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MRS. FOOT ON THE SUFFICIENCY OF HYPOTHETICAL IMPERATIVES*

by
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I

Mrs. Philippa Foot proposes two possible ethical systems which contain only hypothetical imperatives and which, she holds, are immune to any weighty objections Kant could bring against them.

First, a moral system could contain only hypothetical imperatives if the word 'should' were applied in case, and only in case, the "right connection" could be found between the action which is said to be the one the agent should do and that agent's interests or desires (p. 139). The "right connection" is that the act so commanded or commended furthers these desires or interests. These desires and interests are distinguished from inclinations. The set of imperatives would be a practical working system of morality if the agent's interests or desires were shared with others in a social group. Within the social group the word 'should' could be used in a grammatically categorical way though it would be understood, at least by the more reflective members of the group, always as hypothetical. The ethical language would be different from ours, for it would lack "one of the many instruments we have for expressing a hostile attitude" towards those who do not share our desires and interests. But she holds that "it would not matter at all if we made this change in our usage".

Second, there could be a moral system in which "moral considerations are considered to be reasons for acting only when related to the desires or interests of the agent" (p. 140). Mrs. Foot does not make it entirely clear what she means by either "moral considerations" or "desires or interests of the agent". As it stands, this description could fit Kant's own theory, at least in so far as he assumes that one of the interests (if not a "desire", properly so-called) of men is to act out of moral considerations. But since she *distinguishes* "moral considerations" from "desires or interests", and holds that the former are effective only when standing in a positive relation to the latter, she must be using each of the terms in some restricted sense which would prevent the application of her description to the Kantian ethics. Just how these restrictions are to be made, however, is a difficult question.

Now only if the "moral considerations" can or ought to be effective without our establishing a positive relation of them to "desires or interests", is there a categorical imperative to act out of consideration for the moral. Otherwise all imperatives are hypothetical, even those directed to the effectuation of moral ends such as the attainment of virtue. Mrs. Foot can find no more reason to obey a categorical imperative in ethics than in etiquette, but she appears to want to use the language of ordinary ethics instead of the language of mere prudence, so I believe she prefers System II to System I.²

System II seems to be proposed as what really underlies "the ordinary rational knowledge of morality", which is the starting point also for Kant's analysis in the

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Foundations. But what each of them finds most significant in the ordinary moral consciousness, of course, is very different. For Kant holds that the "moral consideration" is autonomous, that is, it does not borrow its force from its association with what are narrowly considered to be an agent's desires or interests.

The point at issue between Kant and Mrs. Foot is not an empirical one. Mrs. Foot is prepared to agree (p. 141) that a man may do something because he tells himself that "only thus will he be acting in conformity with reason"; she wants, as it were, to ask if it is really reasonable for him to do so. And Kant believes that the categorical-moral 'ought' *can* have force to move a man to action even when it is not associated with his interests, but he is not so sure that it is an empirical fact that it alone ever has moved a man.³ Mrs. Foot seems to believe that something that can happen (a man moved by moral considerations divorced from interests and desires) is without justification (which can come only from association with interests or desires); while Kant believes that the same thing ought to happen (would be justified if it happened) but is dubious about whether it ever does happen!

Yet I am not entirely sure whether Mrs. Foot sees the issue as one of conceptual analysis instead of fact. In her paper, "Moral Beliefs", she denied that an autonomous answer to the question of why I should not do ϕ , viz., "because ϕ is unjust", "gives a reason (for not doing ϕ) in so far as any reasons can ever be given. (It) gives a reason only if the nature of justice can be shown to be such that it is necessarily⁴ connected with what a man wants." Now if she will forgive me for saying so, this struck me, when I first read it ten years ago, as being as dogmatic as any of Kant's assertions to the contrary. And it seems to me to be refuted by the fact which she was prepared to agree to (cf. the previous paragraph), by the fact that not all men are like Thrasymachus, or that many not unreflective men *are* satisfied with the answer, " ϕ would be unjust" as an answer which "bring(s) the series (of why-not-do- ϕ -questions) to a close . . .".⁶

I think Mrs. Foot means that morally autonomous reasons are not *good* reasons, not successful candidates for the status of final answers. For she says that she has "never found anyone who could explain the use of the word ('ought')" except where it "relates morality to some other system such as prudence or etiquette" (p.143). But to "explain the use of it", though not perhaps to justify it as a good use, seems to me to be just to point out cases in which it does function, satisfactorily to the user of it, to bring the series of why-questions to a close. To a person who uses the word in this way, it would seem to miss his point to ask him further, "But why should you do it, granting that it is your duty to do it" or "But why should you do ϕ , granting that ϕ is just?"

