Subject And Object In Kant's Moral Theory

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Kant's moral theory is often charged with an excessive formalism that is incapable of yielding any substantive moral judgments, but is in practice compatible with the grossest immorality. We find one of the earliest statements of this line of criticism in Hegel's early work *Natural Law.* There Hegel argues that Kant provides only a negative criterion of right in which all content is drained from morality, leaving us with a barren formalism incapable of specifying any concrete duties.[1]

In this paper, I shall focus my attention on the crucial transition between the first and the second formulations of the categorical imperative, for it is clear that Kant intended the latter to provide the content that critics find so lacking in his theory. I shall begin by situating the problem within Kant's own conceptual framework. I shall then examine his doctrine of objective ends and his rather puzzling use of language in the second formulation. Finally, I shall conclude by explicating one suggested derivation of the second formulation of the categorical imperative. It is my contention that the second formulation of the categorical imperative is grounded on the impossibility of an agent rationally willing that she be treated only as the object of action and not as a subject.

I.

On the surface, Kant does seem to present us with the impossible task of deriving substantive moral principles from a purely formal constraint. By formulating the categorical imperative as the requirement that agents "act only according to that maxim by which you can at the same time will that it should become a universal law,"[2] Kant provides only a negative condition of the acceptability of maxims. In other words, he specifies a canon of practical reason.

In the Introduction to the "Transcendental Logic" of the First *Critique*, Kant distinguishes between a canon and an organon of reason. The canon of understanding is concerned with the mere form of judgments and provides only the negative condition or *sine qua non* of truth. With respect to theoretical reason, this role is filled by logic, which states the purely formal conditions required for the logical possibility of judgments. In contrast to a canon, an organon is an "instrument" capable of generating substantive judgments that extend and enlarge our knowledge." We succumb to the "logic of illusion" when we attempt to treat formal logic as an organon for the production of true judgments.[3] Such a move is clearly illegitimate, for it is just the content of a judgment that is essential in determining its truth and providing us with knowledge of the objects of experience. Thus, in abstracting from the content of judgments, logic is limited to providing only a canon of reason.

A similar situation obtains with respect to practical reason. As a canon, the first formulation of the categorical imperative is a test applied to given maxims. It is not a principle from which concrete duties can be deduced as theorems from an axiom, but a test applied to independently formulated, given maxims to determine whether they are capable of being practical laws, a procedure Kant follows in his examples. In its first formulation, the categorical imperative establishes only the permissibility of acting on any given maxim, the practical analogue of logical possibility. This creates something of a problem for Kant. At best, Kant can only establish that a certain action is permissible, but not that it is obligatory. But it is just our specific concrete duties and the ends that we are to pursue that concerns us in our moral deliberations. In order to satisfy the demands of our ordinary moral consciousness, Kant must provide some content to the moral law, some ends that we ought to pursue, but he has at his disposal here only the pure form of law, its universality. In attempting to derive substantive principles from this purely formal constraint, Kant appears to have fallen prey to the same error he so forcefully warned us against with regard to theoretical reason: he has treated a canon as an organon. The categorical imperative would seem, then, to be incapable of grounding Kant's notion of duty or obligation.

Before we continue, let us consider why Kant is confronted with what seems to be an intractable problem. The answer I think lies in the modern science's rejection of the traditional teleological worldview. Following the developments in modern science, Kant confronts a nature whose operations are characterized by mechanistic necessity and thus is devoid of a teleology sufficient to ground some overarching concept of the good that could serve as the basis of morality. But Kant also recognizes that human action is inherently purposive and concludes that moral action requires some end that is valid for all rational agents, an end that it is impossible to find among the ever-shifting subjective appetites and aversions of those agents. Thus Kant is forced to extend his Copernican Revolution[4] into ethics by relying on the self-legislative capacity of reason, which is essentially formal in character, to fill the void created by the loss of the traditional natural teleology in science.

II.

