

Reliability of motivation and the moral value of actions

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1. General introduction

Kant¹ famously made a distinction between actions *from duty* and actions in *conformity with duty* claiming that only the former are morally worthy. Kant's argument in support of this thesis is taken to rest on the claim that only the motive of duty leads non-accidentally or reliably to moral actions. However, many critics of Kant have claimed that other motives such as sympathy and benevolence can also lead to moral actions reliably, and that Kant's thesis is false. In addition, many readers of Kant find the claim that we should deny moral worth to a dutiful action performed from friendly inclination highly counterintuitive. Moreover, Kantian commentators disagree about the status of actions in conformity with duty, some claim that these can be taken as equally morally worthy as those performed from duty,² while others argue that they are not even permissible.³

It has also been claimed that Kant's theory of moral worth should be related to the theory of the *Gesinnung* developed in the *Religion*. Thus, some authors claim that, in order for an action to possess moral worth, the agent has to be unconditionally committed to morality, that is, the agent must possess a virtuous character or good fundamental maxim (i.e. a good *Gesinnung*).⁴ However, according to Kant's radical evil⁵ thesis (that is, the thesis that man is evil by nature⁶), the default position for man is to possess an evil *Gesinnung*, i.e. a *Gesinnung* which is only conditionally committed to morality insofar as morality does not demand a great sacrifice of our own happiness. So, an unwelcome consequence

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¹ Citations to Kant's works will give the page in translation followed by the page in the Prussian Academy edition. The translations used are indicated in the references section at the end.

² Wood (1999), p. 27.

³ See, for example, Timmermann (2009), pp. 56-57 and 58-60, and Allison (1990), p. 112.

⁴ See, for example, Allison (2009), pp. 116 and 119; Timmermann (2009), fn 11, p. 49.

⁵ *Rel* 59/37.

⁶ *Rel* 55/32.

of this line of interpretation is that in Kantian ethics morally worthy actions become very rare indeed.

The paper is divided in two parts. The first part aims to clarify why Kant thought that only actions from duty are morally worthy, replying to some common objections against Kant's view. I argue that Kant's non-accidental condition should not be understood in terms of reliability because such interpretation is incompatible with Kant's theory of motivation and rational agency. I propose an alternative interpretation which supports Kant's claim that only the motive of duty leads non-accidentally to dutiful actions, and thus only actions from duty possess moral worth. I end by showing that although actions in conformity with duty are worthless from the moral point of view, they are not (in many cases) impermissible. The first part concludes that the criterion for the permissibility of actions is different to the criterion for the ascription of moral worth. Thus, rightness, which pertains to actions performed on maxims that can be willed as universal laws, and moral worth, which pertains to actions performed from a sense of duty, should be understood as two different levels of moral assessment.

The second part of the paper examines Kant's conception of virtue with the aim of showing that although only agents with a virtuous character (good *Gesinnung*) will reliably act from duty, a person with an evil character (evil *Gesinnung*) could on frequent occasions act from duty. I argue that we should not deny moral worth to actions performed from duty even when the agent has an evil *Gesinnung*. Goodness of *Gesinnung* is not a necessary condition of the action of an agent possessing moral worth; reliability of motivation is necessary for the ascription of virtue but not for the ascription of moral worth. It follows that virtue, which refers to the agent's character or fundamental maxim (i.e. the agent's *Gesinnung*), and moral worth are also two different levels of moral assessment.

The paper concludes that three levels of moral assessment can be distinguished in Kant's ethical system: (i) rightness, (ii) moral worth and (iii) moral virtue. Moral virtue is the highest level of moral perfection for a human being. Striving towards virtue requires constant progress and effort⁷ and ultimately a 'revolution of the heart.'⁸ The important point is that even when we are still striving to achieve virtue (i.e. an unconditional commitment to morality), we can ascribe moral worth to actions performed by a genuine sense of duty. It turns out that, contrary

⁷ *Rel* 67-68/ 47-48.

⁸ *Rel* 68/ 47 and 70-71/ 50-51.

to many influential interpretations, Kantian ethics is not merely concerned with the rightness or wrongness of particular actions⁹ nor is Kantian ethics primarily an ethic of virtue.¹⁰ Instead, Kant's ethical system is complex and allows for different levels of moral assessment in which both an action-centred and agent-centred perspective can be integrated.

Part I: Moral worth

2. The non-accidental condition of moral worth

After introducing the concept of a good will and establishing its connection to duty, Kant turns to an analysis of moral worth and claims that dutiful actions can have moral worth only if they are *from duty*.¹¹ This so-called “motivational rigorism”, has been open to different interpretations and the source of recurrent objections against Kant's ethics, with many readers finding the claim that we should deny moral worth to a dutiful action performed from friendly inclination highly counterintuitive.

Kant illustrates his discussion of moral worth (that is, moral value) with a series of examples. Here I will focus on just one of them, perhaps the most famous and controversial one, in which Kant considers the case of the “friend of man”, who performs helpful actions out of sympathy, and contrasts it with a case in which the same philanthropic man has lost “all sympathy with the fate of others” due to his own grief, and yet still performs the helpful action out of duty.¹² In the discussion of this example, we find a passage that most commentators consider crucial to the understanding of why it is that actions from duty possess a distinctive moral value that those merely in conformity with duty lack:

To be beneficent where one can is a duty, and besides there are many so sympathetically attuned that, without any other motive of vanity or self-interest they find an inner satisfaction in spreading joy around them and can take delight in the satisfaction of others so far as it is their own work. But I assert that in such a case an action of this kind, however it may conform with duty and however amiable it may be, has nevertheless no

⁹ This is perhaps the orthodox and prevailing interpretation of Kantian ethics, which has received much criticism. For a classic exposition of the objections raised against Kant when he is interpreted in this way, see MacIntyre (1981).

¹⁰ O'Neill (1989), pp. 151-4.

¹¹ *G* 11/ 398; cf. *KpV* 106/ 81.

¹² *G* 11/ 398.

true moral worth but is on the same footing with other inclinations, for example, the inclination to honor, which, if it fortunately lights upon what is in fact in the common interest and in conformity with duty and hence honorable, deserves praise and encouragement but not esteem: for the maxim lacks moral content, namely that of doing such actions not from inclination but *from duty*.¹³

The problem with a helpful action performed out of sympathy (or any other inclination, for example honour) is that it is performed on a maxim that lacks moral content and, as such, it only leads to a dutiful action by accident. Thus, Robert Johnson characterises the condition under which an action is morally worthy in the following way:

Non-accidental condition [NAC]: a dutiful action is morally worthy only if its motive does not lead to the action by mere accident.¹⁴

Furthermore, Kant's thesis can be characterised as follows:

Kant's thesis [KT]: only the motive of duty meets the NAC (that is, the motive of duty alone leads non-accidentally to dutiful actions).

The NAC is sometimes interpreted in terms of reliability (and objections directed at Kant's theory of moral worth tend to implicitly rely on this understanding of the NAC). According to this reading, a motive leads accidentally to a dutiful action if it leads to it unreliably.¹⁵ Kant's view that only the motive of duty avoids leading to dutiful actions by accident is interpreted as implying that the motive of duty is *more reliable* than other motives in producing morally good actions. A motive is reliable if it makes the performance of a dutiful action more probable than not. Therefore, Kant's argument against sympathy as the appropriate form of moral motivation would be that it leads to dutiful actions unreliably.¹⁶ Now, Johnson has noted that there are two sets of properties that might make motives unreliable: cognitive properties (the object or content of the motive; that is, what one intends to do) and non-cognitive properties (as, for example, constancy, strength and availability).¹⁷ Motives could fail to produce dutiful actions due to their cognitive properties or their non-cognitive properties, or both. In the

¹³ G 11/ 398.