II

Mrs. Foot does not fall into either of two common errors, made by many eminent philosophers, of holding that Kant does not admit any purpose in moral acts or, alternatively, of granting that he did so only at the cost of inconsistency. In a generally overlooked sentence, which Mrs. Foot much have taken very seriously, he said, "It is certainly undeniable that every volition must have an object and therefore a material."⁷ The issue between her and Kant is therefore a genuine one, not, as is often the case, a spurious one arising from a misreading of Kant.

The issue is: Does the reason why one ought to do ϕ always lie in expected desired consequences of doing ϕ , so that the command, "Do ϕ ", is hypothetical? Mrs. Foot answers yes, and holds that a command, "You ought to do ϕ " which uses the word 'ought' as "free-floating and unsubscripted" is unintelligible (p. 143).

I think her argument for this is stronger against an intuitionistic (what I have elsewhere called pejoratively a "ritualistic") theory of obligation than it is against Kant's. Kant almost never lets the variable ϕ in "Do ϕ " stand for the name of an act in the sense in which Mrs. Foot and all of us most of the time understand "act". "Do ϕ " for Kant means: "Act on maxim X", where X names a maxim that has certain well known characteristics. Maxim X defines an action or a class of actions which are categorically obligatory only in a parasitic or derivative sense. The only act which the categorical imperative commands in an irreducibly categorical manner is to have and to act on a maxim of a certain kind. The categorical imperative is a second-order principle serving as a criterion of hypothetical imperatives which may legitimately be obeyed;⁸ and hence "There is only one categorical imperative."⁹

Such a criterial principle is needed, because not every aggregate or even system of human wants and interests which generate hypothetical imperatives is of equal worth with every other. Mrs. Foot seems to deny this (p. 142, lines 37ff), but I must confess that I believe I find something wrong with an ethical system which does not authorize us to say that a system of hypothetical imperatives is immoral because they are contingent upon unworthy ends. Such a conclusion did not follow from the arguments she put forward in "Moral Beliefs", where she gave a good, quasi-empirical and naturalistic, argument in support of ordinary virtues and justice.

Kant's categorical imperative is that all the maxims I act upon should be universalizable, should conform to such ends as the happiness of others and my own moral perfection, or should qualify me as a lawgiving member of a kingdom of ends in which humanity (rational nature) is an end-setting end in itself. Actions may qualify under some one aspect of these maxims which would not qualify under another; and Kant believes (erroneously, in my opinion) that actions whose *specific* maxim (rule) cannot be universalized are maxims which cannot be legitimized by the categorical imperative.¹⁰ But it is the choice of the specific maxim (rule) *because of* its conformity to the general maxim which authorizes it, not the conformity of the specific maxim to some intended end — though both conformities may be present in moral acts — which gives an autonomously obligatory character to the specific action commanded.

The purpose of the famous examples in *Foundations I* is to do the *Gedankenexperiment* of suspending the second of these conformities to see if the first alone suffices to render the action obligatory, not to see if the first alone is *sufficient* to move a man to do his duty. I am not sure that all the experiments have the outcome Kant thought they did; the suicide case seems to me to be especially dubious, but the benevolence case turns out, in my opinion, very well, showing that one ought categorically to act benevolently even if one is unmoved by sympathy or enlightened self-interest.

Instead of accepting the concern with the general good as a brute psychological datum if it is present, or being *morally* indifferent (but perhaps not practically

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indifferent) to its absence when it is absent (as I think Mrs. Foot (p. 142) is committed to being), Kant thinks he has given a reason why we ought to do benevolent actions, and a reason that is not dependent upon what we want except insofar as we are beings endowed with a pure practical reason.

III

In conclusion I would like to ask Mrs. Foot to consider with me another comparison than the one she drew between ethics and etiquette. It is that between ethics and logic.

Logic is full of categorical imperatives. "One ought to avoid the fallacy of denying the antecedent;" "One ought to make inductions only from fair samples," etc. Why? Certainly we can say, "If you want to be consistent, you ought to reason validly." Though this imperative is hypothetical in form, it is what I have elsewhere¹¹ called an "apodictic imperative" — hypothetical in form, but apodictic in modality. But we do not give a sufficient reason for avoiding a logical fallacy by saying, "You want to have a good reputation as a logician" or "Remember you want to live in good faith with your neighbors." The proper goal of "doing right logically" is a logical goal, i.e., a goal which is definable only in logical terms and unintelligible to anyone who does not know and, at least generally, adhere to logical standards. The other answers, though no doubt true, are vacuous with respect to telling us the ways and means to achieve the end. Logic defines the goal as well as prescribing the means to achieve it, and does so in one imperative; being logical is just avoiding logical fallacies.

