding features). For Kant it is primarily a moral matter, this example is being considered here on Kantian terms to analyse it on the terms that he would consider it.

³⁸ One of the problems for Kant is that there are many possible maxims about any topic, including euthanasia. The Kantian scheme is rigid for a particular maxim and the scheme could provide a different answer for a maxim with slightly different content.

³⁹ Note: Kant does discuss the possibility of progress as something that is possible for the human species and rational beings, but this discussion occurs in his essays and is not a core component of his moral treatise. See for example *An answer to the question: What is enlightenment?* (The Cambridge Edition of the Works of Immanuel Kant: Cambridge University Press 1996).

⁴⁰ This could in fact be leveled as a criticism against Kant. As rational beings we do think that we are capable of moral progress and that our views as a society have shifted significantly over time. For Kant though, as rational beings our test for morally approved action is based in our use of reason and not in anything else such as what the current viewpoint on a matter is, how we do act, or how we would like others to act. The test is in many ways timeless because it is not meant to be impacted by anything empirical. This also raises another potential problem – how do we know we are not mistaken with other applications of the test?

people think about a certain moral matter. For Kant, it seems to be either the case that a moral matter, such as euthanasia, can be rationally willed/universalised or that it cannot.

Kant's examples

To illustrate features of the FUL/LN I will use the examples that Kant himself provides. The coverage here will be brief and non-critical i.e. merely outlining Kant's view as I will return to these examples in terms of the HF and in greater detail in subsequent sections⁴¹.

Suicide

Kant asks the question whether or not the principle to shorten one's own life could become a universal law of nature. Kant's answer is that it cannot hold as a universal law of nature because a maxim to destroy life is not compatible with a system of nature whose function is to "impel toward the furtherance of life" (G 4:422/)⁴². So he is saying that here there exists a contradiction in conception (an external contradiction).

⁴¹ Kant applies his four examples to the FUL/LN and HF only and not to the KoE, however it is apparent why he does so. Given that the KoE, as he envisages it, is a systematic union of rational beings under objective moral laws, it is what would exist if everyone did in fact follow rational maxims on every occasion. There is then no need to apply the examples to the KoE formula because in considering which action to undertake in these ideal circumstances people would simply consult the maxim rule-book (so to speak) and do what they ought to.

⁴² Allison maintains that "One of the truly non-contentious claims in Kant scholarship and interpretation is that this argument is unsuccessful" and goes on to provide four reasons for this claim (Allison 184: 2011). I don't investigate this further as the account being developed is quite different to these kinds of criticisms of Kant. Other commentators have challenged Kant's views on his own terms so to speak, either against the claim of the furtherance of life, that a maxim could not be universalised, or on other moral issues around suicide including that it would also go against the HF by not treating oneself as an end and only as a mere means. However the argument that will be developed in this thesis is different to all of these approaches because I do not accept Kant's view that

False promising

Kant's next example is borrowing money and promising to pay it back when having no intention of doing so. In this case Kant points out that this kind of maxim is compatible with my own welfare; that is, I could will a maxim making an exception for myself, but nevertheless it "must necessarily contradict itself" because I could not will that a maxim like this actually be universalised (G 4:422). The issue here for Kant is that rational beings cannot will a maxim like this because it is illogical. There is, he maintains, an external contradiction in willing because such a maxim is not capable of being consistently universalised. The problem is that it is impossible for rational beings to even will this as a universalised maxim, let alone to all act on it. Keeping in mind that the test is an exercise in what it is possible or consistent to will, universal false promising cannot be universally willed. We are not undertaking a calculation in each individual situation, rather for Kant we undertake a general/hypothetical exercise, discover that false promising cannot be universalised and then follow the maxim of not making false promises.

Self-development

In terms of willing to neglect my talents and self-development, Kant distinguishes this from willing that contradicts nature by noting that such willing of "idleness" could subsist with nature (G 4:423). However, Kant maintains that an agent "could not possibly will that this should become a universal law or be put in us as such by means of natural instinct" because "as a rational being he necessarily wills that all the capacities in him be developed" (G 4:423). The

suicide and other matters, occurring in a self-regarding context, are moral matters at all. The approach to be developed does not require rejecting Kant's view that willing one's own suicide, idleness, or anything else in self-regarding matters, would be contradictory. This is because, even on Kant's terms we only apply these tests when the matter in question is a moral one. The argument is that a matter is only moral if it is essentially other-regarding. Some of the cases addressed by Kant (suicide, idleness, intoxication) are not essentially other-regarding; hence, they are not moral. For each of these non-moral matters it is not appropriate to even apply Kantian tests of contradiction.

contradiction here is what happens if I have this maxim (to not develop my talents) and what I must will about myself as a rational being. This is an instance of internal contradiction and what it would mean for a rational agent to will a maxim of not developing talents as one that was universalised.

Beneficence

The final example is again posited in terms of the maxim being inconsistent with the agent's own will, that a rational agent could not will a maxim of non-beneficence without the content of the maxim coming into conflict with the will of that agent. My will contradicts itself by the potential there is for me to will a maxim requiring assistance but having ruled this out by willing a maxim of non-beneficence. Another way of putting this is that as a rational being I must will that others help me if I need it. Kant states:

But although it is possible that a universal law of nature could very well subsist in accordance with such a maxim, it is still impossible to will that such a principle hold everywhere as a law of nature. For, a will that decided this would conflict with itself, since many cases could occur in which one would need the love and sympathy of others and in which, by such a law of nature arisen from his own will, he would rob himself of all hope of the assistance he wishes for himself (G 4:423).

Kant again points out that this kind of maxim could become a universal law of nature without contradiction, however Kant maintains that the agent could not possibly will that it become so because "such a will would contradict itself" (G 4:424). Although a maxim of non-beneficence could be a universal law of nature, as O'Neill states:

In trying to universalise a maxim of non-beneficence I find myself committed simultaneously to willing that I not be helped when I need it and that I be helped when I need it (O'Neill 173:2002).

In short, the consistency issue arises again. The issue is one of logic in terms of the impossibility of willing that something is the case and is not the case at the same time. For this reason a maxim against beneficence could not be universally willed and this is the case because an internal contradiction would arise.

These examples will be revisited when considering the HF as Kant reassesses each of them in terms of that formulation of the categorical imperative.

Features Of The Humanity Formula (HF)⁴³

The HF is Kant's second formulation of the categorical imperative. Kant states that the ground of the principle is that "rational nature exists as an end in itself" (G 4:429). He states it in the following way:

So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means (G 4:429).

A significant feature of the HF is that the scope of it applies both *in our own person* and *in the person of any other*. It also has a positive and negative lens. The negative formulation is that we are not to treat self or others simply as means; the positive formulation is that we are to treat self and others as ends (G 4:428).

Kant has clearly posited that "rational nature exists as an end in itself" and there are differing views among commentators about what this actually means⁴⁴ (G 4:429). At issue is what is meant by "humanity" as an end or "rational end" or

⁴³ Kant uses the phrases 'humanity' and 'rational nature' interchangeably as what constitutes an end in itself. Walker points out that it is problematic to use the term humanity, because the rational nature that Kant refers to 'might in principle be present in the persons of non-human beings' (Walker 107:2012). A more pertinent issue for Kant is that it might not be present in those humans who are undeveloped or cognitively impaired either. While I agree with the point Walker makes I will continue with the convention of many commentators of retaining the term 'humanity', particularly as this is the term used by Kant himself in the formulation.

⁴⁴ There are also differing views about how the HF applies, particularly in terms of whether or not it is a stand-alone formula, whether or not it requires a substantive account to back it up (e.g. about how to treat people as ends or how to treat them with respect) and its relationship with the formula of universal law (Formosa 52:2014). These matters are beyond the scope of this thesis and are not significant in terms of the account being developed.

what is the value that an *end in itself* has and what it is to treat ourselves as a mere means rather than as an end in itself. This issue relates specifically to the HF. Commentators generally agree that there is a two-step argument in the development of the HF (Korsgaard 186:1986; Dean 90:2009; Timmerman 70:2006; Allison 219:2011). Richard Dean provides a summation of this feature:

There are two general stages in Kant's overall argument. Kant first argues that if there is such a thing as a basic moral principle, then there must also be something that is an end in itself, because only an end in itself can ground a Categorical Imperative (G 4:427-8⁴⁵). This first stage is relatively clear. Then he tries to show that humanity or "rational nature" is the only satisfactory candidate for the position of end in itself (G 4:428-9⁴⁶). This second stage of the argument is remarkably cryptic (Dean 90:2009).

The first stage is a conditioned claim that if there is a basic moral principle then there is something that is an end in itself. In the second stage Kant posits "rational nature" as that end.

While agreeing about the two-step feature of the HF, commentators hold different views on what the end in itself is that grounds this version of the categorical imperative⁴⁷. Divergent views include that the end in itself is the ability to set ends (Korsgaard 1986; Wood 2009); a good will (Dean 2009); moral and non-moral aspects of our rational nature (Formosa 2014); and the

⁴⁵ Kant, I. 2002: *Groundwork for the Metaphysics of Morals*. (T.E. Hill, Jr and A. Zweig, trans.) Oxford and New York: Oxford University Press. [4:387-463]

⁴⁶ *Ibid* .,

⁴⁷ This area of debate does not impact on the project here and so will not be explored further. For those interested in pursuing this area further, key texts and views include: Korsgaard (1986) who presents a *regress argument* that it is the ability to set ends that is important and that there is a regress in Kant's argument from conditional ends to unconditional ends; Dean (2009) whose view is that having a good will is what distinguishes us as rational being and gives us ends-in-ourselves status; Allison (213:2011) who denies that the capacity to set ends is sufficient for a rational being to be an end-in-itself; and Timmerman (81:2006) for whom the ability to act and base our decisions on moral grounds is the stand-out feature of our status as rational beings that are ends-in-themselves.

ability to be moral/make moral decisions/set moral ends (Allison 2011; Timmerman 2006). Thorpe provides a useful categorisation of how different viewpoints cascade from weak to strong accounts about what is meant by the HF. He notes that some commentators have a weak interpretation, that engaging in practical reasoning to set ends is what is important; that others have a stronger interpretation about engaging in moral reasoning; and finally that some have an even stronger view about having a good will (Thorpe 110-112:2015).

A question also arises regarding the scope of the HF. Given its focus on rational beings/humanity, there is potentially a gap in considering other factors that common sense tells us are moral issues, for example how we treat the environment, animals, or non-rational humans. We can consider here something along the lines of Routley's Last Man Standing⁴⁸ thought experiment which is about whether or not morality can be based in an "anthropocentric principle" whereby only matters regarding humans are relevant to moral deliberation (Callicott 2009). I don't think that this is a big problem for Kant in this context because I think he can limit the HF to being specific to moral deliberations by and about rational beings. I think he can and does explicitly limit the HF to how rational beings treat each other and themselves, it is a very specific and limited version of the categorical imperative. He has other ways to account for other moral obligations to the environment, animals, and non-rational beings. For example, the FUL/LN could be used to determine what is morally permissible or not in these other realms. If we consider a maxim permitting pollution or littering for example, a rational agent would not will that they litter and their environment is polluted (threatening their very existence). Although this remains anthropocentric (by considering what is rational for ourselves) it is simply meant to show that Kant can apply the other formulations of the categorical imperative to situations beyond how people treat themselves or other humans. The HF is specific to rational beings and I think that this was intentional on Kant's part. I don't think he would view it as a problem that this

⁴⁸ The issue is that if we think that the last man standing has some sort of obligation not to destroy the environment then something else is going on and ethical principles must be something more than anthropocentric.

one version of the categorical imperative is specific to rational beings. He does this deliberately to focus on how we treat each other and to provide an account of what is morally permissible in relation to oneself. He is explicit that the focus is on treating ourselves and others as ends and not mere means⁴⁹.

The question remains however about whether or not morality is only about or based in human/rational beings. Intuitively most would agree that morality is about more than this and I don't think a Kantian must be of the limiting view that all that matters is factors regarding human or rational beings⁵⁰. While the HF is limited to this, because it concerns how we treat ourselves and others and duties in these areas, the fact is that even Kant is not saying that morality is only the HF, and he thus has several different formulations of it. Another question, and one in which I directly challenge Kant's formulation of the HF specifically, is whether or not it should be interpreted as being self-regarding and/or other-regarding. I will develop an argument in subsequent sections that Kant has made a mistake in applying the HF to self-regarding contexts and that it should be other-regarding only.

Kant's examples

Kant revisits the examples discussed previously in relation to the FUL/LN formulation and readdresses them in the light of this new formulation. Again, the coverage here is brief and non-critical for the purpose of outlining Kant's

⁴⁹ It is worth noting too, that because Kant's HF extends to all rational beings, those who assert that some animals have rational capacities would be pleased to see their inclusion in this framework.

⁵⁰ As noted in the previous section, I have a different view of morality than Kant. I would view an individual living in isolation as not having moral obligations to others and that their primary considerations are prudential when they operate and exist in exclusively self-regarding contexts. However this is in relation to the HF specifically. A person living in social isolation could still have obligations to the environment and to animals via the FUL/LN but these decisions and the test of universalisation would not involve other rational beings at all.

view. The examples will be addressed in greater detail in subsequent sections of this thesis, particularly, the example of suicide.

Suicide

In this context universalisation is not the focus, rather Kant is opposed to suicide because the HF of the categorical imperative is violated. Kant asserts that by committing suicide the individual in question “makes use of a person *merely a means*” and so the individual’s action is inconsistent with “the idea of humanity *as an end in itself*” (G 4:429). There are two steps to his objection here, first the assertion that committing suicide is using a person as a mere means, secondly that using a person as a mere means is incompatible with treating humanity as an end in itself⁵¹.

False promising

The issue with false promising in terms of the HF is that the person making the false promise is violating the requirement to treat another as an end and is not letting them share a common end. The person being lied to cannot share the end

⁵¹ This thesis does not delve further into arguments utilising the humanity formula to develop *moral* arguments against suicide for two reasons. Firstly this thesis is not addressing arguments against suicide on *moral* terms, rather it is developing a prudential framework within which to consider suicide in self-regarding contexts. Humanity formula arguments against suicide are moral considerations and on this basis are excluded because this thesis is not assessing or making moral arguments against Kant’s moral views about suicide. Secondly, restrictions of scope have limited the breadth of analysis that it has been possible to undertake. For more on the humanity formula, see, Formosa, P. *Dignity and Respect: How to Apply Kant’s Formula of Humanity*, The Philosophical Forum, 2014. For Kant’s arguments against suicide see: Cholbi, M. *Kant and the Irrationality of Suicide*, History of Philosophy Quarterly 17(2), 159-176, 2000; and *A Kantian Defense of Prudential Suicide*, Journal of Moral Philosophy, Volume 7(4), 489-515, 2010. Cholbi’s analysis elucidates different threads of Kant’s arguments against suicide (that committing suicide goes against god, nature, or our rational will and moral worth), including that they are taken from a moral standpoint. Cholbi’s aim is different to this thesis as he develops an account of how prudential suicide could be *morally* justified.

because they are not party to it, if on the other hand they were advised that the recipient could not pay the loan back then they could share in the end by either turning down the request or opting to gift the money requested.

Self-development

Kant's view is that neglecting talents could be "consistent with the *preservation* of humanity as an end in itself but not with the *furtherance* of this end" (teleological point) (G 4:430). He asserts that our duties to self (including the duty of self-development) have more stringent criteria than simply that they must not conflict with the humanity in our person. He states that they must also *harmonise* with humanity as an end in itself (G 4:430). So an individual who chose to be idle, as Kant says, someone whose actions may be compatible with the *preservation* of humanity as an end in itself (G 4:430). However, these actions are not compatible with the *furtherance* of humanity as an end-in-itself because in humanity there are "predispositions to greater perfection" (G 4:430).

Beneficence

Humanity might indeed get by if no one gave to others (and at the same time didn't take from others) but according to Kant there "is still only a negative and not positive agreement with *humanity as an end in itself* (G 4:430). To achieve this positive agreement everyone must try, as far as they can, to further the ends of others. Again this is a teleological point about the furtherance of humanity as a whole, not just at the individual level⁵².

We can see how the above examples complement and match up with Kant's treatment of them in terms of the FUL/LN. Kant's examples intend to show that each is morally impermissible or morally required because: a maxim permitting

⁵² Note: the furtherance of humanity as a whole, and contributing to the happiness of others, are both other-regarding contexts.

suicide and false promising or against self-development and beneficence does not meet tests of universalisation; and to commit suicide, make a false promise, not develop talents and not be beneficent violates the HF. It is worth noting at this point that these moral matters also entail moral duties. We have a direct (perfect) duty not to commit suicide or make false promises; and an indirect (imperfect) duty to develop our talents and act in beneficent ways towards others.

Features Of The Kingdom Of Ends Formula (KoE)

The formula of the kingdom of ends is the final version of the categorical imperative. It is the idea of the agent as both subject to, and legislator of, moral laws. Kant formulates it in the following way:

This lawgiving must, however, be found in every rational being himself and be able to arise from his will the principle of which is, accordingly: to do no action on any other maxim than one such that it would be consistent with it to be a universal law, and hence to act only so that the will could regard itself as at the same time giving universal law through its maxim (G 4:434).

Key features here are that the KoE is a “systematic union” of rational beings under common objective laws and is what would exist if everyone did in fact follow rational maxims on every occasion (G 4:433). There is a unique dual role of the individual as law-giver (sovereign) and as subject to the law (member of the community). Dignity comes from our role as sovereign/law-giver. For Kant the KoE is possible but not actual⁵³.

⁵³ As noted previously, this (KoE) version of the categorical imperative is quite different from the other two. Kant doesn't describe the KoE formulation in terms of examples because it is an ideal and a union of rational beings whereby maxims (subjective personal principles) and the moral law (objective principles) always coincide.

Distinction between the intelligible world and the sensible world

Kant identifies his final section of the Groundwork as a chapter that is synthetic, not analytic. This is because the purpose is to prove that a categorical imperative exists and is true as a necessary a priori principle and to do this “requires a possible *synthetic use of pure practical reason*” (G 4:445). The key to this for Kant is that the predicate is not contained in the subject regarding the categorical imperative and so it is not a merely analytic proposition because we learn something about the world by discovering it.

His major feat in this section is his distinction of the intelligible world from the sensible world (or world of the senses). This is a very important distinction for him. Kant describes the sensible world as being a subjective one and one that is experienced by us but is not the-world-in-itself as such. In the *Critique of Pure Reason* Kant detailed via his “Copernican revolution”, that because our experience is structured through concepts such as space and time we cannot know the world as it is beyond how this experience is structured for and by us (Kant 1781)⁵⁴. For Kant a “critique” is about setting out the bounds and possibility of knowledge. He continues this approach in his account of morals, contrasting the sensible world with the “intelligible world”⁵⁵. The intelligible world is not the world-in-itself either, it is not the sensible world, and it is not knowable by us, it is however objective. For Kant, the will, which is autonomous and free, is causally related to rationality and this allows us, as rational beings, to view ourselves as existing in two different realms so to speak – the sensible world (or world of the senses) and the intelligible world. Kant sums up his view as follows:

And this *categorical* ‘ought’ represents a synthetic proposition a priori, since to my will affected by sensuous desires there is added the idea of the same will but belonging to the world of the understanding – a will

⁵⁴ The first edition was published in 1781, the second edition in 1787. For a unified edition see Hackett Publishing Company, 1996.

