

Expanding the Limits of Universalization: Kant's Duties and Kantian Moral Deliberation

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Despite all the attention given to Kant's universalizability tests, one crucial aspect of Kant's thought is often overlooked. Attention to this issue, I will argue, helps us resolve two serious problems for Kant's ethics. Put briefly, the first problem is this: Kant, despite his stated intent to the contrary, doesn't seem to use universalization in arguing for duties to oneself, and, anyway, it is not at all clear why duties to *oneself* should be grounded on a procedure that envisions a world in which *everyone* wills the contrary of those duties. The second, more global problem is that if we follow Barbara Herman in holding that Kantian ethics can provide a structure for moral deliberation, we need an interpretation of the universalization procedure that unproblematically allows it to generate something like *prima facie* duties to guide that deliberation; but it is not at all clear that we have such an interpretation. I argue here that if we expand our limited way of thinking about universalization, we can solve the first problem and work towards a solution to the second.

We can begin by recalling that Kant's 'Law of Nature' formulation (FLN) of the Categorical Imperative obligates us to '*act as if the maxim of your action were to become by your will a universal law of nature*' (G, 421).¹

1 The editions used and citation abbreviations of Kant's works are as follows (in all cases Akademie pagination is cited): *Critique of Pure Reason*, Norman Kemp Smith, trans. (New York: St. Martin's 1929), with the two editions abbreviated as 'A/B'; *Religion within the Limits of Reason Alone*, Theodore M. Greene and Hoyt H. Hudson,

The standard interpretation of FLN is that one is to determine if one's maxim could be a universal law of nature without falling into either a 'contradiction in conception' or a contradiction with some other maxim that one must will. The part about converting one's maxim into a universal law of nature is often taken to roughly consist in taking the principle behind one's action (one's maxim) and converting it to a hypothetical lawful state in which *everyone* necessarily commits (or omits) the same act when in relevantly similar circumstances as specified in the maxim. That is, we are to universalize among persons; call this 'interpersonal universalization.'

It is beyond dispute that interpersonal universalization is a crucial part of Kant's theory of universalizability. For example, his application of FLN to a maxim of false promising when in need of money rests on conceiving what would happen if *everyone* necessarily made false promises in order to secure needed money. But I hope to expand our conventional thinking about FLN; the contention here is that there is also a temporal kind of universalization. And, I will argue, by shifting our focus to this kind of universalization, we can coherently understand Kant's arguments for duties to oneself as illustrations of FLN. Before getting to that point, however, I want to explain in more detail how the standard interpretation leads to the problem with duties to oneself. After we see how temporal universalization gets us past that problem, I will argue that it allows for not only a more complete understanding of a duty to others (the prohibition on false promising), but also that it moves towards rehabilitating Christine Korsgaard's 'practical contradiction interpretation' of the universalization procedure.² This, in turn, allows us to work towards providing the missing component in Herman's model for Kantian moral deliberation.

trans. (New York: Harper and Row 1960), abbreviated as 'R'; *Critique of Practical Reason*, Lewis White Beck, trans. (New York: MacMillan 1993), abbreviated as 'KpV'; *The Metaphysics of Morals*, Mary Gregor, ed. and trans. (Cambridge: Cambridge University Press 1996), abbreviated as 'MdS'; *Groundwork of the Metaphysics of Morals*, Mary Gregor, ed. and trans. (Cambridge: Cambridge University Press 1997), abbreviated as 'G'; *Lectures on Ethics*, Peter Heath, trans. (Cambridge: Cambridge University Press 1997).

2 Christine Korsgaard, 'Kant's Formula of Universal Law,' in Christine Korsgaard, *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press 1996)

I The Standard View and a Problem with Duties to Oneself

Kant's FLN argument that letting one's talents rust fails his universalizability test (G, 422-3) is the following. Although a maxim of letting one's talents rust may be *conceivable* as a law of nature, it cannot be *willed* by a rational being as a law of nature, for such a law contradicts another maxim that qua rational, one necessarily wills, namely: 'that all the capacities in him be developed, since they serve him and are given to him for all sorts of possible purposes.'

