

CHAPTER 13

Friendship and the Law of Reason

Baier and Kant on Love and Principles

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Annette Baier has been unsparing in her criticism of Kant's ethical theories, especially on the grounds that Kant has failed to provide a proper place for human nature and sentiment in his account of morality. This place is illicitly occupied in Kant's philosophy by an unfeeling reason, and more particularly by the various formulations of the categorical imperative. This distorted view of reason's place in our moral lives leads Kant to a flawed conception of moral theory. In *Postures of the Mind*, Baier claims that Kantian ethics takes the job of a moral theory to be giving "guidance in concrete human situations, perhaps with the help of a body of professionals, heirs to the casuists, whose job is to show how a given moral theory applies to a case."¹ The formulations of the categorical imperative, especially the "Formula of the Universal Law" (FUL),² are supposed to be the tools that Kant hands to those heirs to the casuists. FUL then does the same job that Christian teachings did when applied by the original casuists: "The casuist who applied Christian moral teaching to concrete, sometimes novel, human situations, were a bit like judges who, given an accepted body of statute law and precedents, applied these to the case before them."³

Much attention has recently been paid to the role of judgment in Kant's ethics.⁴ The observation that judgment has a role to play in applying the categorical imperative allows us to avoid the error of thinking that Kant took FUL to be a formula that can be mechanically applied, one that does not require more judgment than applying an algorithm to a particular instance. But this mistake is, of course, not one that Baier makes.⁵ The allusion to our need for the help of the heirs to the casuists leaves no doubt that this is not Baier's concern. Her concern is rather that the principles might be of no help: finding a unifying principle of morality will not necessarily enlighten our decisions, with or without the help of judgment "sharpened by experience."⁶ That is, Baier suggests that the search for ultimate principles might be futile, and the belief that universal principles are necessary tools of moral reasoning might be just a dogma.

The danger of futility might seem all the more serious when we note that FUL is a formulation of a principle that, according to Kant, already guides ordinary reason (*gemeine Vernunft*).⁷ If we are guided by it anyway, how could its explicit formulation help us in our moral reasoning? No doubt we can only gain by an increase in our knowledge, and our awareness of FUL might throw light on some issues in the same way as any other improvement in our understanding of issues related to morality. But why should we expect that the explicit formulation of a principle that guides us in any case could provide us with a systematic method of settling difficult issues?

I will begin by drawing attention to the evidence that for Kant, the main function of the explicit formulation of the categorical imperative is not to provide us with definite guidance in applying the categorical imperative to particular cases. In fact, we should not expect the formulation of the categorical imperative to provide any guidance of this kind. It might happen to give such guidance on some occasions, but we should not think of this as the function that FUL is supposed to perform. The formulation of the categorical imperative is part of Kant's main project of tracing the origin of human cognitions to their proper faculties. In particular, this formulation traces the origin of our moral judgments to the faculty of reason; it locates what we might call "the mark of rationality" in our ethical life.⁸

Once these proper disclaimers on the role of the formulations of the categorical imperative are in place, we can look at another criticism Baier levels against Kant. According to Baier, Kant is a "misamorist," that is, someone

who distrusts “the claims of love”⁹—someone who takes love to be a barrier to, rather than an essential part of, our moral life. Much recent literature has tried to rescue Kant’s account of friendship from various criticisms. My discussion here, however, will have a different focus. I want to examine a certain complaint that is not explicit in Baier’s essay “Unsafe Loves,” but which I believe to be the ground on which the complaint of her article rests: the allegation that Kant’s moral theory leaves no cognitive role for our sentiments. In defense of Kant, one might say that the moral law might tolerate or encourage certain feelings (or at least corrected versions of these feelings), but it must treat them as blind forces that merely happen to lead us in the right direction. No matter how much tolerance or encouragement we allow for, we do not regain the sense that our feelings can be moral educators or instruments of moral insight. Nor do we have the sense that by interacting with others, loving and being loved, we gain an insight into morality, which could not be provided simply by internalizing a principle. The inadequacy of Kant’s account of friendship would thus be a consequence of the general inadequacy of his views on the role of sentiments in moral cognition. However, once we are no longer hostage to the notion that the formulation of the categorical imperative is a tool for modern casuists, we can identify a wider cognitive role for sentiments. Experience and our natural feelings will have an important role to play in our cognition of what the categorical imperative demands in particular cases, a role that goes beyond their obvious functions (such as, for example, allowing us to recognize particular cases to which the categorical imperative applies). In fact, I will argue that Kant’s discussion of friendship is the best instance of Kant’s recognition of this function of our affective capacities.

I

At first, nothing seems more obvious than the importance of finding a principle of morality. Although one can be skeptical about the *possibility* of finding such a principle, it is hard to object to the *desirability* of doing so. Kant himself seemed somewhat irked by the fact that the importance of such a principle was not obvious to one of his reviewers (Cf. KpV 14n). There is no doubt that the formulation of the categorical imperative performs an important function. At the very least, FUL shows what unifies different moral

judgments. However, few people think that this is the *only* function of FUL. It seems that the categorical imperative should also have a guiding function, in helping us achieve better judgments in particular cases. Again, at this level of generality, it is hard to oppose such a claim. A better understanding of the nature of morality would probably not be a hindrance, and would likely be an aid, in developing our capacity for moral judgment. But the categorical imperative is also thought to give the kind of systematic guidance that John Rawls seems to take his theory to be providing; it is a theory whose major aim is to settle our differences on moral issues:

If the scheme as a whole seems on reflection to clarify and to order our thoughts, and *if it tends to reduce disagreements and to bring divergent convictions more in line*, then it has done all that one may reasonably ask.¹⁰

The importance of this kind of principle can hardly be underestimated. A tool that would determine clearly what our ordinary understanding had left obscure would, no doubt, be a desirable tool. And it is tempting to think that an ethical theory that cannot deliver a tool of this kind is rather worthless. However, it is hard to believe that a principle as simple as the categorical imperative could even begin to be such a tool, no matter how much room one leaves for judgment in Kant's ethics. Here it seems difficult not to share Baier's skepticism about finding such a principle, or her suspicion that the idea that any moral guide must consist of universal and explicitly formulated rules is a prejudice "whose self-evidence does not survive self-consciousness."¹¹ In fact, once we accept that the categorical imperative already guides the judgment of ordinary understanding, it is hard to see how the formulation of the categorical imperative could provide any further guidance. It is far from clear that making explicit a rule that implicitly guides us would help us judge the particular cases falling under the rule.

Our skepticism should increase when we look at how Kant describes the function of the moral philosopher. By providing a formulation of the categorical imperative, the philosopher has isolated the *a priori* source of morality. So Kant says:

Not only are moral laws together with their principles essentially different from every kind of practical cognition in which there is anything empirical, but *all moral philosophy rests entirely on its pure part*. When

applied to man it does not in the least borrow from acquaintance with him (anthropology) but gives *a priori* laws to him as a rational being. (G 389; emphasis mine)

Kant often admonishes fellow philosophers for trying to locate the source of morality in empirical principles. But such confusion is widespread, and it is what separates (true) philosophy from ordinary reason: “For philosophy is distinguished from the cognition of ordinary reason in that it presents in a separate science [*in abgesonderter Wissenschaft*] that which the latter conceives only confusedly” (G 390; translation amended). Given the contrast in this quote, I take it that Kant is using “confusedly” (*vermengen*) to mean “mixed with other cognitions.”¹² If this is the main confusion that bewitches popular systems of morality, and if the avoidance of this confusion is what sets philosophy apart from ordinary reason, then it is hard to see how it could be the task of the philosopher to help in *applying* these principles. If the philosopher has to isolate the pure source of morality, she will search for its most abstract version, one that is not mixed with anything empirical. Thus, since FUL abstracts from anything empirical, it is farther removed from application to the particular conditions of human nature than are the precepts of ordinary reason, in which the presentation of the categorical imperative is already mixed with empirical cognitions.