The key transition in Kant's ethical theory is between the first and second formulations of the categorical imperative. The first formulation of the categorical imperative is formal in nature, whereas the second provides the material or end of the law that we so desperately need to get past the empty form of universality and move from permission to obligation. Kant is caught between two poles here. On the one hand, he claims that the law is logically prior to its object and must give

rise to that object. But on the other hand, he needs some object of the law, some end that we ought to pursue, to provide the moral law with a determinate content that is capable of generating concrete moral duties. In order to provide such content, he must provide some account of objective or obligatory ends, i.e., ends that are valid for all rational agents as such.

In the *Foundations of the Metaphysics of Morals*, Kant acknowledges the necessity of providing such an account. There he distinguishes between subjective and objective ends. Kant recognizes that the "objective ground" determining the will to action is always an end. Some of these ends are those "which a rational being arbitrarily proposes to himself as consequences of his action;" these "are material ends and are without exception only relative, for only their relation to a particularly constituted faculty of desire in the subject gives them their worth."[5] In contrast to these ends, there are ends that "are given by reason alone" and "depend on motives valid for every rational being."[6] Only objective ends "afford any universal principles for all rational beings or valid and necessary principles for every volition," for such ends themselves possess validity for rational agents as such.[7] Kant's formalism, then, does not preclude a matter or content of morality, only the specific type of content determined by the subjective constitution of our faculty of desire.

In the *Metaphysics of Morals*, Kant pursues this line of thought and elaborates on his conception of objective ends. There he maintains that:

> An end is an object of free choice, the thought of which determines the power of choice (*Willkür*) to an action by which the object is produced. Every action, therefore, has its end; and since no one can have an end without himself making the object of choice into an end, it follows that the adoption of any end of action whatsoever is an act of freedom on the agent's part, not an operation of nature. But if this act which determines an end is a practical principle that prescribes the end itself (and therefore commands unconditionally), and not the means (and so not conditionally), it is, therefore, an imperative which connects a concept of duty with that of an end as such.[8]

Kant acknowledges, then, the purposive character of human action. In keeping with freedom as a precondition of morality, the ends that guide our actions must be freely adopted, though their source may lie either in our reason or in our empirical nature. If that source is the former, those ends are objective or valid for all rational beings; if in the latter, they are purely subjective, for rational beings may differ with regard to the contingent make-up of their constitution of desire.

Given the purposive nature of human action, if there are to be obligatory actions, there must be obligatory ends ("objects man ought to adopt as ends"):

> Now there must be such an end and a categorical imperative corresponding to it. For since there are free actions, there must also be ends to which as their object, these actions are directed. But among these ends there must also be those that are at the same time (that is, by their concept) duties. For were there no such ends, then all ends would be valid for practical reason only as a means to other ends; and since there can be no action without an end, a categorical imperative would be impossible. And this would do away with all moral philosophy.[9]

Since there is a categorical imperative, there must be obligatory ends. If there were no objective ends, then there could be no morality. But it is a "fact of reason" that we are morally responsible agents and are subject to moral law.

The difficulty here lies in the derivation of these objective ends. The end or object of the law must be derived from the law itself, or more specifically the mere form of universality. Only if we are able to derive the ends of action from the form of universality can we conclude that these are in fact objectively valid for all rational agents. Kant locates such an end in rational nature itself, which leads to the second formulation of the categorical imperative: "Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only."[10] It is here that Kant provides the basis for fleshing out the formal skeleton of his ethics.

Kant's claim that persons are ends in themselves surely involves a rather odd usage of the term "end." In what sense of "end" can humanity be described as an end? When I say that the acquisition of wealth is one of my ends, I have said something that is easily understood, and the consequences of the adoption of this end for action are not difficult to grasp. But when I state that I am my own end, none of this is readily apparent. Similar difficulties arise when I apply this notion to other individuals. If I state that my child is my end, it is unclear what this could mean beyond the expression of a desire to sire a child, and for Kant it clearly does mean more than that.

