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978-1-107-03559-1 - Acting on Principle: An Essay on Kantian Ethics: Second Edition

Onora O'Neill

Excerpt

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Introduction to the second edition

I EMPTY FORMALISM AND MODERN MORAL PHILOSOPHY

It is now hard to imagine how unpromising the lines of thought in this book seemed to most people with an interest in philosophical ethics when I first worked on them in the late 1960s.¹ Many were then still drawn to more-or-less positivist claims that reasoned approaches to ethical or political claims were impossible, while those who favoured a reasoned approach usually proposed some version of ethical naturalism, mostly of a Utilitarian or Aristotelian variety. There was general agreement that Kant's claim that practical reason can guide ethical action was wholly implausible.

¹ *Acting on Principle* grew out of my Ph.D. dissertation at Harvard, which was supervised by John Rawls and submitted at the end of 1968 under the title *Universalisability*. The book was published by Columbia University Press in 1975 under my then married name, Onora Nell, and has been unavailable for many years. I am grateful to Columbia University Press for reverting the copyright to me, and to Cambridge University Press and their readers for encouraging me to think that it should be made available again. This edition leaves the original text intact, apart from this introductory essay. It contains the original bibliography, a selected bibliography of subsequent work on its themes, and a bibliography of my subsequent work on Kant and Kantian themes. References to my own publications in the footnotes to this introductory essay provide only title and year of publication; full details are in the third bibliography.

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Although Kant's ethical and political philosophy had enjoyed considerable resonance in the wider world during the post-war decades, as is evident in the drafting of the *Universal Declaration of Human Rights* and the *European Convention on Human Rights*, and of the West German and other constitutions, it had few admirers in Anglophone philosophy departments. This was not because philosophers at that time had no interest in or respect for Kant's wider philosophy. Many admired both his metaphysical caution and the sweep of his arguments about human knowledge and its limits. But the consensus was that he neither showed how principles could guide action nor offered adequate reasons for any specific ethical or political principles, so that both his metaethics and his normative ethics were defective.

These criticisms were not new. They date back to the early days of German Idealism, and in particular to Hegel's critique of the 'empty formalism' of Kant's ethics.² In the English-speaking world less acerbic but substantively similar criticisms of the core of Kant's ethics had been made by J. S. Mill in *Utilitarianism*, where he wrote

I cannot help referring, for illustration, to a systematic treatise by one of the most illustrious of them, the *Metaphysics of Ethics*, by Kant. This remarkable man, whose system of thought will long remain one of the landmarks in the history of philosophical speculation, does, in the treatise in question, lay down a universal first principle as the origin and ground

² G. W. F. Hegel, *Philosophy of Right*, trans. T. M. Knox, Oxford: Clarendon Press, 1942, § 135: 'Kant's . . . criterion of non-contradiction is productive of nothing, since where there is nothing, there can be no contradiction either.'

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of moral obligation; it is this: 'So act, that the rule on which thou actest would admit of being adopted as a law by all rational beings.' But when he begins to deduce from this precept any of the actual duties of morality, he fails, almost grotesquely, to show that there would be any contradiction, any logical (not to say physical) impossibility, in the adoption by all rational beings of the most outrageously immoral rules of conduct. All he shows is that the consequences of their universal adoption would be such as no one would choose to incur.³

Curiously, the persistent charge that Kant's ethics is no more than empty formalism that prescribes nothing determinate was repeatedly coupled with an incompatible allegation that it prescribes with rigid insensitivity, so can take no account of varying circumstances.⁴

Some prominent philosophers of the early post-war period were even more dismissive than Hegel. G. E. M. Anscombe, my tutor in Oxford in the early sixties, published an influential paper titled 'Modern Moral Philosophy' in 1958.⁵ In it she argued that both Kant and the Utilitarians take an inadequate view of action, fail to understand that

³ J. S. Mill, *Utilitarianism*, 1861, in 'Utilitarianism' and 'On Liberty': Including 'Essay on Bentham' and *Selections from the Writings of Jeremy Bentham and John Austin*, ed. Mary Warnock, Oxford: Blackwell, 2003, p. 183.

⁴ The charges of formalism and rigourism are incompatible because an ethical position that is wholly indeterminate prescribes nothing, so will not prescribe with rigid insensitivity to circumstances. The persistent combination of these incompatible criticisms of Kant's ethics is hard to understand. It may be that formalism is seen as a defect in his metaethics, and rigourism as a defect in his normative ethics – but if his metaethics indeed has no bite, it can hardly establish normative claims that can be criticised for their rigourism.