Take, for instance, the precept “You should show respect and gratitude toward your parents.” Let us assume, for the sake of the argument, that this is an incontrovertible principle; ordinary reason can easily determine that this is a valid moral precept. The philosopher knows that this is not one of the basic principles of morality, since its truth depends on the empirical conditions of human nature. This precept itself is quite vague, and so even if it is incontrovertible, some of its applications might be controversial. It might not be clear, for instance, whether refusing a request to let your parents live in your house in their old age counts as a violation of this principle. In trying to settle this issue, would a direct appeal to FUL help? It seems far from clear that it would. More likely, it would at best show us how the principle itself is justified rather than help with its application; that is, FUL would probably have *its* application to the particular matter in hand mediated by the principle “We ought to show gratitude to our parents.”

Of course, one might think that I have missed an obvious use of the categorical imperative. A particular precept might be wrongly identified as

having the seal of approval of morality, when in fact it does not. Respecting one's parents might *not* be something that morality demands at all. Here it is important to note two ways in which mistakes can occur in the choice of more basic precepts. First, despite being guided by the correct fundamental principles of morality, we might have used bad principles of application, wrong factual beliefs, or faulty inferences. In such cases, the formulation of the categorical imperative could not help us. Factual beliefs and principles of application depend on empirical principles that fall outside the scope of the categorical imperative. Faulty inferences are certainly not a matter of failing to be in possession of the correct moral principle.¹³ On the other hand, if our specific precepts are wrong because they stem from incorrect moral principles, then the formulation of the categorical imperative can certainly eradicate them. I might have a mistaken conception of what the fundamental principle (or principles) of morality is (or are); that is, I might wish to do the morally right thing, but still be mistaken about what morality requires at the most fundamental level. However, this latter type of mistake is not one that Kant seems to think is even *possible*. When we look at the list of moral shortcomings presented by Kant in *Religion Within the Limits of Reason Alone*, nothing like that shows up. In fact, this work speaks against it. The fundamental choice of one's character described in *Religion* is between an ordering of the principles of morality and self-love, that is, between the categorical imperative and the unrestrained pursuit of one's own happiness,¹⁴ and there is no doubt that ordinary reason does not mistake this principle of happiness for a fundamental moral principle.¹⁵ There is no suggestion that a mistaken moral principle could be the fundamental principle of our choices. It is important not to ascribe to Kant a concern with competing moral outlooks that he did not have. Kant rather optimistically claims that even the bully will see the justice of his beating (KpV 61), and the murderer will not complain that the death penalty is too harsh a sentence (MS 334). In fact, Kant often alludes to the ease with which ordinary reason discovers what morality demands, and sometimes even proclaims its advantage over the thought of philosophers:

And the most extraordinary thing is that ordinary understanding in this practical case may have just as good a hope of hitting the mark as that which any philosopher may promise himself. Indeed it is almost more certain in this than even a philosopher is, because he can have no

principle other than what ordinary understanding has, but he may easily confuse his judgment by a multitude of foreign and irrelevant considerations and thereby cause it to swerve from the right way. (G 404)

This should be no more surprising than the fact that we do not expect complex arguments in nonformal areas to be made simpler by trying to reconstruct their most basic premises (not just the premises we happen to agree about), using only fundamental rules of derivation. Typically, a complex piece of reasoning would make this task an endless and impossible one. A complex argument usually involves a large share of accumulated wisdom; representing this using only these meager resources would involve a great number of steps, and would call upon a highly developed capacity to apply the relevant concepts and principles. No doubt, appeal to basic premises or fundamental rules of derivation can sometimes throw light on a difficult issue, but a systematic use of the above method would be ludicrous.

It is interesting to compare Mill's view on the principle of utility in this context. A possible objection to the principle of utility is that its application is not humanly possible; given the amazing complexity involved in calculating the effect of a typical action on the general happiness and the relatively short span in which we have to make a decision, any attempt to be guided by the principle of utility seems impractical. Mill's answer to this objection is illuminating. Mill suggests that one should almost never appeal to the principle of utility; the rules of morality we already have embody the experience of humankind in applying the principle of utility.¹⁶ One might claim that the principle of utility is useful in that it can be appealed to when the rules conflict. But here, too, it would not typically work. Controversial issues, such as legislation on hate speech, abortion, and so forth, might be controversial precisely because the utility calculation in those cases is particularly baffling. Again, it might be true that, from time to time, appeal to the principle of utility, as to any other account of morality, would help us see through bias and prejudice or clarify an issue. But this is far from accepting the idea that direct appeal to the principle of utility could be used as a systematic method for settling controversial issues.¹⁷ It is important to note that the emphasis on "calculating" here is misleading. The problem is not that we are faced with a sum of too many addends, but rather that the principle of utility does not tell us what counts as more or less happiness in an individual, let alone how to compare the happiness of various individuals.

One may argue that the sources of confusion are multiple, and that an explicit formulation of the principle might at least close one door. For instance, a faulty inference may be best exposed with the help of the explicit formulation of the categorical imperative. I have nothing against this claim. There is no reason not to expect that a clearer understanding of the nature of morality could improve our judgment in moral matters. This applies to Kant's work, but also to Hume's or any other philosopher's, insofar as he or she puts forth a genuine contribution to the field. It is, however, a far cry from claiming that the role of moral principle is to serve as a systematic test to which we can appeal whenever disagreement threatens or a new case shows up—a far cry from thinking that the main role of FUL is to serve as the basic tool for those modern heirs of the Christian casuists. In fact, the truth of this claim does not even make us hope that this sort of direct appeal to FUL will even be of *widespread* utility in improving our judgment. Our long experience of morality and of being implicitly guided by this principle teaches us the application of the categorical imperative to various occasions that depend on our knowledge of the world and of human nature. In controversial issues, it should rarely be the case that direct appeal to the principle (as opposed to the more particular lessons it has taught us throughout centuries of moral reasoning together with experience) would settle the issue. It is unlikely that we have missed something that could flow so smoothly from the most abstract formulation of this principle.

Why should we be concerned about formulating the categorical imperative if its use as a tool for the casuists is quite limited? Of course, this is no place to undertake a detailed examination of Kant's work on the categorical imperative. I will simply give an answer in broad outline. First, we must note that FUL is arrived at by asking a specific question: "What sort of law can that be whose presentation (*Vorstellung*) must determine the will without reference to any expected effect, so that the will can be called absolutely and without qualification good" (G 402)? In the *Critique of Practical Reason*, Kant says that the first question concerning such a critique is, "Is pure reason sufficient of itself to determine the will, or is it only as empirically conditioned that it can do so?" For Kant, these two questions are equivalent. To say that the will is good absolutely and without qualification is to say that the determination of its object is not empirically conditioned. But if the determination of the will is not empirically conditioned, then the will must be determined absolutely *a priori*, that is, by reason alone.¹⁸

The formulation of the categorical imperative, therefore, allows us to trace our moral cognitions back to their legitimate origin in the faculty of reason (as opposed to a “chimerical idea” or a “phantom of the brain” [G 445]). A similar project can be found in Kant’s theoretical works. There Kant tries to show that the categories have their legitimate origin in the understanding (they are not just “bastards of the imagination”). Formulating a principle is, of course, only part of the project. We might need to prove its objective reality, or its compatibility with other cognitive principles (such as the law of universal causation). However, showing that all moral cognitions are expressions of a formal principle such that, in virtue of its form, reason must prescribe it if it prescribes anything unconditionally, is an important step. Tracing back the origin of morality to reason also traces it back to other related concepts, such as those of freedom and self-legislation. Not only do we locate the origin of moral cognition in reason, but by doing so, we determine the basic properties of a will whose cognition stems from the faculty of reason.¹⁹

These are the gains that an explicit formulation of the categorical imperative provides with respect to what Kant calls “the motives of speculation regarding the source of practical principles” (G 390). These are not gains to be sneered at. The explicit formulation provides the basis of our practical self-understanding, and as such, can easily find its home among the intellectual projects worth undertaking. Moreover, as noted above, improving our self-understanding certainly cannot hurt the practical aims of morality. However, such gains cannot, by themselves, explain Kant’s claim that his project is also a corrective to the fact that “morals are liable to all kinds of corruption” (G 404).

