
“Is” and “Ought” in Hume’s and Kant’s Philosophy

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Introduction

The importance of Hume and Kant in the history of the discussion about relations between the sphere of facts (“Is”) and the sphere of duties (“Ought”) cannot be overestimated. In point of fact, it can be said that they initiated this discussion by formulating the problem explicitly. They also provided two “paradigmatic” answers to the question of the relations between “Is” and “Ought”, which determined the course of further discussions: generally speaking, both Hume and Kant agreed that there is no legitimate logical transition between “Is” an “Ought,” but while Hume (on one interpretation) believed that “Ought” can be reduced to “Is,” Kant strongly objected to this kind of reduction, stressing the autonomy and irreducibility of the sphere of “Ought.” But this general account of their views simplifies a lot. We shall try to highlight the complexity of their investigations in the following sections.

Hume

The issue of the mutual relation of “Is” and “Ought” is tackled by Hume in the last paragraph of the first section of the Book 3 (“Of Morals”) of his *A Treatise of Human Nature*. It comes as follows:

I cannot forbear adding to these reasonings an observation, which may, perhaps, be found of some importance. In every system of morality, which I have hitherto met with, I have always remark’d, that the author proceeds for some time in the ordinary way of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when of a sudden I am surpriz’d to find, that instead of the usual copulations of propositions, *is*, and *is not*, I meet with no proposition that is not connected with an *ought*, or an *ought not*. This change is imperceptible; but is, however, of the last consequence. For as this *ought*, or *ought not*, expresses some new relation or affirmation, ‘tis necessary that it shou’d be observ’d and explain’d; and at the same time that a reason shou’d be given, for what seems altogether inconceivable, how this new relation can be a deduction from others, which are entirely different from it. But as authors do not commonly use this precaution, I shall presume to recommend it to the reader; and am persuaded, that this small attention wou’d subvert all the vulgar systems of morality, and let us see, that the distinction of vice and virtue is not founded merely on the relations of objects, nor is perceiv’d by reason (Hume 2000: 302).

The above paragraph, often referred to as the *Is–Ought Paragraph (IsOP)*, is one of the most frequently cited and, at the same time, the most controversial passage from *Treatise*. There is a

great controversy between Hume's interpreters, concerning not only what Hume exactly has in mind under vague notions of "is" or "is not" and "ought" or "ought not" but also what it means that his "attention would subvert all the vulgar systems of morality" and what "systems of morality" he is concerned with at all. The significance of the closing line of the *IsOP* ("the distinction of vice and virtue is not founded merely on the relations of objects, nor is perceiv'd by reason") is also not clear.

One can distinguish two approaches to the interpretation of the *IsOP* – the textual one and the contextual one. In general, the textual interpretations are based on the literal reading of the cited passage, whereas the contextual ones tend to bear in mind the historical background of Hume's work, as well as his overall epistemology and the psychology of morals. The textual interpretation, sometimes referred to as the standard interpretation, was the dominant interpretation of the *IsOP* for the most part of the twentieth century, although in recent years, as a result of an intensified interest in Hume's overall moral theory, the contextual interpretation is often considered as the more accurate one. The division between these two approaches should not be treated as the definitive one – it should be considered as the typology instead. Each researcher may be classified as textualist or contextualist due to features dominant in her reading of the *IsOP*. The distinctive features of both approaches are introduced below.

According to the standard, textual interpretation in its most popular variation, Hume in the *IsOP* formulates some putative thesis of logic that one cannot deduce (derive) nonfactual (e.g., normative) conclusion from factual premises, the thesis which relies on the rules of the valid syllogism. That thesis is sometimes referred to as "Hume's Law" or "Hume's Guillotine." There are two basic versions of the textual interpretation of the *IsOP* – the strong and the weak. The former is adopted by, among others, R.M. Hare or P.H. Nowell Smith and the latter by such scholars as Ch. Pidgen, J. Searle, or A.N. Prior. According to the strong textual interpretation, Hume's Law creates "an unbridgeable logical gap between 'Ought' and