Allen Wood interprets the universalized form of the rusting talents maxim to be: 'Everyone will neglect the development of their talents and instead devote their lives entirely to idleness and pleasure.'³ The question, then, is what this universalized form of the maxim has to do with the argument against letting one's talents rust. As Wood writes,

the argument seems not merely to be that I can't will [the universalized form of the maxim], but that I cannot rationally will even to adopt [the maxim itself] for myself alone without contradicting something else that I must will simply as a rational being. For this reason, the argument ... might seem to contribute little or nothing to illustrating the universalizability tests.

Wood goes on to point out that the argument 'does contribute a very significant Kantian idea, which is easily lost sight of if we are too busy ratiocinating about universalizability,' namely that we have maxims that, qua rational, we necessarily will, and these must be coherent with our other, non-necessary, maxims. While this is an important consideration, for the moment I want to focus on the worry that this argument makes no use of universalizability. Kant seems to merely state that a maxim of letting one's talents rust is inconsistent with a (rationally required) maxim that one's capacities be developed for all possible purposes. Whatever problems Kant might have by suggesting that qua rational I necessarily will the development of my talents, he also has the problem that *this inconsistency has nothing to do with everybody acting on or willing a maxim of rusting talents*; it only has to do with *my* talents rusting. Thus, universalization — qua interpersonal universalization — seems to be abandoned by Kant. This problem is a particularly odd one, since Kant's very point in this passage is to *illustrate* FLN.

3 Allen Wood, *Kant's Ethical Thought* (Cambridge: Cambridge University Press 1999), 91

One might similarly criticize Kant's argument against suicide. This argument is the following. A maxim 'from self-love I make it my principle to shorten my life when its longer duration threatens more troubles than it promises agreeableness' cannot be sustained as a universal law of nature. For were it universalized, 'a nature whose law it would be to destroy life itself by means of the same feeling whose destination is to impel toward the furtherance of life would contradict itself and would therefore not subsist as nature' (G, 422). This argument apparently says that turning the maxim 'to commit suicide from the motive of self-love when life looks bleak' into a universal law of nature would contradict the (true, according to Kant) law that self-love aims exclusively at self-preservation.

Ignoring here the problematic teleology, this argument has the further problem that it seems to make no use of interpersonal universalization. It says, instead, that the law I will — self-destruction from self-love — contradicts the teleological law that self-love leads to self-preservation. This contradiction has nothing to do with *everybody* willing these laws. Granting the truth of the claims, this argument would make sense in a world with just one person, so it does not require interpersonal universalization (at least in any interesting sense). Once again, this is an odd problem, since Kant is supposed to be *illustrating* his principle of universalizability.

So it seems that Kant's FLN arguments for the two duties to oneself — against suicide and letting one's talents rust — do not require interpersonal universalization.⁴ It is important to note that this makes intuitive sense. They are duties to *oneself*, and so their derivations should not hinge upon one's relations with others. The contradictions generated depend upon an *intrapersonal* contradiction, an inconsistency with what one wills regarding treatment of oneself. Thus, there is a good reason why the arguments for the duties to oneself don't (primarily⁵) rest on interpersonal universalization. But explaining why Kant's arguments for the duties to oneself do not rest on universalization leaves the objection untouched: given the just-noted intuitive point, it is unclear why duties to oneself should have anything to do with interpersonal universalization, and when we add to this the fact that Kant does not seem to utilize

4 By contrast, Kant's two examples of violation of duties to others, non-beneficence and false promising, do require interpersonal universalization.

5 I insert 'primarily' here because one could argue that we must develop our talents so that we may help others. But then it is only a duty to oneself indirectly: it is a duty to others that involves oneself as the means.

interpersonal universalization in his arguments, it seems he cannot plausibly claim to illustrate FLN with his duties to oneself.

