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CONSEQUENTIALISM, EGOISM, AND THE MORAL LAW

(Received 2 August, 1988)

I. KANT ON UTILITARIANISM

It is often claimed that Kant rejected utilitarianism. The basis for this claim, however, is not entirely clear. It would, of course, be foolish to deny that Kant's ethical writings have a distinctly non-utilitarian flavor. One clear example is his discussion of punishment (1797a: 331—334) and another example is his essay "On the Alleged Right to Tell a Lie from a Benevolent Motive". In these cases, and many others, Kant exhibits his non-consequentialist tendencies. Furthermore, Kant's supreme principle of morality, the categorical imperative, is not the principle of utility. Indeed, Kant claims that all of "the confusions of philosophers concerning the supreme principle of morals" results from their failure to see "that the moral law is that which first defines the concept of the good" (1788: 64). In contrast to teleological accounts of moral reasons, Kant's "second proposition" in the first chapter of the Groundwork states.

An action done from duty has its moral worth, not in the purpose to be attained by it, but in the maxim with which it is decided upon . . . the moral worth of an action does not depend on the result expected from it, and so too does not depend on any principle of action that needs to borrow its motive from this expected result . . . nothing but the idea of the law in itself, which admittedly is present only in a rational being . . . can constitute the pre-eminent good we call moral (1785: 400—401).

Kant argues that the moral worth of an action done from duty does not depend on the consequences of the action, but depends only on the legislative form of the maxim. He concludes that the principle of right, which determines the moral permissibility of maxims of action, is "the categorical imperative . . . act only on that maxim through which you can at the same time will that it should become a universal law" (1785: 421). It thus seems that one of Kant's central claims is that the moral
law (the right) is not to be understood as that which maximizes the good. If Kant is correct, then it would seem that utilitarianism, and any other consequentialist normative principle, is misguided. It is thus claimed that Kantian deontology involves a priority of the right over the good and thus at the most fundamental level it opposes classical utilitarian teleology.

Nonetheless, a careful reading of Kant reveals that he did not adequately consider utilitarianism or other consequentialist normative theories. A consequentialist normative theory is any theory which asserts that the fundamental normative principle directs us to bring about good ends. Kant’s arguments focus on questions of moral motivation and the justification of normative principles, but not on the structure of the principle of right. Kant argues that the determining ground of the will must be a formal principle of duty, but even if the arguments for this conclusion succeed, they do not show that the material or content of the basic normative principle does not involve promoting the good. In short, Kant’s arguments may show that a moral agent does not promote the good because of inclination, but they do not rule out a duty-based consequentialism: that is, a duty-based justification of a principle of right which is consequentialist in structure. Indeed, most of his arguments are fully consistent with such a conclusion.

Kant did not defend normative consequentialism. Indeed, he seems to interpret the content of the principle of right such that it generates agent-centered constraints on the pursuit of moral goals. But, if the arguments which follow are correct, then it will be an open question whether the form and content of the moral law generate such constraints. The answer will turn on controversial considerations which are independent from Kant’s discussion of moral motivation and the form of the moral law — for example, the adequacy of the distinction between perfect and imperfect duties, the extent of required aid to others, and the scope of acceptable or required coercion in the enforcement of the moral law. In another paper, I have argued that these aspects of Kant’s normative theory do not succeed in generating agent-centered constraints. In this paper, I intend to show that this conclusion is compatible with Kant’s discussion of the legislative form of the moral law, his theory of the good, and his account of moral motivation. Since