When Maxims Clash: Categorical Imperative and Utilitarianism

Immanuel Kant’s moral philosophy, as outlined in his 1788 work *Critique of Practical Reason*, is about a free will following subjective maxims and objective laws, all in accordance with the fundamental principle: “So act that the maxim of your will could always hold at the same time as a principle in a giving of universal law” (5:30). While the categorical imperative is intended to guide one in establishing maxims with moral worth, it seems to approve more maxims than one can act upon should a conflict arise between them. Since the categorical imperative alone is incapable of helping one make a decision when clashing maxims result in a deadlock, I argue that people must rely on what Kant discarded in the process of deriving the imperative, namely the empirical, subjective, and particular, in order to establish a preference and resolve the impasse. Moreover, later in the essay, I will step outside of Kant’s texts to present the possibility that the theory of utility, although commonly considered anti-Kantian, could guide one in solving the conflict.

Kantian moral theory possesses many distinct features not found in those of his predecessors. One of them concerns the freedom of a will; he argues that the human will is free from the laws of nature, in which all beings pursue survival according to their instincts, and that it is capable of following reason, independently of empirical conditions, to determine its course of actions (5:31). Thinkers before him, who considered morality an instrument for the fulfillment of other, contingent ends such as self-love or one’s own happiness (5:22), effectively kept all moral principles strictly subjective and never universal, as they depended on subjective feelings and empirical
conditions (5:20; 5:26). Kant, on the other hand, expects more of reason, and puts reason in charge to give a rise to imperatives, “ought to” rules that could be held universally and necessarily (5:20). He argues that reason enables one to conceive not only subjective principles, or *maxims*, but also those held objectively, namely *laws*. It is from the universality and necessity of the moral law, as well as its independence from the contingent, that Kant derives the fundamental law in the form of an imperative, known as the categorical imperative. It is a standard by which one may choose maxims to follow in seeking morality, which requires that each person act “only on principles on which everyone could act without contradiction” (Guyer, *Kant* 182), that is to say, one must establish and adhere only to maxims that are also objectively valid. Thus, Kant effectively solves the problem that his predecessors left unresolved, of individual wills pursuing passions and selfish desires.

However, while the categorical imperative certainly makes a reliable guideline for one to establish morally sound maxims, it is debatable whether it can solve conflicts between maxims that it approves, which many real-life moral dilemmas involve. In fact, Kant never intended it, by itself, as an algorithm that mechanically yields a correct judgment (Rawls 82-83), but rather as a principle to guide people’s full expression of their freedom in the world of phenomena (Guyer, *Law* 131). In other words, once a person has established maxims based on the imperative, and as long as they could be universally valid, one cannot rely on the categorical imperative for a solution should two or more maxims result in a conflict with one another. This is because the categorical
imperative may, and often does, approve maxims that may result in a conflict, making it impossible for one to act upon all of the maxims that it has approved.

Consider the following, quite well-known example: a person rushes into a friend’s house, asking for a hiding place from a murderer. Moments later, the murderer appears at the friend’s door, looking for the former, and asks to be let in. The friend may have such maxims as “Do not knowingly tell lies, as doing so would undermine the autonomy of the listener,” and “Do keep, to the best of your ability, innocent lives from being harmed,” each of which appears to be valid when considered alone. However, when put in a scenario together as mutually exclusive options, they result in a dilemma; the person would need something more specific and closer to the tangible than the imperative, in order to decide between telling the murderer the truth at the expense of the friend’s life, and telling a lie to save the friend. In other words, in establishing a more specific maxim such as “Do lie to a murderous villain if necessary in order to save a friend,” the categorical imperative may not be capable of justifying the person’s apparent failure to honor the villain’s autonomy, or using the villain simply as a means to another end, namely the friend’s life. On the other hand, if the new maxim should say “Only tell truths at all times, even if this should result in the deaths of others,” one would need a strong justification for sacrificing the general maxim to keep innocent lives from harm, in order to stay honest. In each of these cases, one of the two conflicting general maxims, both of which are approved by the categorical imperative, is compromised in order that the moral agent may follow the other. What, then, could be the basis of favoring one maxim over the other? It cannot be the moral law according
to Kant, as his categorical imperative has already fulfilled its purpose to approve the
general maxims that are now in a conflict with each other. To Kant’s dismay, perhaps, it
appears possible at times for the moral law to approve conflicting maxims, contrary to
what was thought to be a key advantage enjoyed by Kant’s moral law, compared to
those of his predecessors. In order for one to decide which of the general maxims to
prefer in establishing a specific maxim, some justification outside of the imperative
becomes necessary. This secondary standard of judgment would complement the
function of the categorical imperative by helping one determine which maxim to prefer
to the other, given that the first step of comparison by the categorical imperative
resulted in a tie. Compared to the categorical imperative, the secondary standard would
also have to be less universal and closer to the empirical world than the imperative, in
order to cover blind spots of the universal imperative.