At the end of the first section of the *Groundwork of the Metaphysics of Morals*, Kant explicitly discusses the practical advantages of a metaphysics of morals. Philosophy is supposed to help deliver us from a “natural dialectic, i.e. a propensity to quibble with these strict laws of duty, to cast doubt upon their validity, or at least upon their purity and strictness” (G 405). It turns out that philosophy has a practical use after all:

Ordinary reason is forced to go outside its sphere and take a step into the field of practical philosophy . . . *on practical grounds themselves*. There it tries to obtain information and clear instruction regarding the *source* of its principles and the correct determination of this principle *in its op-*

position to maxims based on need and inclination, so that reason may escape from the perplexity of opposite claims. (G 405; emphases mine)

The need for a critique of our practical cognitive faculties, just as of our theoretical ones, is the result of a dialectic in which these faculties find themselves entangled. In the case of practical reason, it is a *practical* dialectic, one involving the claims that are made on our *will*. The apparent plausibility of the claims of self-interest is what has to be combated, not any confusion about the demands of the claims of morality. The threat concerns the failure of the principle of morality to determine our will, not uncertainty about its contents.

Such a project, however, commits us to the claim that our moral pronouncements are instantiations of FUL; they are more particular forms of this abstract formulation. In many cases, this is (at least according to Kant) a rather trivial matter. Kant's examples in the *Groundwork* are cases in point. Kant chooses them not because he regards them as particularly controversial, but, I think, quite the opposite: because they make it all too easy to see (so he thinks) that a certain course of action would not conform to FUL. At any rate, the claim that the categorical imperative is the supreme principle of morality commits us to the claim that all our moral decisions can be seen as instances of FUL. This commitment need not show itself in direct derivations of our duties from certain principles, but it should be apparent in the way we give and ask for moral reasons, for instance, in the way that the demand for universality shows up in our reasoning. Particularists are often keen to point out that we cannot find a nontrivial universal principle of clear application that will be valid on all occasions. However, if FUL is supposed to represent a commitment, rather than a decision procedure, it will be immune to this sort of criticism. Even if it is true that a certain feature of an action that seems to render it immoral according to FUL might show up in an action that is not immoral, this would not be a fatal blow to FUL. It would only indicate that we are committed to rethinking these situations in such a way that only one of them is indeed compatible with acceptance of FUL. This commitment might be demonstrated, for instance, in the fact that we never rest content in merely saying that a moral factor that was relevant in one case is simply not relevant in another. If I think that breaking a promise makes an action immoral in one case, but I allow that breaking a promise in a different circumstance is not immoral, I do not think that my duties of

justification can be fulfilled *merely* by saying “that an action is an instance of breaking a promise is sometimes morally relevant, but not always.” Rather, I am committed to finding a relevant difference. In Kant’s terminology, I try to conceive of the two actions as governed by different maxims.

This point can be made more clear if we think about a longstanding objection against Kant. It has been a challenge to the ingenuity of philosophers to try to find counterexamples to FUL. A standard source of counterexamples is the possibility of generating coordination problems by universalizing perfectly innocent maxims. For instance, if I like to do my shopping when no one else is doing theirs, in order to avoid the hassle of long lines, I might find to my shock and surprise that I have been violating a perfect duty. Suppose my maxim is this: “In order to avoid lines when I shop, I shall shop only at a time when no one else is shopping.” Assuming a certain scarcity of available store hours, we could not conceive, it seems, that everyone would be able to act from this maxim.

However, it is easy to tinker with maxims to avoid those embarrassing conclusions. For instance, there is no problem with this maxim: “Before entering every shop I shall take a peek inside, and if I find that there is someone inside, I shall turn around and go; otherwise, I’ll shop.” The problem with this solution is that it seems as if we are tinkering with the maxims to make the action permissible. With enough tinkering, any action might turn out to be permissible.²⁰ However, this “objection against tinkering” makes sense only if we think of FUL as primarily a deliberative tool. Under the interpretation I have been advancing here, this “tinkering” can be seen as the working out of our commitment to have our moral practice bear the mark of rationality. Insofar as ordinary reason can figure out on its own the demands of morality, reconceiving these demands in terms of maxims that conform to the formulations of the categorical imperative is not mere tinkering with maxims, but a presentation of its insight in a form that makes it clear that this insight has a rational source. Of course, this is not to say that ordinary reason is infallible in this regard. And difficulties in reconceiving one’s moral commitments in this way might signal a problem with these commitments. But this is only one source of evidence that something has gone awry with our moral judgments; discovering that they are often self-serving, that they are connected to prejudice or anger, or that they are in conflict with the judgment of other reasonable people may be symptoms of the same problem. Once again, there is no guarantee that those difficulties

of regimenting our moral insight in accordance with FUL will be a particularly important means of correcting our mistakes in judgment.

II

Kant has often been chastised for not providing a proper place for human nature and sentiment in his account of morality. Certain features of his moral theory appear to lend support to this charge: Kant argues that our understanding of morality is exhausted by our knowledge of a principle of pure reason, that is, the categorical imperative. Kant, no doubt, would claim that no account of morality based on empirical incentives could provide us with a genuine principle of practical reason, and he often emphasizes the purely rational source of the moral law. Moreover, he repeatedly asserts that it is the wish of all rational beings to see themselves rid of their inclinations, and thus of all forms of nonrational motivation.²¹

Other aspects of Kant's work suggest a more sympathetic role for the sentiments in our moral life. In his famous response to a criticism raised by Schiller, Kant makes it clear that sentiment and morality cannot completely diverge:

If one asks what is the aesthetic²² character, the temperament, so to speak, of virtue, whether courageous, hence joyous, or fear-ridden and dejected, an answer is hardly necessary. This latter slavish frame of mind can never occur without a hidden hatred of the law. And a heart which is happy in the performance of its duty (not merely complacent in the recognition thereof) is a mark of genuineness in the virtuous disposition.²³

I will argue in the following sections that Kant's views do accord a proper role to the interaction between reason and sentiments in our understanding of morality, and in the attainment of moral insight. This possibility, I believe, has been made plausible by the arguments from the previous section. If we think that direct application of the categorical imperative is not the main tool of actual moral deliberation, then we might conclude that there is a role for sentiments here. Indeed, in light of the arguments of the previous section, we might think that we *ought* to find a role for our

sentiments here, for pure reason offers nothing other than the most abstract formulation of the categorical imperative.