¹⁴ Johnson (1996), pp. 148-9.

¹⁵ For a good summary of the reliability interpretation, see Johnson (1996), pp. 150-153.

¹⁶ For Kantian commentators that understand the NAC in terms of reliability: see, for example, Guyer (1993), pp. 337-355; Henson (1979), pp. 39-54.

¹⁷ *Ibidem*.

cognitive sense, a motive is less than perfectly reliable in producing dutiful actions if the content of the motive does not single out all and only dutiful actions. This is the case, for example, with the motive of sympathy, since the object of sympathy is not necessarily moral. A person can act contrary to duty when acting from sympathy. However, in many cases sympathy will lead to the performance of a dutiful action; so sympathy is highly cognitively reliable. A motive could also be unreliable in producing a dutiful action due to its non-cognitive properties; that is, because the motive is weak, inconstant or unavailable. The reliability interpretation reads Kant's argument as claiming that only the motive of duty meets the NAC because duty is more reliable *overall* than other motives in producing dutiful actions. Duty is taken to be more reliable than sympathy because sympathy often is a weak, unavailable and variable motive that cannot produce dutiful actions reliably.

When the NAC is interpreted in this way, the standard objection is to claim that, in terms of reliability, there is no difference between altruistic emotion and duty. Altruistic emotions might be subjected to empirical conditions but the same conditions apply to the motive of duty.¹⁸ According to this view, it is false to claim that duty is more reliable, overall, than sympathy. There is nothing in the motive of duty itself that makes it more reliable in the non-cognitive sense than other empirical motives. How strong, available or constant a motive is will depend on the character and circumstances of the person. If we consider how the motive of duty actually operates, we can see that there is no reason to think that it is more non-cognitively reliable than sympathy. The opposite might indeed be the case.¹⁹ Furthermore, although sympathy is not perfectly reliable in the cognitive sense, it is highly cognitively reliable, so overall sympathy could be more reliable than duty. The result is that Kant cannot argue that the motive of duty is more reliable, overall, than sympathy or benevolence, so Kant's thesis is false.

The problem with this line of objection, and with the reliability interpretation itself, is that it implicitly accepts an empiricist model of motivation, which takes motives as direct forces that come in varying degrees of strengths and that produce action. In the next section, I argue that Kant is not committed to an empiricist theory of motivation and that we should reject this the reliability interpretation of the NAC. Section 4 presents an alternative interpretation which is compatible with Kant's theory of rational agency.

¹⁸ This criticism has been made mainly by authors who come from the empiricist tradition. See, for example, Williams (1973), p. 228.

¹⁹ See Blum (1980), p. 34.

3. Kant's theory of motivation and free rational agency

In the *Groundwork*, Kant claims that “[e]verything in nature works in accordance with laws. Only a rational being has the capacity to *act in accordance with the representation of laws*”.²⁰ The capacity to act under the representation of laws is equated with the capacity to act “in accordance with principles” or having “a *will*”, which in turn is equated with “practical reason”.²¹ The will is practical reason; that is, a faculty of acting through the conception of a principle. Practical principles fall into two basic categories: subjective principles and objective principles or imperatives; that is, principles that hold for all rational beings and instruct us how we ought to act.²² Kant also claims that an agent’s act and his moral character are imputable; that is, agents are responsible for their actions and their character.²³ Now, acts and character can only be imputable if they are the product of a free will. This means that actions are performed on principles and stem from choices made by individuals on the basis of reasons, and not as a result of psychological forces that combine to produce action. Scholars emphasise this point by focusing on what Allison calls the Incorporation Thesis²⁴ (IT henceforth), which says that “the will cannot be determined to action through any incentive *except so far as the human being has incorporated it into his maxim*”.²⁵ Although the IT is, strictly speaking, a thesis about freedom of action, its acceptance has consequences for Kant’s theory of motivation as a whole. One of the consequences is that incentives never determine the will directly — by exerting a force on the will — but do so through a choice of the agent that is expressed in the adoption of a maxim. Kant distinguishes two types of incentives: empirical incentives or desires and the rational incentive of duty, which Kant terms “respect for the moral law”. Desires and duty cannot be taken as “causes” or “pushes” that either produce action immediately or result in the adoption of a maxim on which the agent then acts, because that would be incompatible with practical freedom. Kant’s theory of motivation, therefore, entails that, although inclinations might have affective force, it is not through this force that they motivate. In order for the inclination to influence the will

²⁰ *G* 24/ 412.

²¹ *G* 24/ 412.

²² *G* 24/ 413.

²³ *Rel* 65/ 44.

²⁴ Allison (1990, pp. 5-6, 40, 103, 126, 138, 249, 268) was probably the first to emphasise the importance of this thesis in the understanding of Kant’s theory of rational action.

²⁵ *Rel* 49/ 24.

the agent must decide to act on it; that is, it must endorse the inclination by “incorporating it into his maxim” and taking it as a sufficient reason for his actions. Similarly, the moral law also influences the will by being a source of reasons for action (and not by being a stronger affective force that succeeds in overturning inclinations in a battle or conflict to determine the will).²⁶ Actions are performed on maxims and incentives influence the will by being incorporated into maxims. Inclinations are not in themselves good or evil; in fact, they are not morally imputable.²⁷ It is only the agent’s principles that are imputable and the focus of moral assessment and that ultimately express the agent’s character.

A maxim is a principle which connects some generic description of circumstances (taken broadly to include inclinations and purposes of the agent) with some generic description of an action type that the agent takes these circumstances to justify. Typically, a person’s maxim expresses the reasons or rationale that motivates her to act as she does. Every free action of a finite rational agent has its maxim and maxims are precisely what allow us to conceive of actions as free and imputable: not just mere bodily movements, but intentional behaviour directed towards a purpose and performed on the basis of reasons.

Thus, the reason we should reject the reliability interpretation of the NAC is not that altruistic emotions are also capable of “winning a battle” (to use Henson’s well-known metaphor) against temptation to act wrongly. The real — and far more serious — problem with the reliability interpretation is that it seems to be committed to a “quasi-mechanical” model of agency in which motives are described as competing forces, which is alien to Kant. Kant’s view is that we are always free to resist an incentive no matter how strong the incentive might be. Moreover, at this point it is important to note that Kant is not mainly preoccupied with whether a motive is successful in producing dutiful actions. As a matter of fact the external conduct of a philanthropist motivated by sentiment may not differ significantly from the external conduct of a philanthropist motivated by duty. Just by looking at the two sets of acts we might not be able to know the principle that motivates the agent.²⁸ Moreover, whether an agent is successful in performing the dutiful act will depend

²⁶ Such an empiricist model seems to be implicit in Henson’s discussion of the “battle citation model” and “fitness report model” of moral worth. See Henson (1979).

²⁷ *Rel* 57-58/ 35.