One may object to the idea that apparently leads us back to the laws of nature
and the empirical world, which Kant has discarded in establishing the fundamental
moral principle. Such objection would be grounded in the claim that the return to the
natural law would bring about a regression to a chaotic world in which everyone
blindly seeks selfish desires for the happiness of one’s own, resulting in moral nihilism.
To allow people to choose one CI-approved maxim over another as a basis of their
specific standards of action appears to leave the entire system of moral philosophy
vulnerable by essentially permitting people to justify “as they go” whatever decision
they make, possibly even in pursuit of their selfish and immoral motivations. This
would result in abusing of their freedom, in a manner clearly different from how Kant believes freedom should be exercised.

To clarify, my earlier argument that one should establish more specific maxims to act upon in real-life situations differs from allowing everyone to create any maxim that would justify their actions, to their taste. Rather than an attempt to undermine the fundamental, universal moral law entirely or to invite moral anarchism, this is an attempt to seek the answers to particular life questions and dilemmas, left unanswered by the imperative alone, in a way that would, preferably, align with the fundamental principle as much as possible. Therefore, in search for a secondary standard of judgment, it becomes crucial to identify the spirit or “essence” of the moral law, so that we could ensure that a principle does not contradict the spirit of the fundamental principle. A convincing candidate is intention; Kant maintains that one must follow the moral law for the sole sake of following it, or acting “from duty” (Guyer, Kant 181). In other words, in Kantian moral theory, the key to a moral action is a morally sound intention; two distinct moral decisions, equally conforming well to the “letter of the law” on the surface level, may not be equally moral (5:71-72).

Therefore, I suggest an answer from outside of Kant’s system of morality; given that the first step according to the categorical imperative resulted in a tie between two clashing values, that is to say, one’s acting on either of the general maxims would be as moral as the same person acting on the other, I believe that the consequence of the actions would make a viable secondary standard. In other words, one should compare the likely outcome of each of the maxims in the event it were to be acted upon, and
choose to base a specific maxim to follow in the situation in question upon the most viable option, the one that would maximize the net happiness of all parties involved. The approach, historically asserted by such thinkers as John Stuart Mill, is called a utilitarian view. Although commonly considered to be nearly polar-opposite of that of Kant, it has elements that somewhat resonate with Kant’s theory, and would not contradict the spirit of Kantian fundamental principle if one were to accept it as the secondary standard. As English philosopher R. M. Hare explains, for a moral agent to will that a maxim be a universal law implies that the person would accept the judgment made based on the maxim, no matter which of the positions involved he or she were to assume (Hare 153-54). Since one would have to be able to willingly accept any of the parties involved, only maxims that “do the best, all in all, impartially, for all those affected” (Ibid.) by the action would be allowed, and this converges with the utilitarian point of view.