Kant certainly takes the categorical imperative to be the sole principle of morality, and this principle of morality is, so to speak, a product of unaided reason. Yet, contrary to appearances, Kant's commitment to these claims does not prevent him from providing for a cognitive role for sentiments in our moral life. This cognitive role is worked out most clearly in Kant's account of friendship, and in particular, his views on the relationship between friendship and the categorical imperative. By examining this relationship, I aim to show how sentiments and the abstract moral law combine to shape crucial aspects of our conception of the good in Kant's moral philosophy. In particular, I will try to demonstrate that our affective feelings toward our friends provide us with subordinate maxims, maxims that guide us in applying the categorical imperative, and so have a positive role to play in specifying what counts as a moral life. At the end of this section, I hope to have shown that Baier's insights are compatible not only with Kant's account of friendship, but also with the thought that Kant has correctly understood the cognitive role of sentiments and their relation to the rational principle of morality.

One might think that Kant's moral theory is incompatible with the ideals of friendship and, in general, incapable of dealing with human relations, because of its demands for impartiality.²⁴ According to some of these criticisms, Kant's claim that friendship constitutes what he calls a "moral ideal" must, at least, be contrary to the spirit of the rest of the enterprise.²⁵ Such criticisms have been addressed elsewhere, so I will not try to offer an explicit answer to them here. Many of these responses have also been rather successful in explaining how, for Kant, sentiments are not merely obstacles and hindrances to the moral law.²⁶ As I indicated above, my concern is more specific: I want to investigate whether Kant can allow for a proper *cognitive* role for our sentiments. These investigations will also address some of Baier's objections to Kant's account of friendship—objections that are not answered in the literature.

Kant speaks of true friendship as an ideal set for us by reason. And, according to Kant, we have a duty of friendship, a duty to adopt this ideal (MS 469). Thus, perfect friendship must conform to rational norms, and is, in a sense, the highest expression of these rational norms, as we will see in

a moment. But how do we come to know that we have such a duty, and what kind of duty is that of friendship? What is the relation between the duty of friendship and the natural friendly feelings whose onset seems to predate our awareness of a duty of friendship?

One answer that we might be tempted to give to this last question is “none.” Kant carefully distinguishes between different kinds of friendship, and disdains the kinds of friendship that he attributes to the “rabble” (Cf. MS 471). The friendship that it is a duty to strive for must, one might say, be derived from the moral law and thus from pure practical reason. But if this is so, it might seem that how we feel toward certain people is irrelevant both to our understanding of friendship as a duty and to the cultivation of a friendship according to duty.²⁷ If this were a consequence of Kant’s account of friendship, it would certainly fail to provide us with an example of how our sentiments can contribute to our understanding of morality (or to our moral agency). Some of Kant’s texts might seem to support this reading. Kant says that friendship as an ideal “is not derived from experience” (VE 217 [202]), and that “friendship cannot be an affect, for affect is blind in its choice, and after a while it goes up in smoke” (MS 471).

It is true that Kant says that friendship, at least the perfect friendship that it is our duty to strive for, is not derived from experience. Friendship is an “idea,” and this means for Kant that it is a standard against which we can judge empirical objects.²⁸ But experience could not provide the standard itself, nor the grounds for accepting this standard as a proper way of evaluating actual friendships. Experience could only tell us how certain friends actually behave, or how people actually behave, but not that they ought to have friends, nor how they ought to behave toward their friends.

However, accepting this claim does not imply that experience cannot contribute to the formation of this idea, and in particular it does not imply that we cannot see the contribution of human sensibility in the formation of this idea. It might be the case that unaided reason is the ground of the idea of friendship; however, reason cannot, by itself, specify its full content. We can get a better sense of how Kant could accept the idea that the duty of friendship cannot be fully known by merely contemplating the moral law, and at the same time hold that the idea of friendship is not derived from experience, if we look at the following passage from the introduction to the *Metaphysics of Morals*:

a metaphysics of morals cannot dispense with principles of application, and we shall often have to take as our object the particular nature of man, which is known only by experience, in order to show in it what can be inferred from universal moral principles. But this will in no way detract from the purity of these principles or cast doubt on their *a priori* source. This is to say, in effect, that a metaphysics of morals cannot be based upon anthropology but can still be applied to it. (MS 216–17)

Of course, to say that we might need to rely on empirical knowledge to apply the moral law is very far from accepting the idea that our sentiments make any serious contribution to our understanding of the moral law. In order to apply *modus ponens* to the empirical world, we need to know what kinds of conditionals and conditions are true, and this knowledge is certainly empirical knowledge. But it is a formidable leap to infer from this trivial point that our empirical knowledge contributes in any way to our understanding of logic. The last sentence of this quotation might suggest that Kant does not wish to concede anything beyond a similar, trivial point with respect to the relation between empirical knowledge and our understanding of the moral law.

However, even though it is true that the contribution of principles other than those of pure reason in the realm of morality can only be as principles of application, we are not thereby committed to belittling their role in our understanding of morality in general, and our duty of friendship in particular. The very mention of “principles of application” suggests that applying the moral law is not as straightforward a matter as applying a rule like *modus ponens*. If the conditions of application of the moral law were obvious, and if they amounted to merely replacing some variables with the appropriate information, we would have no more need of principles of application in the case of the moral law than we have in the case of *modus ponens*.

By looking at one of Kant’s own examples of lack of judgment, we can clearly see that the role of sentiments goes beyond merely providing us with material for application of the FUL, and that they play a truly cognitive role in the realm of morality:

A physician . . . may have at command many excellent pathological . . . rules, even to the degree that he may become a profound teacher of

them, and yet, none the less, may easily stumble in their application. For . . . he may be wanting in natural power of judgment. (KrV, B173)

Imagine a school of medicine in which, during the first years, students learned only from books, with no practical training, the latter being left to the last two years of teaching. A student who left before the two years of practical training would certainly not be a very good doctor. His shortcomings would be “due to his not having received . . . adequate training for this particular act of judgment” (KrV, B173).

Because medicine is a practical science, we would consider someone’s knowledge of medicine deficient if his knowledge of biological theory were unimpeachable, but if he did not know that being unwilling to run a marathon did not count as being in a lethargic state. However, we should not be misled by this example to downplay the contribution of “judgment sharpened by experience.” Medical textbooks do not try to separate the contribution of each faculty, let alone isolate the work of pure reason. Thus, many of the rules contained in those books are already rules of application based on judgment; that is, they are rules generated when the faculty of judgments tries to apply more general rules to cases in which the application of the rule is not obvious. Kant explicitly states that judgment performs such a role in morality by providing us with subordinate maxims: “Ethics inevitably . . . leads to questions that call upon judgment to decide how a maxim is to be applied in particular cases, and indeed in such a way that judgment provides another (subordinate) maxim” (MS 411).

It is also helpful to remember that we can form no determinate idea of how perfectly rational beings would follow the moral law. It is not clear, for instance, how the rule against suicide (or self-termination) would apply to them. There is no “system of nature” that would collapse on the assumption that self-termination is permissible. The same holds for beneficence; it is a form of inconsistent willing for us not be beneficent, but this does not seem to apply for beings without needs, even if they have the power to help finitely rational beings like us. A similar point can be made for finitely rational beings whose inclinations are radically different from ours, but who are also subject to the moral law. Since we can assume that they have needs, we can also assume that some kind of maxim of beneficence binds them; but since we know nothing about the nature of their needs, we have no determinate idea of what such a maxim would prescribe.