²⁸ If the two agents act on a different maxim, then they are performing different actions. Here it is important to distinguish between the act (helping) and the action (helping out of sympathy or helping out of concern for the other’s needs). Actions are differentiated from mere acts in that they are the expression of maxims (that is, an act for the sake of an end). Thus, actions and maxims (not acts) are the focus of moral evaluation.

not only on the agent's maxim but also on whether the world cooperates. In addition, Kant claims that the defining characteristic of a moral action is that it is good in itself, independently of the consequences that the action will bring about in the world.²⁹ Thus, the focus of moral assessment is not on whether the dutiful action is performed but on the agent's maxim.

4. The internal connection interpretation of the NAC

The internal connection interpretation is mainly concerned with the cognitive aspects of a motive, therefore offering a better interpretation of Kant's non-accidental condition; that is, an interpretation that is compatible with Kant's model of rational agency based on the IT. According to this interpretation, a motive that leads to a dutiful action by accident is a motive that is accidentally connected to the rightness of the action.³⁰ On this reading, Kant's thesis is that only the motive of duty avoids leading to dutiful actions by mere accident because it is only when an agent acts from duty that her motive is non-accidentally connected to the rightness of her action.

The problem, as Kant puts it, is that actions from inclinations stem from maxims that lack moral content.³¹ A maxim lacks moral content if the moral adequacy of the proposed course of action is not the reason for its adoption. Conversely, a person's maxim has moral content only if it describes the action as required by duty. The maxim, the principle that motivates the agent, must somehow reflect the fact that the agent conceives of her action as being morally required. A person's maxim expresses the principle that motivates her to act as she does; so when Kant says that the maxim of someone who acts from sympathy lacks moral content, what he is saying is that a sympathetic person's maxim does not describe her actions as being required by duty. This is so because the fact that an action is morally obligatory is not an aspect of an action that will typically engage someone's sympathy. By incorporating sympathy into his maxim, the philanthropist is endorsing the principle proposed by the friendly inclination, which makes the action dependent on an incentive that is completely unrelated to morality.

Herman has argued that the problem with actions performed on maxims that lack moral content is that in certain circumstances they can lead to the performance of actions that are immoral. The problem with

²⁹ *G* 8/ 394.

³⁰ Defenders of this line of interpretation include Herman (1981) and Johnson (1996).

³¹ *G* 11/ 398.

the friend of man is that, although he is concerned with helping others, he is indifferent to morality. If we suppose that the only motive that the friend of man has is a desire to help others, then we are imagining someone who would not be prepared to withhold help if the action he intended to do were contrary to duty. Someone who is motivated by a maxim of helping others whenever she feels inclined will not always perform dutiful actions because we can easily imagine many actions that satisfy the description of being helpful without being dutiful.³² The maxim of the friend of man will not single out all and only dutiful actions. In contrast, if a person's motive is internally connected to the dutifulness of her action it will be no accident that it leads to a dutiful action. Given that only the motive of duty prompts us to perform all and only dutiful actions, the NAC thus interpreted appears to support Kant's thesis.

The internal connection interpretation is clearly better than the reliability interpretation in the sense that it is compatible with Kant's theory of motivation and it rightly emphasises the importance of the maxim on which the agent acts. The problem with the maxim of the naturally sympathetic philanthropist is that he might perform an immoral action while acting on that maxim. His maxim makes beneficence conditional on the agent's psychological state and as such it is completely unrelated to moral considerations: the connection with morality is merely accidental.

5. Counterfactual situations, moral worth and virtue

Some authors have objected to the internal connection interpretation on the basis that it is inconsistent with Kant's claim that a moral motive must "produce actions in conformity with the law" more than merely "now and then".³³ Herman explicitly argues that the internal connection interpretation does not require that the motive of duty would be able to produce dutiful actions in the face of competing contrary inclinations:

It is not at all clear that we should require of the moral motive that it be stronger or be able to prevail in altered circumstances in order to attribute moral worth to a given action. Even if circumstances tomorrow are such that the alignment of moral and nonmoral motives breaks down, and the dutiful action is as a result not done, it is surely possible that the dutiful

³² Herman (1981), p. 365.

³³ *G* 3/ 390.

action that *is* done today, when the motives are aligned, has moral worth.³⁴

Herman supports this claim by arguing that whether the motive of duty is capable of prevailing in alternative circumstances (counterfactual situations) is a question related not to the moral worth of an agent's action but to the agent's virtuous character (strength of character). In the article under discussion she does not explain in more detail why the virtuous person would perform dutiful actions reliably. Perhaps what is behind her claim is the idea that, for Kant, a virtuous agent is an agent who is *strongly* motivated by duty. It is true that in his definition of virtue Kant makes reference to the idea of "strength". In the *Metaphysics of Morals*, he writes the following: "Virtue is, therefore, the moral strength of a *man's* will in fulfilling his *duty*..."³⁵ However, if we accept the IT, it cannot be the case that when Kant defines virtue in terms of strength, he has in mind strength in the sense of the affective or non-cognitive properties of the motive of duty. The affective properties of motives are not something that is directly under our control: what is under our control is to decide how to act. Therefore, in the passage under discussion, it is better to interpret Kant as referring to the *strength of the will*, that is, the firm resolution, in a good willed person, to fulfil his duty no matter how strong the temptation to act wrongly.

Allison has rejected Herman's interpretation and has maintained that for Kant "goodness of the will is a *necessary* condition of the action of an agent possessing such [moral] worth".³⁶ He also thinks that the goodness of a will is a function of its character and that, for Kant, character should be understood as an agent's disposition (*Gesinnung*) to act on the basis of morally good maxims: "a good will can be characterized as one whose enduring maxim is to conform to the dictates of the moral law".³⁷ He then claims that the kind of *Gesinnung* one has is not, for Kant, a matter of luck. Thus, he rejects Herman's interpretation because it seems to reintroduce an element of contingency or luck in the moral situation,³⁸ stating that it follows from a correct interpretation of the non-accidental condition of moral worth that "to claim that an action is not contingently dutiful is to claim that its dutifulness is not a function of circumstances which means that it still would have been performed

³⁴ Herman (1981), p. 369.

³⁵ *MS* 206/405.

³⁶ Allison (1990), p. 116.

³⁷ *Ibidem*.

³⁸ *Id.*

had circumstances been different”.³⁹ What is now under discussion is whether counterfactual considerations are important for the determination of the moral worth of an action, which in turn is related to the question of how to interpret the relation between the moral worth of an action and the agent’s character (*Gesinnung*).⁴⁰ For Allison, then, a person with a good will can be relied upon to perform actions with moral worth. Allison, of course, accepts the IT: so when he claims that a person with a good will can be relied upon to perform actions in accordance with duty, he does not mean that he will be strongly motivated, in the non-cognitive sense, to act from duty. It is because he has adopted the moral law as his fundamental maxim that he can be relied upon to act out of duty. Therefore, Allison’s claim is not incompatible with Kant’s theory of motivation and free rational agency. In the second part of the paper I will show, however, that a closer examination of Kant’s theory of *Gesinnung* reveals that a person with an evil character (evil *Gesinnung*) could act from duty (on a pure maxim, that is, a maxim with moral content) and we should not deny moral worth to actions performed from duty even when the agent lacks a virtuous character. I argue that we should separate Kant’s theory of moral worth, which pertains to actions, from Kant’s theory of virtue, which pertains to the agent’s character or fundamental maxim.⁴¹ I will show that the concept of a good will should not be straightforwardly identified with the concept a good disposition (*Gesinnung*). I will conclude that since a good *Gesinnung* is not a condition of the action of an agent possessing moral worth, virtue and moral worth should be considered as two different levels of moral assessment.