⁵⁵ Kant defines the “intelligible world” as “the totality of rational beings as things-in-themselves” (Kant 83:2002)

pure and practical of itself, which contains the supreme condition, in accordance with reason, of the former will; this is roughly like the way in which concepts of the understanding, which by themselves signify nothing but lawful form in general, are added to intuitions of the world of sense and thereby make possible synthetic propositions a priori on which all cognition of a nature rests (G 4:454).

Kant has combined the way in which propositions can be true and known in a unique way that had not been proposed before⁵⁶. He is saying that there are some truths that are synthetic *and* knowable a priori. He is proposing that there are some kinds of knowledge for which there are truths that are universal and necessary and that provide insight into the physical world and into the objects that those concepts refer too (Thorpe 198,199:2015)⁵⁷. Consider, for example Kant's example that false promising is wrong. This judgement is synthetic a priori because, if false promising is wrong then this is a universal and necessary truth. However, we also learn more than just what these concepts mean. We learn that because false promising is wrong it is wrong to make false promises to others when we interact with them in the world. Or another way of putting this, is that we learn that it is wrong to will a maxim about false promising⁵⁸. We can see how this distinction parallels that of his two-fold metaphysic where laws of nature and objects in the world were distinguished from laws of freedom and objects of the understanding. Synthetic a priori knowledge gives us knowledge that goes beyond simply what concepts mean because we learn something about objects in the world as well. When we establish (a priori) that false promising is wrong, we have also found something out about the world.

⁵⁶ In philosophy the usual combination of how propositions are known is along metaphysical; logical or semantic; and epistemological categories. The pairings are thus: necessary/contingent; analytic/synthetic; a priori/a posteriori (see http://www.newworldencyclopedia.org/entry/A_priori_and_a_posteriori).

⁵⁷ Kant applies this distinction not only to his moral theory but also to other kinds of knowledge such as mathematics (Thorpe 198, 199: 2015).

⁵⁸ Note, this is something that we learn about the world; an agent does not have to be in the contingent situation of deciding whether or not to lie to a particular person.

Kant provides a good summation of the centrality of freedom to his whole account when reviewing the argument in the third section of the Groundwork. He notes that his argument hinges on the autonomy/freedom of rational agents, stating:

Thus the question, how a categorical imperative is possible, can indeed be answered to the extent that one can furnish the sole presupposition on which alone it is possible, namely the idea of freedom, and that one can also see the necessity of this presupposition, which is sufficient for the *practical use* of reason, that is, for the conviction of the *validity of this imperative* and so also of the moral law; but how this presupposition itself is possible can never be seen by any human reason (G 4:461).

This part of Kant's argument has garnered a lot of attention and criticism from commentators, particularly the apparent tension between self-legislating the moral law, the ability to choose not to follow it, and Kant's ideas of rational beings as autonomous. For example a question could be directed against Kant that if we are autonomous and often choose not to follow the moral law, then doesn't this just show that we are not bound to it? Allison provides an excellent account of Kant's idea of being legislator of and subject to the law and addresses objections that can be raised about this part of Kant's account. He states:

At first glance, the idea that the will is only subject to the law because it is also author suggests a radical amoralism; for if moral requirements are self-imposed, they would appear to lack any authority beyond what the agent gives to them. And since this authority can easily be withdrawn, it seems to follow that these requirements lack any obligatory force. Such a construal of Kantian autonomy is blocked, however, by the fact that an autonomous agent is legislating not merely for himself, but universally, which, as a result of the status of all rational agents as ends in themselves, entails that his maxims must be universally endorsable (Allison 240:2011).

This feature is actually one of my favourite parts of Kant's thought and offers an amazing and sophisticated feat of reasoning. As already indicated, I like that Kant provides an account of our moral fallibility because as rational beings we often act immorally, and any account that could not explain this would be

lacking. However, as rational beings we are able to recognise in a range of situations what is ethical behaviour and what is not. Kant's account provides a justification for this common-sense feeling. When a white-collar criminal takes the life savings of someone else, as rational beings we can have a common understanding that this person has behaved immorally. Kant can explain this common sense feeling in two ways. That a maxim permitting stealing others' life savings could not be universalised and that such an action is impermissible because another person is being treated as a mere means and not as an end. We can understand that a guiding moral rule for all should prohibit this kind of action. The fact that one individual has behaved in this way does not mean that the action is okay or justifiable, this individual has instead transgressed something that applies to everyone in an objective way. The universalisation and self-legislating feature combine in a very real way. As a rational being I can consider a maxim regarding not taking someone else's life savings in two ways, that I should not do this; and that I should not do this because it is wrong for anyone to do this.

Kant On Duties To Self And Duties To Others (a brief overview)

Kant's categorisation of duties (perfect/imperfect; self/others)

Kant discusses four different categories of duties in the Groundwork, these are known a priori and any others may be based on these (Thorpe 2015; Wood 2009). An implication of the account to be developed in this thesis is that it changes the scope of Kant's moral duties. Kant's categorical imperative generates moral duties. However, if self-regarding maxims are prudential (like happiness) as it will be argued below, then they won't generate moral duties. The categorical imperative will continue to generate moral duties but these will be in terms of our moral duties to others.

The four examples discussed by Kant are: not to commit suicide; not to make false promises; self-perfection/development; and making others' ends one's own

(beneficence)⁵⁹. The first two of these are *perfect duties* because they require specific actions (or lack of action) on our part. The final two are *imperfect duties* because they do not specify what action must be taken in this regard, or to what degree⁶⁰. As Thorpe describes:

Perfect duties specify particular actions that are to be done or are forbidden. The duties to not commit suicide and to not tell a lying promise are perfect duties as they forbid specific actions. Imperfect duties do not forbid or command specific actions, instead they demand that we promote or cultivate certain things but they do not specify how this is to be done, and so allow significant degree of freedom in deciding how to comply with the duty (Thorpe 82:2015).

This clarification is pretty straightforward when we consider the examples that Kant provides. It's clear that the perfect duties are directive; whereas the imperfect duties are not directive because they are open to interpretation and flexibility in their realisation. Baron and Fahmy point out that another way of thinking of the distinction between perfect and imperfect duties is in terms of "latitude" because perfect duties are to be performed without exception (Baron and Fahmy 217:2009)⁶¹. Lara Denis and Christine Korsgaard also elaborate that narrow duties "leave no noteworthy discretion in their fulfilment" (Denis 2001)

⁵⁹ In the *Metaphysics of Morals* Kant also distinguishes between duties in terms of being "Man's duty to himself as an animal being" – on killing oneself; on defiling oneself by lust; on stupefying oneself by excessive use of food or drink – and "the human being's duty to himself merely as a moral being" – lying; avarice; false humility (servility) – (MM 6:421-6:438). Lara Denis discusses these in *Moral Self Regard* (2001). The account here is quite different to hers. What she discusses, in terms of duties to ourselves as animal beings *and* moral beings, are identified here as prudential; and what she discusses as our duties to ourselves as moral beings only, are classified in this thesis as other-regarding only.

⁶⁰ Additional terminology is in terms of narrow or wide/meritorious duties. There is some disagreement about whether or not narrow/perfect and wide/imperfect duties align in these pairings however these disagreements do not impact on the current project; i.e. we can assume that they do roughly pair up in this way.

⁶¹ They go on to disregard Kant's provisional distinction of perfect and imperfect duties in the *Groundwork*, preferring to discuss his account in the *Metaphysics of Morals*. However, the point is still relevant that perfect or narrow duties are ones we always have and are to be undertaken at all times, whereas imperfect or wide duties have the latitude to be required sometimes and in variable ways.

and can't be just dealt with in a finalised or one-off way because they are all-pervading (Korsgaard 1989). A further clarification is immediately clear – that some of these duties relate to ourselves (not to commit suicide; develop talents); and some relate to others (not to lie to others; to make others' ends our own).

Kant's categories have been discussed in different ways. For example Denis (2001) points out that commentators have argued against there being moral duties to self on various grounds including that:

- they are incoherent
- morality is social
- they are paternalistic
- they are fraudulent.

My arguments against there being moral duties to self are not based on any of these points. I am doing something different because I will be arguing that there are no moral duties at all to self because self-regarding contexts are non-moral. To my knowledge other Kantian commentators have not undertaken this approach or argued on these grounds.

SECTION III: PRACTICAL REASON

This section begins by looking at imperatives; maxims; and practical laws, I will then go on to discuss Kant's account of practical reason, of prudence, and of happiness. For Kant practical reason consists of imperatives that are either categorical or hypothetical. This also leads onto or ties into other distinctions in terms of moral and non-moral imperatives; maxims and the practical law; and self-regarding and other-regarding maxims. These will be briefly discussed to make it possible to bring out the core points of Kant's account of practical reason. It is useful first to distinguish and discuss some key terms in the debate in this area, before moving on to Kant's own account, because this aids in clarifying what Kant commits himself to and assists in identifying points at which objections to him may be raised.

Practical reason, can be contrasted to theoretical reason, and is about reasons for acting⁶². Theoretical or speculative reason on the other hand is not about reasons for acting and this is why it is usually distinguished from practical reasoning. Theoretical reasoning is about establishing the truth in various areas of inquiry (knowledge, morality), often in ways that are not reliant on what we can find out only via direct experience in the world. For example, Kant's practical reasoning is about using the faculty of reason to decide whether or not practical matters, such as lying are wrong. I don't have to be in the situation or context of deciding whether or not to actually lie to someone to think about this

⁶² Sobel and Wall point out that:

Practical reasons for actions are facts that count in favour of these actions. But what, if anything, ground these facts? A central debate in discussions of practical reason is over what makes it the case that a person has reason to do one thing and not another (Sobel and Wall 1:2009).

We can think of reason in two quite different ways, as a faculty for decision-making (in the Kantian sense) or as justification for an imperative we might choose (in the Sobel and Wall sense). For example, the fact that I no longer enjoy my job provides a reason to look for another. This can be contrasted to practical reason and the reasons for acting in the Kantian sense, the faculty of reason shows me that I should not lie to my employer and this provides a moral reason not to lie in any situation. In this way there is a subtle difference between imperatives and reasons for action and practical reason and reasons for action.

issue. However, for Kant this kind of knowledge is not self-evident in the way some kinds of theoretical and speculative knowledge are. We find something out about the world when we establish something like “lying is wrong” and we establish this a priori. Audi points out that the distinction between practical and theoretical reason produces different overall accounts of how reason itself is understood:

Reason, as a faculty or capacity, may be regarded as a hybrid composed of theoretical and practical reason (broadly construed) or as a unity having both theoretical and practical functions. Some commentators take Aristotle to embrace the former conception and Kant the latter (Audi 1999:912).

Central to Kant’s account of practical reason is the distinction between hypothetical and categorical imperatives.

Categorical and hypothetical imperatives

Imperatives are directive and can be expressed in different ways, from giving an order (shut the door; turn off the stereo) to expressing an obligation to do something (you ought to tell the truth) or to refrain from doing something (you shouldn’t smoke). For Kant morality consists of categorical imperatives that express a moral obligation. A well known and controversial example of what Kant thinks to be a categorical imperative is his insistence, that in following the moral law, the “murderer at the door” should be told the truth (Kant 1797). For Kant there are no contingent factors that could be brought to bear on this situation to create an exception to the directive about truth telling. This example serves to show that Kant gives a very special status to the moral law and it’s categoricity. Non-moral decisions invoking the use of hypothetical imperatives are by contrast, subject to our inclinations and desires and as such are discretionary.

A categorical imperative obliges universally to all rational beings in all circumstances; that is, it is not agent-specific and is to be followed without

exception. Categoricality is broad in obliging universally and is impersonal/impartial (or agent-neutral) because of generating obligations to all rational beings equally. This can be contrasted to hypothetical imperatives that are agent-specific and generate obligations for specific agents in particular circumstances. For example, if I have dropped off my child to day-care and agreed to pick him or her up then I have an obligation to do so. This applies to me in these circumstances; an individual who has not dropped off their child to day care does not have this obligation. Another way of putting this is that, because we all possess practical reasoning, imperatives apply to rational beings equally, however where we differ is whether or not a particular hypothetical imperative obliges us to a particular course of action. Both kinds of imperatives are components of practical reasoning. Categorical imperatives are universal and unconditional; hypothetical imperatives are not because they are agent-specific and conditional e.g. anyone who has dropped off a child to day-care and agreed to pick them up is obliged to do so, but those who have not done so do not have any such obligation.

One way of illustrating the difference between hypothetical and categorical imperatives is in terms of their form. Hypothetical imperatives are of the form “if you want X you ought to do Y”. Categorical imperatives, on the other hand, are of the form “do X” or “never do X”. The form dictates that you ought to always and without exception follow the categorical imperative, and it applies independently of what you want to do. For example, I may want to lie to my employer but the categorical imperative “do not lie” instructs me never to lie in any circumstance⁶³. Hypothetical imperatives relate, in Kant’s terminology, to “discretionary ends” - the end determines the means (G 4:415). He states:

⁶³ Kant maintains that a maxim that passes the test to become a universal law can never conflict because: *That will is absolutely good* which cannot be evil, hence whose maxim, if made a universal law, can never conflict with itself (G 4:437). This view is open to be challenged but in terms of the account being developed here we can grant Kant this point. An important point however is that this feature of over-ridingness is in relation to two (moral) categorical imperatives conflicting. It is not that a categorical imperative comes before a hypothetical imperative or that the hypothetical imperative is somehow derived

Thus the worth of any object *to be acquired* by our action is always conditional (G 4:428).

In other words, these ends link to the inclinations, desires, or goals of the person who has them. The following comment from Kant brings out this point by his specification of what hypothetical imperatives are:

The ends that a rational being proposes at his discretion as *effects* of his actions (material ends) are all only relative; for only their mere relation to a specially constituted faculty of desire on the part of the subject gives them their worth, which can therefore furnish no universal principles, no principles valid and necessary for all rational beings and also for every volition, that is, no practical laws. Hence all these relative ends are only the ground of hypothetical imperatives (G 4:428).

Categorical imperatives in comparison are not conditional but rather are universalisable commands that should be followed irrespective of an individual's own inclinations, desires or goals.

Kant also distinguishes hypothetical imperatives that are skill based or prudential. Examples of these are: if you want to learn French you ought to attend your lessons (skill based); and if you want to be healthier you ought to give up smoking (prudential). A key feature is that for hypothetical imperatives if you no longer want the end you may opt out of willing the means. An agent is permitted to do so because these imperatives relate to discretionary ends, for example my wanting to learn French or to give up smoking. If I no longer care about learning French or being healthy (the discretionary end) then I can give up the lessons and not give up smoking. If I never cared about these things then they would not present as discretionary ends for me at all and so they do not apply universally either. As Milne explains:

If I have adopted a certain end and a particular action is the best means of attaining it, I must do the action. But this imperative is conditional upon

from the categorical imperative. A feature of the reconstructed account is that although hypothetical and categorical imperatives combine to constitute practical reasoning and overlap in some ways; they also function in distinct ways and have distinct features.

my having adopted the end. If I have not there is no imperative upon me to do the action. Furthermore, I can release myself from the imperative by abandoning the end (Milne 31,32:1986).

This is in stark contrast to categorical imperatives. Categorical imperatives provide no circumstance in which it is permissible not to follow them or to provide an exception to following them; and to attempt to do so is to behave immorally and irrationally. There is no circumstance in which I can justify lying if reason has established that a categorical imperative for all rational beings is “do not lie”. I and all other rational beings consequently have an on-going obligation not to lie and this is an obligation that applies to all rational beings and that is universal and non-discretionary.

Moral and non-moral (including prudential) imperatives/maxims⁶⁴

From the discussion above another distinction emerges between moral and non-moral imperatives. Clearly for Kant all categorical imperatives are moral imperatives. Hypothetical imperatives, including imperatives of prudence, are non-moral. As Hill points out:

Non-moral practical reasoning is governed by the Hypothetical Imperative, a principle which is analytic of ideal rationality but is often violated (Hill 117:2002).

These are not the only categories/classes or combinations of imperatives however⁶⁵. I am agreeing with Kant here: that moral imperatives are categorical imperatives and that prudential ones are hypothetical imperatives.

⁶⁴ The terms *maxim* and *imperative* often sit together because a maxim can be expressed in the form of an imperative (though it need not be).

⁶⁵ Without entering the debate further (because the focus here is on Kant) it is worth noting that differing accounts are possible, for example, that at least some hypothetical imperatives are categorical; that some categorical imperatives are non-moral (Foot for example outlines that rules of etiquette and club rules are categorical and non-moral (1972)); and whether or not self-regarding reasons and duties for acting are moral or non moral. Objectivists about the good of individuals hold that any such good is a categorical matter and that reasons of

We have seen too that moral imperatives carry some sort of obligation whereas non-moral imperatives (here focusing on prudential ones) do not. Milne provides an explanation of morality which describes this feature of it:

Morality consists of virtues which there is an obligation to cultivate and practice, of principles upon which there is an obligation to act, and of rules which there is an obligation to follow. 'Obligation' is the primary moral concept. To say that something is a moral matter is to say that there is an obligation concerning it. It is a matter which must be attended to, irrespective of convenience, expediency or prudence (Milne 31:1986).

And,

Not all principles, rules and virtues are moral. There are non-moral as well as moral imperatives. According to Kant, the distinction between moral and non-moral corresponds to a distinction between two kinds of imperatives: 'categorical' and 'hypothetical'. Categorical imperatives are moral: that is, obligations. Hypothetical imperatives are non-moral.

Hypothetical imperatives are well illustrated by the case of instrumental action: that is, 'means to ends' action (Milne 31:1986).

I agree with Kant that moral imperatives are categorical, however with a significant proviso: that these are other-regarding and not self-regarding (this claim will be the focus of subsequent sections). Another issue is whether prudential imperatives are hypothetical imperatives or categorical imperatives. I am agreeing with Kant that they are hypothetical imperatives and I agree with him on this because I identify them as agent-specific and related to discretionary ends. In sum: the view to be developed is that self-regarding contexts (such as suicide) have features that Kant himself identifies as prudential ones; they are about objects to be acquired by our action(s), they are agent-relative and they are hypothetical. As such, they are non-moral.

prudence too are categorical. See for example Derek Parfit, *On What Matters*, Oxford University Press, 2011.

Maxims and practical laws⁶⁶

Kant aligns his explanation of personal maxims and practical laws to the three formulations of the categorical imperative, which we've already noted he considers to be three ways of expressing the principle of morality. So if we think first of the FUL/LN, Kant specifies that this relates to the *form* of a maxim and "consists in universality" i.e. "maxims must be chosen as if they were to hold as universal laws of nature" (G 4:436). If we think next of the HF, Kant specifies that this relates to the *matter*, it is a constraining or limiting feature because a restrictive condition is that moral maxims (categorical imperatives) must comply with treating rational beings as ends in themselves (G 4:436). Finally the KoE represents a "complete determination of all maxims" to harmonise with a possible KoE (G 4:436). So we can see why the moral law, i.e. the categorical imperative, generates a practical law – it is an imperative that prescribes certain actions and obligations to all rational beings irrespective of their particular circumstances or situation.

In Kant's terminology maxims are subjective reasons for acting i.e. "subjective principles of volition"; practical laws in contrast are objective (G 4:401; 421).