'Is'" (Black 1964: 169). Therefore, Hume's argumentation literally "subverts all the vulgar systems of morality," i.e., systems of morality that try to bridge that unbridgeable gap. According to the most radical readings, the conclusion of the *IsOP* is that it is entirely impossible to build any ethical system at all. Readings like that often go hand in hand with the noncognitivist view of moral judgment – the view that moral judgments do not express any beliefs or state any facts but, rather, express speaker's emotions, which means that they cannot be truth-evaluable. Weak textualists claim, on the other hand, that the above conclusions are too far-reaching. They agree that there is the "unbridgeable logical gap between 'Ought' and 'Is'" – but they also stress that the gap is merely logical and that one can actually get "moral conclusions from non-moral premises by logic plus [some] analytic bridge principles" (Pidgen 2011) or by means of logic plus some "constitutive rules of the institution" – which are the rules "that give the word 'promise' its meaning" (Searle 1964: 57–58). This reading of the *IsOP* may be more proper but, as some scholars point out, also makes it quite trivial. There is also a group of interpreters who claim that in the cited passage, Hume simply recommends a profound caution in the course of deriving normative conclusions from factual premises. Hume's Guillotine, according to them, undercuts these "vulgar systems of morality" whose authors do not think and argue clearly enough.

Other interpreters – the more contextual ones – try to read the *IsOP* against the background of Hume's critique of the seventeenth- and eighteenth-century ethical rationalism, which he undertakes in the Book 3 of *Treatise* (first section of which is entitled *Moral Distinctions Not Deriv'd From Reason* – section, which ends up with the *IsOP*). Rationalists, like W. Wollaston, R. Cudworth, or S. Clarke, claimed that moral laws exist objectively and can be recognized by reasoning and their recognition intrinsically gives us reason to act in accordance to them. Hume's moral theory, sentiment-based and anti-rationalist, was in large part an attempt to rebut the rationalists' doctrines. His argumentation, in broad

outline, was as follows. The function of reason is, generally speaking, discovering relations or the matters of fact (Hume 2000: 14–15). We can't find the basis for our moral distinctions among relations or facts in the physical world (Hume 2000: 301). Moreover, even if such basis were to be found, rationalist would have to demonstrate in what way those relations or facts discoverable by reasoning "wou'd be universally forcible and obligatory" (Hume 2000: 300) or, using more contemporary language, how they could give us authoritative reasons for actions. That argumentation, additionally strengthened by the so-called Representation Argument (Hume 2000: 295) (according to which passions or volitions cannot be contrary to reason because they are not representations of any objects), entails that ethical rationalists are wrong and that "the distinction of vice and virtue is not founded merely on the relations of objects, nor is perceiv'd by reason." However, the thesis that Hume's main target in the *IsOP* was ethical rationalists is not commonly accepted. S. Botros, for example, claims that Hume in the cited passage attacks not only rationalists but also other thinkers, such as his mentor, sentimentalist S. Hutcheson (cf. Botros 2006: 72–95). Others, including A. MacIntyre, think that Hume's main antagonists are dominant religious beliefs of his times and his main aim was to ground his naturalistic view of ethics (MacIntyre 1959: 451–468). As was in the case of the textual interpretation, there are stronger and weaker conclusions, which may be entailed by the contextual interpretation of the *IsOP*. The most radical interpreters claim that Hume's aim is the absolute "rejection of 'Ought' as a moral category" (Capaldi 1966: 126–137). Less radical scholars, rejecting such far-reaching conclusions, claim that Hume rejects only metaphysical, external "Ought" and simultaneously establishes internal, human-dependent "Ought" (cf. Darwall 1995: 1–22; Korsgaard 1996: 49–89). Some others say that Hume, in the *IsOP*, does none of the above. According to that view, "Hume's task in his moral philosophy is completely analogous to his task in epistemology: to explain how a common world is created out of private and subjective elements"

(Haakonsen 1981: 4). Thus, Hume's reasoning does not "subvert vulgar systems of morality." Quite the opposite – the Scottish philosopher tries to defend the common sense morality (understood as the whole system of beliefs, not as the set of particular moral beliefs) before he attacks counterintuitive ethical theories. The commonsense morality would be subverted if ethical rationalists were right. Since they are wrong, and we put the sentimentalist view in their place, we can still rely on common sense while building our moral systems. The contextual interpretation of the *IsOP* is often accompanied by more cognitivist views in metaethics (e.g., Cohon 2008: 96–125). But here there are also some exceptions – J.L. Mackie, for example, interprets Hume as ethical anti-realist (which is a non-cognitivist approach) and attributes to him the view called "objectification theory," which is compatible with his own ethical doctrine, ethical falsificationism (Mackie 1980: 144).