6. Permissibility and actions in conformity with duty

Some commentators have argued that actions in conformity with duty, including the maxim of the friend of man, are not only morally worthless but also impermissible.⁴² In what follows I will show that this is not necessarily the case.

As previously noted, Kant is mainly preoccupied with assessing the moral value of *actions* rather than mere acts. Actions are always

³⁹ *Id.*

⁴⁰ Or, in other words, what is now under discussion is the relation between the rigorism of motivation (only actions from duty are morally worthy) and the rigorism of *Gesinnung* (an agent’s fundamental maxim can be characterised as either good or evil).

⁴¹ See section 9.

⁴² Timmermann (2009), pp. 56-57 and pp. 58-60; Allison (1990), p. 112.

performed on principles or maxims. Therefore, strictly speaking, two acts that outwardly could seem indistinguishable might be different *actions* if they are performed on different maxims. Thus, in order to assess whether or not actions in conformity with duty are permissible, we need to assess the maxim on which the action is performed. Now, some maxims of acting from inclination might indeed be impermissible even when, as a matter of luck, the act performed happens to coincide with what is required by morality. However, many maxims of acting from inclination (even in cases when the act is morally required) should not be taken as impermissible. The important point is that the criterion for the assessment of the permissibility of an action is different to the criterion for the assessment of its moral worth. Actions are morally worthless if they fail to meet the NAC but they are impermissible if they fail the test of the Categorical Imperative.⁴³

Let's consider again the example of Kant's philanthropist. He might be acting under the following maxim: "to help someone in need whenever I feel inclined to do so". This maxim is clearly impermissible. Moral predicates do not feature in it at all. The problem with such a maxim is that we are imagining not only someone who makes the performance of the dutiful action contingent on the existence of an inclination but also someone who does not give any sort of thought to the moral appropriateness of helping the person he is inclined to help. Note that although people who endorse such a principle might not very common, it is not that uncommon to feel inclinations to help someone who does not deserve it. Here we are assuming that the duty motive is completely absent and thus the maxim lacks moral content. As far as I can see we cannot will such a maxim as a universal law of nature; so the maxim is impermissible.⁴⁴ Moreover, Kant's view is that a moral judgement reliably generates a moral incentive (respect for the moral law) to perform the action; that is, we cannot be aware of the moral necessity of an action without at least having an incentive to perform it. In this example, the duty motive is completely absent, which would indicate that the agent completely fails to understand the moral significance of the situation.

Now, suppose that the maxim of the philanthropist acting from sympathy is something like the following: "to help someone in need whenever I feel inclined to do so, as long as I sincerely believe that what

⁴³ See Section 10.

⁴⁴ Of course, the issue of how to understand the test of universality is open to a series of (well-known) difficulties of interpretation. However, the point I wish to make here should be sufficiently clear regardless of these difficulties.

I intend to do is not morally wrong". The agent whom we are now imaging is someone who is prepared to perform the helpful action only if he is inclined to do so, but would refrain from performing the action if he is aware that the action is wrong. Again, as far as I can see, we can will such a maxim as a universal law of nature; so the maxim is permissible. However, it should be clear from the preceding analysis that such action will lack moral worth because it would not meet the NAC under the internal connection interpretation. Here, we are assuming that the duty motive is present but only as a background condition ruling out impermissible actions. Since *ex hypothesi* the moral motive is present, the agent must consciously choose the inclination over duty as the primary motive on which to act. Such behaviour can hardly be expressive of moral value. The action lacks moral worth because its maxim is impure and its performance would depend on the contingent existence of an inclination.

There are two additional pieces of textual evidence that support the view that actions in conformity with duty are (in most cases) permissible. Kant claims that we have a duty to acquire a disposition to act dutifully from duty or make the moral law alone a sufficient incentive to action.⁴⁵ However, he states that this duty is a wide, imperfect or meritorious duty.⁴⁶ This means that we act meritoriously whenever we act from the motive of duty, but we do nothing wrong or contrary to duty when we act in conformity to duty but from other incentives. In addition, already in the *Groundwork* Kant is careful to point out that although the actions of the sympathetic philanthropist do not deserve esteem, they, nevertheless, deserve "praise and encouragement", attitudes that could hardly be recommended towards the set of actions considered wrong and blameworthy.⁴⁷

Part II: Virtuous character

7. Maxims form a hierarchical system

In order to be able to present the argument for the claim that virtue and moral worth should be considered as two different levels of moral assessment, it is necessary to explain certain features of Kant's conception of rational agency. It will be recalled that in Section 3, I

⁴⁵ *MS* 191/ 387 and 196/ 392.

⁴⁶ *MS* 196/ 392 // 241/ 446.

⁴⁷ *G* 11/ 398.

claimed that agents act on subjective practical principles called maxims. Maxims express an agent's reasons for action in the form of principles which establish what sort of considerations count in favour of what sort of action. Here it is important to note that maxims are *principles* in the sense that they are general: they specify what sort of thing an agent is to do, given certain circumstances. It should be noted that, if a particular maxim is the principle on which the agent acts, it is pertinent to ask why the principle has been adopted. For the action to be fully rationalised, the reason for the adoption of the more particular maxim has to be expressed in the form of a principle of a higher level of generality. Thus, maxims come in various degrees of generality which form a hierarchy, with some lower-order maxims fitting under some higher-order principles.⁴⁸ The most particular or lower-order maxims are the ones that are more closely tied up to the external behaviour of the agent and which make that behaviour intelligible. In this sense, human actions can be seen as fully rationalised, i.e. as the expression of an agent's will or practical reason.

The following example clarifies how an agent's action can be explained by appealing to a system of maxims that form a hierarchy.⁴⁹ Suppose that I am cutting a variety of vegetables on a board, boiling water, frying onions, etc. My maxim might be: "When cooking a vegetable stew, I will boil a variety of vegetables, fry onions, etc, in order to make a nutritional meal for my children." This, in turn, could fit under the more general maxim: "In order to obtain nutritional food, I will cook a home-made dish," and again this may fall under the more general maxim: "I will cook a nutritional meal, in order to provide food for my children," which again might fit under the more general principle "In order to protect my children, I will feed them." For each action, we can imagine a series of maxims extending in both directions, towards the agent's more general intentions as well as her more specific ones. Matthew Caswell has noted two important features to note about the relation of higher and lower-order maxims.⁵⁰ First, higher-order maxims do not fully determine the lower-order maxims beneath them. My end of feeding my children does not require that I cook a vegetable stew: I could instead buy some take away in the cornershop. The only constraint that my more general maxims impose on the lower subordinate maxims

⁴⁸ *KpV* 33/ 22.

⁴⁹ The idea that maxims come in various degrees of generality which form a hierarchy is commonly accepted by contemporary interpretations of Kant in the English language. However, some recent interpreters of Kant's ethics in the German Language hold that maxims should be understood as very general 'life rules' which provide practical advice for living. For a good overview of this debate, see McCarty (2006), p. 67.

⁵⁰ See his (2006), pp. 193 and ff.

is that they must be a means to the end that I selected. Second, higher-order maxims rationally justify lower-order maxims. For each more particular maxim, we can always ask the question “why?”, to which the immediate, more general maxim in the chain of maxims is the answer. The more general maxim gives the reason for the adoption of the more particular maxims and the ultimate ground of the action, although the agent does not need to be consciously aware of every more general intention when performing the more specific ones.

