

Does Kant's deontological theory of ethics provide a method for resolving the clash of duties?

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For thousands of years religion has provided a basic set of moral rules widely followed by the general public giving rise to a stable society. With the age of enlightenment emerged a new idea of applying reason to attain knowledge for example in moral epistemology, the idea of which dates back to Plato.

Kant shows an appreciation for the impact of theological ethics, but he is bothered by its heteronomy to the divine. Similarly, he rejects hedonism which results in heteronomy to desire and also consequentialism in which morality is surrendered to the deterministic reasoning most of which lies beyond our conception.

He argues that true morality requires moral autonomy, which can be defined as one's capacity to formulate his own moral duties with the use of reason. To become morally autonomous, one must self-legislate meaning that one is only obliged by duties which he can derive himself using his own reason. 'The human being is subject *only to laws given by himself but still universal* and that he is bound only to act in conformity with his own will' (Kant, 1998, p. 40).

In *The Groundwork of Metaphysics of Morals*, Kant introduces deontological ethics by formulating a framework of imperatives which enables us to derive our duties. The imperatives can be placed into two categories, hypothetical imperatives which describe the means with some desired end and can be either rules of skill or counsels of prudence, and categorical imperatives which describe the means of universal principles. "The categorical imperative would be that which represented an action as objectively necessary of itself" (Kant, 1998, p. 25).

Kant devises a test for the categorical imperatives which considers a maxim, that is the general principle underlying the means of the imperative being tested. The maxim is then hypothesized to be a universal rule and in order to pass the test it must satisfy the following conditions:

- i. The maxim cannot result in rational incoherence.
- ii. The maxim must result in a state of world in which a rational being would willingly exist.

'I ask myself only: can you also will that your maxim become a universal law?' (Kant, 1998, p. 16).

The means of categorical imperatives then form one's duties which can be categorized according to their relative necessity into, perfect duties, the violation of which is condemned as immoral, and imperfect duties which are inarguably moral, but which need not be fulfilled.

It is then not difficult to construct a situation in which two perfect duties are mutually exclusive and in which case we would expect one of the perfect duties to succumb to the other. "In a given situation, two or more ethical duties can be relevant simultaneously. If so, two incompatible actions may both seem obligatory at first." (Timmermann, 2013, p. 46).

Kant's initial response to the argument is that perfect duties can never clash. A proof of this claim is as follows, suppose for contradiction that the two perfect duties were to clash and so a subordinate perfect duty would not be expressed. We have previously defined perfect duties as duties the neglect of which is immoral. We therefore arrive at a contradiction and no matter which duty one chooses to fulfill, his acts are bound to be immoral.

At this point we can ask whether it is necessarily wrong to encounter situations from which there is no moral liberation. Such situations can only arise as an outcome of prior immoral acts. These acts can be of the individual himself, in which case he holds the responsibility for the lack of moral resolution, but they could also be acts of a third party. In this sense the clash of duties results in the loss of the individual's personal freedom to actions of the third party. As he no longer possesses the ability to pursue his moral duties, he has become the victim of circumstance.

This clearly goes against Kant's doctrine of freedom, and he therefore argues that even in such situations one is still free in his ability to choose one of the two clashing perfect duties. For the individual to uphold his morality he must then apply reason to choose a duty with pure intentions. Purity of intentions is therefore the primary condition for one's morality.

Unfortunately, this introduces a limitation of Kantian ethics, which is that even though his method of applying reason to arrive at one's duties is objective and hence shared by everyone, one's true intentions are subjective. Only the individual himself who can understand his duties and therefore whether he truly is moral or not. This also adheres to the idea of sensation from Kant's earlier work, *Critique of Pure Reason* in that we perceive the moral actions of others as a sensation expressed through our consciousness which is naturally subjective. "Kant characterizes the sensation in terms of the interaction between the subject and the object, i.e. as the effect of the object upon the subject." (Kumar, 2014, p. 264).

Going back to Kant's original notion of the two categories of duty, I propose that they can be extended into an infinite tree structure of duties with a hierarchy defined by the extent of generality of the maxim corresponding to each duty. In such a structure a parent node represents a duty with a maxim which is a generalization encompassing all of the maxims of the duties represented by the child nodes.

The branching in such a structure then occurs when two duties clash. This clash can now be resolved by formulating the parent maxim that is a more general maxim which encompasses the maxims of both of the clashing perfect duties.

This method can be applied to resolve the well known, murderer at the door problem summarized by Cholbi (2019), in which the two clashing duties are that one should not lie, and one should not harm others. A more general maxim can be formed giving rise to the duty that one should not act in a way as to inflict harm on others. It is therefore the individual's moral duty to lie and save the life of his friend.

An advantage of the proposed method is that the clash of duties is resolved through generalization as opposed to introducing specifics of the situation which would lead to a loss of generality.

It can now be shown that consequentialism emerges from the proposed method, as the limit in which the duties approach infinite specificity i.e. the ends of the infinite branches. Consequentialism is therefore of no value since a moral agent cannot possess the infinite information required to render consequence. Even if a consequentialist duty could be formulated it would be of virtually zero generality and therefore always subordinate to a more general duty.

An issue with my proposed extension might arise when one tries to formulate the ultimate general maxim corresponding to a duty that forms the root of the tree. To this I suggest that the most general duty is that one should follow the categorical imperative test itself. While this is a nice conclusion of Kant's deontological ethics one might also argue that it leads to a circular definition.

As we have seen Kant does not seem to provide a method for resolving the clash of perfect duties, but rather argues that perfect duties can never truly clash. The presented proof by contradiction relies on his definition of a perfect duty. The fact that perfect duties do clash can therefore be seen as a problem with the definition of the two categories of duty. To this I have proposed extending the two categories into an infinite structure of duties. The clash of duty is then resolved by formulating a maxim that is more general than the maxims of both of the clashing duties i.e. moving up in the structure.

While I believe that Kant does not provide a satisfactory solution to the clash of duties, I think that it is possible to interpret his deontological theory of ethics so as to be able to resolve such clashes.

It is also worth stating that Kant's theory also exhibits issues other than the clash of duties. As pointed out by Hegel in *Faith and Knowledge*, the primary requirement of the categorical imperative test is rational coherence but is there any meaning to a moral life based solely on a lack of contradiction?

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