O'Neill defines a maxim as:

those underlying intentions by which we guide and control our more specific intentions

⁶⁶ For further discussion on maxims and the distinction between maxims and practical laws see the following. On maxims: McCarty, R. (2006). *Maxims in Kant's Practical Philosophy*. *Journal of the History of Philosophy* 44(1): 65-84; Gressis, R. (2010). *Recent Work on Kantian Maxims I: Established Approaches*. *Philosophy Compass* 5(3): 216-227; Gressis, R. (2010). *Recent Work on Kantian Maxims II*. *Philosophy Compass* 5(3): 228-239; Wood, A. (2008). *Kantian Ethics*. Cambridge, Cambridge University Press; Wood, A. (1999). *Kant's Ethical Thought*. Cambridge, Cambridge University Press; Engstrom, S. (2009). *The Form of Practical Knowledge: A Study of the Categorical Imperative*. Cambridge, Mass., Harvard University Press; Kerstein, S. (2013). *How to Treat Persons*. Oxford, Oxford University Press; Kerstein, S. (2002). *Kant's Search for the Supreme Principle of Morality*. Cambridge, Cambridge University Press. On the distinction between practical laws and maxims: Allison, H. E. (1990). *Kant's Theory of Freedom*. Cambridge, Cambridge University Press.

And ,

acting on a maxim does not require explicit or conscious or complete formulation of that maxim. Even routine or thoughtless or indecisive action is action on *some* maxim (O'Neill 2002:157)

If we think back to the introductory sections of this thesis we can recall that what interests Kant is principled action. So another important feature of the maxims that I select to guide my actions is that I choose them for the right reasons. Some maxims may be of the kind that O'Neill describes i.e. I may not be explicitly conscious of my intention or may have not explicitly formulated a complete maxim around that intention. However practical laws, which are universal, provide explicit reasons for acting. In Kant's terminology they *determine the will* by their form alone, not by their matter. Kant himself provides guidance on these points in the Critique of Practical Reason. He states that:

They are subjective, or *maxims*, when the condition is regarded by the subject as holding only for his will; but they are objective, or practical *laws*, when the condition is cognized as objective, that is, as holding for the will of every rational being (CPrR 5:19)

And,

Imperatives, therefore, hold objectively and are quite distinct from maxims, which are subjective principles (CPrR 5:20).

And,

Thus maxims are indeed *principles* but not *imperatives* (CPrR 5:20).

As a rational being I can have a maxim or personal rule about not lying. If it passes the test of universalisation, doesn't violate treating others (or myself) as an end and harmonises with the KoE then it is also a practical law for all rational beings and carries an obligation that should never be violated. To violate it would be both irrational and immoral.

Prudential maxims adopted by an agent are specific to that agent's situation and are not applicable to all other rational beings. In Kant's terminology, although a maxim is a personal or practical principle of an agent's, when operating in moral contexts that agent must act only on maxims that are chosen and acted on as if they hold as a universal law for all rational beings. Maxims are personal reasons

for acting chosen by the individual concerned, in moral contexts the personal maxims that should be selected are those that are practical laws; they must also be thought of as practical laws applying to all rational beings without exception and without consideration of the situation to which they are applied or in which they are used. It is worth noting too that a maxim can be expressed in the form of an imperative but need not be, whereas a practical law on Kant's account is always expressed as an unconditional imperative⁶⁷.

Self-regarding and other-regarding imperatives/maxims

We can further distinguish imperatives and maxims as self-regarding or as other-regarding. Self-regarding ones are defined as those that apply *only* to oneself, for example, suicide and self-development. Other-regarding ones in comparison are defined as those applying only to others or to oneself and others, for example, beneficence and false promising. Suicide and self-development are self-regarding because the context is my own suicide and self-development. Although we will think about the impacts on others when I make decisions in these contexts they are ones in which I am thinking about my own suicide and self-development, they are not inter-personal in the way that other-regarding contexts are⁶⁸. Another way of putting this is that the self-regarding contexts do not necessarily involve reference to someone else, whereas the other-regarding contexts are those that necessarily involve reference to at least one other person. Beneficence and false promising are other-regarding because my relation to

⁶⁷ An example of a maxim (a subjective reason for acting) in non-imperative form is "I'm going for a swim to cool down because I'm hot". This doesn't imply an obligation and does not apply to every rational being.

⁶⁸ Even if we think in terms of Kant's universalisation, these will still be self-regarding matters. Although universalized to all rational agents, each individual agent would be thinking in terms of their own suicide or self-development when doing so in self-regarding contexts. Other-regarding contexts (thinking of someone else's decision to commit suicide or someone else's self-development) are an entirely different matter as shall be seen in the argument to be developed.

someone else is an essential component i.e. I am acting with beneficence towards someone else or I am lying to someone else.

For Kant self-regarding contexts, such as suicide and self-development, are categorical and consequently generate moral duties, that is, obligations. In short, on Kant's view there are moral duties to self as well as moral duties to others; for him suicide and self-development are duties to oneself because they are moral/categorical. This can be contrasted to his view of happiness, which will be elaborated on in much greater detail in subsequent sections of this thesis. For Kant happiness is not a (moral) duty to oneself though we may have obligations in regards to others. Denis explains:

If promoting the happiness of others is a way to advance their agency and follows as a duty from FH⁶⁹, why is promoting our own happiness not similarly required? Kant claims that it would be a contradiction for one to have one's own happiness as an obligatory end (Denis 135: 2001).

We can identify that there is a differential treatment of happiness in terms of whether or not it is self-regarding or other-regarding. There is a duty or obligation in other-regarding contexts but there is not in self-regarding contexts.

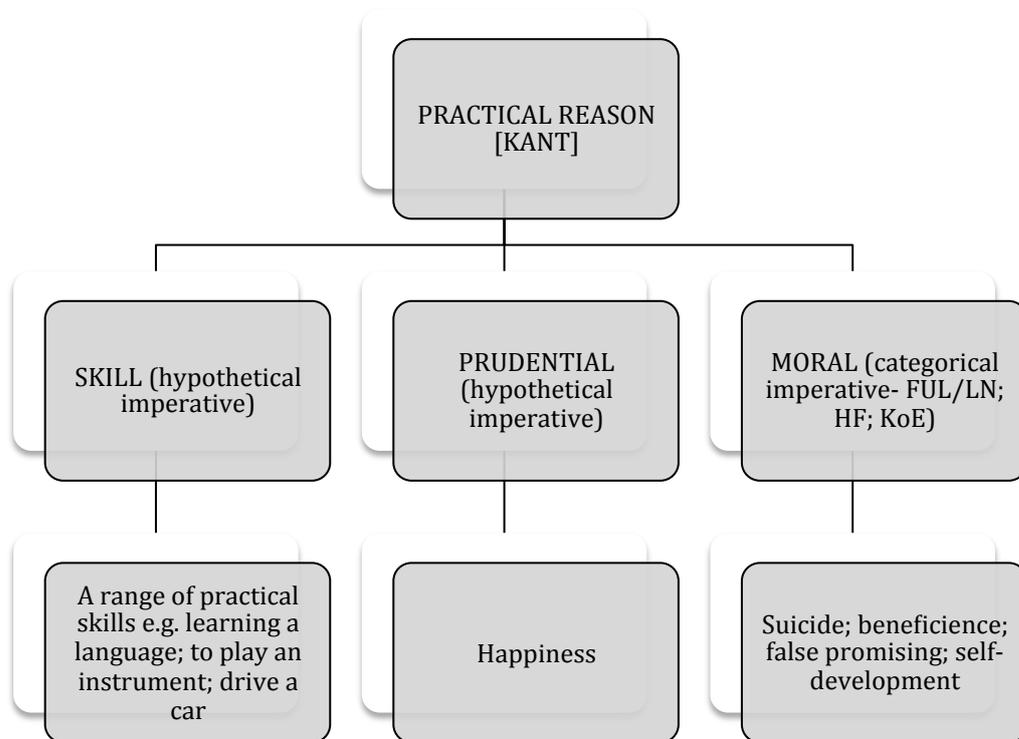
An analysis will be undertaken below of Kant's account of happiness in a self-regarding context and his account of suicide in a self-regarding context. It will be proposed that this analysis has an implication for Kant's own account; that if self-regarding maxims or imperatives are prudential (such as happiness) then they are hypothetical imperatives, not moral categorical imperatives. As hypothetical imperatives self-regarding imperatives would fall outside the scope of the morality entirely. So a key issue is whether self-regarding maxims are moral or non-moral. I will be arguing that self-regarding maxims are non-moral because they are prudential⁷⁰.

⁶⁹ Denis expresses *the formula of humanity* as "FH".

⁷⁰ I am keeping with Kant's own arguments in identifying that prudence is non-moral in this context. I think however that broader conceptions of prudence are desirable and possible compared to Kant's. Furthermore I think that such broader conceptions are able to incorporate other-regarding factors and what we would call moral considerations, without changing the status of prudence as primarily non-moral.

This is a significant conditional argument against Kant. That if he identifies self-regarding contexts, such as our own happiness, as prudential then he should also accept that others are also prudential and he should do so based on his own analysis and argument. Crucially a follow-on inference is that Kant has got the status of self-regarding maxims and imperatives wrong because, contrary to Kant's view, they are non-moral rather than moral. This will advance the case I will build about the use of practical reason in prudential matters. The example I use will be in terms of suicide, that in this self-regarding matter there is not one rule or law for all rational beings, either for or against the permissibility of suicide. In short, it is a prudential matter and as such should not even be thought of in terms of universal imperatives and obligations that apply to all rational beings in each and every circumstance.

Kant on practical reason (morality and prudence)



Like Kant, I accept that Practical reasoning is made up of hypothetical imperatives of skill and of prudence, and of the categorical imperative of morality⁷¹. Kant himself sums up the three different principles, that constitute practical reason as being either “*rules of skill, or counsels of prudence, or commands (laws) of morality*” which are skill based, prudential based and moral based imperatives respectively (G 4:416). For Kant, moral and non-moral reasoning are completely distinct. Moral reasoning is always categorical; generates moral obligations, and commands universally. Non-moral reasoning (such as prudential reasoning) in contrast is not categorical; does not generate moral obligations; and does not command universally⁷².

⁷¹ Kong (661:2012 further specifies that Kant’s hypothetical imperatives are analytic and the categorical imperative a priori-synthetic.

⁷² Hill points out that:

Kant states that an important feature of the categorical imperative is that, in giving the universal law, “*it is based on no interest* and therefore, among all possible imperatives, can alone be *unconditional*” (G 4:432). He also states:

Now, if the action would be good merely as a means *to something else* the imperative is *hypothetical*; if the action is represented as *in itself* good, hence as necessary in a will in itself conforming to reason, as its principle, *then it is categorical* (G 4:414).

The key point is that a categorical imperative does not have a means-end relationship internal to it because it is not linked to a particular or general purpose of an agent and hence commands necessarily (as a practical law) for all rational agents. A hypothetical imperative, in contrast, “says only that an action is good for some *possible* or *actual* purpose (G 4:414/415). A key distinction is that for hypothetical imperatives if you no longer want the end you may opt out of willing the means. As Banham, Schulting, and Hems point out, hypothetical imperatives specify that:

Something is good for a purpose that is either possible or actual. Such imperatives are distinct from categorical ones as the latter claim something to be necessary without reference to any further end (Banham, Schulting, Hems 36:2015).

So if I want (i.e. “will the end”) to speak French or give up smoking I determine (in Kant’s word “will”) the means of making this happen (by, for example, starting lessons, wearing nicotine patches)⁷³. This applies to me as a rational being but does not apply to all rational beings. This can be contrasted with a moral maxim such as *always tell the truth*; if I act morally and rationally then I tell the truth because it is my moral duty to do so and not for some other reason or end. On Kant’s view you ought to tell the truth without exception just because

Kant argues that there is a form of practical reasoning beyond hypothetical imperatives, and the negative claim that this is independent of causes and inclinations does not imply radical metaphysical views but rather expresses a widely held view of what is relevant to practical deliberation (Hill 116:2002).

⁷³ The *ought* for hypothetical imperatives applies to the whole conditional and relates to necessary means e.g. *if* I want to speak French *then* I will the necessary means to this.

you ought to tell the truth without exception. Note that there is no actual empirical content here⁷⁴. Reason presents the practical law as universalisable for all rational beings. Furthermore for Kant this also generates a duty about truth-telling and incorporates the humanity formula expression of the categorical imperative, in terms of treating people as ends by adhering to this formulation of the categorical imperative and undertaking this duty.

For Kant, to behave immorally is to behave irrationally. Although his conception of practical reason is wider than just moral reasoning, including both skill based and prudential reasoning, for him moral reasoning is supreme and universal because it is categorical. For him skill-based and prudential reasoning via hypothetical imperatives are at the very least very different to, if not subordinate to, moral reasoning via the categorical imperative⁷⁵. As Kain points out:

⁷⁴ For Kant empirical content (i.e. a contingent situation) is not necessary for moral reasoning. If I will the end of being someone who tells the truth in this and that particular instance this just shows that my personal (subjective) maxim is not derived from the right principle (the practical law determined a priori) or for the right reason (adherence to the moral law because this is my duty). If I, for example, will the end of telling the truth so that people will say I'm reliable or because it is important to me to be known as a truth-teller; then this introduces a means/end relationship and presents a hypothetical (rather than categorical) imperative because it is agent-specific. For Kant the empirical situation in which one is telling the truth is irrelevant because telling the truth is an a priori moral duty that is completely distinct from empirical/contingent content. What is important is if a maxim meets a consistency condition. So the matter of whether or not a maxim meets the categorical imperative criteria is distinct from exercising that maxim in an empirical context. Furthermore, as we saw in Section I, the moral worth of an action, such as truth telling, is determined by whether or not it is done for the sake of the moral law (because it is a duty) and not for some other reason. It might be a happy coincidence that I value truth telling but for Kant this is not important or relevant in terms of my moral duty to tell the truth.

⁷⁵ For a thorough argument and defense, that even on Kant's account prudential reasoning is not necessarily derived from our ability for moral reasoning, and can in fact be independent of it, see Patrick Kain (2003). Kain claims that Kantian prudence:

may involve a form of practical reflection that can function prior to and independently of moral capacities and norms (Kain 240:2003).

Kain's viewpoint (with which I agree) is in contrast to other commentators, for example Korsgaard, who defends a "source thesis" that moral reasoning is the source or basis of our ability for prudential reasoning,(Ibid.). Such a viewpoint

there is substantial evidence that Kant consistently conceived of prudence as the exercise of a distinctive capacity, one distinguishable from specifically moral capacities (Kain 8:2003).

Kant also explicitly links prudential reasoning to happiness (in self-regarding contexts). Specific features of his account of prudence will now be outlined.

Kant very clearly holds the view that prudence and wellbeing are non-moral matters⁷⁶. Kant calls prudence proper “private prudence” which he defines as having the “insight” to unite certain purposes to one’s own advantage (G 4:416 footnote). Kant’s use of the German term “Klugheit” (prudence) is intentionally egoistic, for him prudence is explicitly about “the choice of means to one’s own happiness” (G 4:416). It is always hypothetical because such “action is not commanded absolutely” but rather is “a means to another purpose” (G 4:416). He contrasts this notion of “prudence proper”, with a narrower sense of the word that is about skill, what we might think of as “street smarts”. Kant defines the alternative sense of the word “prudence” as “knowledge of the world” (G 4:416). For him this includes skill about the choice of means to our own happiness but is narrower than his “prudence proper” concept because it involves having skill in terms of influencing others for one’s own advantage but does not involve having a big-picture perspective⁷⁷. For this reason he asserts that:

if someone is prudent in the first sense but not in the second, we might better say of him that he is clever and cunning but, on the whole, nevertheless imprudent (G 4:416 footnote).

also implies that prudential reasoning is not reason-giving on its own or independently of moral reasoning (Ibid.).

⁷⁶ Consequentialists would tend to agree with Kant but many in the Aristotelian tradition would not. Furthermore I think intuitively that prudence and wellbeing are morality-involving, if not virtue involving, matters. For the sake of clarity and cohesion with Kant’s view however I will assume that prudence and well-being are non-moral matters.

⁷⁷ In the Groundwork Kant describes prudence as “skill in the choice of means to one’s own greatest well-being” (G 4:416).

For this reason also he states that the worth of the narrow definition is reduced to the value of the broader definition; i.e. only being able to manipulate others without having a big picture perspective isn't really prudential but having this skill and having a big picture perspective is prudential. We can note that salient features of this account of prudence are that it is explicitly aligned with happiness. Furthermore that agents make calculations about what will make them happy in isolation from others and that with regards to others, an agent primarily views them through a manipulative lens – as people (objects) to manipulate for the purpose of achieving their own ends.

From the discussion throughout this section we can now highlight features of Kant's views of practical reason, particularly of hypothetical and categorical imperatives and how they relate to moral and non-moral reasoning:

- Hypothetical imperatives are agent-specific; they apply to particular rational beings but not to all rational beings.
- Hypothetical imperatives are non-moral.
- Hypothetical imperatives are subjective rules or principles of action that do not generate practical laws or moral duties.
- Imperatives of prudence are hypothetical imperatives.
- Imperatives of prudence are non-moral.
- Categorical imperatives are not agent specific; they apply to all rational beings equally.
- Categorical imperatives are moral imperatives that generate practical laws and moral duties/obligations.
- Categorical imperatives generate moral duties to ourselves (self-regarding contexts) and to others (other-regarding contexts).

Kant on happiness⁷⁸

Kant's account of happiness is important for two reasons. Firstly he identifies happiness as prudential and something that we are all naturally inclined towards. Secondly, he classifies happiness as non-moral and consequently as something that does not entail a moral duty to self. This is important because on the reconstructed account (to be developed in the next section), examples of self-preservation and of suicide are contrasted to Kant's account of happiness. Self-preservation is identified as prudential and as something that we are naturally inclined towards; and prudence is defined as more than just self-interested happiness. My comparative analysis connects Kant's own account of happiness (as prudential) with self-regarding maxims (such as self-preservation and suicide).

On Kant's account, happiness is relative to the specific agent, indeterminate (that is, what it is to be happy is different for different people) and a natural inclination that we all have. Kant states that:

all people have already, of themselves, the strongest and deepest inclination to happiness because it is just in this idea that all inclinations unite in one sum

And,

one can form no determinate and sure concept of the sum of satisfaction of all inclinations under the name of happiness (G 4:399).

A logical development of his analysis is that basing morality on the idea of happiness (as per utilitarians) is not suitable because we are already inclined to assure our own happiness and because what counts as happiness differs from person to person and consequently could not be a universal grounding for morality⁷⁹. In short, happiness is empirical. He states:

⁷⁸ The context here is happiness in self-regarding contexts; i.e. how a rational being thinks about their own happiness (not how they think about other people's happiness).

⁷⁹ Existentialists would also agree with this point because for them there can be no consensus to ground universals since we all live a contingent existence

One cannot therefore act on determinate principles for the sake of being happy, but only on empirical counsels, for example, of a regimen, frugality, courtesy, reserve and so forth, which experience teaches are most conducive to wellbeing on the average. From this it follows that imperatives of prudence cannot, to speak precisely, command at all, that is, present actions objectively as practically necessary; that they are to be taken as counsels (*consilia*) rather than as commands (*praecepta*) of reason; that the problem of determining surely and universally which action would promote the happiness of a rational being is completely insoluble, so that there can be no imperative with respect to it that would, in the strict sense, command him to do what would make him happy; for happiness is not an ideal of reason but of imagination, resting entirely on empirical grounds, which it is futile to expect should determine an action by which the totality of a series of results in fact infinite would be attained (G 4:418/419).

