



FACT, VALUE AND THE CATEGORICAL IMPERATIVE

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It is common knowledge originating with Hume that the gap between 'is' and 'ought' is unbridgeable; at least such assumption has nourished a very substantial part of the 20th century ethical thought associated with the Anglo-American analytical philosophy and its corollaries. Regardless of whether Hume himself would have subscribed to such an interpretation, or whether he was chiefly "repudiating a religious foundation for morality and putting in its place a foundation in human needs, interests, desires and happiness" ¹, the main thrust of his followers' argument has been directed towards elaborating and widening of the fact/value chasm. By concentrating on the factual side of this dichotomy, ethics has been banished from the realm of scientific, cognitive investigation and has found its application in the sphere of analysis of various emotional attitudes discernable in the give-and-take of our moral discourse and behaviour. A roughly similar scheme lies at the bases of the Kantian division between the hypothetical and categorical imperatives, which is also built around the notion of a certain 'gap' between causally determined (prudential) convictions - on the one hand, and that specific quality of morality which springs from the sense of unconditional obligation - on the other. This approach, which lies at the bases of some of the chief trends of European (mainly Continental) moral theory has leaned rather heavily on the 'value' side of the fact/value dichotomy and - though it has thus tended to produce a very lofty standard of ethical ideal - has all too often turned morality into a rigoristic and exacting discipline hardly commensurable with the

practical day-to-day concerns of the mortals.

Of course, the is/ought discussion proceeding from Hume's empirically based theory of knowledge and the Kantian view of morality stemming from his aprioristic epistemology are sufficiently distinct systems of thought to defy rash comparisons and sweeping generalizations as to their similarity or otherwise. And yet - since both traditions have provided in a collateral manner valuable insights into the nature of morality, we are justified in looking for some overlapping notions.

One such intersection of the respective lines of thought is discernable with regard to the problem of the rational and/or emotional springs feeding our moral awareness and determining the inter-personal transactions of the human beings. This problem - part of a wider anthropological theory concerning the interplay of the rational, volitional, emotional and other aspects involved in the workings of the human mind - has witnessed a rather peculiar development within the analytical tradition. The discussion of the value judgements along the lines of the is/ought approach has led to the conclusion about the presence within the semantics of the moral terms of a certain elusive feature that does not lend itself easily to purely logical and rationalistic explanation. This feature which for want of a better designation I elect to call 'magnetism' (borrowing the term from C.Stevenson) is a rather remarkable by-product of the whole process. Especially considering that the chief aim of the analytical approach has been establishing of a precise and unambiguous mode of meta-ethical discourse.

Attempting to demonstrate the emotive character of moral language and establishing of the typical use of the term 'the good',

Stevenson stipulates that 'goodness' must have, so to speak, (I draw attention to this rather un-analytical formulation of his) a magnetism, which he proceeds to explain as meaning that "a person who recognizes X to be 'good' must ipso facto acquire a stronger tendency to act in its favour than he otherwise would have had" ². The recognition of this feature is implicit - under various designations - in the deliberations of a great many exponents of the analytical approach. I hold, that it is this feature which was referred to by Moore when he argued for the undefinability of 'the good'; it is also what Hare presumably had in mind when he distinguished between intrinsic and instrumental goodness, or what Wittgenstein purported to conjure up before his audience when he asked them to distinguish between a good man and a good tennis player.

Investigation of this particular feature of morality has acquired importance within the theistic/secularistic controversy concerning the character and springs of moral action. G.E. Anscombe, for example, who resolutely dissociates moral discourse from what she terms "divine law theory of ethics" embodies her idea in the term 'mesmeric' - a notion which carries similar, or even "stronger" connotations than the 'magnetism' of Stevenson. She maintains that the divine law theory radically differs from the classical understanding of virtue and that the present usage has come about because "between Aristotle and us came Christianity with its law conception of ethics. According to Anscombe Christianity had derived this conception from the Torah and "in consequence of the dominance of Christianity for many centuries the concepts of being bound, permitted, or excused became deeply embedded in our

language and thought" ³. The authority of the Judaic law no longer holds, because it has been largely abandoned at the time of the Reformation; as to the Protestant doctrine of grace - it is not characteristically directed towards upholding of the law, rather - it is used to show human incapacity to obey it. And thus, according to Anscombe, we have a situation akin to the one when we apply the word 'criminal' without having criminal code to go by and "this word 'ought', having become a word of mere mesmeric force, could not, in the character of having that force, be inferred from anything whatever" ⁴. This is to be taken to mean that the moral 'ought' is void of any semantics altogether except its binding force, its mesmeric quality, which it has picked up in the course of the cultural development of the European Christian civilization.