Now in *The Metaphysics of Morals*, Kant defines Humanity as "the power to set an end – any end whatsoever."[11] Thus, the second formulation of the categorical amounts to saying that we ought to treat the power to set and (I would add) rationally to pursue ends as an end in itself. In contrast, an object of the will is defined as "a thing that I have the physical power to use."[12] Consequently, when Kant states that a person is an end in itself, he means that a person is a subject capable of forming and pursuing purposes and not just an object to be used as a means for the attainment of one's subjective ends. One treats someone as such an

end by respecting that ability. With regard to oneself, this involves trying to develop and perfect one's natural capacities, one's ability to set and pursue ends. When Kant speaks of treating other persons as ends, he is referring to the ends of those persons. In this regard, Kant propounds two different but related conceptions of persons as objective ends – a negative one and a positive one. According to the negative conception of persons as objective ends, treating another person as an end means not interfering with the pursuit of her morally permissible ends. In the positive sense, I treat another person as an end when I adopt her ends as my own and strive to further her efforts to achieve those morally permissible ends.

III.

Unfortunately, Kant provides scant argumentation in the *Foundations* for the claim that one ought to treat persons as ends in themselves. In fact, Kant begins by providing no argument at all for this claim, starting with a supposition and then immediately afterwards quite dogmatically asserting the truth of that supposition.[13] Finally, when he does get around to arguing for it, there seem to be a variety of arguments imbedded in the text.[14] I intend to examine one such argument.

Kant provides this particular piece of argumentation in the following passage:

> Man necessarily thinks of his own existence in this way: thus far it is a subjective principle of human actions. Also every other rational being thinks of his existence by means of the same rational ground which holds for myself; thus it is at the same time an objective principle from which, as a supreme practical ground, it must be possible to derive all laws of the will.[15]

This argument is based on the claim that one necessarily considers herself to be an end in itself. Further, the reason why one does so in her own case holds for all other rational beings as well. But from this it follows only that all rational agents must consider themselves as ends in themselves, a conclusion that is clearly insufficient for Kant's purposes. Kant needs to get beyond the subjective validity of this rational ground for each agent to its objective validity for all agents and does so by means of the requirement that all maxims be universalizable. In order to see how Kant accomplishes this, let us first consider the nature of this rational ground.

In the footnote to the above passage, we are referred to the final section of the *Foundations.* Following Paton, I take it that this reference is to the passage entitled "Freedom Must Be Presupposed As The Property Of The Will Of All Rational Beings."[16] There Kant argues that, on whatever basis we ascribe freedom to our own will, we must also attribute freedom to all rational beings. This claim rests on the moral law itself, which is valid "for us only as rational beings." Since the moral law as valid for all rational beings "must be derived from the property of

freedom," freedom must be ascribed to such beings. Kant concludes this sub-section by maintaining that "the will of a rational being can be a will of its own only under the idea of freedom, and therefore in a practical point of view such must be ascribed to all rational beings."[17] Freedom, then, provides the rational ground on which each agent considers herself to be an end in itself.

Kant elaborates and expands upon this line of thought in sections 82 to 87 of the *Critique of Judgment.*[18] In what might seem to be an old-fashioned appeal to teleology, Kant argues that only in human beings as rational agents do we find a being "who can form a concept of purposes and use his reason to turn an aggregate of purposively structured things into a system of purposes."[19] This establishes humanity as the "ultimate purpose of creation," "the purpose by reference to which all other natural things constitute a system of purposes." Humans, through the use of their reason, are able to order and systematize all natural entities into a coherent, structured whole of purposes and thereby introduce purpose into the natural world. But this activity is "always subject to a condition: he must have the understanding and the will to give both nature and himself reference to a purpose independent of nature, self-sufficient, and a final purpose."[20] We find intimated here an important distinction between ultimate and final purposes, though one that is not clearly drawn.

The ultimate purpose of nature is immanent within nature and lies in the development of a rational being who possesses an aptitude for setting purposes for himself and using nature for their attainment, i.e., who possesses what Kant calls "culture." It is here in this concept that we find a rather old-fashioned teleology at work. But Kant goes on to distinguish a final purpose from the ultimate purpose of nature. A final purpose is defined as "a purpose that requires no other purpose as a condition of its possibility."[21] Since it depends on no other condition, a final purpose is unconditioned. But within nature, the unconditioned is nowhere to be found, for here we are confronted only with an unending series of conditions. The final purpose of creation, then, must not be sought "within nature at all;" it is transcendent. Now only rational agents as noumena fit this description:

> Now in this world of ours there is only one kind of being with a causality that is teleological, i.e., directed to purposes, but also so constituted that the law in terms of which these beings must determine their purposes is presented as unconditioned and independent of conditions in nature and yet necessarily in itself. That being is man, but man considered as noumenon. Man is the only natural being in whom we can recognize, as part of his own constitution, a supersensible ability (freedom), and even recognize the law and the object of this causality, the object that this being can set before itself as its highest purpose (the highest good in the world).[22]

As moral beings, rational beings under moral laws, humans serve no other purpose.