Kant also identifies happiness as an “indeterminate concept” (G 4:417). He explains:

The cause of this is that all the elements that belong to the concept of happiness are without exception empirical, that is, they must be borrowed from experience, and that nevertheless for the idea of happiness there is required an absolute whole, a maximum of wellbeing in my present condition and in every future condition. Now, it is impossible for the most insightful and at the same time most powerful but still finite being to frame for himself a determinate concept of what he really wills here (G 4:418)

And,

In short, he is not capable of any principle by which to determine with complete certainty what would make him truly happy, because for this omniscience would be required (G 4:418).

(mostly in “bad faith” according to commentators such as Sartre. See for example, *Being and Nothingness: An Essay on Phenomenological Ontology*).

We have also seen that Kant assesses that acting from duty (towards the moral law) and not inclination is what is important for morality. So our own happiness is non-moral, as is our natural inclination for it.

Moral duty and obligation are for Kant generated by the categorical imperative and he explicitly contrasts this with happiness; which he identifies as a hypothetical imperative of prudence. As Thorpe explains:

Kant believes, however, that there is a desire that all human beings share, namely the desire to be happy, and imperatives of prudence have to do with this desire for happiness Now although we all desire to be happy, we all have different conceptions of happiness. And so what hypothetical imperatives demand will depend upon the particular desires that one has. This is why Kant claims that hypothetical imperatives only command conditionally (Thorpe 99:2015).

We can think of two separate points here. First that the object itself is non-moral and secondly, that the object in question is particular to a specific agent. So in keeping with the example of happiness, there is the object of being happy that each agent has and this is a non-moral object. Secondly, hypothetical imperatives will only command conditionally because of their dependence on the content of the particular desires of an agent.

Imperatives of prudence are not the sorts of things that moral duties or obligations drop out of because they are hypothetical and as such “command” only conditionally. Kant also notes that giving counsel, in relation to the principle of prudence,

does involve necessity, which, however, can hold only under a subjective and contingent condition, whether this or that man counts this or that in his happiness (G 4:416).

What he means by this is that imperatives around prudence can entail an obligation for a particular individual. For example, *if* I want learn French then I should go to my lessons; but these imperatives are non-moral and conditional. If I no longer want to learn French then I no longer have an obligation to go to the lessons. We can also contrast hypothetical imperatives of skill (for example,

learning to ride a bike or play an instrument) which are determinate (i.e. we adopt the specific means to our specific discretionary ends) with hypothetical imperatives of prudence such as happiness. So we have here a systematic classification of hypothetical imperatives, that are conditional and determinate (skills based) or indeterminate (prudential); and of categorical imperatives that are unconditional and necessarily command certain moral duties applicable to all rational beings without exception.

We can now identify a number of features of Kant's account of happiness.

Happiness is (G 4:399; 4:416; 4: 415; 4:418):

- A hypothetical imperative/imperative of prudence; it is not an unconditional imperative of morality
- Something that rational beings are inclined towards in terms of their own happiness - it is something they seek out naturally and a natural end to seek
- A natural inclination that is the sum total of inclinations united as one
- An indeterminate concept
- Realised in different ways by different people
- An on-going project
- Involves agent-relative means and ends
- Does not entail a (moral) obligation in terms of my own happiness
- Does entail a moral obligation (an imperfect duty) in terms of other people's happiness.

We can also note that on Kant's account natural inclinations, such as happiness, cannot be commanded. That is, it makes no sense to direct an individual to seek their own happiness because part of its being a natural inclination is that they already do this. Since it doesn't need to be directed as such, this also means that there is no duty to seek it. This is because a duty is not required to obtain something that we seek naturally. This feature of happiness in a self-regarding context can be contrasted to happiness in an other-regarding context. Kant states:

When it comes to my promoting happiness as an end that is also a duty, this must therefore be the happiness of *other* human beings, *whose* (permitted) *end I thus make my own end as well* (MM 6:388).

He is pretty clear that the self-regarding context generates no duty and that the other-regarding context does.

Kant is explicit that our moral duties are categorical and that our desire (for our own happiness) is a prudential hypothetical imperative that is an indeterminate and conditional concept. I will argue that the same points made by Kant about happiness also apply to the concept of self-preservation and suicide, and furthermore that they may apply to all self-regarding contexts. This claim will now be explored in the next section.

SECTION IV: ADAPTING AND REINTERPRETING KANT

This section clarifies the key points in which I reinterpret Kant's account and diverge from it significantly. This impacts both the formula of universal law/law of nature (FUL/LN) and the humanity formula (HF) of the categorical imperative⁸⁰. In terms of the FUL/LN I disagree with Kant about self-regarding maxims and how they relate to the practical law/morality. In terms of the HF I reassess both its scope and the content. The key exemplars are Kant's own of happiness and suicide. Kant identifies happiness as prudential and suicide as moral. The new account claims that both happiness and suicide (in self-regarding contexts) are prudential. In this section I also develop a distinction between self-preservation and suicide, which will be explained below. Kant's understanding of prudence is also criticised below as being too narrow. I argue that he has a one-sided perspective of our status as social beings and that a broader account of prudence incorporates our status as social beings and so also our understanding of practical reasoning. In sum, I will retain Kant's conception of practical reason (i.e. that it consists of hypothetical imperatives and categorical imperatives); and I re-categorise self-regarding maxims and imperatives as prudential, and so outside the scope of the categorical imperative.

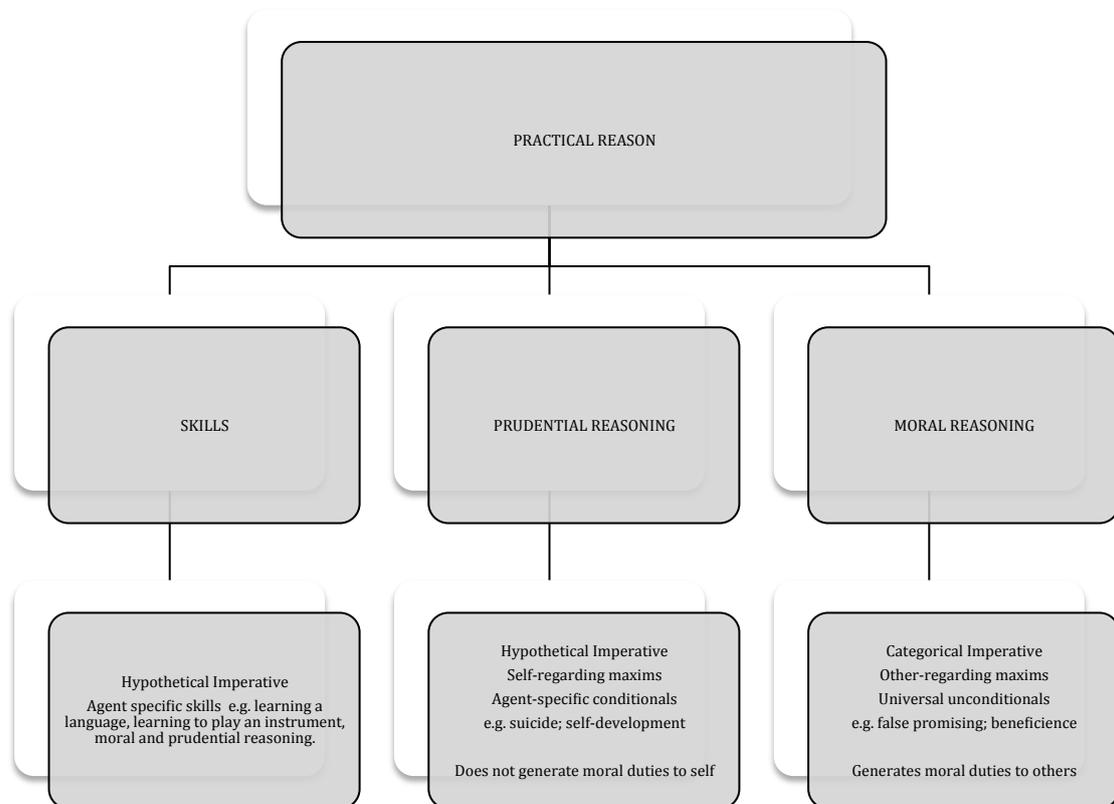
For Kant, maxims that are the candidates for universalisation include self-regarding ones and this results in moral duties and obligations being generated in these contexts as well. Kant's categorical imperative includes tests for universalisation; treating ourselves and others as ends; and duties to be abided by in adhering to those maxims that pass the tests. There will also be a flow-on affect for the HF. If self-regarding contexts do not meet the test for

⁸⁰ The Kingdom of Ends (KoE) formula is not included in this discussion. In following Kant the examples he provides are applied to the FUL/LN and the HF; not to the KoE. As previously noted the KoE is an ideal world where people just do follow rational laws i.e. *ought* and *is* always coincide. The KoE would remain an ideal world/systematic union of rational beings, however, on the new account being constructed the rule-book of (moral) maxims would only include other-regarding imperatives.

universalisation, because they are non-moral contexts, then the scope of the HF changes. The requirement to treat others as ends is unaffected, because this is an other-regarding context. However self-regarding contexts, as non-moral, will no longer feature within the scope of the HF and there will be no moral requirement to treat ourselves as ends⁸¹. On Kant's account we test a maxim such as "do not commit suicide" in terms of universalisation. On the account to be developed this test does not apply because it will be argued that self-regarding maxims are prudential. In other words it will be argued that (in self-regarding contexts) they do not meet Kant's criteria at all because they are prudential matters and not moral ones. If the scope and content of the categorical imperative changes, because self-regarding maxims and imperatives are assessed (and so reclassified) as not part of its domain, then this has implications for the scope of our moral duties and obligations as well. In short, we have moral obligations and duties only to others. There will not be moral obligations to self.

⁸¹ This could be because we are already naturally inclined to do so and/or because we already do this in our prudential decision-making.

Practical reason redefined



Kant's first formulation of the categorical imperative (as we have seen) is the FUL/LN regarding maxims. If we can universalise a maxim it is permissible (and becomes a practical law for all rational beings). If we cannot universalise a maxim it is not permissible and does not become, or meet the criteria to become, a practical law. For Kant we test the maxims we can will via this formulation and we derive the material actions we can undertake via the HF. A maxim that is universalisable will also generate/entail a corresponding duty. For example, if a maxim about not committing suicide is universalisable (FUL/LN) then there is a corresponding moral obligation not to commit suicide and to preserve your own life. In terms of the HF Kant maintains that there is an obligation to treat the humanity in yourself as an end, not a mere means, and he believes that committing suicide is incompatible with this obligation. This obligation is

categorical, unconditional and applicable to all rational beings in all circumstances.

I maintain Kant's distinction between moral and prudential maxims and agree that prudential and moral capacities are distinct as per Kant⁸². However, I diverge from Kant in designating self-regarding maxims as prudential. Kant had a different account; he identified some self-regarding maxims (such as happiness) as prudential; and others (such as suicide) as moral.

Hypothetical imperatives; categorical imperatives; and self-regarding contexts (happiness, self-preservation and suicide)

There are two main ideas to be discussed in this section

- That self-regarding maxims and imperatives align with Kant's account of happiness. This involves a comparative analysis of happiness and self-preservation.
- That self-regarding maxims and imperatives are prudential i.e. non-moral. Kant himself identifies happiness as prudential (and for him prudence relates only to hypothetical imperatives) in his analysis of an agent and their own happiness (i.e. in a self-regarding context). I will use Kant's own account of happiness to argue that self-preservation and other self-regarding maxims and imperatives are also prudential. If self-regarding maxims and imperatives are prudential, a follow-on implication is that they will not generate moral duties, because they are non-moral, and even Kant would have to agree with this.

The argument in this section starts from a conditional hypothesis, that if Kant's analysis is sound for happiness then it is sound for self-preservation, and consequently also for suicide. Kant identifies happiness as prudential and non-moral when considering it in a self-regarding context, that is, when rational

⁸² However, a case can be made that it is prudential to behave morally as well and that to behave morally is also prudential. This kind of argument is not explored within the scope of this project because I want to align with Kant as much as possible to bring out strengths and weaknesses of his stance.

beings consider their own happiness. The argument here is that by his own rationale he should also accept other self-regarding contexts and the imperatives that relate to them (such as suicide) as prudential and non-moral as well. Moreover, if he did so, then matters such as suicide will be similarly identified as non-moral and belonging in the realm of prudential (not moral) reasoning. If self-regarding maxims are not universalisable categorical imperatives then they cannot be converted into practical laws because they don't even fall within the moral domain. Other-regarding maxims, in comparison, will continue to generate moral duties because they remain in the moral domain. They are categorical imperatives of how we ought to act in relation to others but not principles or imperatives of how we ought to act in relation to our own prudence. This section begins with an analysis of self-preservation in comparison to Kant's account of happiness. A broader understanding of prudence will then be discussed and finally suicide will be reconsidered as a prudential matter.

Interlude: self-preservation and suicide

A starting point and what is important in the following discussion is determining the nature of self-preservation and how it relates and compares to Kant's duty regarding suicide. This is because I am drawing a distinction between self-preservation and suicide.

Kant discusses a (moral) duty to self in terms of the duty not to commit suicide. The example of suicide is one that Kant himself uses in both the Groundwork and the Metaphysics of Morals. He asserts that not committing suicide is an a priori categorical imperative and that a duty to self arises from it, the moral duty not to commit suicide. I am comparing Kant's account of happiness to the idea of self-preservation (rather than suicide) for the following reasons⁸³:

- Happiness is identified as a broad concept because it incorporates all the factors that Kant identifies. These are that it is: a natural inclination; an

⁸³ The comparative analysis itself is intended to clarify some of these points.

indeterminate concept; realised in different ways; an on-going project; conditional because it relates to agent-relative means/ends.

- Self-preservation is also a broad concept because it shares the same features that Kant identifies in relation to happiness.
- Happiness and self-preservation are made up of both positive actions to undertake as well as negative actions to refrain from.
- Happiness and self-preservation are empirical concepts in Kant's sense of this. Just as the elements of happiness are "borrowed" from experience, so too are the elements that constitute self-preservation for each individual.
- The concept of suicide is not comparable to the concept of happiness because not committing suicide is simply one action to refrain from – for this reason not committing suicide is better considered as one action (among others) that contributes to self-preservation as opposed to being considered in direct comparison to the concept of happiness.

Kant maintains that happiness is something that we naturally seek and so there is no direct moral duty to promote our own happiness⁸⁴. As Kant states:

For his own happiness is an end that every human being has (by virtue of the impulses in his nature), but this end can never without self-contradiction be regarded as a duty. What everyone already wants unavoidably, of his own accord, does not come under the concept of *duty*, which is *constraint* to an end adopted reluctantly. Hence it is self-contradictory to say that he is *under obligation* to promote his own happiness with all his powers (MM 6:386).

He states that it is an indeterminate concept and that it is an imperative of prudence. The features Kant asserts about happiness also apply to those of self-preservation, thereby making this a hypothetical imperative of prudence as well. Suicide, as something that sits in a direct relationship to self-preservation, is then also identified to be a prudential matter. It is a matter that is also

⁸⁴ As noted in the previous section Kant appears to treat happiness in self-regarding and other-regarding contexts differently. The focus of this section is again Kant's account of it in self-regarding contexts; i.e. an agent considering their own happiness.

conditional, agent-specific, and thereby it also relates to a hypothetical imperative rather than to a categorical one. The implication of this is that if a case is made that self-preservation, and consequently suicide, align exactly with Kant's own conceptual analysis, and share the characteristics that he identifies as non-moral, then he would have to accept that suicide is also a prudential matter relating to a hypothetical imperative. As such (not committing) suicide does not entail a moral duty either. Furthermore, if all self-regarding maxims are hypothetical and not categorical imperatives then they do not entail moral duties.

A two-fold analysis is required: an analysis of happiness and of self-preservation and an analysis of self-regarding maxims. If Kant has misclassified self-regarding maxims, as categorical rather than hypothetical, then his schema regarding moral duties to self becomes unhinged. At least some of Kant's self-regarding maxims may not be moral at all and so may not generate moral duties to self. This in turn suggests that moral imperatives are other-regarding, not self-regarding. Part of this analysis involves distinguishing the prudential inclination of self-preservation from one of the prudential actions that contributes to it, specifically the act of not committing suicide⁸⁵.

⁸⁵ In this thesis, self-preservation is posited at a high level as having features analogous to Kant's account of happiness. Self-preservation, like Kant's account of happiness, is posited to be a unified concept with other contributing sub-goals (for example, not committing suicide). Further research would include a detailed account of these sub-goals and a comparison of the sub-goals that make up the unified concepts of happiness and of self-preservation.

Comparative analysis: happiness and self-preservation⁸⁶

The argument:

Kant identifies happiness as a hypothetical imperative of prudence

Self-preservation shares the same features as his account of happiness.

Therefore, if Kant's argument is sound for happiness then it is also sound for self-preservation.

HAPPINESS (Kant)	SELF-PRESERVATION (comparative analysis⁸⁷)
A natural inclination	A natural inclination
An indeterminate concept	An indeterminate concept
Realised in different ways by different people	Realised in different ways by different people
An on-going project	An on-going project
Involves agent relative means and ends i.e. is conditional	Involves agent relative means and ends i.e. is conditional
Is more than just any singular act that contributes to it	Is more than just any singular act, specifically, it is more than just not committing suicide

⁸⁶ The features identified are not completely distinct and often overlap.

⁸⁷ Note: some of these points are stronger or weaker in relation to the argument to be developed but all provide an overall account regarding a comparative analysis of happiness and self-preservation. The main feature of relevance is that happiness and self-preservation are items that we already necessarily have as our ends.

A natural inclination

We can consider the idea of a natural inclination in two ways, in terms of both happiness and self-preservation. The first is that these are natural inclinations, including that they are a sum total of inclinations (and why). Secondly, that because they are natural and a sum-total of inclinations, it is (usually) unnatural to act against them. Another way of putting this is that what is a natural inclination is usually unnatural to act against. Additionally we can also consider the place of rational decision-making in this context. That is, if they are (usually) unnatural to act against, is it always also irrational to act against them? I will suggest that in circumstances in which the natural inclination can justifiably be over-ridden, and/or the natural predisposition has been impacted by some particular set of circumstances, then it can also be rational to act against them.

Inclination/sum of inclinations

Let's consider happiness first. Kant states of happiness that it is a natural inclination because:

People have already, of themselves, the strongest and deepest inclination to happiness because it is in this idea that all inclinations unite in one sum (G 4:399).

He further notes that:

One can form no determinate and sure concept of the sum of satisfaction of all inclinations under the name of happiness (G 4:399).

We can think of happiness as a natural inclination both because it is something that we naturally aim for and because we would not usually consciously act against it. Happiness is something that rational beings naturally seek out, rational agents generally want to be happy and do not usually consciously act against their own happiness. In other words, rational beings do not have a tendency to consciously go out of their way to make themselves unhappy (though they may be or become so).