It seems quite remarkable that in this and in other similar cases the analysis designed to establish a set of definite characteristics with regard to the moral phenomenon all too often seems to be incapable of achieving this end, except by referring to it in a strangely circumlocutive, metaphorical manner - by way of such descriptions as mesmeric, magnetic, charged with special dignity, and the like.

On the one hand - as it was said - it is a rather curious by-product of a discussion which has proceeded with the view of establishing logical unbridgeability of the fact/value gap; and yet on the other hand - this should not come as a surprise, for the seeds of such digression were sown in the same field that nurtured the empirical approach. For Hume, as is well known, not only provided the doctrine that come to be called "Hume's law", but he also singled out human passions (needs,

desires etc.) as the most likely source of moral awareness and action.

Mention of the realm of passions - both of those considered by Hume as well as those elaborated by modern is/ought controversialists - opens up a passage leading away from necessity to squeeze the explanation of morality into the logical matrix. It offers a possibility of psychological approach, insofar as all the terms used to characterize the moral phenomenon describe a certain type of mental state - that of having a peculiar attraction to the object of contemplation and not being able to clearly articulate its characteristic features. This particular mental state - this "magnetic" attraction, "mesmeric force", etc. - forms a special kind of intimate bond between the individual and that object, which forms the reference of the moral term - be it impersonal law, or a personal law giver, or an imperceptible "moral law inside me". I intentionally leave the question as to the exact nature of this object open; and this is not because I consider it to be unimportant or uninteresting, but because it seems for the present purpose more to the point to tackle the problem from the anthropological side. It is here - in the workings of the human mind - that we do find the origins of this "uneasy feeling", and it is here that I think it is right and proper to look for its explanation. Needless to say that this type of psychological state deserves to receive rational treatment - and, no doubt it can and does receive such a treatment from scientific disciplines - psychology, social anthropology, sociology; but what I have in mind is some other sort of rationalization, which is applied to the phenomenon under investigation not from "outside" - in a manner

of clinical objectivity, but in a phenomenological fashion - from the point of the person himself (herself) as a kind of investigation of the cognitive characteristics of one's moral awareness. It seems obvious that this type of feeling is so deeply embedded in the individual mind as to belong to the sub-rational part of it and its rationalization may seem problematic. It is on such considerations that I base my claim that the is/ought discussion opened up an epistemological wound that it seems incapable of healing - namely, by purporting to produce a wholly comprehensive account of morality (on the bases of logical rationality) it touched upon such layer of the mind, which it appeared unable to unravel with the means at its disposal. The solution to my mind lies in the reiteration of the common sense truism to the effect that human beings are not just emotional, or only rational creatures, in fact - they are both; and the emotional and the rational sides of us are intertwined in one intextricable knot. Therefore both 'passions' and 'thought' - emotions and reason have to be involved in roughly equal proportions, if we intend to furnish an adequate account of any facet of human existence, not least of such an important part of it as human moral awareness and moral behaviour. So far we have been able to note that the is/ought discussion has exposed some very peculiar qualities of the moral language and diagnosed them as being unexplicable by rational means, so much so that even their formulation was to be given in a metaphorical vein. For this reason further investigation of the moral phenomenon within the analytical tradition proceeded along the traditional lines of empiricism by way of description of various emotional attitudes and states, thus, in fact, ignoring the inherent[†] rationality of