Thus, if pure reason provides only a very abstract principle, the contribution of our sensible nature can be at least partly constitutive of our understanding of the duty of friendship. If applying the moral law requires making difficult judgments, then the fact that our sentiments could make a genuine contribution only to the application of the moral law does not in any way threaten the cognitive role these sentiments play in the formation of our understanding of what counts as a life guided by the categorical imperative. An agent might require more than abstract knowledge of these rules to know what would count as a life lived according to these rules in particular circumstances, or even to know what counts, for a particular kind of rational being (such as a rational being with human sensibilities), as following these rules. For those rules whose application is not a matter of course, principles of application provide guidance that is not straightforwardly contained in the more abstract rule.²⁹

At least with respect to the duties of virtue, there is no doubt that, for Kant, the application of the highly abstract categorical imperative is no obvious matter and requires the exercise of judgment. As noted above, judgment provides subordinate maxims that serve as principles of application of the moral law. The moral law enjoins us, for instance, to make the ends of other human beings our own. However, an understanding of the moral law is not enough to explain how we should go about adopting other people's ends. It is a fairly straightforward consequence of, for instance, the ideal of the kingdom of ends that we make the happiness of others our end.³⁰ The idea of a kingdom of ends enjoins each rational being to think of every other rational being as a legislator in the kingdom of ends, and thus to make their ends his own.³¹ But there is no obvious way to apply this injunction to particular actions. Every selfish action could be seen as pursuing my ends *only on this occasion*, as opposed to disregarding the ends of others.³² Thus, in and of itself, no action I undertake—at least as long as it does not conflict with any other duty—is obviously incompatible with my having adopted the general maxim of beneficence. Disregarding the ends of others *on this particular occasion* could always be the result of an overriding need of my own, rather than a failure to make someone else's end my own.

Given the complexity of adjudicating the demands of my needs and those of others, I need subordinate maxims that will help me identify the proper demands of the duty of beneficence. I cannot evaluate the proper place of these claims without good exercise of judgment about human na-

ture, and about the importance of different needs for different persons. The moral law cannot provide us with an understanding of the place of the different elements in the conception of the good of different human beings, nor can it help us adjudicate their different claims. Yet, without this understanding, we cannot have subordinate maxims with any content. In particular, I need to know when the satisfaction of my needs should be foregone, in order to satisfy the needs of others, given the conditions of human nature. As we can see from this case, principles of applications are those principles that will help us determine what counts as a life guided by the categorical imperative for rational beings who are also *human* beings.³³

Among the conditions of human nature is the fact that we are not perfectly virtuous, and thus, to use Kant's form of expression, that which I give might not be returned to me. Our friendly feelings and our capacity to cultivate friendships provide us with an understanding of a certain possibility of human nature—that is, that I take a natural interest in the ends of my friend. In loving someone, I already find myself making someone else's end my own. The idea of the kingdom of ends permits us to see how this form of human sensibility can be developed to form a moral ideal, one according to which our subjective needs are taken to be objective ends. Consequently, on the ideal of friendship, the needs of my friend ought to make the same demands on my will as do my own. This ideal prescribes that we form perfect friendships, friendships in which the love of a friend for another is limited only by the requirement of mutual respect. This is an ideal of *human* nature. Friendship might not be an available option for other rational beings; they might recognize moral ideals that are unintelligible to us in view of our human nature. They might have other ways of sharing ends or managing to live in accordance to the principle of beneficence that depend on quite different natures. So, the moral ideal of friendship is not accessible by pure reason alone, but requires that our affective capacities reveal to us a particular form of making the ends of others our own.

Friendship, for Kant, requires the interaction of love and respect. This interplay of love and respect is an important example of how sentiments and reflection guided by the moral law cooperate in the specification of what counts as a life lived according to the maxim of beneficence, and thus according to the categorical imperative. We naturally feel affection toward certain people; these feelings are possible only because we have some natural inclinations or some natural dispositions to form such inclinations. Our

inclinations, however, can be shaped by habit and thus by the exercise of reason. For instance, Kant argues that a person who is beneficent from duty will end up loving the recipients of her beneficence. Kant interprets the biblical command “Love your neighbor as yourself” as follows:

[It] does not mean that you ought immediately (first) to love him and (afterwards) by means of this love do good to him. It means, rather, *do good* to your fellow, and your benevolence will produce love of man in you (as an aptitude of the inclination to beneficence in general).³⁴

In the same way, we have “an indirect duty to cultivate the compassionate natural (aesthetic) feelings in us.” However rational activity can help shape our aptitude for love, this aptitude is nonetheless part of human sensibility. Of course, it is not necessarily the case that love is the result of our virtuous willing. Love can be “pathologically” determined—that is, determined by the contingent, nonrational aspects of our faculty of desire. We may love someone who was never the object of our virtuous willing. Moreover, even the extent of our love for our fellows is largely determined by various aspects of human nature—Kant claims, for instance, that “it is not man’s way to embrace the whole world in his good will” (VE 222 [206]).

Respect, on the other hand, has no pathological manifestation. Respect can be effected only by the moral law (cf. KpV 76–78). Kant equates respect with consciousness of the “immediate determination of the will by the law” (G 401n), or with “morality itself, regarded subjectively as a drive” (KpV 76). So, we can think of respect as our awareness of the moral law insofar as it can determine us to act. It might seem strange that we talk about respect for a friend, since, as we would expect from the above definitions of respect, and as Kant himself emphasizes, the only proper object of respect is the moral law (G 401n and KpV 76).

However, a person can be at least indirectly the object of respect insofar as the moral law resides in that person^{or}, in other words, insofar as she is a rational agent. Respect for others can be thus understood as “the *maxim* of limiting our self-esteem by the dignity of humanity in another person” (MS 449). To show respect for a particular person is to have one’s self-esteem limited in this way, and thus we can say that reason must shape our friendly feelings and our inclinations arising out of friendship so that friendship does not demand a suspension of morality. In other words, the work

of reason over sentiments has to make sure (at least in the ideal case) that our friendly feelings will not be the source of commitments that *compete* with the moral law. Rather, they must turn out to be the source of projects and commitments that *express* the moral law.

Respect and love make different contributions to the moral ideal of friendship. The feeling of respect in a friendship is the direct product of the activity of reason, of the understanding of the moral law. Respect is the expression of the moral law in our sensible nature, and Kant equates it with our consciousness of our duty (MS 464). On the other hand, our affectionate feelings toward our friends owe much more to our natural inclinations. Although they are capable of being corrected and encouraged by our consciousness of the moral law, they cannot be wholly grounded in this consciousness.

The duty of friendship can thus be seen as a specification of the maxim of beneficence, made possible through the cooperation of some sensible aspects of human nature. The categorical imperative could not prescribe such a duty, if it were not for our natural capacity to engage in the kind of sensible relations with other people that make us take the kind of interest that we take in the welfare of our friends. Although the duty of friendship cannot be arrived at by a straightforward application of FUL, the categorical imperative guides us in singling out our friendly feelings as setting morally worthy ends, and provides us with a framework for the proper cultivation of such feelings. That is to say, insofar as we think that a particular ideal of friendship is an expression of a moral ideal, we are committed to the possibility of accounting for it as an instantiation of the principle of beneficence. And accounting for this ideal is not to account for some raw, indiscriminate feeling, but rather for our sensibilities developed under the guidance of our rational nature. If Kant is right, then, our friendly feelings, when properly corrected by reflection, provide us with determinate ends that constitute our conception of what could count as living a life guided by the categorical imperative.

It might be worth looking into some objections to this account of the role of sentiments in Kant's account of friendship. One might object that even if

Kant allows for such a role, his commitment to the overriding character of morality will prevent him from seeing that our sentiments, especially in the case of friendship, can be *better* guides than the moral law. Some might argue that friendship is a form of human relationship that does not need to be patrolled by the strict rules of morality.³⁵ It is immoral to use other people's rightful property as if it were my own, but friends would not (or should not always) feel harmed if their friends violate this requirement. My friend will not be offended if I use his car, without his express consent, to pick up my sister stranded in a bad neighborhood. Finally, if it is true that friendship involves relaxing the claims of morality, there would be no way that Kant could count friendship as any kind of practical ideal. For Kant, nothing can legitimately relax the strict claims of morality.