Some people interpret the *IsOP* as the anticipation of the so-called naturalistic fallacy. G.E. Moore famously claimed that naturalists were guilty of what he called the "naturalistic fallacy," viz., the attempt to define ethical predicates (such as good or right) in nonmoral terms. This is, according to Moore, a "fallacy" because no such definition can pass the test of the "open question argument," i.e., we can always reasonably ask whether what is supposed to be the definiens of the predicate "good" is really "good"; the possibility of asking such a question attests, in Moore's view, that all definitions of "good" are mistaken (cf. Moore 1903: Chap. I). According to some views, Hume, in the *IsOP*, formulates a similar critique. Opponents of the view that Hume's intentions were similar to those of Moore point out that Hume himself was a naturalist who analyzed moral terms by reference to various natural properties (such as agreeable or useful to oneself or others, or eliciting approval in the impartial spectator), and thereby it makes little sense to connect him with the formulation of the naturalistic fallacy. These opponents, however, omit the possibility that Hume's view may be inconsistent: in the *IsOP* he may have anticipated

the "naturalistic fallacy" but, at the same time, may have also constructed normative ethic which is based on precisely the same fallacy – of identifying moral properties with some natural properties.

Kant

As was shown above, given Hume's moral theory, within which "Ought" appears to be defined in factual terms, one may doubt whether he really makes a clear distinction between "Is" and "Ought." In Kant's moral philosophy, by contrast, facts and duties are kept very strictly distinct. The differences between Kant and Hume in this context can be stated more precisely in the following way:

1. As was mentioned in section "[Hume](#)," commentators of Hume's works are in disagreement as to whether he admitted "Ought" at all. What can be said for sure is that if there is a place for "Ought" in his moral philosophy, this can be only weak, internal "Ought." Thus, if Hume introduces any normativity ("Ought") at all, he locates it at the level of facts. Kant, by contrast, unambiguously separates the sphere of facts from the sphere of duties, believing that they are to be situated at metaphysically different levels which are irreducible to each other. He therefore explicitly introduces "Ought" in the strong, external sense, believing that it can be defended only if the separate sphere of normativity (as distinguished from the sphere of facts) is postulated.
2. Kant agrees with Hume (at least if we assume the standard, textual interpretation of the latter's views) that one cannot "deduce" any normative truth from the factual truths, but the way of apprehending normative truths is conceived by both philosophers in entirely different ways: for Kant moral truths are synthetic a priori judgments, i.e., judgments which are formulated without recourse to sense experience and whose truthfulness is not determined

by the meaning of its component terms – thus they can be known by reason; for Hume, by contrast, they are either factual truths (on the cognitivist interpretation of his theory) or have no truth value (on the noncognitivist interpretation of his theory).

These two points of Kant's moral theory – i.e., the strict separation of the realm of facts and the realm of duties and the claim that it is thanks to reason that we know the truths belonging to the sphere of duties – are, of course, strictly connected. Let us now analyze them in somewhat greater detail, starting from the basic epistemological point concerning the role of reason in moral cognition. Then we will pass to some more detailed questions.

Unlike Hume, who assigned a purely instrumental role to reason in the sphere of action (the role of finding appropriate means for realizing ends determined by "passions"), Kant's central point, formulated in direct polemic with Hume, is that reason has also a practical (moral) dimension: that is, its role consists in guiding the course of human action in the fundamental sense of discovering or constituting an unconditional rule of conduct, viz., the categorical imperative, which human beings (or, more generally, all rational agents) ought to follow. This belief is deeply embedded in his philosophy with its central claim about the active role of reason in constituting our cognition, but, interestingly, Kant formulates also a strictly empirical argument for it: he asserts that the function of reason consists in producing a goodwill in human beings (i.e., a will whose motive is the obedience to the categorical imperative) rather than in securing their preservation, since "in a being which has reason and a will, if the proper object of nature were its conservation, its welfare, in a word its happiness, then nature would have hit upon a very bad arrangement in selecting the reason of a creature to carry out this purpose" (Kant 1964: 12). To return to the categorical imperative, the imperative discovered or constituted by reason is categorical in the sense of being unconditioned by the previously existing