Similarly it seems to me that the goal of morality — and Kant never denies it has a goal — cannot be defined except in moral terms, or at least cannot be defined without the use of some moral terms (such as "worthiness" to be happy). If I am correct, then there is a more intimate connection between moral action and moral goal than the contingent¹² one which underlies the hypothetical imperative. To be worthy of happiness is to act on maxims of a certain sort, just as to be consistent is to reason according to certain rules. In neither case is the goal definable without our knowing what actions have a necessary relation to this goal, and this relation is not a causal one.¹²

Next Mrs. Foot compares etiquette and ethics with respect to two putatively common features, their "inescapability" (pp. 144-145) and the categoricalness of their imperatives. She asks, "Has anything been said about the inescapability of morality which could not also be said about the inescapability of etiquette?" Yes: *d'autres temps, d'autres mœurs*.

To be sure, she is right in saying that I cannot be indifferent to our local code of etiquette without incurring blame for discourtesy. But I can find another land where an act that would be discourteous here would be indifferent or even mandated. Now in at least one passage Mrs. Foot thinks moral practices are like courtesies or customs; there are "rules of conduct adopted by certain societies, and individuals within these societies", and "Kant is saying these rules are universally valid."¹³ But the rules which are enshrined in the Kantian categorical imperative are not first-order rules such as "Give to beggars," which are perhaps comparable to rules such as "Take off your hat in an elevator." They are second-order prin-

principles, rules to do acts which are comprehended by a certain general maxim, and the specific act commanded may vary with circumstances. The truly inescapable moral rules are these second-order principles.¹⁴ In this respect, the categorical imperative is more like a rule in logic than a rule in etiquette. For all the rules of logic are as it were second (or higher) order principles which become (or give rise to) first-order principles by being interpreted, with constants substituted for variables. The inescapability of morality is thus more like that of logic than it is like that of etiquette.

Finally, this analogy goes still farther. It is impossible, I think, to give an argument, which does not beg the question, to the effect that one should reason logically. Similarly it seems to Mrs. Foot that it is impossible to give a moral argument to the effect that one ought to be moral. This is equally the view of Kant, but he draws a very different inference from it. He says, "We do not indeed comprehend the practical unconditional necessity of the moral imperative; yet we do comprehend its incomprehensibility . . ."¹⁵ Mrs. Foot doesn't like incomprehensibilities, and supplies a condition under which the moral 'ought' becomes comprehensible, viz., an antecedent having to do with wants or interests. But Kant, having to choose between admitting the incomprehensible and "corrupting (moral laws) in their very foundations and destroying their dignity",¹⁶ did not "blame reason for being unwilling to explain (the moral law) by a condition . . . for the law would then cease to be moral."¹⁷ (I would be a great deal less peremptory, but I could not refrain from quoting what I believe Kant would have thought of Mrs. Foot's explanation of the moral 'ought'.)

NOTES

1. I am indebted to my colleague, Professor Robert L. Holmes, for comments on an earlier draft of this paper.
2. But I cannot be sure she does. Her statement (p. 143), "I am putting forward quite seriously a theory that disallows the possibility that a man ought . . . to have ends other than those he does have" means at least that she has no THEORETICAL objection to System 1.
3. FOUNDATIONS OF THE METAPHYSICS OF MORALS (Liberal Arts ed.), p. 23.
4. Why "necessarity"? See footnote 12.
5. In her THEORIES OF ETHICS, p. 98.
6. IBID., 98.
7. CRITIQUE OF PRACTICAL REASON (Liberal Arts ed.), p. 34.
8. See my COMMENTARY ON KANT'S CRITIQUE OF PRACTICAL REASON, pp. 85, 119.
9. FOUNDATIONS, p. 39.
10. Kant ought to have pointed out that actions whose specific maxims (rules) can be universalized do not thereby meet the SUFFICIENT condition for being obligatory.
11. STUDIES IN THE PHILOSOPHY OF KANT, pp. 177-199.
12. 12. See footnote 4.
13. I have argued in detail that Kant is not guilty of "universalizing" a "provincial moral code" in my ed. of FOUNDATIONS, p. xix-xx.
14. Maybe there are second-order principles in etiquette which CAN be universalized, e.g., "When in Rome do as the Romans do" But such an imperative, though categorical in form, is hypothetical in intent, being addressed to those who wish to be socially accepted in Rome, Hongkong, and Brockport.
15. FOUNDATIONS, last paragraph.
16. IBID., p. 21.
17. IBID., last paragraph.