While Kant does not address acting against our natural inclinations he does address duty in relation to the natural inclination of happiness and this provides some further insight into his view of it. He notes only an indirect duty to assure our own happiness so that we don't transgress our duties proper due to temptation resulting from unsatisfied needs (G 4:399). So the duty is not directly to assure our own happiness but rather to assure that our needs are satisfied to such a degree that we do not violate our actual duties. He states quite clearly that "an inclination cannot be commanded" (G 4:399). Assuring my own happiness cannot be commanded, however promoting others' happiness can become an imperfect duty because it is not my own self-regarding inclination. Assuring someone else's happiness is not a natural inclination of mine and not something I am naturally inclined to promote for others, hence it can be commanded in relation to others.

Self-preservation too seems intuitively to be a natural inclination that requires no particular action to maintain it but requires direct action to go against it. Like the desire for happiness it is ever-present until ended (consciously by suicide or else by other events such as accident or disease). It appears to be a natural trajectory that exists when/because we exist and is the status quo unless there are reasons (which may be rational or irrational) to act against it⁸⁸.

One way to think of happiness and self-preservation is in comparison to other activities and goals. With other activities and goals we choose them in a more deliberate way, including the actions to achieve them. For example, I may choose to learn a language, to travel to France, or to take up or resign from employment. Happiness and self-preservation seem quite different to these kinds of things. I would not say that I choose happiness or self-preservation in the same way. Rather I have a general goal or idea about being happy and a

⁸⁸ We could go as far as to consider that seeking happiness and maintaining self-preservation is something self-evident for rational beings in Kant's sense of being knowable a priori (despite being realised contingently). Such an analysis is however beyond the scope of this thesis as it could constitute one in its own right.

range of things that will contribute to this. I am born with self-preservation as a feature of how things stand, it is not something that I select or opt-in-to⁸⁹.

Unnatural to act against

We can consider this idea of happiness and self-preservation as natural inclinations by considering the other side of the scenario. That is, we can address the question: what does it look like or mean for rational beings to act against their own happiness or self-preservation⁹⁰?

Both happiness and self-preservation can be consciously acted against on rational and irrational grounds. For example, I may give up my own happiness for that of others, or I may give up short-term happiness over longer-term goals and future happiness (and vice versa). Similarly, I may end my own self-preservation for someone else's, for example dying to save the life of another; or I may end it by the decision to commit suicide rather than to die some other way thereby giving up longer-term self-preservation.

Committing suicide is perhaps the most obvious and direct way of acting against the natural inclination of self-preservation. While suicide is clearly a direct way to go against the natural inclination of being alive, there are others, such as undertaking risky behaviours (for example high-risk sports or living

⁸⁹ Furthermore happiness is something that is likely to correlate with our natural inclination towards self-preservation. That is, if the natural inclination for self-preservation has been eroded then it is likely, although not inevitable, that our inclination towards happiness will also be affected. Arguably, in at least some cases, someone who has lost the inclination towards self-preservation will be someone who is not happy either. This is another factor tying the on-going act of self-preservation to prudential considerations over moral ones by aligning it to happiness, which even Kant identifies as prudential.

⁹⁰ An objection could be raised at this point, that sometimes individuals do not have their own self-preservation as an end. This objection would be further addressed by consideration of whether or not this is rational or not on their part. For those for whom it is rational (to not have their own self-preservation as a natural end) a moral response would not be generated; for those for whom it is rational (an other regarding context) a moral response would be generated.

hedonistically). These other behaviours also affect the likelihood of our continued existence but these have different qualities, intentions and impacts. Self-preservation is really a given (i.e. a natural inclination) until it is ended via suicide or accident or illness. Suicide is an action decided upon by the agent with the intention of ending their life; accident or illness in comparison is something that happens to an agent. The patterns of suicide amongst human beings support the idea that committing suicide is not a usual or natural predisposition. Some who commit suicide, for example youth, often do so irrationally (experiencing depression, influenced by drugs/alcohol, and/or in spur-of-the-moment circumstances⁹¹). However there are some who consider suicide only in response to terminal illness and/or aging and are doing so only in response to the fact that their lives are ending anyway i.e. against their natural inclination to maintain their existence⁹².

Happiness is something we are inclined towards in a general sense; and self-preservation (including not committing suicide as one example of how we maintain our preservation) is as well. Not committing suicide is one factor of self-preservation that we are naturally inclined towards too. This is because we have to explicitly act against our self-preservation (by committing suicide) to counter the natural state of being alive that is our existential status quo. The reasons for doing so (that is, acting against the natural inclination of remaining alive) may be from someone behaving irrationally or behaving rationally. It will be argued in a later section that a different response (from others) is appropriate for those who want to commit suicide on a rational basis and those who want to commit suicide on an irrational basis.

⁹¹ See Beckett 1998 regarding conditions for rational suicide.

⁹² See for example:

<http://www.stuff.co.nz/world/76024284/thousands-of-older-people-exploring-rational-suicide-nitschke>

<http://www.theage.com.au/interactive/2016/the-big-sleep/>

Rational decision-making

We can seek evidence that happiness and self-preservation are natural inclinations by considering or finding out if it does appear to be unnatural (in most circumstances) to act against them. The basic idea is that when life is progressing as it generally and naturally does, then the thought of acting against our own happiness or self-preservation does not usually arise. However when particular sets of circumstances arise, (such as experiencing on-going adverse life circumstances, loss of a loved one, experiencing depression, physical illness (including diagnosis of a terminal illness), or mental illness) then an individual may consider acting against their own happiness and/or self-preservation, that is, they may consider committing suicide. When they do, these considerations may be based in irrational thinking patterns or they may be based in rational thinking patterns.

In general we can say that, at least in some cases, a natural inclination goes unquestioned just because it is natural. However circumstances may arise such that the natural inclination is no longer natural, so to speak, and an agent considers forgoing their own happiness and self-preservation for some reason. The point is that it takes a particular set of circumstances to bring these natural inclinations to the forefront of one's mind, to reassess them, and to consider acting against them. I will argue that there are contexts in which it is rational and prudent to decide to commit suicide, that is, to act against the natural inclination of self-preservation.

In sum, I agree with Kant that happiness is a natural state and an inherent part of our existence and argue that self-preservation as well. We can parallel Kant's comments on happiness with self-preservation to highlight how these two ideas sit together (G 4:399). If we replace "happiness" with "self-preservation" the contrast fits:

all people have already, of themselves, the strongest and deepest inclination to *self-preservation* because it is just in this idea that all inclinations unite in one sum

And,

one can form no determinate and sure concept of the sum of satisfaction of all inclinations under the name of *self-preservation*.

This parallel isn't meant to prove the analogy just to show that there isn't anything immediately incoherent about matching these two ideas. In Kant's terminology, self-preservation (like happiness) is conditional and this makes it a hypothetical imperative because "what hypothetical imperatives demand will depend on the particular desires that one has" (Thorpe 99:2015). Although Kant doesn't make this point we can also note that both states are finite⁹³ and this is another feature of their agent relativity; i.e. the natural inclination towards happiness and self-preservation is ended with the death of the agent. We are in a sense propelled towards seeking happiness and the furtherance of our own existence unless we (rationally or irrationally; and consciously or unconsciously) take a stand against this natural predisposition or it is ended for us by means outside of our control.

An indeterminate concept

Kant identifies happiness as an indeterminate concept because the elements that contribute to it are empirical; the idea of it is holistic ("an absolute whole"); and omniscience would be required for any individual to state or grasp with certainty the principles that would make her happy (G 4:418). Again the same features can be applied to the idea of self-preservation. Self-preservation is empirical for each agent and comprises life-long activities and goals (discussed below). It can be contrasted also to the determinate nature of other prudential goals that are skill-based. I can have the goal of learning to play an instrument, for example, and this is determinate because it is a particular skill or activity that I will set out to achieve and may master or abandon. Happiness and self-preservation are not things that I set out to achieve or abandon in the same way.

⁹³ Note that, being *finite* in terms of a particular agent's life span is different from happiness and self-determination being considered as *indeterminate concepts*. This will be discussed below.

They are not activities that I choose or pause to assess and then go ‘right, now on to the next thing . . .’; rather they are an integral part of all the activities that I undertake in my lifetime and thus are indeterminate. Self-preservation and happiness are indeterminate because individuals can’t say (or provide advice to others from their own perspective) with certainty what their self-preservation and happiness will be made up of; what they should be made up of; or what principles will guarantee them⁹⁴. Kant makes these points in relation to an agent’s own happiness, however they appear to also fit and apply to self-preservation. No one can provide with certainty a formula about self-preservation, nor can one provide a determinate calculation of what a suitable amount or definition of self-preservation is for all rational beings.

Realised in different ways by different people

As we have seen Kant states that happiness is realised in different ways by different individuals. What it is to be happy means different things to different people and we may not even know or be conscious of what will make us happy and certainly cannot produce some kind of formula for what will make ourselves or others happy over our or their lifetimes. Happiness can be realised or disrupted in a multitude of ways that will shape an agent’s goals (short-term and long term) to specific activities. Furthermore these goals will also be shaped and impacted on by our interactions with others and their own goals and activities/actions⁹⁵. Generally individuals will have a bunch of goals that develop and change over-time that make up their own idea of happiness.

Happiness is not something for which we can state principles of what will lead to it in ourselves or others, rather it is more vague than this. We may try this or that thing in aiming for happiness as one part of the sum of inclinations that constitute happiness and may assess if this or that action makes us happy.

⁹⁴ We can also consider this in terms of the point made previously regarding prudence. That there is the non-moral object (happiness; self-preservation) and there is the content of the will of different rational beings.

⁹⁵ This point will be discussed further in relation to prudence.

However, the fact that I pick action X (say, studying as something that will make me happy) does not imply that action X is something that will make me or other people happy. I could have been mistaken in my own assessment and there is no rationale to justify that it would apply to all other rational beings. By having a go and realising different things we undertake a bit of trial and error during our lifetimes. The point is that any action X that makes a particular agent Y happy is not going to be something like Kant's categorical imperative that can apply to all rational beings unconditionally.

Self-preservation is similarly realised or constituted in multi-faceted ways. Happiness is a unified concept because it is a life-long endeavour made up by different activities realised by individual agents; some of these activities may in hindsight be assessed as successful; others as unsuccessful and in error. Self-preservation too is a unified concept because it is also life-long and numerous acts contribute (or detract) from it. For some, self-preservation is a very conscious endeavour (for example by being health conscious through healthy eating, exercising, not smoking or drinking); others may not give it much thought at all; and still others simply may not care. No matter what the scenario, self-preservation is realised in the different ways that individual lives turn out and is comprised of the different goals and activities that agents have throughout their lifetimes. In this way it aligns with happiness which has these same features⁹⁶. Again, picking action X (say exercising) as something that will contribute to my self-preservation doesn't mean that it will actually do so and doesn't mean that it will contribute to the self-preservation of others either. For example, I could be mistaken about exercise contributing to my self-preservation because of some pre-existing medical condition triggered by it and causing my death. Similarly exercise could end someone else's self-preservation for the same reasons and so could not apply to all rational beings unconditionally; for others the assessment

⁹⁶ We should also be mindful that because we have only a limited rationality and are fallible we can (and do) make incorrect assessments in terms of our own happiness and self-preservation and how to achieve/maintain these. Sometimes individual's chosen goals and activities will contribute to their happiness and self-preservation and sometimes they will detract from it.

or recommendation could end up being correct by contributing to their lifespan and happiness and/or prudential satisfaction.

People put different prominence on different elements (of what constitutes or could constitute overall happiness for them at various times) and so realise these in different ways. Of course someone could be mistaken in what they thought would make them happy but this doesn't change the status of happiness as a hypothetical imperative of prudence that is realised in different ways by different people. It is the same in the case of self-preservation. For example, as noted, the fitness fanatic could believe that keeping fit is their best bet at long-term self-preservation but could overdo it and die of medical issues related to over-exercising or could trigger some kind of pre-existing medical condition. Alternatively the assessment could be correct for some individuals. Either way it doesn't change the fact that what constitutes self-preservation for rational beings is unified (what constitutes it is a bunch of activities), indeterminate (there's no magic formula to achieve it that could hold for all rational beings and guarantee a certain degree or amount of self-preservation in a life-time); it is non-universal and conditional in realisation and made up in a myriad of different ways – from buying only the safest model cars (for those who can afford this kind of discretion) to being a hermit to stay out of dangers way, to diet, exercise etc.

An on-going project

Self-preservation, just like happiness, is an on-going project, which is also a factor in its indeterminacy. It is not static over time but changes continuously and in this way is on-going in the same way that seeking happiness is. Happiness and self-preservation are not assured or completed by any one particular task or list of tasks but are on-going throughout a person's life. The goals contributing to our happiness and self-preservation are not finite within or during a lifetime even though happiness and self-preservation are finite in terms of only existing (for that person) while the agent is alive. Throughout our lives, however, we do

not generally stop and assess that we have fulfilled our own happiness or self-preservation⁹⁷.

Prudential goals are packaged up differently and change over time for different individuals. For example, different things that contribute to this package can include various combinations of lifestyle circumstances, decisions, and tendencies. For instance, circumstances such as physical health, emotional/mental health, addictions, finances and employment; decisions in terms of travel and education; and character traits or tendencies in terms of being career driven, family focused, generous, kind, hedonistic, self-depriving, self-serving etc. Other factors include how particular individuals are situated in the world (for example, geography; religion; culture; indigenous or otherwise; gender; sexuality; age etc.). Some are consciously chosen (for example, where to live as an adult), some are events that happen to us (for example, where one is born)⁹⁸. In short self-preservation exists as a project until death and how it is realised is impacted by numerous factors that vary from person to person and from time to time. Self-preservation includes not committing suicide (see below), but a package deal is made up of eventualities around factors such as those considered above. Furthermore, given the indeterminate nature of self-preservation (as is the case with happiness) these outcomes may not be based only on conscious decisions but also result from circumstances and societal conditions that propel people on certain life courses and pathways⁹⁹.

⁹⁷ Although someone considering suicide at the end of life may make this kind of assessment.

⁹⁸ Where I choose to live as an adult will of course be affected/impacted on by facts of my life leading up to those decisions but I can consciously choose to remain at X location or move to Y location.

⁹⁹ We are all propelled towards self-preservation as a general given and usually without giving it much thought, but statistics are loud and clear on factors that contribute to longevity and those that go against it. Sometimes people have the resources to make very explicit prudential decisions; sometimes they do not. Take for example experiencing poverty – this is documented to lead to poorer health comes and to affect certain groups of people disproportionately. Furthermore the stress related by experiencing poverty is likely to also impact on the happiness of those affected by it. A factor such as this can impact self-preservation by producing poorer health outcomes for those who experience on-

Involves agent-relative means/ends; i.e. is conditional

Kant classifies happiness as an empirical concept relative to an individual and their desires. He states:

Hence the imperative that refers to the choice of means to one's own happiness, that is, the precept of prudence, is still always *hypothetical*; the action is not commanded absolutely but only as a means to another purpose (G 4:416).

Here Kant is comparing the realm of prudence with that of morals which is in comparison unconditional, being based only on the form of the imperative which does not rest on "the matter of the action and what is to result from it" (G 4:416).

There are also multitudes of ways that an individual's life is maintained and these are empirical factors that are conditional and that occur in the contingent world for that particular agent. Self-preservation is also agent-specific and realised by different degrees (a short life vs. a long one) and in different ways. The object (or end) of self-preservation occurs by an agents' own actions and particular life circumstances throughout their lives. There is no one universal formula of self-preservation that could apply to all rational beings. Rather, self-preservation is conditional and agent-specific, and thereby a hypothetical imperative. It involves various activities and outcomes that are particular to each agent and in this way involves a means/end relationship of activities and actions that are typical of hypothetical imperatives and the prudential domain.

Self-preservation is more than just not committing suicide

In terms of self-preservation the obvious way to preserve your life is not to kill yourself, however even Kant doesn't think this maxim is necessary for everyone but only for those who no longer have the natural inclination towards self-preservation. In Kant's terminology the inclination against self-preservation, of

going poverty (including death at a younger age than those who don't experience it) and it may also impact self-preservation by increasing the likelihood of a mental health diagnosis, experiencing depression, and addiction problems.

having a maxim permitting suicide, is not possible because it goes against the law of nature “whose destination is to impel toward the furtherance of life” (G 4:422). So Kant identifies, without being explicit about this, that self-preservation is a natural inclination and that being rational about suicide is possible (the person in despair “is still so far in possession of his reason” (G 4:422)); and that the act of suicide is something that goes against the natural inclination of the furtherance of life. So Kant himself actually identifies a distinction between the natural inclination of continued existence (that is, self-preservation) and of suicide.

If it is granted that self-preservation includes more than just not killing oneself, but instead comprises degrees of Aristotle’s notion of a flourishing life, then it incorporates prudential aims in terms of health, fitness, and general wellbeing. Refraining from things such as a poor diet; and addictions also contributes to self-preservation and engaging in things such as unhealthy lifestyle choices and risk taking behaviours detract from it.

Self-preservation, like seeking happiness, is an on-going inherent part of existence. Suicide in comparison is a singular act and I think that Kant was mistaken in providing this as an example of a moral duty. When considering suicide in self-regarding contexts I will argue that it is a prudential matter, not a moral one. Another way of saying this is that if it is prudential it is not a demand of morality¹⁰⁰. Suicide has been distinguished from the act of self-preservation,

¹⁰⁰ A side note is that behaving prudentially and behaving morally are skills that we acquire with practice and ones in which we are, as Kant acknowledges, fallible. For example, rational beings who assess, via their use of reason, what the morally right thing to do is (e.g. tell the truth) or the prudentially right thing to do is (e.g. give up smoking), choose not to behave morally or prudentially on some occasions. Moral and prudential know-how is an intellectual endeavour (via rational deliberation) and an applied skill that we practice and develop in the context of interacting with others and in rational deliberation. Intuitively it is developmental as is evidenced by the moral progress and prudential reliability that most people gain throughout their lifetimes. Just as learning a language or learning to play an instrument are skills, we develop moral and prudential know-how and this is through a combination of both rational deliberation and by learning from our own or others’ mistakes, that is, practice and observation.

because it is one act that contributes to self-preservation. However, as one of many actions that contribute to self-preservation, suicide too is classified as a prudential matter because it relates to a hypothetical imperative operating in a self-regarding context.

Conclusion of the comparative analysis

It has been argued that self-preservation has the same features identified by Kant in relation to happiness. Self-preservation is:

- A natural inclination
- An indeterminate concept
- Realised in different ways by rational beings throughout their lives
- An on-going project
- Involves agent-relative means and ends i.e. is conditional.

A distinction has also been made between self-preservation and the act of not committing suicide – that self-preservation is more than just this act because, like happiness, it is a sum of the inclinations and actions that contribute to it.

Kant identifies happiness in a self-regarding context as prudential and consequently as non-moral. If self-preservation (and suicide) are also prudential then they will also be non-moral because they will relate to imperatives of prudence and not entail any moral duty to self. Kant very specifically classifies that:

all imperatives of duty (specific moral claims) can be derived from the categorical imperative as this will tell us the principle of all such duties (Banham, Schulting, Hems 37:2015).

Moral and prudential decision-making as components of practical reasoning are not so starkly different or as opposed to each other as Kant seems to conceive.

If self-preservation and suicide are not categorical imperatives at all then the link to them entailing moral duties is broken. The test of the categorical imperative will not apply and a moral duty will not be necessitated¹⁰¹.