the moral act. This in my assessment is a serious drawback of the is/ought discussion approach, stemming ^{from} its application of the logical matrix for the elucidation of the moral phenomenon. Now, the Kantian notion of the categorical imperative - and this is the chief contention of my argument - allows of a different approach to the whole problem by attempting to narrow the gap between the emotional and rational bases of morality. The discussion of the categorical imperative as undertaken by Kant concentrates on the notions of pure obligation - on the obligation undulterated by any a posteriori motives, by any considerations of utility and gain. And what is most important of all - this obligation is not grounded in obscure passions; it is basically rational in that it proceeds from the pure reason itself, and is comparable to other categories - time, space, cause etc. - which make rational life of human beings at all possible. In this respect it is noteworthy that the treatment of some of the emotional notions which are connected with moral awareness in the is/ought discussion strikingly differs from the treatment of analogous notions in the categorical imperative paradigm. When formulating the celebrated principle - "...I ought never to act except in such a way that I can also will that my maxim should become a universal law" and illustrating its practical applicability within the situational framework of making a promise with the intention of not keeping it Kant discusses the notion of the 'will good in itself'. In characterizing this notion he proceeds much in the same way as do analytical ethicists when confronted with 'undefinables' - by finding an adequate psychological feature and producing semantic explication of it. Such a term for Kant is 'reverence' which, perfectly fits into the cluster of emotions

considered by the is/ought discussants. Even though the term 'reverence' does not figure very prominently in the categorical imperative argumentation, it has nonetheless a very important role to play for the identification of that unique quality of morals, which has mesmerized analytical ethicists. It serves as a kind of acid test for the applicability of the categorical imperative principle and distinguishes it from choices which deserve hypothetical imperative treatment. Kant says, in effect, that when a person is not sure as to whether his decision to act in a certain way falls under the category of moral or just prudential behaviour, the right course is to measure it against the above-mentioned principle - in a word - to ascertain whether it would fit as a possible enactment of a universal law. But the hallmark of such a universal law is to be found in the feeling of reverence that such a law is bound to produce: "for such an enactment reason compels my immediate reverence, into whose grounds ...I have as yet no insight, although I do at least understand this much: reverence is the assessment of worth of what is commanded by inclination, and the necessity for me to act out of pure reverence for the practical law is what constitutes duty to which every other motive must give way, because it is the condition of a will good in itself, whose value is above all else" ⁵.

So, it follows that, according to Kant reverence - that specific type of inclination, which is the hallmark of the good in itself and which belongs to the emotional realm of the mind, differs from other emotional states in that it is connected with the assessment of worth of our actions, thus establishing a hierarchy of duties. The term 'assessment of worth' seems to be

of considerable importance here for it involves rational consideration and choice in favour of this or that type of action, which acquires moral character precisely because of this well-considered choice.

Elsewhere, discussing the notion of the will and drawing distinction between the *a priori* principle and the *a posteriori* motive which influence the will on both sides, Kant elaborates this distinction to include two different kinds of emotional attitudes which a person entertains with regard to either of them. He expressly states that the second position - that which urges the will to do its duty on the bases of *a posteriori* motive can never command reverence. With regard to this type of duty - Kant insists - one can feel "at most 'approval' and in some cases even 'love', - taking 'love' to be identical with understanding that the proposed course of action is "favourable to my own advantage". In contrast to this - that type of duty which the will chooses to perform urged on by *a priori* principle produces reverence - because "there is nothing left able to determine the will except objectively the law and subjectively pure reverence for this practical law and therefore the maxim of obeying this law even to the detriment of all my inclinations". ⁶

The notion of pure reverence as a special kind of feeling which is to be distinguished from other types of emotional attitudes seems to have occupied a significant place in Kant's argumentation, so much so that he deemed it necessary to discuss it in a footnote attempting to elaborate a more detailed definition of it. The crux of the matter seems to have been the necessity to demon-

strate that reverence belongs to the realm of psychological attitudes, that it is a "feeling" amongst other feelings (love, fear, etc.) and yet - that it is a "feeling with a difference" - this difference consisting in it being anchored in the rational capacity of the human mind. To ward off any possible attempts to identify 'reverence' with emotions and inclinations, Kant declares: "It might be urged against me that I have merely tried under the cover of the word 'reverence' to take refuge in an obscure feeling instead of giving a clearly articulated answer to the question by means of a concept of reason. Yet, although reverence is a feeling it is not a feeling received through outside influence, but only
 s e l f - p r o d u c e d by a rational concept and therefore specifically distinct from feelings of the first kind, all of which can be reduced to inclination and fear". ⁷

Having thus established - following Kant - the primary hiatus between the sphere of emotions and the sphere of rational powers, as contained in the notion of 'reverence' it is worth proceeding further along the lines of his analysis and to single out some other semantic nuances of the term. But first - let us observe that Kant displays himself here not only as rationalistic intuitionist but also sows the seeds of deontological rigorism. The former feature is contained in his insistence on the immediacy of the awareness of this particular state of mind, the latter - in the fact that he is inextricably binding it up with the sense of submission to the law as binding force exacting unconditional obedience.