However, we should not be misled by the demand that the rules of morality be "strict." Suppose I want to send an open letter to a paper that will denounce someone, but since I am afraid of his revenge, I do not want to sign my name. I know that the paper will not publish an anonymous letter, so I decide to sign someone else's name. This is indeed a shameful thing to do. It would certainly not make it any better if the name I sign was my friend's; if anything, this would make it worse. I cannot say "Moral rules are not so strict among friends, so it is not so bad to exploit my friend," or even, "at least it is better than exploiting a stranger." To say that the rules of morality are strict is to say that nothing can cancel their overriding character, including friendship, and this seems to be confirmed by the example above.³⁶ But, what I can expect of an intimate friend might be relevant in determining what I can or ought to do or refrain from doing. Indeed, there might be nothing wrong about using my friend's car without her manifest consent in circumstances in which I would not use a stranger's car without asking permission. In certain contexts, the fact that someone is my friend would require, to use this imprecise manner of speaking, that I follow the rules of morality *more* strictly. Suppose I am informed of a poorly advertised but desirable job opening for which I am reasonably qualified. I might know of another person who is more qualified for the job, a person whom I have never met and to whom I am in no way related, and who, I suspect, might not be aware of this opening. At least in certain circumstances, it would not be a violation of my duty not to inform this person of this job. However, in the same circumstances, it would be a serious moral failing not to inform this person of this job opening if this person happened to be one's best friend.

An observation that Kant makes in another context seems to apply here as well. Kant claims that Aristotle mistakes the difference between the miser and the spendthrift person. The difference is not that the latter does the same thing as the former does, but to a lesser degree. The difference must be in their *maxims* (MS 404). Here too, the difference between how one treats one's friends and how one treats strangers is best accounted for by the fact that these different actions fall under different maxims, not by the need to be more or less bound by the restraints of morality. In fact, Kant seems to be in a particularly good position to explain why we might be tempted by this improper way of speaking to claim that in the first case, the moral rules seem to be "looser" for our friends, and in the second case, "stricter." The ideal of friendship is an ideal of taking my friend's end as my own, of always sharing each other's ends. Although real friendships fall short of this ideal, I know that I can expect that my friend will share my end when I need to rescue my stranded sister, in a way that I cannot expect from a stranger. And it may be consistent with thinking of a stranger as a fellow human that I do not inform her of job opportunities I covet. I may be allowed to give my interests significantly more weight than those of a stranger's without violating the principle of beneficence. But I could not be guided by the ideal of friendship if I let my interests weigh so much more heavily against my friend's in such a case.

A more serious threat implicit in this objection is that Kant's account of friendship might turn out to be too "intellectualist": since it gives such an important role to reflection and the limiting conditions of the moral law, it cannot account for the more affectionate, humane forms of friendship which are truly valuable. If this turns out to be the case, despite our attempts to identify the contribution of sentiments, it would certainly lend credence to the suspicion that Kant's ethics cannot accommodate in any plausible way the role that sentiments play in our moral lives. Indeed, Kant often describes the role of respect in a way that cannot but foment such suspicions and might seem quite repugnant. The following is a prime example: "Love can be regarded as an attraction and respect as a repulsion, and if the principle of love bids friends to draw closer, the principle of respect requires them to stay at proper distance of each other" (MS 470). It seems plausible to object that friendship does not require a principle that keeps friends at a proper distance; this is a principle that leads people away from friendship into cold indifference.

The requirement for respect and lack of excessive familiarity might bring to mind the picture of a friend who refuses to forgo a whole array of formalities—someone, for example, who will not come to visit her friend if her shirt is not properly ironed. The above discussion of Kant’s notion of respect should have made it clear, however, that this cannot be what Kant means. The distance that respect establishes cannot be different from the distance that the moral law requires. To say that respect imposes a certain “distance” between friends amounts to no more than to say that friends remain two different persons with autonomous wills. This is, in itself, a quite plausible claim, even if one wants to take issue with the way in which Kant marks this distance ~~or~~ with the particular restrictions that Kant thinks the moral law imposes on friendships.

If, on the one hand, some inclinations can be shaped by reflection to conform to the moral law and be part of a moral ideal, then these same inclinations, abstracted away from reflection, might carry with them some temptations to deviate from the moral law. Reflection teaches us that friendship as an ideal would involve a greater amount of mutual love than we encounter in the world, but also that not everything that is done out of love can meet with our approval.

In particular, love might tempt us to erase the boundaries between persons and to disregard the autonomy of each will. Indeed, this temptation is a natural outgrowth of these same aspects of love that make love part of a moral ideal. The more I care about my friend, the more I see her happiness as playing a role in my life similar to the role of my own happiness. Those who love each other come to a (partial) union, and this union is partly constitutive of the ideal of friendship. The idea of friendship, Kant says, is one “in which self-love is superseded by a generous reciprocal love” (VE 217 [201]). However, I would violate the demand of respect for my friend if I not only *adopted* her ends, but also took myself to be capable of *setting* her ends. No matter how much I care for her well-being, it is the exercise of *her* judgment that determines her ends; we remain two different agents with two different bodies and differently constituted conceptions of the good. Thus, the boundary between persons must remain in place if I am still to regard my friend as an agent—if my actions are to be compatible with recognizing her exercise of judgment as constituting her good. The duty of respect is, for Kant, the recognition of another as a person, or as an agent:

“The duty of respect . . . is contained in the maxim not to degrade any other man to a mere means to my ends” (MS 450; cf. MS 462). I cannot commit my friend to political causes, no matter how noble they are; I cannot use her body as if it were just a continuation of mine; and I cannot determine for her what her happiness consists in, no matter how well-intentioned I am. Given that the principle of respect is what makes us treat our friends as *agents*, its claims will be limiting conditions of the claims of love. The principle of love draws friends closer by making a friend’s end one’s own, but the principle of respect keeps us at a proper distance by reminding us that we can make our own only those ends that our friends have already recognized as *their* ends. The limits imposed by respect allow us to see the ideal of friendship as a moral ideal, and the maxims of my actions that have their source in a conception of friendship as ones prescribed by the moral law.

One may have suspicions that some of Kant’s text does not fit the account given here very well. Kant’s discussion of friendship often seems to suggest that, at least in this case, our sentiments have no such role; indeed, it seems to suggest that the ideal of friendship is an ideal formed independently of these sentiments. One passage quoted earlier may seem to be especially difficult to reconcile with attributing any positive role to our friendly feelings in the formation of any moral ideal: “friendship cannot be an affect, for affect is blind in its choice, and after a while it goes up in smoke” (MS 471).

However, when we look at what Kant means by “affect,” we see that this passage is compatible with my interpretation, and perhaps lends further support to it. According to Kant:

Affects belong to *feeling* insofar as, *preceding reflection, it makes this impossible or more difficult*. Hence an affect is called *precipitate* or *rash* and reason says . . . that one should *get hold of oneself*. (MS 407)³⁷

Friendship based on affect is thus exactly the kind of friendship that does not or cannot heed the principles that we set ourselves upon reflection. It is a kind of infatuation that is blind in its choice, *because it makes reflection impossible*. In fact, exactly because of this incompatibility with reflection, no kind of affect will last for long; it will be a mere impulse, whose claim will go away as soon as we take hold of ourselves again.