Without such beings, Kant argues, the world would lack all value. If there were no rational beings in the world, there would exist no entity that could imbue the world with value. Thus, the existence of the world and everything in it would be without value. Further, it there were only instrumentally rational beings, the world would also lack value, for there would be no final point of attachment for "the chain of mutually subordinated purposes." Under such conditions, this chain would remain forever incomplete. It is, then, the power of desire determined by laws of freedom, i.e., practical principles, that gives human existence absolute value. This argument is similar to Aristotle's reasoning in Book I, Chapter 2 of the *Nicomachean Ethics* with regard to the highest good, though Kant lacks the antiquated teleological underderpinnings provided by the Aristotelian science.

Kant's point here is a simple one: each human being must consider himself to be a subject of purposive action and not solely as its object. This consideration rests on his freedom as a rational agent, as an agent who can set himself ends, and is not dependent on any teleological interpretation of humanity as the ultimate purpose of creation. The positing of an end must be considered an act of freedom, undetermined by natural necessity, which is purely mechanistic. This is why human freedom is teleological. Since one must consider oneself as such a subject, one cannot will that one should be used solely as an object to be used in the attainment of another's ends. Consequently, I cannot will that the maxim "Always treat others solely as a means to my ends" be a universal law. Thus, in one's relationships with others, one must respect them as subjects with their own ends, and this requires that, in the pursuit of one's own ends, one not use others in such a manner as to prevent them from attaining their own ends. Thus, the obligatory end here is not a specific end defined for us by some telos inherent in nature, but is provided by the end-setting capacity of rational agency itself.

Now this reasoning is insufficient for a full understanding of what it means to be an end-in-itself. Kant argues that our conception of others as ends must be positive as well as negative:

> ... but this harmony with humanity as an end-in-itself is only negative rather than positive if everyone does not also endeavor, so far as he can, to further the ends of others. For the ends of any person, who is an end in himself, must as far as possible also be my end, if that conception of an end in itself is to have its full effect on me.[23]

Thus, we are required by the positive conception of humanity as an end in itself to adopt the ends of others as our own. But now we need some sense of how Kant

might be able to derive this stronger conception of an end in itself from the formulation of the categorical imperative as fitness for universal law. This is provided by Kant's reasoning in the fourth example, in which he attacks rational egoism as a possible principle of morality. Here Kant argues that, given the type of being we are, we can not consistently will that all rational agents act solely out of self-interest. There are times in which each of us may need the aid of others, even though the provision of that aid by others would run counter to their own self-interest. More generally, it is always in my self-interest that others suspend their own self-interest when it conflicts with mine. My own self-interest, then, demands that others not always act according to their own self-interest, and hence, I cannot consistently will that the maxim of rationally self-interested action become a universal law of action.[24]

Let me conclude by pointing out the limitations of the second formulation, for they are significant. The concept of persons as objective ends provides only the foundation for determining the content of our obligations, but it does not actually provide a complete specification of those concrete duties. Such a task is beyond the capacity of pure practical reason for it requires a general empirical knowledge of human capability and potential as well as an understanding of the particular ends of those we encounter, and to that extent, there is an open-endedness to the application of Kant's moral theory. This result is of a piece with those of the first *Critique*: pure reason is able to provide us with a knowledge of the structure of the world we experience, but is incapable of filling in the details. For example, we know *a priori* that every event will succeed another in accordance with a rule, but we can only know *a posteriori* what those specific rules are, the determination of which is the task of empirical research in science. Similarly, Kant provides us with an account of the structural constraints that govern the operations of practical reason, in itself no small feat. Thus, the situation with respect to practical reason is the same one that Kant sought to express about theoretical reason with his famous dictum that "thoughts without content are empty, intuitions without concepts are blind."[25]

Notes

1. This same sort of criticism has been levelled at Kant from a radically different philosophical perspective. In his *Utilitarianism*, Mill criticizes those "a priori moralists" who, when they argue at all, appeal to the principle of utility or greatest happiness. According to Mill, Kant is the foremost example of such a moralist, for his formalism allows the adoption of any maxim, even the most immoral, on the part of rational agents. Kant can only prevent this result by appealing covertly to the principle of utility.