⁵ G. E. M. Anscombe, 'Modern Moral Philosophy', *Philosophy*, 33 (1958), 2. Reprinted in *Collected Philosophical Papers of G. E. M. Anscombe*, vol. III, *Ethics, Religion and Politics*, Oxford: Blackwell, 1981. Her influence has been most evident in 'virtue ethics', but runs far wider.

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acts fall under many descriptions, and consequently do not realise that principles cannot guide action. Attempts to create an ethics of principles are doomed to fail. She wrote of Kant that:

it never occurred to him that a lie could be relevantly described as anything but just a lie . . . His rule about universalisable maxims is useless without stipulations as to what shall count with a view to constructing a maxim about it.⁶

Anscombe levelled the same charges against Utilitarianism:

Mill, like Kant, fails to realise the necessity for stipulation of relevant descriptions, if his theory is to have content. It did not occur to him that acts of murder and theft could be otherwise described. He holds that where a proposed action is of such a kind as to fall under some one principle established on grounds of utility, one must go by that.⁷

She concluded that both Kantian and Utilitarian ethics – the two most prominent strands of ‘modern moral philosophy’ – fail for the same reasons. At times I have wondered why, given that I was aware of these powerful accusations when I began working on *Acting on Principle*, I thought it worth going back to Kant’s ethics.

II CAUTIOUSLY BACK TO KANT

I suspect that the main reason why I chose to swim against the tide was less that I was immediately drawn to Kant’s

⁶ *Ibid.*, p. 2. ⁷ *Ibid.*

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practical philosophy, and more that I had become disillusioned with contemporary accounts of reasoning about action. As a graduate student at Harvard in the late 1960s I joined a small but intense seminar given by Robert Nozick, which worked through *Games and Decisions* by R. D. Luce and H. Raiffa.⁸ At first I was beguiled by the neatness of models of rational choice, and their seemingly manageable accounts of reasoning about action. But after a few months I concluded that these approaches to practical reason fail, and that their supposed ethical implications were illusory. The simplistic assumption that we can exhaustively list 'the options' that agents face seemed open to the very worries about relevant descriptions that lie behind Anscombe's criticism of Utilitarian and Kantian ethics. Even if we could do so, any claim that we can establish that some option is 'optimal' seemed to me to rely on metric, epistemic and other fictions. To my initial disappointment, I concluded that sophisticated work on consequentialist practical reasoning too was fractured by metaethical failings and normative deficiencies, which were cumulatively even more recalcitrant than those Anscombe detected in all modern moral philosophy.

In rebounding from this brief enthusiasm for models of rational choice and consequentialist ethics, I optimistically

⁸ R. D. Luce and H. Raiffa, *Games and Decisions: Introduction and Critical Survey*, New York: John Wiley and Sons, 1957.

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turned initially to some mid-twentieth-century writers who approached ethical reasoning with an explicit focus on more formal constraints on principles of action, and in particular to those who argued that some form of universalism was the hallmark of justifiable ethical principles. I looked at the writings of R. M. Hare, G. M. Singer and Kurt Baier, but failed to find a convincing account of practical reasoning in their work.⁹

Only then did I begin to think about Kant's practical philosophy with more care. For this I was adequately, but not wholly, prepared. Although my German was fluent, I was neither attracted by the prospect of total immersion in Kant's writings, nor inclined to give priority to scholarship over argument. But at least I had by then read central parts of the Kantian corpus, and after my rebound from rational choice theory was prepared to take them seriously.

At Philippa Foot's suggestion I had worked through *The Groundwork of the Metaphysic of Morals* with some care as an undergraduate (Anscombe preferred to leave the chore of teaching Kant to her colleague at Somerville). Later, as a graduate student at Harvard, I had read *The Critique of Pure Reason* under Charles Parsons, who sparked my interest in *Doctrine of Method*, to which I returned when I began to think more systematically about Kant's account of reason.

⁹ This ground-clearing work formed part of my Harvard Ph.D., but most of it was not included in *Acting on Principle*.

And as Stanley Cavell's teaching assistant I had scurried to grasp some of the implications of *Religion within the Limits of Mere Reason*.

Above all when John Rawls agreed to supervise my thesis I had the good fortune to start working under a philosopher who thought about and lectured on Kant's practical philosophy across his entire teaching career. Rawls later described his own political philosophy (still mostly unpublished when I began to work with him) as carrying 'to a higher level of abstraction the familiar theory of the social contract as found in Locke, Rousseau and Kant'¹⁰ and some of its later versions explicitly as a form of 'Kantian Constructivism'.