That Kant intends universalization to be interpersonal universalization in FLN is suggested by H.J. Paton:

[Kant] is saying that the principle of moral action must be the same for every rational agent. No agent is entitled to make arbitrary exceptions to moral law in favour of himself or even in favour of his friends. To say that the ultimate moral law must be universal is to say that every particular moral law must be objective and impersonal, that it cannot be determined merely by my desires, and that it must be impartial as between one person and another.⁶

This, it seems, is the standard view on the matter. Again, I do not want to dispute that Kant did intend his universalizability test to reflect the basic impartialist idea that what holds for everyone else ought to hold for me, and vice versa. Certainly this is a central point of FLN, and it is the point that Kant most consistently emphasizes. However, Kant provides a clue to the effect that this is not the only kind of universalization in FLN and that his treatment of duties to oneself actually might make use of universalizability.⁷

II Temporal Universalization

The passage containing this clue comes two paragraphs after Kant concludes his treatment of the four examples under FLN, directly after discussing his thesis that contradictions in conception generate narrow duties while those that cannot be rationally willed as universal law ('contradictions in the will') correspond to wide duties. There Kant writes that in committing an immoral action we do not will that the maxim in question become universal law. Rather, we will that it remain universal law only on the condition that 'we take the liberty of making

6 H.J. Paton, *The Categorical Imperative* (London: Hutchinson 1947), 135

7 At the APA and in personal communication, Tom Hill has suggested a different way in which Kant may be utilizing universalization in his FLN argument against suicide. The idea would be that a teleological law, such as the teleological law that self-love has the purpose of self-preservation, can only be conceived of as a teleological law if everyone or most tended to follow that law. Accordingly, if upon universalizing my maxim it becomes universal law that everyone act contrary to the putative teleological law, e.g., such that everyone commit self-destruction from self-love, this would contradict the central idea of the teleological law, namely, that self-love has the purpose of self-preservation.

an *exception* to it for ourselves (or just for this once), to the advantage of our inclination' (G, 424, second emphasis added).

Here Kant is first pointing out that in taking unfair advantage of others' acting on a certain universal law by making an exception for ourselves, we are acting as free riders. But in the passage emphasized, he is making a further point that I want to focus on. He is suggesting that it is also immoral to make an exception 'just for this once,' which points to the 'temporal universalizability' requirement that I mentioned above: *when universalizing under FLN, one is to will that one's maxim hold (not only for everyone, but also) at all times.*⁸

Note that this reading finds confirmation in elsewhere in Kant's writings. In the *Lectures on Ethics*, while discussing duties to oneself, Kant asks 'What, then, is the condition under which freedom is restricted? The general law is as follows: Behave in such a way that in all your actions *regularity* prevails.' And later in the same paragraph: 'free beings can act in a *regular* fashion only insofar as they restrict their freedom by rules' (345, emphases added). If regularity can be taken to mean consistency across time, these passages suggest that Kant thought that universality and rule-restricted freedom imply temporal consistency.⁹ Further support for this interpretation comes from the *Critique of Pure Reason*, where Kant writes 'only in time can two contradictorily opposed predicates meet in one and the same object, namely, *one after the other*' (A32/B49). Kant is here saying that specifying temporal location allows a contradiction to be dissolved. By the same token, erasing temporal location, or, equivalently, temporally universalizing, would reinstate the contradiction. Finally, suspension of temporality from moral judgments follows from Kant's theory of spontaneous freedom. To cite just one example, Kant writes that conscience and reason tell us to judge action as determined in an atemporal, non-empirically-conditioned realm (KpV, 94-106).

8 Note that imagining your maxim to hold at all times for the universalization procedure does not mean that you actually must will it at all times (thus violating the latitude of Kant's imperfect duties). It is, rather, analogous to interpersonal universalization: you imagine a hypothetical world in which everyone follows your maxim as if it were a law of nature, but, of course, this does mean that everyone actually does follow our maxims.

9 As an anonymous referee pointed out, if Kant in the *Lectures* literally means we ought to be obsessively regular in our actions (such as Kant's famous walks are reputed to be), this is a cartoonish and implausible view of morality. As I will explain below, however, I take Kant to mean merely that the moral law requires us to be consistent across time, such that temporal location alone is not a justification for altering one's behavior.