It is clear, however, that if maxims form a hierarchy, there must be a point where the chain of maxims ends, that is, there must be a maxim which is the most general and fundamental maxim in the chain of principles. Kant was well aware of this need of a fundamental principle and introduced the concept of *Gesinnung* precisely to fulfil this role. A systematic presentation of the theory of the *Gesinnung* occurs more fully in the *Religion*, where the concept is used to refer to the agent’s most fundamental moral disposition, sometimes also translated as the agent’s moral character.⁵¹ In this book Kant claims that both an agent’s act and his moral character are imputable, that is, agents are responsible for their actions and their character.⁵² In order to be able to accommodate the idea that we are free to choose our character, Kant claims that the moral character of an agent is itself a rational principle. He clearly states that the concept of *Gesinnung* refers to the agent’s fundamental maxim, that is, the maxim which underlies all the other maxims adopted by the agent and provides the ultimate ground and justification of his actions. He writes: “One cannot, however, go on asking what, in a human being, might be the subjective ground of the adoption of this maxim rather than its opposite. For if this ground were ultimately no longer itself a maxim, but merely a natural impulse, the entire exercise of freedom could be traced back to a determination through natural causes – and this would contradict freedom.”⁵³

Thus, in order to accommodate the idea that we are free to choose our character and to solve the problem of an infinite regress in the chain of maxims, Kant proposes that there is an ultimate, most general maxim or meta-maxim, which is itself a product of free practical reason,⁵⁴ the agent’s *Gesinnung* or fundamental moral disposition. It is the maxim of a person’s whole life that justifies and somehow underlies her choice of

⁵¹ For a detailed discussion of the concept of *Gesinnung* in Kant’s practical philosophy, see Munzel (1999), pp. 57-70 and 164-174.

⁵² *Rel* 65/ 43.

⁵³ *Rel* 47/ 21.

⁵⁴ *Rel* 50/ 25.

more particular projects which, in turn, governs her everyday ordinary actions.⁵⁵

8. Good and evil *Gesinnung*

Kant distinguishes two types of incentives that agents incorporate into maxims: empirical incentives or inclinations, and the rational incentive of respect for the moral law. Happiness is defined as the “idea that all inclinations unite in one sum”⁵⁶ and it is claimed that human beings have the end of happiness by natural necessity.⁵⁷ This means that happiness, understood as the end of achieving the greatest possible total satisfaction in life, is an end that all human beings have by natural necessity and hence that we cannot ignore. Kant also claims that human beings are conscious of moral obligation – consciousness of the moral law is for Kant the most basic “fact of reason”⁵⁸ – and thus that the moral incentive is always readily available for an agent to act on. Both incentives are present in the *Gesinnung* of every finite rational agent, thus, considered materially, an evil and a good *Gesinnung* have the same content. The difference between a good and an evil will must lie in the form of the will, or in the manner in which the contents are combined, that is, how the two incentives are subordinated, which one is incorporated as the condition of the other.⁵⁹ In the case of a good *Gesinnung*, the fundamental maxim is the maxim of making the moral law the supreme condition of all acts, whereas for an evil *Gesinnung*, the fundamental maxim is the maxim of making the incentives of self-love the condition of obedience to the moral law. An agent fundamentally committed to the pursuit of the moral law would also pursue her own happiness, but only insofar as it does not conflict with the demands of duty. In contrast, if the moral law is only followed conditionally, this means that the order of the incentives is reversed, and the will is evil.

Note that, according to the so-called Kantian “rigorism”, every action and morally responsible agent must be characterised as either good or evil, excluding the possibility of a middle term, i.e. cases of actions and people being characterised as not entirely good or evil.⁶⁰ This thesis is sometimes taken as a sort of moral fanaticism on Kant’s part,

⁵⁵ See Allison (1990), pp. 136-145 and Caswell (2006), pp. 191-196.

⁵⁶ *G* 12/ 399.

⁵⁷ *G* 26/ 415.

⁵⁸ *KpV* 29-50.

⁵⁹ *Rel* 59/ 36.

⁶⁰ *Rel* 48-9/ 23-4.

but in fact it is entitled by his theory of free rational agency based on the idea that rational actions are performed on a system of principles that form a hierarchy. In the *Religion*, Kant claims that evil is imputable,⁶¹ that is, human beings are responsible for both their evil actions and character, which means that these are freely chosen. Inclinations themselves are not under the control of the agent⁶² and as such they are not either good or evil. Instead, what is evil is to act on an immoral maxim which in turn would require that the agent neglects the moral incentive in favour of an incentive of inclination.⁶³ Because lower-order maxims are rationally justified by higher-order maxims, an immoral maxim would be rationally (if not morally) justified only if the agent is more fundamentally committed to the pursuit of her self-interest than to the pursuit of morality. Otherwise, the agent's choice of immoral maxim would be unintelligible and ultimately ungrounded. Therefore, the adoption of a singular immoral maxim would already presuppose that the agent values the satisfaction of inclination more than morality and would entail that the agent has an evil character. Analogously, a fundamental commitment to the moral law is incompatible with the adoption of particular immoral maxims. This means that whether people can be characterised as either good or evil would depend on their choice of fundamental maxim. Thus, action-rigorism and character-rigorism are entailed by Kant's conception of *Gesinnung* together with his theory of free rational agency.

In Book One of the *Religion*, Kant controversially argues that there is a propensity to evil in human nature⁶⁴ which is termed "radical" evil.⁶⁵ This aspect of Kant's moral psychology has proved to be controversial even among commentators who are otherwise sympathetic

⁶¹ *Rel* 65/ 44.

⁶² *Rel* 57-8/ 35.

⁶³ Note that Kant's account of evil differs significantly from two traditional ways of understanding evil. On the one hand, the source of evil is not found in our sensuous nature or inclinations; instead, the source of evil is to consciously prefer the satisfaction of inclination over the compliance with moral commands. This would show that, at bottom, the agent values more her own happiness than the moral law. On the other hand, Kant claims that we should avoid identifying the source of evil in the possibility of a thoroughly diabolical will [*Wille*, i.e. the legislative aspect of the will (*Rel* 58/ 35)]. Hence, the possibility of diabolical evil (i.e. the possibility that an agent would act contrary to duty even when there is no incentive of inclination, that is, even if this meant acting contrary to her self-interest and well-being) is denied. Therefore, the source of evil is not in the legislative part of an agent's will (*Wille*) but in the executive part of her will (*Willkur*).

⁶⁴ *Rel* 55/ 32.