I have argued that self-preservation includes the act of not committing suicide, and that it is a hypothetical imperative of prudence aligned to Kant's own account of happiness. This then leads, from the idea that prudential maxims are conditional and self-regarding and moral maxims are unconditional and other-regarding, to the hypothesis that if self-regarding maxims are prudential then morality is other-regarding only. If self-regarding maxims are not categorical imperatives then they are not moral and if self-regarding maxims are not moral then only other-regarding maxims are moral. These points will be discussed further in the next section.

A broader conception of prudence

A critique of Kant's account of prudence and a broader conception

Patrick Kain points out that Kant's thinking about prudence advanced into a "profoundly social conception of prudence"¹⁰² (Kain 14: 2003). However, in doing this Kant appears to be giving exclusive weight to a negative conception of our social interrelatedness with others. Kant appears to view our social interactions in a negative light only, understood in terms of how we use people

¹⁰¹ If prudential matters such as happiness and self-preservation are natural inclinations then they may not and need not generate any kind of duty or obligation as such, moral or otherwise. Just as Kant believes duty cannot be generated in the realm of prudence and hypothetical imperatives, it feels strange to expect that something that we are naturally inclined towards (and do not opt-into as such) could be an obligation to set out to achieve. So I sense that we do not have even prudential obligations in this area, however exploring this further is beyond the scope of this thesis.

¹⁰² Kain references Kant's *Religion within the Boundaries of Mere Reason* and *Anthropology from a Pragmatic Point of View* regarding his social conception of prudence.

and not in any alternative way; for example, that our social embeddedness could moderate making bad prudential choices and/or behaving immorally¹⁰³. As Kain puts it:

Kant begins to identify prudence, not with the broad “skill in the choice of means to one’s own greatest wellbeing; but more narrowly as the skilful use of other people, as opposed to things, in the pursuit of one’s own ends” (Kain 14:2003).

Not only can a truly social conception of prudence actually value our relations with others, in a much more favourable light than Kant, it can also impact on the rationality or otherwise of prudential (self-regarding) and moral (other-regarding) decision-making. Kant seems to have missed, particularly in the *Groundwork*, that as social beings our wellbeing and welfare coexist with those we interact with in complex and dynamic ways. In short, others factor-in to our overall prudential wellbeing and welfare.

It is not clear that Kant’s definition of prudence is really how people (including philosophers!) think of or define prudence. For example taking a general definition in the *Oxford Dictionary* we find a definition of prudence as “the quality of being prudent; cautiousness” and being prudent is “acting with or showing care and thought for the future”¹⁰⁴. Rational deliberation, being careful and cautious about the future, need not be the entirely egoistic activity that Kant defines it as. It is an activity undertaken by someone situated in the world with others and whose prudential interests interact with those of others. I believe that this is a factor that Kant left unaccounted for. As a result he provides a shallow conception of prudence and how it actually plays out, including how it can be understood and realised by rational beings.

I would argue that prudence for rational beings is about a broad kind of wellbeing and is not, as Kant conceived it, the singular or isolated pursuit of happiness. As Kain states:

¹⁰³ This point will be elaborated on when discussing the examples of suicide and self-preservation.

¹⁰⁴ *Oxford Dictionary* accessed on line 29 June 2015
<http://www.oxforddictionaries.com>

Particular non-moral ends acquire prudential significance to the extent they are constituents of our wellbeing (Kain 246:2003).

Prudence, redefined as 'wellbeing' or 'welfare' (as opposed to self-interested happiness¹⁰⁵) is understood more holistically, as careful and considered thought about the decisions an agent makes in terms of the outcomes for themselves and for those around them. Furthermore a broader definition accepts that the outcomes for those around an agent will also impact on the outcomes for that agent. It is not purely an intellectual kind of calculation of the cost/benefit of various scenarios by an individual detached from others or only considering others in a manipulative way. For example, if a decision I make will improve the wellbeing and welfare of those closest and most important to me, then it is likely to also improve my own. Conversely, if a decision I make is likely to detract from the wellbeing and welfare of those most important to me then it is likely to also negatively affect my own welfare and wellbeing. These are factors that Kant was unwilling or unable to entertain. This was a direct result of his conception of a rational being as one who considers their prudence in apparent isolation from others.

It should be noted however that considering others is not an over-riding (or categorical) factor of my own prudential assessment; rather it is one relevant factor among others. As a social and rational being, my wellbeing and welfare is connected to the wellbeing and welfare of others. Due to his binary view of prudence, as something in opposition to or at least very different to morality and as limited to the agent's pursuit of their own happiness, Kant seems unable to account for these kinds of considerations.

I maintain that because we are situated in the world as social beings, moral and prudential reasoning can overlap and this can have a modifying effect on some of

¹⁰⁵ Happiness is part of our well-being/welfare but not the only part and not only in terms of self-interested happiness – part of what contributes to our happiness is our connectedness to others and that they are also faring well in the world.

our prudential decision-making¹⁰⁶. When we consider our own prudential interests we can and should (and do) also consider the impacts on others; i.e. when deliberating in self-regarding contexts we can take into account and take an other-regarding perspective on the effects that our prudential decisions can have on others and this forms part of the overall assessment of what is prudent and rational for our overall wellbeing and welfare. In other words, assessing the impact of our decisions on others may impact on the overall (prudential) rationality of the decision being considered; however this is in prudential rather than moral terms (see the example to be discussed about suicide)¹⁰⁷.

Kant's narrow conception of prudence applies only a negative lens, and one-directional understanding of our interactions with others, by solely focusing on how we use others. We need cooperation from others to realise our prudential goals and others may at times thwart (or assist with) those goals, but part of my prudential wellbeing and welfare can also incorporate the wellbeing and welfare of others. This is not dissimilar at all to Kant's notion of making others' ends my own and so it is rather baffling that in the area of prudence he has such a limited and self-serving perspective about human beings. Kant assigns rational beings an inherent dignity (as autonomous and self-legislating) but fails to appreciate or extrapolate that even his own account of this characteristic of a rational being actually points to our social embeddedness. Such social embeddedness is the context in which both our moral and our prudential reasoning occurs.

Kant's first formulation of the categorical imperative takes an individual's own maxim and subjects it to a test of universalisation for all rational beings. His second test is to treat (ourselves and others) as ends, not merely as means. His

¹⁰⁶ We will see a form of this interaction in the example of considering suicide. In this case an agent considering their own suicide is viewed as a prudential concern; however preventing the irrational suicide of another individual is considered a moral concern.

¹⁰⁷ Prudence identified in egoist terms means that a rational egoist will inevitably be defined as someone who is prudent but not moral (Thorpe 99:2015). I believe that an individual can be a rational non-egoist and can be both prudent and moral because these are not mutually exclusive.

final formulation regards us as an idealised and unified community of rational beings who all follow the maxims prescribed by the previous two formulations of the categorical imperative. All of these notions are inherently social and although they all relate to morality (not prudence) they all point to our social embeddedness and connections as rational beings. This social embeddedness is not something that will simply disappear or become irrelevant with regards to our prudential decision-making. Prudential and moral reasoning occurs in the realm of practical reasoning. It seems at worst misguided and at best a major oversight, that Kant could provide such a rich conception of rational beings operating in the moral realm and such a narrow one, with a singular and isolated focus on the pursuit of happiness, in the prudential realm.

An obvious example of how we factor others into our own prudential decision-making is in terms of a parent's relationship to their children. Part of my over-all prudence (i.e. my welfare and wellbeing) is tied up with how my children fare in the world and the kind of people that they are. I don't use them as a mere means, in the instrumental way that Kant focuses on, to add to my happiness, wellbeing or welfare. Rather, their wellbeing and welfare is a factor that contributes to my own and is inherently intertwined with it. As a result I may actually reassess and change my mind about what on the face of it would appear to be a prudent or imprudent decision for me.

Bertrand Russell discusses prudence and applies to it what he calls the "slightly wider term, *forethought* (Russell 25:1996). I think that this terminology fits in well with the notion of prudence being outlined here. The thought is roughly that to behave prudently is to engage in considered forethought about the impact of my decisions (and consequent reasons for choosing X over Y and acting on that decision) on myself and on others. Russell adds, that in thinking prudently, "civilised man" is "willing to endure present pains for the sake of future pleasures, even if future pleasures are rather distant" and "*true forethought only arises when a man does something towards which no impulse urges him* (my emphasis), because his reason tells him that he will profit by it at some future date" (Russell 25:1996). Russell's statement here also fits nicely with Kant's

own distinction between inclination and reason, however here rational deliberation over-rides inclination and occurs in the prudential realm. That is, we can utilize forethought in the prudential realm and rational deliberation is not exclusive to the realm of moral deliberation. I think John Rawls also states things in line with this sentiment when he states:

Thus to realise our humanity is to realise both our moral powers and our natural capacities as expressed in human culture (Rawls 188:2000).

Rational beings may have impulses and inclinations but they also have the ability for forethought and reason and this is the case in moral and prudential reasoning. Kant on the other hand seemed to hold the view that inclination could only be distinguished completely from reason by a priori reasoning in the moral realm.

Phillippa Foot provides another example of a philosopher with a view of prudence, morality, and practical reason, that differs markedly from Kant's view. Foot came to reject her own earlier view that morality could consist of hypothetical imperatives, moving towards a broader view of practical rationality than was outlined previously¹⁰⁸. She came to a view that morality and rationality can be reconciled and that "morality leads to rationality and not the other way around" (Foot 2001). I agree with the following views of Foot (Foot 2001; O'Grady 2010)

- her broad view of practical reason
- her shift in view that morality does not consist in hypothetical imperatives
- that moral constraints are inherent and rational parts of human flourishing
- that both prudence and morality are within rationality.

I disagree with her statement that morality leads to rationality, positing instead that rationality leads to both morality (which is other-regarding only) and to prudence (that is self-regarding). I think however that the following statement (contained within the same interview) actually fits with my perspective (Foot 2001):

¹⁰⁸ See Foot: *Morality as a system of hypothetical imperatives* (1972).

You haven't got a full idea of rationality until you've got morality *within it*, as prudence is within it, going for what you need, looking out for danger and so on. These are all just different *parts* of practical rationality.

Prudence is one part, the part that has to do with getting what you just happen to want is another part, and morality belongs here too. One shouldn't think so differently about morality and prudence. Prudence should be thought of as one of the virtues. And why should it be thought that while prudence is certainly rational morality isn't?

The view that I am endorsing here is that practical reasoning consists of both moral and prudential reasoning, as per Kant, but that the relationship each has to the other is markedly different from Kant's account of these things. The primary difference is that I am saying, that for rational and social beings such as ourselves, morality is other-regarding only. That is, self-regarding contexts and matters are prudential and prudential reasoning by socially embedded individuals includes considering the impacts that our decisions will have on others (and how this in turn will also affect my own prudential wellbeing/welfare)¹⁰⁹. I also agree with Foot's view that:

Human beings work on instinct too, of course, but also they're taught to think. Practical rationality is essential to the life of human beings. It's the way that they survive. If you couldn't bring up a child to recognise reasons (and no doubt this is how it is with some severely defective children) you might get him to obey orders but not actually ever to say "So, I'll do such-and-such"¹¹⁰. And that means he would lack practical rationality. Getting "So I'll do such-and-such" right: saying it when there is a genuine "so", is related in a particular way to human life" (Foot 2001).

¹⁰⁹ I think a case can also be made that behaving morally is a prudential matter. That topic is however beyond the scope of this thesis. I do not elaborate on this here as the primary focus is on rethinking Kant, particularly in terms of his idea that we have moral duties to ourselves.

¹¹⁰ The categorical imperative consists in obeying orders (as per Kant). In this way it could also be considered as a more blunt form of reasoning, both in terms of Foot's view and in terms of how Kant frames it as being impartial/impersonal in comparison to the agent-specific hypothetical imperative.

I agree with Foot that practical reasoning is an essential component of not only human survival (and agency) but also human “flourishing” (which I term rather “wellbeing/welfare”). Furthermore, I also agree with her that a broader conception of practical reasoning recognises our status as social beings which in turn impacts on what it means for rational beings to behave prudentially (and morally).

In sum, I believe that what is important for morality is how we treat each other and what is important for prudence is how we care for ourselves. However, as social beings our prudential reasoning, to be rational, will include considering the impacts that our self-regarding assessments and decisions have on others and consequently on ourselves also. Considering the impacts on others need not be over-riding in the way that categorical imperatives are, but they will be relevant and will impact on whether or not a particular decision is truly rational. A broader conception of prudence understands it in terms of ideas of wellbeing and welfare. It includes self-regarding factors which can be very broad, for example, an agents sense of integrity as a person. It also includes self-regarding factors such as an agents’ own happiness. Whatever the nature of these factors, they are taken from the standpoint of social embeddedness. This standpoint means too that other-regarding factors can be considered and recognised as having the potential to impact an agents’ prudential wellbeing and welfare. These other-regarding factors include considering the impact of an agents decisions on others (particularly those close to them) and the impact of the wellbeing of others on that agents own wellbeing and welfare.

A broader conception of prudence: case study

Before moving on to a discussion about suicide let us consider a different example first so that the salient features can then be applied to the example of suicide. Consider that I have been offered a job overseas that would be a positive career development, is in an area of interest to me, and that offers higher remuneration than my current position. On the face of it, it would seem a wise prudential choice to take up this new employment opportunity, particularly if I

am making this assessment on self-regarding considerations only. However, I can't rationally make this decision without considering my wider social context, including the impact that this may have on others and the impact on my own prudential welfare that my connectedness with particular others has. Consider for example, in bringing in other-regarding factors¹¹¹, that I would have to leave young children, friends and aging parents to take up this new employment position. A rational person will incorporate these considerations into the overall prudential calculation of whether or not it is a good decision to leave (or to stay); furthermore I believe that these factors can impact on the overall rationality (or otherwise) of the resulting decision. These other-regarding considerations could count towards it being a prudential and rational decision to stay or to leave; or an imprudent and irrational decision to stay or to leave. As an example the scenarios could play out as follows (and these kinds of considerations can be applied equally well to decisions about suicide which I will outline in more detail below):

¹¹¹ The term *other-regarding* is used quite differently here to how it is used in other sections where it relates to morality and the categorical imperative. Here it simply means considering the impact on others that our prudential decisions may have and that these impacts can in turn impact on my own prudential well-being/welfare and so also on the decision that is made or is correct to make. Here these are better thought of as other-regarding factors as opposed to other-regarding contexts. Other-regarding contexts were defined previously as those in which maxims apply to myself and to others, which was distinguished from self-regarding maxims that apply only to me. So the example here is a self-regarding context but I am also outlining other-regarding factors that are under consideration in my rational deliberation about this employment offer.

Decision to move (prudential considerations)	
<p><u>Self-regarding:</u></p> <ul style="list-style-type: none"> - remuneration; - career advancement; - new opportunities; - change of environment vs. remaining in current environment; - leaving children, family, friends and current work colleagues <p>[my own wellbeing and welfare as a result of these factors]</p>	<p><u>Other-regarding:</u></p> <ul style="list-style-type: none"> - the emotional impact on others (children; parents/family; friends) - other impacts, for example I may be able to better provide for my children if my financial situation is improved - my moral obligations to my children¹¹². <p>[wellbeing and welfare for them and consequently for me as a result of these factors]</p>

Potential outcomes from considering these factors:

- It is prudent and rational to stay: for example, my children’s welfare, and consequently my own, would be so negatively affected by leaving that it is in my best interests (for my wellbeing/welfare) to stay i.e. having made this assessment and in light of that assessment, it would be irrational to leave - I would miss them so much that I wouldn’t be prudentially better off by that decision than I would be by staying.

¹¹² Note this other-regarding (moral) factor is one consideration among others that is occurring in a self-regarding (prudential) context.

- It is prudent and rational to leave: my children's welfare will be affected but I will be a more fulfilled person (i.e. my wellbeing/welfare will be improved) and consequently I will also be a better parent so their welfare will actually be improved as well as my own. Having made that assessment (by weighing all factors up) if I then stayed that would be an imprudent decision. For example I stay for my children but am despondent and that negatively impacts their own welfare and mine is already negatively affected. We could flesh this example out even further, that my decision to stay results in my suicide (this could be on rational or irrational grounds) and so the decision to stay would ultimately be worse for their welfare than the decision to leave would be.

Kant's narrow conception of prudence could overlook the above considerations by focusing only on self-interested happiness. That focus does not permit adequate consideration of the impact that others have on us or on our relations with others. By his narrow focus on a self-interested element of our happiness (considered only in terms of self-regarding considerations about my own happiness) he misses features of how we actually deliberate; and factors that are important to us and that do impact on our decisions. Furthermore, given that this example is in the domain of prudence there is no need to have this decision-making rationale stripped of all that is empirical/contingent, as he requires for our moral deliberations and decision-making. A broader conception of prudence, allowing that our self-regarding assessments factor-in our relationships with others, can provide a broader and improved assessment of what is or is not prudent in particular situations for particular individuals.

This broader account of prudential decision-making incorporates our relationships with others into our prudential wellbeing or welfare, but does not mean that the consideration of the impacts on others over-rides our prudential interests. Considering others is done in light of the impact that my relationships with others have on my own prudential wellbeing or welfare and the impact on my own prudential welfare is explicitly connected to those I care about in a holistic and real way. This form of other-regarding consideration is not

categorical, there is not an over-riding obligation to consider the impacts that our prudential decision-making has on others and to then have to subordinate my welfare for others.

As Kant rightly points to, prudence is non-moral, agent-relative, and conditional. Prudence is not however the egotistic, isolated, self-interested and self-serving happiness of someone existing and undertaking prudential calculations in isolation from others either. Prudence incorporates our status as social beings – and so is not a purely egoistic activity as per Kant. Social connectedness is a component of our reasoned self-interest and rational wellbeing and welfare, that is, our moral and social interactions with others are intrinsic parts of prudential wellbeing. Moral integrity in ourselves via how we treat others can also contribute to or detract from our prudential wellbeing. Reasoned self-interest includes our place in relation to others; i.e. we are situated in the world as social beings. It also includes decision-making about self-regarding and other-regarding factors.

The job offer example is a self-regarding context because the decision is one to be made by me about whether or not to accept the job. We saw however that other-regarding factors were relevant. Another example of prudential decision-making, in an other-regarding context, is when a friend requests that I help them to move. We can frame this in purely self-interested (narrow) prudential terms – I decline because I don't want to give up my weekend or I agree because I want them to help me to move when I next shift and I calculate that they will be more likely to do so if I help them now. We can also however consider this in broader prudential terms too. I may refuse because I believe my friend is moving to an unsafe environment and I don't want her to think that I support her move. Or I may agree because this person has been a really good friend to me or because I know she has no one else to ask and I want to help. Furthermore we can also even consider this in moral terms. I might assess that I have a moral duty to help my friend move or to prevent her from doing so in light of the safety concern and in doing so can employ Kant's other-regarding duty of beneficence. In short there are many wide-ranging considerations that come into play in our decision-

making and practical reasoning. Without delving further into these, the point is simply to show that moral and prudential reasoning need not be so radically different to, or isolated from, each other as Kant portrayed. They are both components of practical reasoning and they are both undertaken by rational agents who are socially situated.

An individual's wellbeing and welfare, understood in broader terms than Kant did, also links into a deeper account of the embodied self than Kant has. My wellbeing and welfare includes a wide range of factors and considerations that are akin to Foot's notion of the flourishing life. It includes not just my happiness but factors such as my sense of personal integrity and long-term perspectives, for example future goals for myself and my children and my friends and their children. Given Kant's treasuring of human dignity it is somewhat in stark contrast that he has such a shallow conception of the embodied self. By broadening his narrow conception, a much richer account of prudence and the self, and one that fits better intuitively with his whole schema, can be considered.