Given these textual considerations and the very nature of natural laws, it may seem obvious that a universal law of nature would be temporally universal. Contemporary Kant scholarship, however, tends to omit it from consideration or at least minimize its importance.¹⁰ On the other hand, recall the intuitive point from above that duties to oneself seemingly should have nothing to do with universalization. If we take this seriously, it may seem that the standard interpretation represents something essential about morality, in contrast to an interpretation that includes temporal universalizability. One might grant that it is intuitively plausible why we should care about Kant's interpersonal universalization — it bears on how we conceive of our relations with others such that we not take unfair advantage of them. However, intrapersonal temporal universalizability does not have this virtue. Thus even granting that Kant makes comments indicating a concern for temporal universalizability, one might still worry that morality should not have anything to do with whether my maxim can hold at all times.¹¹

The first answer to this objection involves going back to Kant's initial approach to the Categorical Imperative. His view is that the concepts of moral law and duty involve a categorical requirement, because they entail the notion that one cannot get out of one's duties simply because it doesn't suit one's fleeting inclinations (G, 420). As a result of this abstraction from inclinations as conditions on willing, the only possibility left for a moral law from which duties are derived is the form of law itself, i.e., universality and necessity (G, 420-1). This gets Kant to the idea of universalization in FLN. But surely it would be arbitrary to just focus on one kind of universalization and not all others. If morality requires that our maxims be universalizable qua lawful, it requires that they must

10 There are a few exceptions to this general trend in the literature. John Rawls explicitly recognizes the temporal dimension of Kant's universalizability procedure, *Lectures on the History of Moral Philosophy*, Barbara Herman, ed. (Cambridge, MA: Harvard University Press 2000), 171. His 'perpetuity condition' holds that the hypothetical world with the universalized maxim 'is as if it always has existed, exists now, and always will exist.' Two other recent discussions of Kant's universalization procedure that include a temporal component are Warren Harbison, 'Self-Improvement, Beneficence, and the Law of Nature Formula,' *Kant-Studien* 91 (2000) 17-24, at 18, and Ted McNair, 'Universal Necessity and Contradictions in Conception,' *Kant-Studien* 91 (2000) 25-43, at 26. However, again, this attention to temporal universalization seems to be the exception rather than the rule.

11 Barbara Herman, *The Practice of Moral Judgment* (Cambridge, MA: Harvard University Press 1993) has a worry that closely mirrors this one, and which, in the end, leads her to reject Korsgaard's interpretation of the universalization procedure. I address Herman's worry in section V.

be universalizable or lawful in every sense of the word, including the temporal sense. Temporal location, in and of itself, does not matter morally: it is no excuse to not do my duty *D* simply because it is 10:30. (Note that temporal location is not the same as morally relevant circumstance: I might be excused from *D* at 10:30 if 10:30 happens to be the time when another duty is more pressing. But what does the excusing is the circumstance of having another duty, not mere temporal location. More on this in the next paragraph.) On these grounds we might add that it is not only required that one's maxim be interpersonally and temporally universalizable; it must also be spatially universalizable, holding for all spatial locations. So this is one way in which morality should have something to do with whether my maxim can hold at all times: it is entailed by the categorical/lawful nature of morality and duty.

The second answer involves rational willing and respecting one's rationality. In order to be rational, we should be consistent in our various willings.¹² It is irrational to *simply* claim that I will maxim *M* now but maxim $\sim M$ later. Or, at least, it is irrational if we can grant that unjustified inconsistency is a mark of irrationality. This is not to say that it is irrational to *justifiably* change one's mind, or to will differently in different circumstances. If *M* represents 'to make a false promise to get money,' it is not irrational to change one's will when one realizes this is immoral, and changes of will happen at different times, of course. Likewise, if one wills differently in different circumstances, such as making a false promise in order to save a life, this is not $\sim M$, but *N*. That is, one is not willing the contradictory of 'to make a false promise to get money' (i.e., $\sim M$). Instead, one is willing 'to make a false promise to save a life,' a seemingly non-contradictory maxim (*N*), despite what Kant may say to the contrary.¹³ So the point is not that one cannot alter one's willing. Rather, the point is that one is irrational if one wills *M* at one time and $\sim M$ at another *simply* because the time has changed. If one does this, one

12 For more on this point, see Onora O'Neill, 'Consistency in Action,' in Onora O'Neill, *Constructions of Reason: Explorations of Kant's Practical Ethics* (Cambridge: Cambridge University Press 1989).