⁶⁵ *Rel* 59/ 37. Note that the radicality of evil does not refer to the *quantity* of evil as it affects the world, nor does the concept of evil refer to some *qualitative* distinction between mere wrongness and evilness, but rather it is a concept designed to conceptually explain the source of evil (badness, wrongness) in human beings.

to Kant's ethical project, with many of them considering it either incompatible or, at best, inessential to Kant's central thesis.⁶⁶ Thus, there are a series of difficulties related to the interpretation of Kant's argument to support this claim⁶⁷, but for my purposes in this article such controversies are irrelevant. Here I will only emphasise those features of this thesis which are necessary to understand why acting from duty is compatible with having an evil *Gesinnung*. First, Kant's claim is that we have a 'propensity' (*Hang*) to radical evil, and although the concept of propensity is not identical to the concept of *Gesinnung*, most commentators interpret them as both referring to different aspects of the fundamental maxim of an agent, that is the meta-maxim that determines the moral orientation of an agent's will (*Willkur*).⁶⁸ Thus, the propensity to evil should be identified with the possession of an evil *Gesinnung*. Second, since this propensity is in 'human nature,' it should be understood as present in all human beings. Third, if the orientation of the human will is towards evil, and since Kant's rigorism entails that the only possible alternative to a good *Gesinnung* is an evil one, then the basic moral task for us should be to invert the order of the incentives and to effect a change of fundamental maxim. To overturn evil always involves a struggle to resist temptations and, in some difficult cases, it might require a great deal of sacrifice. Thus, to acquire a fundamental good maxim will involve a considerable degree of strength of will, and would consist in the task of becoming virtuous. Kant describes this overturning of one's evil disposition as requiring a 'revolution'⁶⁹ or change of 'heart.'⁷⁰ This revolution, which is morally required, occurs in one's *Gesinnung* and involves changing the order of subordination of our incentives, replacing the evil disposition with a virtuous one.⁷¹

9. Reliability and good character

We can now go back to the question of reliability and whether we should attribute moral worth to an action even if the agent has an evil *Gesinnung*. It is clear that the virtuous person, that is, the person with a

⁶⁶ Apparently, this was the attitude that Kant's theory of radical evil incited in Goethe and Schiller. See Fackenheim (1954), p. 340, quoted by Allison (1990), p. 270.

⁶⁷ For an overview of some of these difficulties see Morgan (2005), pp. 63-65.

⁶⁸ See Caswell (2006), p. 199; Allison (1990), p. 153.

⁶⁹ *Rel* 68/ 47.

⁷⁰ *Rel* 70-71/ 50-51.

⁷¹ Note that even after the revolution of the heart is accomplished, the maximum level of moral excellence achievable by a human being is virtue (strength – in the sense of firm resolution – to resist temptation to act immorally) rather than holiness (the spontaneous preference of morality over inclination). See *KpV* 155/ 122 and 109/ 84.

good *Gesinnung*, will perform dutiful actions reliably, that is, even in situations where there is temptation to act immorally. The reason is not that the virtuous person's motive of duty is strong in the non-cognitive sense, but that the virtuous person, having accomplished a revolution in her *Gesinnung*, has strongly resolved to comply with the demands of morality even in the face of temptation. However, a person with an evil character could on occasion (unreliably) act from duty, and we should not deny moral worth to actions performed from duty even when the agent has an evil *Gesinnung*. Kant's theory of the 'fact of reason,' and the related claim that moral judgement necessarily gives rise to an incentive to perform the action, together with the claim that a person with an evil *Gesinnung* would also incorporate the moral law as a part of her fundamental maxim,⁷² has to allow for the possibility of an agent with an evil character acting from duty on occasion. So the following question arises: is there anything in Kant's conception of moral worth that rules out the possibility of ascribing moral worth to a dutiful action performed from duty if the agent's fundamental maxim is 'evil'? Allison claims that "goodness of the will is a *necessary* condition of the action of an agent possessing such [moral] worth,"⁷³ indentifying goodness of the will with the possession of good *Gesinnung*. However, I will argue that goodness of *Gesinnung* is not a necessary condition for the ascription of moral worth to an action.

It must be noted that according to the internal connection interpretation of the NAC, only the motive of duty avoids leading to dutiful actions by mere accident because it is only when an agent acts from duty that her motive is non-accidentally connected to the rightness of her action. Thus, Kant's theory of moral worth entails that for an action to be morally worthy it has to be performed on a maxim that has moral content, that is, a pure maxim. However, it is not required that the fundamental maxim of the agent must be good. Since higher-order maxims do not fully determine the maxims beneath them, a person with an evil *Gesinnung* would not necessarily violate all moral dictates, nor would it be impossible for an evil person to act from duty. Moreover, morally good maxims performed out of an incentive of respect for the moral law are willed for their own sake and as such do not require further justification by a higher-order maxim. As such they do not presuppose a good *Gesinnung* in order to be rationally justified.⁷⁴

⁷² *Rel 67/ 46*: "...we are never able to lose the incentive that consists in the respect for the moral law..."

⁷³ Allison (1990), p. 116.

⁷⁴ This point is emphasised by Caswell (2006), pp. 197-8.

Actions from duty are not incompatible with the possession of a fundamentally evil disposition.

In contrast, Allison's interpretation seems to require that for a dutiful action to have moral worth, its maxim should somehow express the agent's *unconditional* commitment to morality.⁷⁵ But it is difficult to see how particular maxims could express such a commitment. The point is not only that we could not know whether the agent's commitment to morality is unconditional. Kant plausibly claims that our own motivations are not transparent to us, hence we can never be sure that we were motivated purely by moral concerns and that no hidden incentive of inclination was also present.⁷⁶ Even if full knowledge of one's motivations is not available, Kantian ethics is an ethics of self-knowledge and self-reform which recommends that one should strive to act from noble motives. My point is rather that it is implausible to propose that, when agents are deliberating about how to act (i.e. trying to decide what considerations count in favour of what types of acts), they would ask themselves whether they would also be willing to perform the dutiful action if the circumstances were more difficult. This is not only implausible but it is not clear at all what role such a thought could have in the moral psychology of an agent. Imagine that you were trying to decide whether you should spend the afternoon doing some voluntary work in an orphanage. It is unlikely that you would stop to consider whether you would also be willing to do it if you were even more tired and busy. To entertain such thoughts would be pretty pointless. Surely, either way, there is an answer to the question, but until a person is in the more difficult circumstances, it is impossible to know whether her commitment to morality is truly unconditional. It would be futile (and probably also dishonest) for agents to form any sort of intentions about difficult, imaginary, counterfactual situations. Thus, considerations about what an agent might have done in counterfactual situations are only relevant for the determination of whether the agent possesses a virtuous character; however, they are irrelevant in establishing the moral worth of an action performed from duty under less difficult circumstances.

The view here defended seems to me quite reasonable and it is also in line with the interpretation of Kant's theory of moral worth previously defended. However, a consideration that supports Allison's interpretation is that, in *Groundwork I*, Kant clearly establishes a connection (perhaps even a necessary one) between acting from duty and

⁷⁵ See Allison (1990), p. 119. Also, Timmermann (2009), fn 11, p. 49.

⁷⁶ *G* 19/ 407.

possessing a good will. So, the question is whether goodness of the will should be taken as conceptually equivalent to goodness of *Gesinnung*. Here I cannot provide a full treatment of Kant's conception of a good will, but I will only be able to briefly point out to some considerations against the conceptual identification between goodness of the will and goodness of *Gesinnung*.⁷⁷

The first section of the *Groundwork* famously begins "It is impossible to think of anything at all in the world, or indeed even beyond it, that could be considered good without limitation except a good will."⁷⁸ The good will is the only unqualified or unconditioned good, that is, a good that is good in all respects and in all possible contexts. As such, the good will is intrinsically good, which Kant takes to mean that its goodness must lie in its mode of willing rather than in anything it might accomplish or produce in the world.⁷⁹ In attempting to explain and defend this claim, Kant introduces the concept of duty, which he claims "contains that of a good will though under certain subjective limitations and hindrances."⁸⁰ Thus, it is clear that Kant envisages a connection between good will, duty and moral worth, but the question is how to interpret this connection. Many critics of Kant have thought that Kant is committed to the view that a good will is only motivated by duty.⁸¹ However, this reading cannot be correct, because the concept a good will is wider than the concept of a will that acts from duty, that is, "under certain limitations and hindrances" (i.e. inclinations). First, in the case of a divine or holy will, the question of acting from duty does not arise because a divine will does not need to overcome any obstacles and hindrances (i.e., inclinations in a broader sense).⁸² Second, it is clear that although a good will is a will that acts from duty when the action is morally obligatory, if the action is permissible then a good will would act from inclination, but with the duty motive operating as a backup condition ruling out immoral maxims. Kant's position, thus, is that although not all actions of a good will must be directly motivated by duty, all morally obligatory actions should be so motivated. The fact that the action is morally obligatory should provide a sufficient reason to perform the action, which means that the action should be motivated by duty, i.e. from a direct concern with morality.