"What I recognize immediately as law for me, I recognize with reverence, which means merely my consciousness of the subordination

of my will to a law without the mediation of external influences on my senses. Immediate determination of the will by the law and consciousness of this determination is called 'r e v e r e n c e'..."⁸

I hold that the most important feature of the semantics of the term 'reverence' from the point of view of the present discussion - apart from establishing the hiatus between the emotional and the rational sides of the mind - is the one contained in the phrase "submission to the law". Moral action is distinguished from other kind of activity in that it does not just happen or take place; or that it is brought forward by an instinctive impulse coming from the senses. An action becomes moral if it is performed under a kind of yoke - by submitting oneself to an obligation which exceeds the limits of the self. Reverence - says Kant - is regarded as the e f f e c t of the law on the subject and not as the cause of the law. And further: Reverence is properly the awareness of a value which demolishes person's self-love. It follows from this that the basic feature which is instrumental in showing up the presence of reverence as opposed to some other feeling and thus allowing to recognize morality and to distinguish it from mere prudence, is to be looked for in the relationship obtaining between the cause of that particular action and the moral agent. The cause should have primacy over the will of the subject in that it exceeds that will, determines its content, makes the subject dependent on it in short - acts as a law to.

It exacts unconditional obedience to do something for its own sake rather than calculating p r o s and c o n s of the proposed activity.

It seems clear, that such a principle applied to the human

will and viewed from metaphysical or ontological angle lends itself easily to elucidation along the traditional Platonic lines. It can readily be taken as pointing in the direction of some supra-sensible reality - a repository of intrinsic values and universal laws from which the particular action qua moral action is to draw its inspiration and authority. The analytical ethicists claim that with the erosion of the Platonic-type view of the world, which has brought about the downfall of the authority of an external law, the bases of such authority has been shattered leaving behind a lingering nostalgia for objectivity, embedded in the moral language. However, the Platonic Weltanschauung need not be the only framework within which the explication of the Kantian principle can be undertaken. The apriorism from which the principle draws its inspiration may be explained in a self-contained manner by way of an anthropological approach - as a characteristic feature of Man's/Woman's being in the world. The human being is "just made like that" - namely - his/her will being free at any given moment to choose the relevant course of action is, nevertheless, constrained in that it has to make this choice in an arbitrary fashion, not on account of impulses and whims of the moment but it has to proceed in a thoughtful, ~~not~~ reasonable manner against the background of the obtaining situation. In other words, it may be assumed as an anthropological fact that human beings bear responsibility for their particular works and for their whole lives. I have already indicated that having elected for an anthropological approach I do not intend to go into the reasons for such a state of affairs in a metaphysical manner. It suffices for me to accentuate the idea, that the categorical imperative principle

allows to present a more holistic account of morality in that it brings to the foreground the fact that sensuously and emotionally based human actions become turned into moral acts by being subjected to the arbitration of reason. One can say that the principle of pure reason transforms into the principle of Pure Obligation which in turn produces the action of Pure Moral Worth. Thus, the demand for a morally worthy behaviour becomes explicated not only as an 'obscure emphatic feeling', but as reason-based awareness of the necessity to act in a responsible manner. The obligation to do something regardless of consequences - this exaction of unconditional obedience from a person fits into the psychological set-up of the human being - it requires no other substantiation; it is just an anthropological fact. Thus, functionally the principal feature of the categorical imperative is to place upon a rational moral agent this same type of unquestionable obligation to do something for the sake of doing it, that follows from entertaining of Platonic-type metaphysics or proceeds from God's commands for a person of Judeo-Christian religion. Functionally, and one can say - even pedagogically - the possibility to involve reason for the substantiation of morality ought to help a person to more readily accept the yoke of responsibility, especially in a situation when other means working towards that end - the authority of ultimate reality in particular - seems to have lost its appeal and binding power. For the observation of the analytical ethicists to the effect that we have a moral situation analogous to the one in which we attempt to pronounce on criminal offence without there being a criminal code to go by is a pertinent evaluation of the end - 20th century scene.