Of course, this idea does not pass without some major objections. One possible objection to it may be that bringing into the criteria for the judgment the idea of happiness, or a lower form of pleasure than what a free will gains from following the moral law, is to undermine the superiority and nobility of human reason over other animals’ mental faculties. One may argue that this element, which Kant rejected from the ideas of such philosophers preceding him as Aristotle, would introduce impurity to the system of rational human reason; once the system begins to allow the concept of happiness to come into the picture, no one would be able to stop human minds from
regressing to an animal-like state of merely pursuing the quantity of pleasure rather than the quality thereof.

However, I maintain that paying such attention to maximizing the net happiness in a consequence does not solely regard the quantity of happiness, but rather has room for the quality of it; the theory also provides a basis on which one may continue to uphold the supremacy of human rationality. First of all, how, then, may one determine the quality of happiness? John Stuart Mill, a nineteenth-century British philosopher known primarily for his consequentialist-utilitarian theory, in his book *Utilitarianism*, suggests one way of doing so. He writes, if someone who is “competently acquainted with both” of the pleasures in question insists on preferring one of them although the pleasure is less in quantity and greater in the amount of discontent, “we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account” (37-38). In other words, one of the ways in which one could identify pleasures of quality is through experience, whether one’s own or of someone else. Relying on such methods makes the judgment, with no doubt, subjective; however, it makes a fair complementary means to the categorical imperative when one seeks to guide his judgments in real-life situations, looking for subjective, particular, and empirical answers. Mill continues to state that higher beings, or those who are capable of seeking both high- and low-quality pleasures, would give a “most marked preference to … [what] employs their higher faculties” (38). In other words, human reason would prefer a quality pleasure when given a choice, and therefore the compromise of the quality of pleasure also ceases to be
a concern. Although that does not keep one from occasionally, “under the influence of
temptation, postpone them [the higher pleasures] to the lower” (*Ibid.*, 39), even such
phenomenon is “quite compatible with a full appreciation of the intrinsic superiority of
the higher” (*Ibid.*), bearing some resemblance to Kant’s idea of freedom, of the free will
not bound to obeying the law. Eventually, however, the higher and nobler good is
preferred.

Therefore, one would choose from CI-approved general maxims to establish a
system of moral values. In order for one to generate maxims to guide his or her
everyday decisions, however, the person must constantly choose which of those CI-
approved maxims to prefer to another. In doing so, the categorical imperative, which
has already fulfilled its duty to test maxims, is of little help; one, then, would proceed to
assess the possible consequence of each of the scenarios, of preferring one of the
maxims to the other, and then make the decision, ensuring that the resulting particular
maxim is still CI-compliant. For example, two general maxims, “Do not bear false
witnesses,” and “Help preserve the lives of the innocent, including your own,” are both
universalizable, but when a king commands one to bear a false witness or be hanged,
the peace is instantly disturbed. The person, then, would compare the consequences of
bearing a false witness and preserving own life, and of refusing to compromise and
being hanged. Whichever answer he or she chooses, then, given that the categorical
imperative still approves it, would be the basis of the person’s actions in all situations of
the like henceforth.
In this essay, I have argued that the categorical imperative is not intended to, and cannot, direct people to making particular moral decisions in cases of conflicts between maxims that it has already approved. In order to resolve the impasse and find the subjective answer in a particular situation, therefore, one must regard and assess the consequences of the possible choices, and choose to maximize the net happiness, or pleasure. Although the consequentialist view is commonly regarded as anti-Kantian, it is possible for one to employ it as a subordinate guideline to the primary Kantian principle without destroying the spirit of the latter. Also, it is possible to preserve the notion of the nobility of human reason, and to provide it with the quality of pleasure that it deserves.
Works Cited


Shaw, Joshua James. *Introduction to Ethics*. School of Humanities and Social Sciences. Penn State Erie, the Behrend College, Erie, Penn. Lecture.*

* These sources were consulted to help guide the argument, although no specific (direct) reference was made.

+ Passages from the *Critique* are located by volume and page number in the standard *Akademie* edition of Kant’s works.