⁷⁷ Allison (1990) argues for the opposite view in pp. 116 and 136.

⁷⁸ *G* 7/ 393.

⁷⁹ *G* 8/ 394.

⁸⁰ *G* 10/ 397.

⁸¹ See, for example, MacIntyre (1997), p. 192.

⁸² *G* 25/ 414; *KpV* 30/20; *MS* 185/ 379-80.

Actions from duty are expressive of particular acts of good willing (in the sense that a will motivated by duty would be good in all respects and in all possible contexts), and as such they possess moral worth.

In the *Religion*, Kant claims that having a good will is compatible with radical evil⁸³, and this seems to lend support to the possibility that a person with an evil “heart” could on occasion act from duty, i.e. perform actions that are expressive of particular acts of good will and as such possess moral worth. Thus, it is possible for a person to have a good will (at least in the sense that some of her particular willings are good) and yet possess a fundamental evil maxim; hence, goodness of the will and goodness of *Gesinnung* are not equivalent concepts. Furthermore, in the *Groundwork* Kant draws a distinction that can help to understand the difference between the two concepts. He distinguishes between the concept of a good will and the concept of an *absolutely* good will, which is one that always or consistently acts in accordance with morality.⁸⁴ The absolutely good will of the *Groundwork* should be identified with the concept a good *Gesinnung* of the *Religion*, the goodness of disposition that is achieved through a revolution of one’s heart. However, goodness of will, understood as the ability to perform morally obligatory actions from duty, is compatible with an evil fundamental disposition. Finally, note that Kant also holds that to accomplish a revolution of one’s heart is a very difficult task. Although the reorientation of one’s will is accomplished in a single *revolutionary* act, the striving towards virtue requires constant progress and effort.⁸⁵ This suggests that to become a fully virtuous agent (i.e. one who is fully and unconditionally committed to morality) is not an easy or common achievement. In contrast the treatment of the good will in *Groundwork I* suggests that knowledge of the unconditional goodness of a good will is something readily accessible to rational moral cognition, which in turn suggests that acts expressing such goodness are not uncommon at all.

Moreover, if man is evil by nature and the basic struggle of the human being is to achieve a revolution of the heart with the aim of reversing the order of incentives of one’s evil disposition, it has to be the case that most people have in fact an evil *Gesinnung*. If we interpret *Groundwork I* as claiming that a good *Gesinnung* is a necessary condition of the action of an agent possessing moral worth, and we

⁸³ Kant writes: “...the propensity to evil is here established (as regards actions) in the human being, even the best.” (*Rel* 54/ 31) and “an evil heart can coexist with a will which in the abstract is good.” (*Rel* 60/ 37).

⁸⁴ *G* 44/ 437 and 53/ 447.

⁸⁵ See *Rel* 67-68/ 47-48.

accept the theory of radical evil as presented in Book One of the *Religion*, then these two claims taken together would have the unwelcome consequence that in Kantian ethics morally good actions are very rare indeed. So, either Kant's views on the *Religion* are considerably at odds with the views presented in the *Groundwork*, or Kantian ethics as a whole is a very pessimistic enterprise, an almost unachievable ideal. By separating the theory of moral worth from the theory of virtue we arrive at a more harmonious picture of Kant's position, one in which the views presented in the *Religion* can be accommodated within the conceptual framework developed in the *Groundwork*.

To recapitulate, acting on a pure maxim is not necessarily incompatible with an evil *Gesinnung*. Having a weak character is clearly compatible with acting from duty on occasion. In addition, the impure person's fundamental maxim can be represented as the principle of doing her duty unless her happiness is seriously threatened. She might be prepared to make some sacrifices for the sake of duty, but only up to a point. Furthermore, it is possible that, due to lucky circumstances, an agent might live her entire life without being required to make any considerable sacrifice for the sake of morality.⁸⁶ This might be why people living in stable democratic societies are willing to act dutifully, since acting in this way does not require a great deal of sacrifice. However, in situations of war, starvation or genocide, more people are capable of acting immorally. If this analysis is correct, then there is an element of moral luck with regard to whether people are confronted with the situations in which they would be prepared to relax their moral principles. In Kant's own words: "...how many people who have lived long and guiltless lives may not be merely *fortunate* in having escaped so many temptations?"⁸⁷

It seems that an element of luck, at least in relation to the varying degrees of difficult circumstances that a person might encounter through her life, is unavoidable and that we should not, for that reason, deny moral worth to actions performed out of a sense of duty. Consider again my previous example: suppose that a person is prepared to dedicate some of her time to voluntary work in an orphanage out of a sense of duty, that is, out of a genuine concern with the urgency of the moral situation. Suppose also that, if she had been very tired or busy, she would have not spent the afternoon helping in the orphanage. According to my reading,

⁸⁶ See *Rel* 59/ 37 where Kant suggests that an evil propensity would not necessarily result in the adoption of immoral maxims.

⁸⁷ *MS* 196/ 393.

the agent's moral failure in the more difficult situation does not invalidate the moral worth of her previous, less difficult decision: since she acted from a pure sense of duty, her action had moral value (worth). However, the fact that she would not have acted dutifully had the circumstances been more difficult shows that, at bottom, she has an evil fundamental maxim and hence that she lacks virtue.⁸⁸ The extent of one's commitment to morality, and hence one's fundamental maxim, becomes apparent only in the face of difficult circumstances. As Kant points out in the *Critique of practical reason*, "virtue shows itself most splendidly in suffering."⁸⁹ But Kant also recognises that, although we would want to be like the man who refuses to defame an innocent Anne Boleyn, even under the threat of death by Henry VIII, we certainly would not want to be in his situation.⁹⁰ To a certain extent, however, Kant's position still has some air of paradox as it looks as if a person with an evil character (someone who is fundamentally committed to the pursuit of her own happiness) could, due to lucky circumstances, live her entire life without doing anything really bad. And yet, in that case, it seems that we should deny moral virtue to the agent because there are counterfactual situations in which the agent could have acted immorally.

We are finally in a position to analyse the three different levels of moral evaluation and assessment at work in Kant's system.

10. Conclusion: Three levels of moral evaluation in Kantian ethics

First level: rightness and wrongness

The first formulation of the Categorical Imperative says: *Act only in accordance with that maxim through which you can at the same time will that it become a universal law.*⁹¹ This formula establishes a test for the acceptability of maxims and thus for the permissibility of types of actions. An action type A is permitted if its maxim passes the test of the Categorical Imperative, in which case the action is right in the weak sense of not being wrong.