As inherently dignified rational beings we can formulate something like personal integrity as the ultimate goal for rational beings, and this includes considering that things such as my own personal integrity, a strong moral compass, social embeddedness and caring for the outcomes of other rational beings are all things that contribute to my own prudential wellbeing/welfare. Furthermore on a broadened account we can also include considerations about things such as the environment. As a rational and socially embedded individual I care about the impact that my actions will have on the environment and the kind of environment that will be around for future generations, including but not limited to those individuals with whom I am socially connected. It can be argued that this is a rational way to think and that such considerations will affect both my prudential and moral decision-making. This broader account of prudence is in no way dominated by others. If I always defaulted to the impacts on others as an over-riding factor in my decision-making then arguably I would not be behaving prudently at all. These factors and the broader conception of prudence will now be considered in terms of the example of suicide.

Suicide

We can now consider the matter of suicide in light of the broader account of prudence and in terms of whether I am thinking about my own suicide (self-regarding context) or about someone else's decision to commit suicide (other-regarding context).

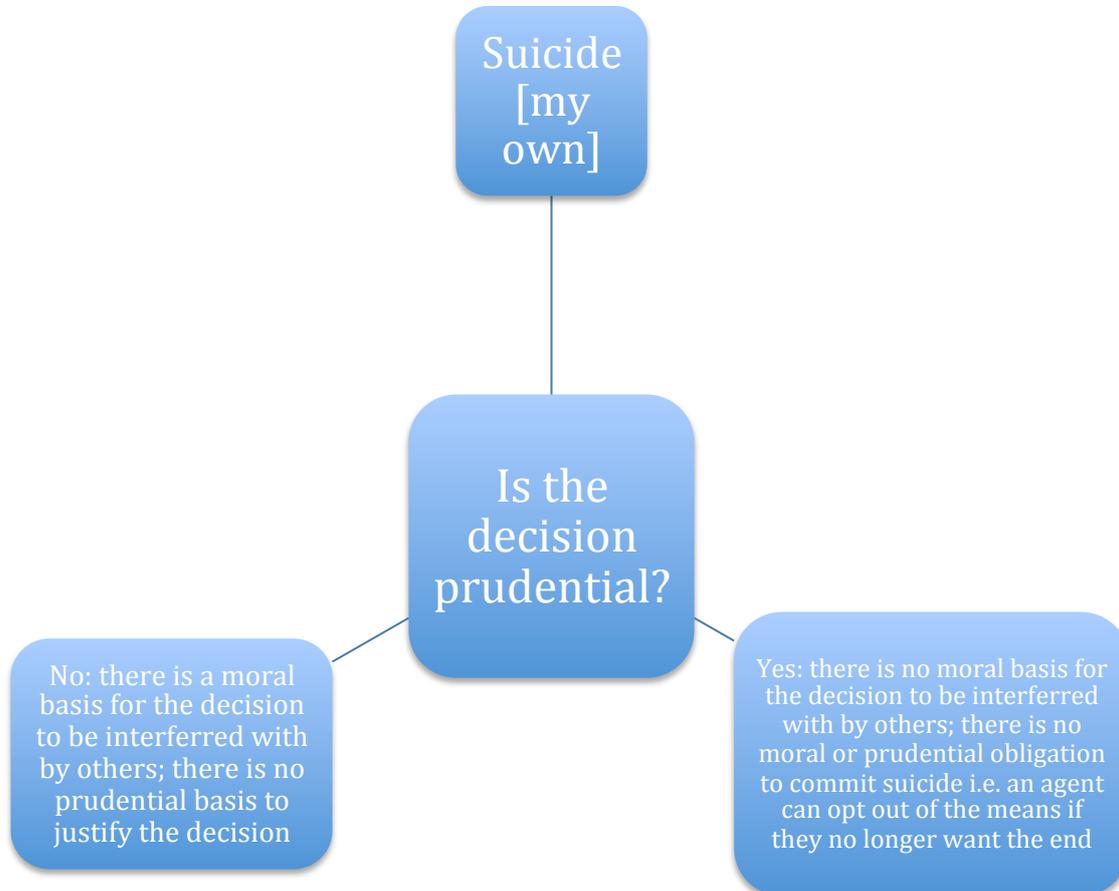
This account of suicide aligns with Kant's account of happiness and the apparent distinction he made between happiness in self-regarding and other-regarding contexts. Although he didn't use these classification terms explicitly, Kant discussed happiness in a self-regarding context as prudential and entailing no duty; and happiness in an other-regarding context as moral and entailing an imperfect duty. We can recall that assuring our own happiness did not entail any kind of moral duty for Kant because it is a natural inclination and inclination cannot be commanded in the way that duty can. In terms of another person's happiness however there could be an imperfect duty. Kant states:

*Fourth, concerning the meritorious duty to others, the natural end that all human beings have is their own happiness. Now, humanity might indeed subsist if no one contributed to the happiness of others but yet did not intentionally withdraw anything from it; but there is still only a negative and not a positive agreement with *humanity as an end in itself* unless everyone also tries, as far as he can, to further the ends of others. For, the ends of a subject who is an end in itself must as far as possible be also *my* ends, if that representation is to have its *full* effect in me (G 4:430).*

In this section it will be argued that the distinction made by Kant about happiness in self-regarding and in other-regarding contexts contributes to our understanding of, and how we can think about, matters such as suicide. It will be argued that there is a distinction for them across self-regarding and other-regarding contexts as well.

*Suicide in self-regarding contexts*¹¹³ (*prudential*¹¹⁴)

Suicide (self-regarding)



A self-regarding context in relation to suicide is one in which I am thinking about my own decision to commit suicide. This can be compared to an other-regarding context in which I am considering someone else's decision to commit suicide.

¹¹³ We can note that an individual undertaking rational deliberation about suicide need not be the kind of person that Kant describes (that is, someone who has become miserable with life). A person may be considering suicide only due to particular circumstances such as terminal illness, such that if their health had continued without that diagnosis then they would not have made an assessment about suicide at all.

¹¹⁴ A prudent decision is one that is also rational; an imprudent one, one that is irrational. It is on Kant's own account that "an agent possesses value by virtue of being capable of rational choice". (Timmerman 79:2006). This account leaves room for the possibility that an individual may exercise their rational choice in the context of deliberating about and committing suicide.

The previous section has involved a comparative analysis of Kant's account of happiness in a self-regarding context and of self-preservation. In that analysis, (not committing) suicide was considered as one factor among others that contributes to self-preservation. From that analysis we can make the following claims:

- That happiness (in self-regarding contexts) is identified by Kant as prudential.
- That the comparative analysis showed that self-preservation shares the same features that Kant identified for happiness.
- That self-preservation and suicide exhibit features relating them to hypothetical, not categorical, imperatives.
- That (not committing) suicide (in self-regarding contexts) is one element of self-preservation and therefore it is a prudential matter.

If we think of suicide as a prudential matter (in self-regarding contexts) then this also dramatically changes how we respond to those considering their own suicide. If suicide in self-regarding contexts is a prudential matter, then there is no moral duty for an individual to refrain from it because it is not a moral matter. Furthermore if it is a non-moral matter then there may be no moral ground for others to interfere with that decision. Considering suicide as a prudential matter significantly changes the landscape of acceptable behaviour from others when someone is considering suicide rationally. If rational suicide is a prudential matter then other individuals have no moral grounds for interference with that person's decision. Furthermore because the matter is prudential, there is no onus on that individual to have a moral obligation of either refraining from or committing suicide. On Kant's own classification system the landscape around suicide changes significantly in both self-regarding and other-regarding contexts. In a self-regarding context the matter is prudent and non-moral. In an other-regarding context the only ground for interference is in the moral matter of preventing the suicide of someone else who is behaving irrationally (this claim will be elaborated on below).

If an individual decides that it would be rational to commit suicide they are not morally obliged to refrain from doing so if the consideration is in a non-moral i.e. self-regarding, context. Furthermore, just because they have made this assessment (and assuming it is correct) they are not morally (or prudentially) obligated to do so either. This is important and a flow-on affect of the decision being undertaken in a prudential rather than moral context. It is the moral realm that is categorical and consists of maxims that apply universally, unconditionally, and entail certain obligations. In the prudential realm an individual may assess that while it would be prudent to commit suicide, on further reflection they decide they do not in fact want to and in this agent relative realm there is no corresponding obligation to do so. As has been discussed previously, a feature of the prudential realm, particularly in relation to hypothetical imperatives, is that an agent can opt out of willing the means if they no longer want the end. So there are two points here. There is no obligation to make the assessment in the first place. Secondly, there is no obligation to refrain from or to commit suicide for someone who has decided to make that assessment and has assessed the decision as prudent. These considerations are agent-relative and so undertaken on a case by case basis by those for whom they are relevant. They are not considerations that are to apply unconditionally to all and there is no corresponding obligation (prudential or moral) for those who have undertaken an assessment about committing suicide. In sum, in this realm an agent can opt out of the means if they no longer want the end.

We have seen, in looking at a broader conception of prudence, that the overall rationality of a decision can be influenced by taking the impact on others into account, and that others feature as components of prudential decision-making and reasoning in general. With regards to my decision-making about suicide, considering the impacts on others may reinforce that the decision to commit suicide is a rational one or it may factor against it by changing the status of the decision to irrational and imprudent when all things are considered¹¹⁵. Either

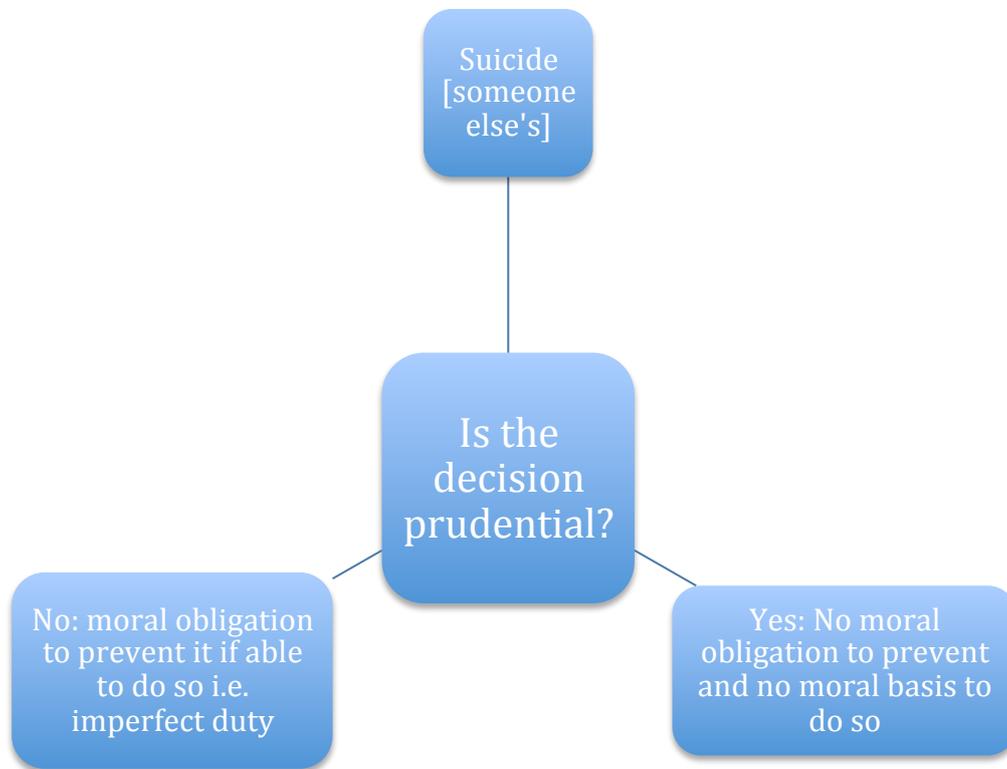
¹¹⁵ Even if suicide is identified as a prudential concern this does not mean that the impact on others is not relevant at all. Part of rationally assessing the

way the main point is that this is essentially a prudential and not a moral matter. It does not mean that people can just go around deciding to commit suicide at will and without justification or that there is any obligation to make the assessment or to follow through with the outcome of the assessment. However for those who want to make a decision about suicide, what becomes important is whether or not the decision is prudential i.e. rational.

decision to commit suicide, via the use of practical reason (which incorporates prudential decisions about self and moral decisions about others) is the act of suicide occurring in the social context in which we live. Part of the complete picture will incorporate inter-connectedness with others, although this doesn't mean that considerations for others will always over-ride self/prudential consideration. For example, if I have moral obligations to others (such as my children) I will need to consider this as a relevant factor in my decision making around suicide. If I am at the end of my life (due to terminal illness for example), I am going to die anyway, am no longer able to look after my children or they are adults and independent, considering the impacts on them may be assessed and not count against the prudential assessment that suicide is the correct and rational action for me.

Suicide in other-regarding contexts (moral)

Suicide (other-regarding)



Considering suicide from an other-regarding perspective involves either me considering someone else's decision or other people considering my decision¹¹⁶.

¹¹⁶ There are also other factors that Kant does not consider in regards to suicide. For example Kant's maxim is about an isolated individual agent, he is not considering an agent socially embedded among others. Consequently he also doesn't consider how suicide affects the lives of others (in both prudential and moral ways), including medical staff; family/friends; and society as a whole. There may be a high moral price in the case of terminal illness of family; medical staff etc. watching an individual (who seeks suicide) experiencing a drawn out death. People often think about the impact a suicide has on these people but not so much at the forefront is the affect on people of watching a loved one suffering who may (rationally) want to commit suicide. Furthermore other factors also arise by suicide being constructed as per Kant as a moral issue and as an action that is impermissible. Consider, for example, a situation when someone has assisted their partner's or parent's death at that partner's prudent request at the end of their life. The point is that there are real prudential and moral costs of not

We can again go from the comparative analysis undertaken in the previous section and consider suicide in relation to Kant's account of happiness¹¹⁷. We can now make the following claims:

- That happiness (in other-regarding contexts) is identified by Kant as moral and as such can require an imperfect duty (of beneficence)
- That suicide (in *some* other-regarding contexts) shares the same features as his analysis of happiness in other-regarding contexts
- Therefore, suicide (in *some* other-regarding contexts) is also a moral matter because it can require an imperfect duty (to prevent it in others/beneficence).

As was noted above, prudence doesn't carry with it a moral obligation because it is non-moral. If someone else's decision about suicide is prudent then there is no moral basis for interference by other parties. However, if the decision is imprudent (and therefore irrational) a moral obligation is generated to prevent it if someone has the means to do so. This is the particular other-regarding context in which it becomes a moral matter, that is, the irrational suicide of someone else generates an other-regarding moral context. This can be compared to the rational suicide of someone else, which generated only a prudential context and therefore did not provide a basis for the interference of others on moral grounds (due to it being a non-moral context). This fits in with the overall schema developed in this thesis that morality is other-regarding.

rethinking rational suicide/assisted suicide requests at the end of life. So there is not just the issue, as Kant presents it, of suicide being a moral issue for the person who wants it. Rather there can be a moral cost or price for others in not allowing the rational person who wants to commit suicide to do so. Furthermore if the individual is rational and their suicide is a prudential matter then others have no moral justification to interfere.

¹¹⁷ Note: the previous section identified that happiness was not directly comparable to suicide and was better aligned with a comparison instead to self-preservation. This comparison is slightly different from that one in that happiness in *other-regarding contexts* is being compared with suicide in *other-regarding contexts*. When Kant's prudential account of happiness was being considered this was addressing happiness in a self-regarding context (a domain identified by Kant as prudential) with self-preservation. When suicide was considered, as one act that contributes to self-preservation, it was suicide in self-regarding contexts that was being discussed.

If morality is other-regarding then a (moral) duty is generated to assist those who are behaving irrationally and imprudently because they are unable in such circumstances to act for their own wellbeing/welfare. This ties in nicely with Kant's imperfect duty of beneficence and with rational beings who are ends in themselves wanting to make others ends their own too. If someone has become irrational and imprudent then they have ends which I cannot rationally make my own, and thereby an obligation is generated to return them to a state of rationality (prudence) and so to a state in which we can again, as rational human beings who are ends in themselves, share ends. I cannot rationally want to share or further the ends of someone who is irrational and imprudent, and this is what drives the distinction between there being a moral obligation in terms of someone's irrational decision to commit suicide and no moral duty or basis for interference of their rational/prudent decision to do so. It is important to note that returning someone to their own rationality does not imply that responses such as compulsory treatment are justifiable or inevitable. There are many ways to return someone to rationality. Furthermore, for someone who may never return to rationality (for example, due to chronic and ongoing mental illness or dementia) then there are ways to support them that also maintains their dignity and autonomy to the highest degree possible.

One way of thinking about this is in terms of Kant's categorical and hypothetical imperatives. A maxim about assisting someone else who is irrationally wanting to commit suicide is other-regarding and meets Kant's test of the categorical imperative (and is therefore a moral matter)¹¹⁸. It is universalisable and constitutes treating someone as an end. It is universalisable because a maxim to assist someone being irrational does not seem to contain any internal or external contradiction (in Kant's terminology there does not appear to be a contradiction

¹¹⁸ I would argue that conversely, a maxim about over-riding someone else's decision when that person is rational does not meet the requirements of the tests. If not a contradiction of conception, then there would at least seem to be a contradiction in willing. To have a maxim that my prudential decisions can be over-ridden by others would surely contradict my own autonomy and I would not be being treated as an end if my rational decisions were able to be over-ridden by others in this way.

in conception, nor a contradiction in willing). Such a maxim also appears to comply with treating rational beings as ends and sharing their ends by serving to return that person to a state of rational decision-making.

SECTION V: KANT RECONSTRUCTED - IMPLICATIONS AND CONCLUSIONS

A new taxonomy

As we have seen in the preceding section I have agreed with Kant that practical reason consists of (non-moral) hypothetical and (moral) categorical imperatives and includes skill-based, prudential, and moral reasoning. Several points of difference have emerged however. It has been argued that prudence can be thought of as more than Kant's narrow definition of it and as a result a new taxonomy of practical reasoning emerges. In the new taxonomy prudential reasoning relates to self-regarding contexts that are agent-specific and conditional (hypothetical imperatives); moral reasoning relates to other-regarding contexts that are universal and unconditional (categorical imperatives). Furthermore the new taxonomy that emerges has implications for how we think about Kant's overall project, about suicide, and about morality:

- The categorical imperative is a key component of moral reasoning but only applies in other-regarding contexts.
- We have moral duties to others but we do not have moral duties to ourselves.
- Self-regarding contexts are prudential, not moral.
- The application and scope of the categorical imperative (FUL/LN and HF) changes:
 - Maxims of prudence do not meet the criteria for universalisation (FUL/LN) because they are agent-relative hypothetical imperatives.
 - The HF is other-regarding only and is thus reformulated to:
 - *So act that you use humanity, ~~whether in your own person or in the person of any other~~, always at the same time as an end, never merely as a means.*
- Suicide is both a prudential consideration and a moral one. It is prudential in self-regarding contexts when the individual is rational. It is moral in other-regarding contexts when the individual is irrational.