2. Kant, *Foundations of the Metaphysics of Morals*, trans. Lewis White Beck (Indianapolis: Bobbs-Merrill, 1980), 39. For a discussion of this point, see Wolff, *The Autonomy of Reason*. Professor Wolff

argues that in the *Foundations* Kant attempts to ground a theory of obligatory ends that would provide content to the categorical imperative. Kant fails in this task for the best of all reasons – because it can not be done. There simply are no categorical imperatives. This does not prove that Kant's analysis of moral imperatives is incorrect, however, for Kant may very well be correct in his analysis and yet be mistaken as to whether we are bound by any moral law in the first place. If Professor Wolff is correct, then rather than being a fact of reason, the moral law is just a chimera.

3. Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: St. Martin's Press, 1965), 99.

4. For a useful discussion of this matter, see John Silber, "The Copernican Revolution in Ethics: The Good Reexamined" in Robert Paul Wolff ed., *Kant: A Collection Critical Essays* (Notre Dame: Notre Dame University Press, 1968), 266-290.

5. *Foundations*, 45-46.

6. *Foundations*, 45.

7. *Foundations*, 46.

8. Immanuel Kant, *The Doctrine of Virtue*, trans. Mary Gregor (Philadelphia: University of Pennsylvania Press, 1980), 43.

9. *The Doctrine of Virtue*, 43.

10. *Foundations*, 46.

11. *The Doctrine of Virtue*, 51.

12. Immanuel Kant, *The Metaphysical Elements of Justice*, trans. John Ladd (Indianapolis: Hackett, 1965), 52.

13. *Foundations*, 46.

14. For example, H.J. Paton finds four distinct arguments for the second formulation of the categorical imperative. H.J. Paton, *The Categorical Imperative* (Philadelphia: University of Pennsylvania, 1971).

15. *Foundations*, 47.

16. *Foundations*, 66-67.

17. *Foundations*, 67.

18. Patrick Riley calls attention to the importance of these sections for an understanding of Kant's doctrine of persons as ends in his excellent study of Kant's political theory. See Patrick Riley, *Kant's Political Philosophy* (Totawa, New Jersey: Rowman & Allanheld, 1983).

19. Immanuel Kant, *Critique of Judgment*, trans. Werner Pluhar (Indianapolis: Hackett, 1987), 67.

20. *Critique of Judgment*, 318.

21. *Critique of Judgment*, 322.

22. *Critique of Judgment*, 323.

23. *Foundations*, 49.

24. There is one special set of circumstances under which we can derive an obligation from the permissibility and impermissibility of maxims, i.e., when a canon functions as an organon. Such a situation exists when there is a finite set of possible maxims and all but one of them fails to meet the test of the categorical imperative. Under such circumstances, the adoption of all but one maxim is impermissible. Further, an agent cannot abstain from acting. Since acting follows analytically from the concept of agency, it is necessarily the case that agents act. Consequently, rather than being just permissible, the adoption of the remaining maxim becomes obligatory. This is precisely the case here.

We can express the maxim of rational self-interest and its contrary in the language of means and ends. So formulated, the maxim of rational self-interest is as follows: treat others solely as a means to one's own arbitrary ends. The alternative to this maxim is: Never treat others solely as a means to one's own arbitrary ends, but treat them also as ends in themselves, i.e., the second formulation of the categorical imperative. Here we have a quite plausible case of a canon functioning as an organon. We have a choice between two possible maxims, the adoption of one of which is prohibited by the categorical imperative expressed as universal law; thus we are obligated to act according to the sole remaining one. This manner of expressing and justifying the second formulation of the categorical imperative on the basis of the first formulation provides a basis on which to ground the positive as well as the negative conception of persons as ends in themselves, since it recognizes the need of all individuals for the aid of others.

25. *Critique of Pure Reason*, 93.