An action A is morally required or obligatory, i.e., a duty, if the maxim recommending the omission of A fails the test of the CI. If a maxim that advises the opposite course of action to A fails the test, that

⁸⁸ Of course it is not clear that one can ever actually know what a person would have done in the counterfactual situation.

⁸⁹ *KpV* 196/ 157.

⁹⁰ *KpV* 195/ 156.

⁹¹ *G* 31/ 421.

constitutes a necessary and sufficient condition of A being required by duty. A maxim can fail the CI test in two different ways requiring two different types of duty. First, a maxim can fail the CI because it cannot be consistently willed as universal law (contradiction in conception test), in which case we have a perfect duty (i.e., a duty admitting “of no exception in favour of inclination” to refrain from acting on it).⁹² Second, a maxim can fail the CI because, although the maxim can be willed consistently as universal law, you could not rationally *will* to act on your maxim in a world in which your maxim functions as a universal law of nature, that is, in a world in which all rational agents act as you yourself propose to act in these circumstances (contradiction in the will test), in which case we have an imperfect duty (i.e., a duty requiring the pursuit of a policy that can admit of exceptions).⁹³

Both permissible and obligatory actions are in conformity with the demands of the moral law and thus can be said to be “in conformity with duty”. Permissible actions are from inclination and in conformity with duty (in the general sense that permissible maxims pass the CI test). Obligatory or dutiful actions can be both in conformity with duty and from duty. In many cases it would be permissible to perform a dutiful action from inclination although we have a wide, meritorious duty to perform dutiful actions from duty.

An action is prohibited if its maxim fails the test of the CI.

The important point is that most actions that are in conformity with duty pass the test of the CI and are therefore permissible. Since it is possible to act in accordance with duty but not from duty, it is also possible to have a morally correct action and only a non-moral incentive to act on it. Thus, Kant’s distinction between acting in conformity with duty and acting from duty shows that he thinks that moral rightness and moral worth are two different levels of moral assessment. For to act in conformity with duty without acting from duty is to do the right action, but is not to do a morally worthy action. However, there is nothing wrong or blameworthy in performing an action in conformity with duty.

⁹² G 31/ 421.

⁹³ Of course, there are many different interpretations of how to understand the procedure involved in the application of the Formula of Universal Law. Here I only wish to make a very general point concerning the possibility of distinguishing different levels of moral assessment in Kant without engaging with any of these problems of interpretation. I am loosely following the interpretations proposed by O’Neill (1975), Rawls (1999), and Korsgaard (1996).

Second level: moral worth

When Kant demands, as a condition for an action to have moral worth, that it has to avoid leading to dutiful actions by accident, and the related claim that only actions from duty can meet this condition, he is in fact demanding that for an action to have moral worth it has to be performed on a pure maxim or, equivalently, a maxim that has moral content. A person's maxim has moral content if the person's rationale for acting describes the action as being required by duty. In most cases, actions in conformity with duty are performed on maxims that can be willed as universal laws but which lack moral content. Hence, the requirement that actions have moral content for actions to have moral worth seems to be more demanding than the requirement that actions be performed on a universalisable maxim for actions to be right.

Moral worth refers to the moral value of particular actions, more precisely to the sort of motivation (particular acts of will) that confers value on an action. This suggests that moral worth is a further level of moral assessment: an action could be right and yet lack moral worth (although the converse does not hold). Moreover, since Kant claims that our duty to act from duty is a duty of wide obligation,⁹⁴ it follows that we gain merit when our actions have moral worth but we do nothing wrong if we act in conformity with duty.

Third level: virtue and vice

An action can be right (if its maxim passes the CI test) and morally worthy (if it is performed on a maxim with moral content) and yet the agent may lack virtue if she lacks a good *Gesinnung*, i.e., if her fundamental maxim is not the maxim of making the moral law the supreme condition of all acts. Note that only a person with a good *Gesinnung* can be relied upon to perform actions with moral worth: it is precisely because the person has adopted the moral law as her fundamental maxim that she can be relied upon to act out of duty. However, although only agents with a virtuous character will reliably act from duty, a person with an evil character (at least in the cases of agents with a weak or impure heart) could on occasion act from duty, and we should not deny moral worth to actions performed from duty even when the agent has an evil *Gesinnung*. Thus, virtue and moral worth are two different levels of moral assessment. Virtue is the highest achievable

⁹⁴ MS 196/ 393.

level of moral perfection for a human being, and consists of reversing the order of the incentives through a “revolution of the heart”, thus incorporating the moral law as one’s fundamental maxim.

Kantian ethics recommends self-knowledge, reflection and self-reform. Moreover, it is not only concerned with the rightness or wrongness of particular actions, but also with the agent’s underlying character. In this sense Kant offers an attractive and complex ethical system in which both an action-centred and agent-centred perspective can be integrated.

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Abstract: Kant is often interpreted as maintaining that a) only actions performed from a sense of duty are morally worthy whereas b) actions in conformity with duty are wrong or morally impermissible. In addition, it is often claimed that c) the possession of a good *Gesinnung* (i.e. virtuous character) is a necessary condition of the action of an agent possessing moral worth. This means that only the dutiful actions of a virtuous agent can be taken to possess moral worth. This paper argues that this influential interpretation is incorrect by showing that Kant is committed to a) but not b) or c). It is argued that actions can be right but lack moral worth and actions can possess moral worth even when the agent lacks a virtuous character. It follows that three levels of moral assessment can be distinguished in Kant's system: (i) virtue which is reserved for agents possessing a good character or *Gesinnung*, (ii) moral worth which

pertains to actions performed from a sense of duty and (iii) rightness, which pertains to actions performed on maxims that can be willed as universal laws. This means that Kantian ethics is not merely concerned with the rightness or wrongness of particular actions nor is Kantian ethics primarily an ethic of virtue. Instead, Kant's system is complex and allows for different levels of moral assessment in which both an action-centred and agent-centred perspective can be integrated.

Keywords: moral action, moral agent, duty, character, virtue, moral worth

Resumo: Kant é interpretado frequentemente no sentido de que (a) somente ações praticadas por dever possuem valor moral, enquanto que (b) ações em conformidade com o dever são más ou moralmente inadmissíveis. Além disso, alega-se, muitas vezes, que (c) possuir uma boa *Gesinnung* (isto é, um caráter virtuoso) é a condição necessária para que a ação de um agente possua valor moral. Isso significa que somente ações por dever praticadas por um agente virtuoso podem ser consideradas como possuindo valor moral. Este artigo argumenta que essa interpretação influente não é correta, mostrando que Kant está comprometido com (a), mas não com (b) ou (c). Mostra-se que tais ações podem ser corretas sem possuir valor moral, e ações podem possuir valor moral, mesmo que o agente não tenha um caráter virtuoso. Segue-se disso que, no sistema de Kant, pode-se distinguir três formas de apreciação moral: (i) virtude que é reservada para agentes que possuem um bom caráter, ou *Gesinnung*, (ii) valor moral que pertence a ações praticadas por consciência de dever, e (iii) correção que pertence a ações praticadas com base em máximas de que se pode querer que sejam leis universais. Isso significa que a ética kantiana não se ocupa apenas da correção ou incorreção de determinadas ações, nem que ele é, principalmente, uma ética de virtude. Antes, o sistema de Kant é complexo e permite diferentes formas de apreciação moral, em que se deixam integrar tanto uma perspectiva centrada na ação, como outra centrada no agente.

Palavras-chave: ação moral, agente moral, dever, caráter, virtude, valor moral

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