ends or desires of the agent. In other words, it formulates a duty which is binding for all rational agents, irrespective of whether following this duty is in accordance with their preexisting desires or ends. The exact content of this rule (in its basic formula called "universal law") is as follows: "Act only on that maxim through which you can at the same will that it should become a universal law" (Kant 1964: 51) (it is usually assumed that Kant proposed five various formulations of the categorical imperative, which he believed to be equivalent. Arguably the most famous, apart from the Formula of the Universal Law, is the Formula of the End in Itself, according to which one ought to act in such a way as to treat humanity, whether in one's own person or in any other person, always at the same time as an end, never merely as a means). As mentioned before, Kant believes that the categorical imperative is an a priori synthetic judgment and, consequently, that the requirement that maxims (personal principles) of human conduct must be such that agents can will them to become a universal law *is not part of the definition* of the concept of moral action (even though, in his view, moral action *does consist in fulfilling such a requirement*). Kant also strongly emphasizes that one needs not engage in deep philosophical thinking in order to understand that the categorical imperative is a cornerstone of (proper) morality; he claims that this supreme principle of morality is presupposed or "encoded" in the common man's awareness of duty; the only merit of the philosopher (Kant himself) is to bring to light, i.e., formulate explicitly, what is understood implicitly by every common man. He also distinguishes between *the* categorical imperative and *a* categorical imperative (or categorical imperatives). *The* categorical imperative (in its various formulations) is the supreme principle of morality which enables testing various maxims of actions as to whether they are moral; a maxim that passes this test becomes *a* categorical imperative. One can therefore say that the sphere of "Ought" (or, more precisely, of "moral Ought") consists of the categorical imperative (in its various formulations) and a broad (potentially infinite) set of

categorical imperatives. How this sphere is exactly known and what ontological status it has are controversial points of Kant's moral philosophy that we shall deal with in the remainder of this section.

From what has been said above, it follows that Kant emphasized a strict relation between rationality and morality. In fact, on his view, morality becomes a part of rationality: reason, acting in the practical sphere, points at the rules of moral actions. However, the question arises (we have left this question open in the initial description of Kant's theory) how exactly reason "points at" the rules of moral action: whether it *discovers* or *constitutes* them. Kant does not decide this question with full clarity, but it can hardly be doubted that the second alternative ("constituting") is more consistent with his "transcendental" approach to philosophical problems (within which the emphasis is laid upon the active role of reason in human cognition), as well as with his insistence on the fact that rational agents are "self-legislators" who autonomously impose on themselves moral duties (the claim that there are some binding moral duties which exist in the sphere of "Ought" and which are to be discovered and obeyed by rational agents would be viewed by Kant as incompatible with these agents' autonomy and as an instance of a "heteronomous" moral theory). Consequently, one should say that, according to Kant, reason does not discover the categorical imperative purportedly preexisting in some mysterious sphere of moral "Ought" but rather, by virtue of its own activity, constitutes it (and thereby the sphere of moral "Ought"). It may be noted in this context that only on this interpretation Kant's view of the sphere of moral normativity can be regarded as truly original: if Kant just claimed that reason "discovers" preexisting moral truths, his view would be in essential points similar to the view of the seventeenth- and eighteenth-century ethical rationalists (which, as was mentioned, were strongly criticized by Hume).

Another interpretational problem of Kant's moral theory (related, as we shall see, to the problem of whether reason discovers or constitutes the

categorical imperative) is connected with an ambiguity in Kant's works regarding the question of whether the categorical imperative can be justified in the sense of being derivable from some more fundamental principle (cf. Paton 1946: 203–205). On the one hand, in *Groundwork of the Metaphysics of Morals*, he seems to suggest that the categorical imperative can be justified by an independently established presupposition of freedom. On the other hand, in *Critique of Practical Reason*, he conceives of the categorical imperative as "a fact of pure reason" which we know a priori as a certain truth; accordingly, it need not (and cannot) be derived from anything else and, furthermore, is itself a basis for conducting a "deduction" of freedom as a necessary presupposition (postulate) of moral judgments, since in making a moral judgment of an agent's action we assume, in Kant's view, that the action was "freely chosen," i.e., the agent could have acted otherwise (as is well known, according to Kant, the other presupposition of practical reason are the immortality of soul and the existence of God). Accordingly, in Kant's view expressed in *Critique of Practical Reason*, freedom is a presupposition of making moral judgments but not a principle from which the categorical imperative can be derived, whereas in *Groundwork* he seems to assign to freedom both roles. As can be easily seen, Kant's claim that the categorical imperative is a "pure fact of reason," not derivable from anything else, provides another argument for such an interpretation of his ethical view which assumes that reason constitutes rather than discovers moral truths. It is worth invoking in this context the opinion of H.J. Paton: "Kant's ethics is not based on metaphysics: it would be truer to say that his metaphysics, so as we take this to be concerned with supersensible reality, is based primarily on ethics. Whatever confusion or error there may be on this topic in the *Groundwork* is to a great extent cleared always by the *Critic of Practical Reason*" (Paton 1946: 203–205). This opinion is (generally) apt but it should be qualified. Truly, Kant's metaphysics understood in this strong sense (the existence of supersensible