However, while Rawls's transformative influence on political philosophy is a matter of common knowledge, his work on Kant's practical philosophy and more broadly on the history of philosophy was not widely appreciated during his lifetime. His lectures on the history of ethics and political philosophy, including those on Kant's ethics, were published only after the millennium.¹¹ It is now abundantly clear that Rawls's political philosophy grew out of a profound engagement not only with its history, but also with the wider history of ethics, and in particular with Kant's practical philosophy. He combined a deep knowledge of the writings of his

¹⁰ John Rawls, *A Theory of Justice*, Cambridge, Mass.: Harvard University Press, 1971, p. 11. At this stage, Rawls described his work not as Kantian, but as Contractarian.

¹¹ John Rawls, *Lectures in the History of Moral Philosophy*, ed. Barbara Herman, Cambridge, Mass.: Harvard University Press, 2000, and *Lectures in the History of Political Philosophy*, ed. Samuel Freeman, Cambridge, Mass.: Harvard University Press, 2007.

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predecessors with a commitment to make as much sense as could be made of their work. This approach has had a wide and in my view beneficial influence on subsequent work and in particular on explorations of Kant's practical philosophy.¹² It is no exaggeration to say that Rawls's teaching of Kant's practical philosophy transformed the subject as much as his work on justice transformed political philosophy.

It was also my good fortune that at the time at which I began to work on Kant's practical philosophy better editions and translations of some (but by no means all) of Kant's writings in ethics and politics, as well as some distinguished commentaries, were becoming more readily available, in particular those by H. J. Paton and L. W. Beck. However, the mammoth enterprise that became the new Cambridge edition of the works of Immanuel Kant was planned only in the 1980s, and publication of its successive volumes began in the 1990s. Consequently the quotations from Kant's writings in *Acting on Principle* use older editions and translations, while those in this introductory essay use the Cambridge translations. Citations use standard short titles, volume numbers and pagination.

¹² Rawls's wider influence on the history of ethics is the theme of *Reclaiming the History of Ethics: Essays for John Rawls*, ed. Barbara Herman, Christine Korsgaard and Andrews Reath, Cambridge University Press, 1997, which includes essays on Kant's ethics by other former pupils, including Susan Neiman, Adrian Piper, Nancy Sherman and Thomas Pogge as well as the editors and myself.

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Acting on Principle has no doubt dated in various ways, some of them reflecting wider cultural changes as well as changing philosophical fashion. I would not now write as if the masculine pronoun could do general duty for points that are not gender specific.¹³ Nor, I think, would I now take quite so austere and formal an approach to discussing the structure of maxims as I then did, although I can still see its advantages.

III PRINCIPLES AND ACTS

My central contention in *Acting on Principle* was that, despite its spare formality, the Categorical Imperative could be action-guiding: a spare and formal approach to ethics could be fertile and practical. This was a bold as well as an unpopular claim, and I bracketed several closely connected topics in order to focus on essentials.

In particular, I discussed only the *Formula of Universal Law* formulation of the Categorical Imperative – *act only in accordance with that maxim through which you can at the same time will that it become a universal law* – and virtually ignored other formulations.¹⁴ I also set aside questions about

¹³ However, from time to time I have been comforted for this failure to anticipate the *Zeitgeist* by appreciative comments on my supposed prescience in insisting that the *fertility* of ethical theories – their normative potential – matters.

¹⁴ Since this was the most formal version of the Categorical Imperative, it seemed the best test case for a claim that a formal criterion can guide action. Later I argued for a reading

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the justification of the Categorical Imperative, and its claims to count as 'the supreme principle of practical reason' (a topic that I began to work on in earnest in the mid 1980s). My hope, which no doubt seemed rash enough to others, was to show that despite its formality the Categorical Imperative could guide action in at least some ethically significance respects. However, I left open many questions about the extent to which it could guide action, about its justification and about the further reaches of Kant's practical philosophy, including his writings on politics, history and religion.

Bracketing these important topics allowed me to concentrate on the relation between principles and action, and on the ethical implications of the Categorical Imperative. Looking back at the approach I took, I realise that, despite my reservations about Anscombe's conclusions and her view of principles, I had been deeply influenced by her discussions of act descriptions and their pivotal role in thinking about action. I too saw principles and the act descriptions they contain as guiding action by *shaping* or *forming* it, so as formal rather than efficient causes of action. In *Acting on Principle* I did not address the difficult issues this raises for an account of freedom of action. Only later did I work on Kant's efforts to reconcile natural necessity with human freedom, and propose a way of understanding Kant's claims

of the several formulations of the Categorical Imperative that supports Kant's claim that they are equivalent (*Groundwork*, 4:436). See 'Consistency in Action', 1985; reprinted in *Constructions of Reason*.