What seems, to be of special importance is the fact that this

pedagogical function of the categorical demands of reason is equally applicable as binding for persons of various religious and humanistic persuasions. For those who draw their inspiration from any type of the Judeo-Christian understanding of the law it will serve as a means of maximization of their moral determination. As for those who do not share this commitment, or partake in it only in a form-of-life manner, the appeal to pure reason might act as a powerful lever stimulating their capacity for morally responsible action.

Thus, introduction of the categorical imperative notion into the general stream of analytical argumentation may serve as an additional point-giver for the moral realist reasoning with regard to the foundationalist substantiation of ethics. In particular, this may serve to overcome the logical one-sidedness of the is/ought discussion and to help the evaluative concepts penetrate into regions from which empiricism had banished them. At the same time it may also provide a shield against another sort of misapplication of the fact/value dichotomy which springs from the recognition of the 'unique' character of the moral phenomenon without finding it necessary to anchor it in the rational capacities of the humans - thus opening the gates for emotive subjectivism. Taking my cue from K.Lee's assessment to the effect that "the philosophical escape from arbitrariness lies in an epistemology which argues that it makes sense for the will ... to be rationally persuaded to adopt certain values and to reject others"⁹, I maintain that the categorical imperative argumentation is well suited to perform the role of providing the basic principle for such an approach. It could be used to heal the malady diagnosed

by the is/ought discussion - namely - how to preserve allegiance to morality in a situation when many have discontinued believing in law giver's authority and are seriously questioning the validity of law as such.

This brings us back to the notion of the law as contained in the Kantian definition of the term 'reverence'. Reverence - Kant said - is subordination of the will to the law. But we have to distinguish between what the term 'law' means in the traditional Judee-Christian outlook and how it has come to be used in the Protestant version of Christianity and in the Kantian ethics. For Kant law is not the external legislative enactment against which men and women are to measure their daily activities; it refers rather to the regularities and constraints of the human condition which determine the essence of man/woman as a rational moral agent. The categorical imperative, in particular, bids us to act in accordance with the universal law as such: "For if any action is to be morally good, it is not enough that it should conform to the moral law - it must also be done for the sake of the moral law; where this is not so, the conformity is only too contingent and precarious, since the non-moral ground at work will now and then produce actions which accord with the law but very often actions which transgress it".¹⁰

Thus we see that Kant distinguishes between the law as a system of requirements to which human action may or may not conform producing thereby behavioural contingencies and uncertainties; and the unconditional demand of pure reasons directed towards the will, which is to be taken as 'the Law' insofar as it obtains of a sine qua non quality. Meaning, that in the

absence of such a quality human being stops being what it is - a rational moral agent. Whereas conformity or otherwise with the first kind of law entails no such consequences - it just produces a precarious situation when human actions may more often than not fall short of it.

Now, if we attempt a birds-eye-view of the socio-moral situation of the present century, I think we are sure to notice a very serious erosion of the authority of the first kind of law - that which is designed to influence human behaviour from an external source. As to the "inner law", or the "law of the heart" or the law proceeding out of requirements of pure reason - it stands intact and is unassailable by the vicissitudes of external forces as long as humans manage to keep their wits and do not fail to strike a reasonable balance between both of the God-given gifts - their emotional and rational capacities.

NOTES

1. A.C. MacIntyre. Hume on 'is' and 'ought'. In: The Is/Ought Question. W.D.Hudson, ed., London, 1969. p. 46.
2. C.L.Stevenson. The Emotive Meaning of Ethical Terms. In: Contemporary Ethics. Selected Readings. J.P.Sterba, ed. New Jersey, 1989. p. 39.
3. G.E.M.Anscombe. Modern Moral Philosophy. In: The Is/Ought Question, W.Hudson, ed., London, 1969. p. 180.
4. Ibid., p. 182.
5. I.Kant. Groundwork of the Metaphysics of Morals. In: H.J.Paton. The Moral Law. London, 1969. p. 68.
6. Ibid., p. 66.
7. Ibidem.
8. Ibid., pp. 66-67.
9. K.Lee. A New Basis for Moral Philosophy. London, 1985. p. 45.
10. I.Kant. Groundwork of the Metaphysics of Morals. In: H.J.Paton. The Moral Law. London, 1969. pp. 55-56.