reality: soul, God, freedom) is indeed based on his ethics. But it should be noticed that his ethics is metaphysical in some weaker sense, especially if compared with an unambiguously naturalistic ethics of Hume. Kant believes that reason (the distinguishing capacity of all rational agents) constitutes a sphere of moral "Ought" which is irreducible to the sphere of facts; and even if he does not confer a strongly metaphysical status on this sphere (as existing independently of rational agents), its status can nonetheless be regarded as metaphysical, given the metaphysical status of the very reason (as imposing necessarily true laws in moral and physical sphere). One more remark seems to be in order here. The fact that we regard Kant's ethics as metaphysical does not mean that we agree with G.E. Moore that Kant's ethics is based on the naturalistic fallacy (in its wider sense, embracing also the attempts to define ethical predicated in metaphysical, not only naturalistic, terms). Moore (1903: Chap. IV) claimed that Kant identifies the predicate "good" with the predicate "required by the rational will" or "required by reason" and thereby commits the naturalistic fallacy. But this interpretation of Kant's moral theory cannot be defended, since Kant, though associating the categorical imperative with the capacities of reason, does not make any definitional claim; he asserts that the categorical imperative is known by reason (or, as we propose to interpret his theory, the categorical imperative is constituted by reason in the sense that in the absence of reason, there would be no categorical imperative); it is, as Kant strongly emphasizes, a synthetic a priori judgment, whose truthfulness cannot be derived from any other statements (e.g., about reason or rational will).

Conclusion

As can be inferred from the above account of Hume's and Kant's views on "Is" and "Ought," the interpretational problems they engender are of a different kind – much more serious in the case of Hume. Even though it is clear, at least for most of

his readers, that Hume did not believe that there exists some form of reasoning that can justifiably lead us from "Is" (statements about facts) to "Ought" (statements about duties), one can plausibly argue that Hume believed that reduction of "Ought" to "Is" is feasible, i.e., that statements about duties are in fact statements about facts (about what is agreeable or useful to oneself or other persons or what would be approved by the impartial spectator). There seems to be an inconsistency in the claim that one cannot derive duties of facts and that duties are reducible to facts; however, this inconsistency could be eliminated if Hume's purportedly normative moral theory was interpreted as a descriptive moral theory (saying how people do in fact make moral judgments). Perhaps this was Hume's intention, but this issue is hard to settle. The interpretational problems of Kant's theory are of a much less serious nature. There is no controversy as to the basic claims of Kant: he believes that "Ought" cannot be either derived from "Is" or reduced to it; that it constitutes a separate realm, radically different from the realm of facts; and that it may be known by means of reason. The crucial interpretational problem of Kant's moral theory concerns the very relation between the sphere of "Ought" and reason: whether reason constitutes it or discovers it; and if reason constitutes it (what seems to us to be a more plausible interpretation), what specific implications this "constitution" has for the question about the ontological status of the sphere of "Ought" (it is clear that this account of the sphere of "Ought" makes it metaphysical, but it remains unclear what is the difference between the strong, external "Ought" understood in the Kantian way and the strong, external "Ought" understood in the spirit of ethical rationalists).

Cross-References

- ▶ [Kans Kelsen \(on Legal Science\)](#)
- ▶ [Is and Ought Distinction in Legal Philosophy](#)
- ▶ [Legal Rules and Deontic Logic](#)
- ▶ [Legal Rules as Hypothetical Imperatives](#)

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