*Kant's other moral duties*¹¹⁹

Kant's other moral duties included self-development; not to defile oneself by lust; not to stupefy by excessive use of food, alcohol, or drugs; not to lie; avarice; and not to show false humility (servility). Under the new account these can all be dealt with swiftly. Those that occur in self-regarding contexts (self-development, not to defile or stupefy oneself; avarice) will not be moral duties to self because they are prudential and as such there will not be one golden rule or unconditional imperative for all rational beings in all circumstances in terms of these. Those that occur in other-regarding contexts (not to lie to others or express a servile attitude in our relations to others) will entail a moral duty as per the categorical imperative.

¹¹⁹ This thesis is not trying to develop an account of Kant's ethics. It is an independent work of Kantian scholarship rather than an interpretation of Kant's own work. It uses a Kantian basis to develop an account where suicide is the primary exemplar in this context. For this reason there are elements of Kant's own account that have been intentionally left outside the scope or which are pointed to only briefly. Because this thesis postulates that there are no moral duties to self, Kant's moral duties to self are not delineated further, including one of Kant's key ones of self-perfection. The point to note is that if there are no moral duties to self there may be other implications for the moral duties to self that Kant considered. For more on Kantian arguments about duties to self, in terms of both the HF and FUL/LN, see for example. Denis, L. *Moral Self-Regard: Duties to Oneself in Kant's Moral Theory*, 2012.

Agreement and divergence from Kant:

Categorical Imperative: FUL/LN	
KANT	KANT REFORMULATED
Self-regarding maxims are (moral) categorical imperatives (and therefore do meet the criteria for becoming practical laws).	<i>Disagree</i> Self-regarding maxims are (non-moral/prudential) hypothetical imperatives (and therefore do not meet the criteria for becoming practical laws i.e. they do not fall under the FUL/LN)*.
Other-regarding maxims are categorical imperatives.	<i>Agree</i>
Categorical Imperative: HF	
KANT	KANT REFORMULATED
Applies to self and others (a broad scope: “whether in your own person or that of any other”).	<i>Disagree</i> Applies to others only, not self-applicable (a limited scope: “in the person of any other” only).
Generates moral duties to self as well as others (broad content).	Generates moral duties to others only (limited content).
PRUDENCE	
KANT	KANT REFORMULATED
Prudence: - Self-interest - Happiness - Non-moral - Doesn't factor in other-regarding considerations	Prudence: - Wellbeing/welfare - More than mere happiness - Non-moral - Other-regarding factors are part of prudential reasoning

EXEMPLARS	
<u>Happiness</u> (self-regarding context) - Prudential imperatives/maxims - No moral duty	<i>Agree</i>
<u>Suicide</u> (self-regarding context) - Moral - Categorical imperatives/maxims - Moral duty to self	<i>Disagree</i> - Prudential - Hypothetical imperatives/maxims - A component of overall prudential aim of self-preservation - No moral duty to self
<u>Happiness</u> (other-regarding context) - Imperfect duty of beneficence - Moral obligation	<i>Agree</i>
<u>Suicide</u> (other-regarding context) - Kant doesn't really consider suicide from this perspective, he specifies rather the duty to self not to commit it	- Moral duty to prevent someone else's irrational suicide - No moral obligation or basis to interfere with the decision of someone who is being prudent and rational.

* This leaves aside the question about whether or not the prudential domain is objective (and approximately/generally categorical) or subjective (and approximately/generally hypothetical); this matter is not important here. It also leaves aside an account of what prudential duty is, again this is a separate consideration to the account here.

In the comparative analysis I distinguished self-preservation from suicide and compared it to happiness. It was claimed that if happiness and self-preservation (in self-regarding contexts) share the same features that Kant identified in relation to his account of happiness then he would have to agree that they are both prudential. Kant has a very narrow idea of prudence, linking it with self-

interest and happiness. His narrow account led to a similarly narrow schema. A broader account of prudence has been suggested in the present account. For Kant some self-regarding imperatives, such as those about suicide, are categorical. It has been argued here that he got this wrong because self-regarding maxims are prudential. This is important because if self-regarding maxims are prudential, then this changes the application of both the FUL/LN and HF.

A problem for Kant is his supposition that a self-regarding maxim (being considered for universalisation to the status of a practical law), such as one about suicide, can be considered as a categorical imperative or principle and is not instead something else. The problem was his assumption that such a maxim is up for grabs so to speak, to be transformed into a practical law. Kant himself is saying that a self-regarding maxim permitting suicide could not be universalised but then goes on to create a categorical imperative against it because he insists there is a duty to self not to commit suicide. So he is making a fundamental error. If a self-regarding maxim cannot be universalised (i.e. cannot be a practical law) then it shouldn't be considered in the realm of morality at all. So instead of saying that a maxim that can't be universalised (FUL/LN) means that the associated action is morally impermissible and there is a duty against it (HF), he should recognise that some maxims are not moral at all but prudential. It is posited that self-regarding maxims are maxims of this kind because they are agent-specific and they relate to hypothetical imperatives. Other-regarding maxims in comparison have been assessed as those that can become practical laws. They relate to categorical imperatives, pass the tests of the categorical imperative, and consequently generate moral duties about how we ought to act in our interactions with others.

For Kant the scope and application of the moral categorical imperative is to ourselves and to others; the content that drops out of this is that there are moral duties to ourselves and to others. On the reconstructed account both the scope and the content are limited. The scope is limited to the application to others only, or in other words it is not self-regarding. This is because a self-regarding

maxim, such as one about suicide, is identified as prudential rather than moral. It does not therefore sit in the realm of morality at all - it has not met the test for universalisation to become a practical law (as per the FUL/LN) because it is a hypothetical imperative, not a categorical imperative. As a result of limiting the scope (to not being self-applicable), the content of the HF is also restricted. By only applying to others there are no longer (moral) duties to oneself appearing as part of its content.

A failing of Kant's account, in my view, is his polarised division of the unconditional categorical imperative and the conditional hypothetical imperative across moral and prudential dimensions. I think this is a failing because he (albeit intentionally) completely demarcates universal unconditionals and individual conditionals. By this I mean that while he acknowledges that prudential reasoning is undertaken by rational beings in terms of their own prudential interests he then elevates moral reasoning as something occurring in an impersonal realm with no meeting place for the two. I think that prudential reasoning can be viewed in a much more favourable light than Kant frames it. Prudential reasoning is part of practical reasoning and not as distinct from moral reasoning as Kant paints it to be. Individual's can and do over-ride their inclinations to reason prudentially; this ability is not something specific to moral reasoning only which is how Kant appears to conceive of it. Moral and prudential reasoning is under-taken by the same rational being utilising the same reasoning tools. That moral reasoning relates to categorical imperatives and is universal and unconditional; and that prudential reasoning relates to hypothetical imperatives and is agent relative and conditional; does not mean that vastly different reasoning tools are employed regarding the basis for our decisions and actions. In both arenas agents' want to make a sound decisions based on good reasons and they want to be as objective as they can be in making those decisions.

Responses to potential objections

What happens when prudential and moral reasoning conflict?

Prudential and moral reasoning could conflict in different ways. Moral reasoning could conflict with itself; prudential reasoning could conflict with itself; and moral and prudential reasoning can conflict with each other. Take Sartre's example of an individual's decision to go and fight for his country or to stay home and care for his ailing mother¹²⁰. This can cause conflict in all three realms¹²¹. Morally there is an other-regarding conflict between fighting with comrades and caring for his mother; prudentially there is a conflict in terms of personal welfare (i.e. the risk of being killed by going to war) or alternatively there could be a prudential conflict in the individual's own self-concept because they may be someone opposed to war, someone who believes in fighting for their country, or someone who prioritises caring for their parent. Our use of reason is not something that can get us out of these sticky situations and this is how these kinds of scenarios play out in the real world amongst rational beings. Sometimes reason will show a clear resolution to scenarios that generate conflicting moral obligations and/or prudential considerations but other times it cannot and other authors writing about ethics have acknowledged this¹²². This is where Kant's strict demarcation falls over; moral reason may tell me that I am obligated to my country and to my parent but how to pick a winner (so to speak) is not apparent. Similarly prudence may not have a clear winner here either, it may be equally as

¹²⁰ Sartre has a different, specifically Kantian objection to this scenario: "... if I remain with my mother, I shall be regarding her as the end and not as a means: but by the same token I am in danger of treating as means those who are fighting on my behalf; and the converse is also true, that if I go to the aid of the combatants I shall be treating them as the end at the risk of treating my mother as a means." (Jean-Paul Sartre *Existentialism and Humanism* (London: Methuen 36:1973).

¹²¹ Note: I am going beyond Sartre's own examples with these potential scenarios.

¹²² For example, for a unique and original analysis of 'moral luck' see Martha Nussbaum (2001).

important to my self-image that I am thought of as a good child, as a loyal citizen, or that I maintain my integrity as someone who is opposed to war.

The upshot will be, and I'm willing to accept this, that in some of these cases there will not be a clear resolution no matter which decision is made and that is okay. This is how things play out in the real world and this is the case because sometimes prudential and moral considerations do conflict. Practical reasoning occurs by socially embedded individuals where both self-regarding and other-regarding factors are relevant, and in self-regarding and other-regarding contexts. The categorical imperative provides strong guidance in other-regarding contexts because treating other people as ends is not necessarily a natural inclination of rational beings. However, rational beings also behave prudentially and this prudence also incorporates the impact of my decisions on others, particularly those who are important to me. In Sartre's example there is no magic formula available to provide the correct answer or right decision to make in that scenario. Choosing to go to war has negative and positive moral and prudential implications and choosing to stay at home has positive and negative moral and prudential implications. All that this individual can do is to make a decision and provide their rationale and reasons for doing so. This is how practical reasoning works.

Suicide can never be prudent because it ends that person's life

Suicide is different from other contexts because it is final, however the steps and reasoning undertaken to get to that decision are no different than in other contexts. Someone can demonstrate their use of practical reasoning in coming to the decision to commit suicide, just as people can demonstrate this in other contexts. That is, people can explain the reasons behind their decision and these can appear to provide good reasons for the decision or bad reasons for the decision.

Who assesses what is and isn't prudent?

In considering prudential matters we must first of all remember that prudence is not related to universal non-conditionals such as Kant's categorical imperative and so prudential matters will be considered on a case-by-case basis. They are agent-specific and not matters on which a universal ruling is appropriate. For example, we can reconsider abortion as a prudential matter because it is one that occurs in a self-regarding context for the woman concerned¹²³. Some could argue that abortion is prudent, others that it isn't; and this affects the whole schema and response. In considering this as a prudential matter it is important to remember that the person making these calculations will also be considering the impact on others that her decision will have.

So in one case X may decide to have an abortion and it may be prudent or imprudent for her to do so; in another case Y may decide not to seek an abortion and it may be prudent/imprudent for her to do so. In these scenarios individuals X and Y will be able to provide the reasoning behind their respective decisions and the prudence/rationality of these decisions will be backed up by those reasons. These self-regarding prudential contexts are no different from other contexts in which we make decisions and usually provide the reasons for what we have decided. When someone provides the reasons for their decisions, the individual themselves, and those they speak to are fairly astute at assessing if poor reasons or a good rationale is driving decision-making.

Counter-examples

It may be prudent to lie, that is, there can be a conflict between prudence and morality. The categorical imperative, operating in an other-regarding context, generates a universal obligation against lying. What the counter-example here

¹²³ I'm not entering the debate here regarding at which point the fetus can be considered a person, suffice to say that at the very early stages of a woman's pregnancy a fetus would not meet Kant's criteria of rationality to turn this scenario into an other-regarding context.

does is confuse the moral and prudential realms. The matter of lying is an other-regarding context, it is not a self-regarding prudential context at all and so not a matter of prudence, in this way it does not make sense to say that it is prudent to lie. Furthermore we could also claim that it is not prudent to disregard the categorical imperative.

Prudential and moral considerations often intersect. For example, it could be prudent for me to give up smoking for myself, and moral to do so in considering others (for example, setting a good example for others). In the account developed giving up smoking is a prudential consideration occurring in a self-regarding context. In the self-regarding realm I will factor in my relations to others and obligations that I may have (in the same way that other-relating factors were considered with the example of taking up a new job and with regards to suicide). My decision about whether or not to give up smoking is however one that occurs in the prudential (non-moral) realm with other-regarding factors being among the factors considered in that realm.

These examples are intended to point out that in some instances where there appears to be conflict between the moral and prudential realms there need not be and we can tease out what is going on and make sense of the examples in either prudential or moral terms. In other examples, such as Sartre's one, no amount of teasing out will provide a clear-cut answer or guide to how we should act and this is something we just have to live with unless we want an overly prescriptive set of rules that will not actually make sense in terms of actual life circumstances. Kant tried to provide such a prescriptive approach and as a result there is controversy with his all-or-nothing formulas when applied to cases such as the murderer at the door. The new account is not so prescriptive but it is also, as a result, not so all-or-nothing and not able or intending to produce a rulebook of appropriate prudential and moral behaviour for every single circumstance.

Kant's two-fold metaphysic and Copernican revolution revisited

Section I of this thesis outlined Kant's two-fold metaphysic and his Copernican revolution. His two fold metaphysic outlines:

- A metaphysic (formal/rational) of knowledge (objects of understanding) and of morals (how people ought to act)
- An empirical account of physics (laws of nature) and of ethics (how people do act).

His Copernican revolution was about how, rather than the world imposing a structure on us, as rational beings we impose a structure on how we experience the world via our cognition (space; time).

I agree with Kant's analysis here but think that he has missed another essential component of how we experience the world and that is our place in the world as social beings. Furthermore I think that this impacts on our understanding of morality and prudence because these relate to the actions of rational beings in social contexts. I am not disagreeing with Kant's view that we can reason about morality a priori, but maintaining that when we do so we are deliberating about how to act in other-regarding contexts only. This is because self-regarding contexts are prudential; however these too are deliberations by rational beings who are inherently social and so the impacts on others form part of a broader conception of prudential decision-making.

Kant's first principles of morals are formal and agent-neutral because they are not relative to a particular situation but rather apply to all rational beings irrespective of context (for example, the categorical imperative: do not lie)¹²⁴.

¹²⁴ I have granted Kant that morality utilises categorical imperatives. However, I don't think that these necessarily apply in the way that Kant does. For example, I disagree with the idea that even on his account the universal rule about lying must operate in the way that he accounts for it. For him the obligation to tell the truth/to not lie, holds absolutely; e.g. the murderer at the door example. However there could be a construction whereby there is a universal rule against lying but the obligation about lying only holds when the other person is treating

However he fails to account for the fact that these first principles are utilised by rational beings who exist in and apply them to social contexts. He is explicit in not wanting to do this to ensure that there is no empirical basis to his account of morals; however I think by doing this he has created a very rigid account of morality and one that is consequently unable to deal adequately with issues such as suicide. The account developed here takes a new approach that retains core elements of Kant's framework but is better able to adapt to modern/contemporary dilemmas. A gap is potentially bridged between individual prudence and an other-regarding ethics as a system of ethics that is universal. By reclassifying self-regarding contexts as prudential and other-regarding contexts as moral, we are able to consider matters such as suicide in ways that differ from Kant's one-size-fits-all approach.

We have seen that his two-fold analysis extends to his account of morality and prudence whereby he provides an overall agent-neutral system of morals that applies to all rational beings (via the categorical imperative) and a discretionary agent-specific account of prudence (via the hypothetical imperative). A significant departure from Kant in the account developed here is that morality is about how I reason with regards to others and prudence is about how I reason about myself. This has been the view argued for in this thesis and has implications for how we understand both morality and prudence.

Kant's own account distinguishes between rational cognition as material and concerned with some object; and such cognition as formal and concerned with universal rules of thinking (G 4:387). What Kant didn't recognise explicitly is the applicability of this distinction to his own account of practical reason because this distinction applies to our understanding of moral and prudential reasoning. This is because we can think of prudential reasoning in terms of relating to an object, that is, how I reason about myself; and we can think of moral reasoning as being about universal rules, that is, how rational beings reason about their

you as an end and not a mere means. Further development of such an account is however beyond the scope of this thesis.

interactions with others. Furthermore it is from this framework that self-regarding and agent specific scenarios are argued to be prudential and not moral concerns; and that morality should be understood as other-regarding only. An additional implication and claim is that individuals have no moral basis to interfere with the prudential decisions of others, unless that person is being irrational/imprudent. This point relates to Kant's own account because it has been argued that the tests of the categorical imperative do not work in self-regarding contexts and do work in other-regarding contexts. Furthermore it has been argued that a moral obligation comes into play in other-regarding contexts when an individual is being imprudent and irrational because the tests of the categorical imperative work in this context. Kant agrees that hypothetical imperatives do not generate moral duties. By reclassifying self-regarding contexts as prudential and as constituting a realm governed by agent-specific hypothetical imperatives, he too would have to agree that they do not generate moral duties. However, when a matter such as suicide arises in an other-regarding context and when that other person is being irrational, the categorical imperative applies. In these cases an imperfect duty is generated.

This new schema provides greater flexibility in dealing with real-life ethical and prudential dilemmas and retains having a rational, universal, and unconditional basis to ethics. In terms of the suicide example there is a moral obligation to prevent the suicide of someone making an imprudent/irrational decision and a moral obligation generally to assist those who are, for whatever reason, unable to exercise prudence/make rational decisions. Furthermore, it can be argued that this links with the Kantian notion of the dignity of rational beings as ends in themselves. If someone is unable to function in the world with due forethought for their own welfare/wellbeing, then intuitively others have a moral obligation to try to return that individual to a state of autonomy and self-determination if this is possible. This obligation may fall to professionals, for example if someone is unable to behave prudently or rationally due to drug addiction or mental health problems then medical staff and others have a duty of care to those who access their services. This is a very Kantian notion. Once the problem has been

addressed the duty of care is usually complete and the individual is discharged from the service and returns to autonomy and making their own decisions.

If self-regarding prudential maxims are hypothetical and not moral then this suggests that morality is other-regarding only. The tests of universality and treating ourselves as ends do not apply to the realm of prudential maxims. This constitutes a major reinterpretation of Kant's analysis and lessens the scope of the categorical imperative to be other-regarding only. I agree with Kant that morality relates to a categorical imperative but I disagree that morality includes self-regarding matters because I identify self-regarding maxims as prudential. The basis of the claim, that the categorical imperative is other-regarding only, is that the tests of the categorical imperative do not apply or work in self-regarding contexts and that the reason they do not work is because self-regarding contexts are not categorical but prudential.

The upshot of all this is that Kant's categorical imperative may actually provide few maxims that pass its tests in terms of both universalisation and treating people as ends. It may be the case that the only maxims truly capable of universalisation are ones that he has already given us via the categorical imperative. For example:

- Only act on those maxims that can be universalised unconditionally.¹²⁵
- Treat others as ends and allow them to know your ends when you are interacting with them.
- Assist those who are unable to have rational ends (for example, due to mental illness, addiction etc.) to return to a state where they can have and share their own ends.

¹²⁵ Many of Kant's approved maxims arguably don't work as he thinks they should, for example maxims about lying and even maxims about killing – it seems immoral to tell the truth to the murderer at the door and we do make exceptions to killing, for example in self defence. Furthermore I think a case could be made that if the other party is not treating you as an end then as a rational being you may no longer be bound by the categorical imperative. So the maxims that do meet this test may be few.

However few, grounding principles such as these may be enough to constitute significant guidelines and unconditional principles for how we should treat each other. We have Kant to thank for this.

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