IV

We can now turn to some of Baier's objections to Kant's account of friendship. Baier claims that Kant does not regard friendship as having intrinsic value, but only as being an instrument, "and a risky one," whose purpose is to correct judgment.³⁸ Certainly, some of what Kant says seems to commit him to this view:

To have a friend whom we know to be frank and loving, neither false nor spiteful, is to have one who will help us to correct our judgment when it is mistaken. This is the *whole* end of man, through which he can enjoy his existence. (VE 222 [206]; emphasis mine)

However, we should not be confused here by what Kant means by the "whole end of man." Correct judgment cannot but be the whole end of man, since it amounts to attaining the right view, both in the theoretical and the practical realm. It is doing right and thinking right. But this does not rule out the fact that part of what we judge is that we should care about our friends for their own sake. To say that we always aim at judging right does not rule out the possibility that to care for our friends for their own sake *is* to judge rightly. The following remark of Kant, however, is considerably harder to integrate in an attractive picture of friendship: "It is very unwise to place ourselves in a friend's hand completely, to tell him all the secrets which might detract from our welfare if he became our enemy and spread them abroad" (VE 224 [208]).

Baier points out that we cannot praise friendship and at the same time enjoin people to avoid the risks of trusting others: "if all the world (except the misanthropist philosophers) is to keep loving lovers, it will have to come to accept risks too."³⁹ We can begin to rescue Kant by noting that the idea that we should not entrust our friends with our secrets in light of certain prudential considerations is incompatible with what he says in the *Metaphysics of Morals*. There, he argues that human beings have a "need to *reveal* themselves to others" (MS 471), and that this need can only be realized through moral friendship, which Kant defines as the "*complete* confidence of two persons in revealing their secret feelings and judgments to each other" (MS 472; emphasis mine). The text leaves little room to doubt that Kant thinks that we ought to pursue such friendships. More interestingly,

this kind of friendship is not considered by Kant to be a mere ideal, “but (like black swans) actually exists here and there in its perfection” (MS 472). It is important to avoid leaving the impression that Kant simply changed his mind between the *Lectures on Ethics* and the *Metaphysics of Morals*. In the *Lecture on Ethics*, he says: “Each of us needs a friend, one in whom we can confide unreservedly, to whom we can disclose *completely* all our dispositions and judgments, to whom we can communicate our *whole* self [dem er sich *völlig* kommunizieren kann].”⁴⁰

This apparent inconsistency might justify certain textual gymnastics. We might say that Kant is not warning us against trusting a friend in general, but rather warning us that we should not trust a friend whom we would have reason to believe would betray our trust. The passage immediately following the one that warns us against telling all our secrets lends some credence to this reading: “In particular, we ought to place no weapon in the hands of a hot-headed friend who might be capable of sending us to the gallows in a moment of passion” (VE 224 [208]). It seems reasonable enough that Kant will warn his students against making themselves the victims of the outbursts of such a friend. No doubt one wonders, in such cases, whether it is not the best advice to avoid friendship with this kind of person altogether. However, there is nothing wrong with Kant’s warning, and it should not be confused with an injunction against seeking friends in whom we can confide fully.⁴¹

The natural inclinations of love that express themselves in friendship allow us, under the scrutiny of reason, to think of an ideal realization of the maxim of beneficence, in which we make the ends of our friends our own. In friendship, we are fellow legislators in the kingdom of ends. Kant says that in friendship, all that I give I receive back (VE 207 [201]). In fact, what I get back is more than what I could possibly have by myself. For, in friendship, self-love, freedom, and sympathy all find their highest expression.

It might now seem that we have gone too far in attempting to make room for a positive role for sentiments in Kant’s moral philosophy. If our inclinations have such an important role to play, why should we say that a rational being wishes to get rid of his or her inclinations? However, recognizing that our sentiments have a positive role in our moral life is compatible with recognizing that they can also turn out to be hindrances. Empirical motives do not necessarily coincide with the ends of morality. A wish to be rid of our inclinations should be understood as no more than a wish

not to be tempted to act immorally. This wish can only be what we could call an “aspectual wish”; that is, we can only wish to get rid of our inclinations *insofar as they are threats* to the commands of the moral law. However, we cannot unqualifiedly desire or make this wish the end of our actions. In fact, Kant himself warns against this temptation: “*Considered in themselves* natural inclinations are *good*, i.e., not reprehensible, and to want to extirpate them would not only be futile but harmful and blameworthy as well” (R 58).

Our sentiments can and often do lead us away from the path of virtue. For Kant, it is this recognition—not the fact that the philosopher is in a particularly good position to settle moral disputes—that underscores the practical significance of the philosopher’s task of tracing the source of our moral cognitions to the faculty of reason. As Kant engages in this task, it is natural that the positive role of sentiments will be left aside. However, this should not make us lose sight of Kant’s keen awareness of the extent to which human finitude requires reliance upon our sensible nature.

NOTES

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1. Annette Baier, “Theory and Reflective Practices,” in *Essays on Mind and Morals* (Minneapolis: University of Minnesota Press, 1985), 207.

2. “Act as if the maxim of your action were to become by your will a *universal law of nature*” (G 421). For the rest of this section, I will discuss only *FUL*, but my claims should also apply to the other formulations.

3. Baier, “Theory and Reflective Practices,” 207.

4. See, especially, Barbara Herman, “The Practice of Moral Judgment” in her *The Practice of Moral Judgment* (Cambridge, MA: Harvard University Press, 1993), 73–93.

5. I agree with Marcia Baron that this is a mistake that can be easily dismissed. See her *Kantian Ethics Almost Without Apology* (Ithaca, NY: Cornell University Press, 1995), 9.

6. See G 389. References to Kant’s works are to the appropriate volume of *Kant’s gesammelte Schriften, herausgegeben von der Deutschen (formerly Königlichen Preussischen) Akademie der Wissenschaften* (Berlin: Walter de Gruyter [and predeces-

sors], 1902), with the exception of the *Critique of Pure Reason* and *Lectures on Ethics*. References to the *Critique of Pure Reason* are to the standard B pagination of the second edition. References to the *Lectures on Ethics* are to *Eine Vorlesung über Ethik*, edited by Gerd Gerhardt (Frankfurt am Main: Fischer Verlag, 1990). Specific works are cited by means of the abbreviations below. I have used the English translations mentioned below with occasional minor changes. I have provided the page number of the German edition and the English translation (the latter in parentheses) whenever the latter did not include the German pagination in the margins.

- APH *Anthropology from a Pragmatic Point of View*, trans. Victor Lyle Dowdell, revised and edited by Frederick P. Van de Pitte (Carbondale: Southern Illinois University Press, 1978).
- G *Grounding of the Metaphysics of Morals*, trans. James Ellington (Indianapolis: Hackett Publishing Co., 1981).
- KrV *Critique of Pure Reason*, trans. N. Kemp Smith (New York: St. Martin's Press, 1965).
- KpV *Critique of Practical Reason*, trans. L.W. Beck (Indianapolis: Bobbs-Merrill, 1956).
- VE *Lectures on Ethics*, trans. Louis Infield (Indianapolis: Hackett Publishing Co., 1981).
- MS *Metaphysics of Morals*, trans. Mary Gregor (New York: Cambridge University Press, 1991).
- R *Religion Within the Limits of Reason Alone*, trans. Theodore M. Greene and Hoyt H. Hudson (New York: Harper & Row, 1960).
- L *Logic*, trans. R. Hartman and W. Schwarz (New York: Dover, 1974).
- TP *On the Proverb: That May Be True in Theory, but Is of No Practical Use*, trans. Ted Humphrey (Indianapolis: Hackett Publishing Co., 1983).

7. See, for instance, G 404.

8. As we will see below, this is not to say that the explicit formulation of the categorical imperative has *no* practical function to perform.

9. Annette Baier, "Unsafe Loves," in *Moral Prejudices* (Cambridge, MA: Harvard University Press, 1994), 48.

10. John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 53, emphasis mine. It is important to note that doubts about the possibility of finding *ethical* principles that can perform this job are not necessarily doubts about the possibility of finding *political* principles that can settle disputes in the context that Rawls is interested in.

11. Annette Baier, "Doing Without Moral Theory," in her *Postures of the Mind: Essays on Mind and Morals* (Minneapolis: University of Minnesota Press, 1985), 235. Baier calls this a "Kantian" prejudice.

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12. This is how he often uses “*verwirren*.” See, for instance, KrV, B9 and KrV, B11. See also L 34–36.

13. No doubt faulty inferences might be thought to be more likely without an explicit formulation of the categorical principle. I will come back to this point shortly.

14. See R 35.

15. Indeed this is a speculative mistake made by some philosophers (that is, they *misdescribe* the fundamental principle of morality), but not by ordinary reason. Kant says that this mistake “can maintain itself only in the perplexing speculations of the schools which have temerity enough to close their ear to that heavenly voice in order to uphold a theory that costs no brainwork” (KpV 35). See also KpV 35–36. For more on this issue, see my “Speculative Mistakes and Ordinary Temptations: Kant on Instrumentalist Conceptions of Practical Reason,” *History of Philosophy Quarterly* 20 (April 2003): 203–23.

16. Cf. John Stuart Mill, *Utilitarianism* (Indianapolis: Hackett Publishing, 1979), 23–24.

17. I am ignoring for the moment the potential that either the principle of utility or FUL have to serve as tools of radical reform; that is, tools for reforming tenets of ordinary morality that are more or less generally accepted. Since I am not optimistic about the prospects of either in this regard, I will ignore this issue.

18. According to Kant, “knowledge through reason and *a priori* knowledge are the same thing” (KpV 12).

19. Thus, the concept of freedom is introduced in the main text of the *Critique of Practical Reason* with the following task: “Granted that the mere legislative form of maxims is the sole sufficient determining ground of a will, find the property (*Beschaffenheit*) of the will which is determinable by it alone” (KpV 28).

20. Herman argues that this is a problem for the practical interpretation of FUL. See *The Practice of Moral Judgment*, 137–40. But given what I say below, I do not think it is a fatal problem for this interpretation.

21. See KpV 118 and G 428. This is indeed a striking claim, and I will try to reconcile it with my interpretation of Kant only at the end of this paper.

22. “Aesthetic” should here be understood not as relating to categories of the beautiful, but rather as relating to that which pertains to *sensibility* (in the same way as the term is used in the *Critique of Pure Reason*).

23. R 23–24n (19–20n). See also MS 484–85.

24. See, for instance, Bernard Williams, “Persons, Character and Morality,” in his *Moral Luck* (New York: Cambridge University Press, 1981), and Julia Annas, “Personal Love and Kantian Ethics in ‘Effi Briest,’” in *Friendship: A Philosophical Reader*, ed. Neera Kapur Badhwar (Ithaca, NY: Cornell University Press, 1993), 155–74.

25. This is Julia Annas’s position. See her “Personal Love and Kantian Ethics in ‘Effi Briest.’”

26. See, for instance, Marcia Baron, "Impartiality and Friendship," *Ethics* 101 (1991): 836–57, and "Was Effi Briest a Victim of Kantian Morality?" in Badhwar, *Friendship*, 174–91; Barbara Herman, "Integrity and Impartiality," in *The Practice of Moral Judgment*, 23–44; Christine Korsgaard, "Creating the Kingdom of Ends," in her *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), 188–221.

27. It is interesting to note that Kant divides friendship into many kinds, but never distinguishes between a friendship based on sentiment, on the one hand, and a friendship according to reason, on the other. The closest he gets to such a distinction is that between moral and aesthetic friendship. A friendship is a moral friendship insofar as two friends trust each other to the point that they can confide in each other all their judgments and feelings (consistent with mutual respect; see MS 471). Kant's use of the phrase "merely moral" (*bloße moralische*, MS 472; emphasis mine) to talk about a certain friendship insofar as it consists *only* in this kind of confidence suggests that moral friendship is a *part* of friendship in its "purity and completeness" (MS, 470), which it is a duty to strive for. In the *Lectures on Ethics*, Kant seems to suggest that this kind of confidence is possible only within an aesthetic friendship. He makes it clear there that the highest form of friendship is the friendship of sentiment (see VE 221–22 [205–206]), and I think there is no evidence that he later changed his mind on this issue.

28. See VE 218 (202). Compare with KrV, B372–74. Kant distinguishes between an idea and an ideal, but since this distinction is not important for our purposes, I will assume that there is no difference between an idea and an ideal of friendship.

29. Kant was certainly aware of the fact that applying a rule is ultimately not a matter of finding more rules to apply a certain rule, or, as he says, "further rules cannot always be added to guide judgment in its subsumptions (for that could go on infinitely)" (TP 275). Even if we have principles of application, these will, in turn, require judgment for their own application, and judgment cannot be guided by rules. See also KrV, B171–72, and APH 199.

30. I will use the phrase "maxim of beneficence" to mean the maxim that I shall make the happiness of others my end.

31. Although I will be relying here on the idea of the kingdom of ends, Kant thinks that the principle that we should make other people's ends our own is a consequence of the categorical imperative under any formulation (after all, all the formulations should be equivalent).

32. This does not need to be the result of "cheating" in the use of this procedure, but merely the result of considering each occasion at a time without reflecting on one's general patterns of conduct and general disposition for beneficence.

33. This also explains why, in the *Doctrine of Virtue*, Kant does not attempt to derive our duties directly from the categorical imperative. The *Doctrine of Virtue* is

concerned with exactly those duties that require principles of application. If we could determine these duties by straightforward applications of the categorical imperative, we would not need principles of application.

34. MS 402. This also explains Kant's response to Schiller. A person who acts from a good will would tend to have the inclination to act as duty prescribes.

35. John Deigh makes this point in "Morality and Personal Relations," in his *Sources of Moral Agency* (Cambridge: Cambridge University Press, 1996), 1–17. I have also borrowed the following example from this paper.

36. Samuel Scheffler argues that it is probably too much to expect that moral norms are always overriding. See his *Human Morality* (New York: Oxford University Press, 1992), 56. And when demands of friendship come to the fore, this expectation might seem particularly problematic. But since, for Kant, the realm of morality simply is the realm of unconditional principles of action, we would be changing the subject if we were to abandon this expectation.

37. Kant also defines "affect" as the "feeling of pleasure or displeasure that does not give rise to reflection (the representation of reason of whether one should submit to it or reject it)" (APH 251), and as "surprise through sensation, whereby the composure of mind is suspended. . . . Therefore . . . it quickly grows to a degree of feeling which makes reflection impossible" (APH 252).

38. Baier, "Unsafe Loves," 36.

39. *Ibid.*, 48. Baier includes Kant among the misamorists.

40. VE 221–22 (205–206), all emphases mine. It must be pointed out that a few sentences later, Kant says that "we have certain natural frailties which ought to be concealed for the sake of decency, lest humanity be outraged. Even to our best friend we must not reveal ourselves, in our natural state as we know it ourselves. To do so would be loathsome." Whether or not one thinks that Kant is being excessively prudish here, the reserve that Kant calls for here has nothing to do with distrusting a friend.

41. What counts as reasonable distrust toward a friend will, of course, depend on the circumstances. In particular, it will have a lower threshold in a historical context in which one has much more to fear from disclosure of one's secret judgments and feelings.