13 Here I adopt O'Neill's formula of what she calls 'complete maxims' (writing as Onora Nell, *Acting on Principle: An Essay on Kantian Ethics* [New York: Columbia University Press 1975], 35-8). In these kinds of maxims, the purpose of the action is explicitly included. I utilize this way of formulating maxims here in order to draw out the difference a purpose can make in determining the moral permissibility of a maxim (which I do in order to show that it is other ingredients in one's maxim, such as purpose or circumstances, rather than temporal location, that determines the moral permissibility of one's maxim). Later I will use 'incomplete maxims,' which make no explicit reference to purpose, in order to simplify discussion.

not only wills (and acts) irrationally; one also fails to respect the rationality in oneself. This, then, is a second reason why for Kant it makes sense to talk of morality having something to do with willing one's maxim across all times.

If all of this is right, I take it that what temporal universalizability requires of us is as follows. When we universalize a maxim, we are to imagine a world in which both (a) all people follow it as if it were a natural law, and (b) the maxim holds for all people through all temporal locations. In itself, this does not bar one from changing one's maxim. It also does not mean that the action described in the maxim must be attempted *at every moment* of one's life. For instance, as we will see with talent development, if one's maxim is to develop one's talents *at some time and to some extent*, this does not mean that one must be actually developing talents at every moment. Rather, it means that at every moment one must (tacitly, of course) be committed to developing one's talents by, say, not acting in ways contrary to that (e.g., by making commitments to a lifetime of laziness). Finally, recall that this is just an addition to the standard hypothetical universalization procedure. I am not claiming that anyone will actually will the same thing throughout one's life, any more than interpersonal universalization implies that all people will the same thing. Rather, the question is one of the *lawfulness* of one's willing: can one's maxim consistently be universal law? This requires testing for the *ability* of all people to will a maxim across all times, without suggesting that such a state of affairs will ever come about.

It is worth noting that there are others who hold tie temporal consistency to rationality. Rawls, for example, writes: 'rationality implies an impartial concern for all parts of our life. The mere difference of location in time, of something's being earlier or later, is not in itself a rational ground for having more or less regard for it.'¹⁴ And later he suggests that 'Mere temporal position, or distance from the present, is not a reason for favoring one moment over another' (Rawls, *Theory of Justice*, 369). Rawls' point is one about the values we place on different points of a single life, which is different than holding that we must temporally universalize our maxims. However, the intuition remains that it is irrational to will differently *merely* because one is in a different temporal location.¹⁵

14 John Rawls, *A Theory of Justice* rev. ed. (Cambridge, MA: Harvard University Press 1999), 259. Rawls justifies this approach on his contractarianism. He draws the general point from Sidgwick, and there are several contemporary consequentialists (e.g., Thomas Hurka, *Perfectionism* [New York: Oxford University Press 1993]) who incorporate time-neutrality into their theories.

15 While it may be irrational to will differently at different times, a potential problem

So against the possible worry that morality should only be concerned with interpersonal relations and have nothing to do with maxims holding at all times, there appear to be good reasons for holding that a moral theory centered on rationality and categorical lawfulness should, in fact, have a temporal universalizability component. And it is Kant's inclusion of this intuition in his universalization procedure that, I think, provides for a response to Wood's criticism about Kant's arguments for duties to oneself. After developing this suggestion, I will argue that there are further important roles for temporal universalization to play in duties to others and moral deliberation generally.

III Resolving the Problem with Duties to Oneself

Wood's point regarding the argument against letting one's talents rust is that Kant makes no use of a premise involving universalizability. But now consider Kant's worry about making exceptions just this once. I take this to mean that when we universalize, we must not only convert our maxims to be willed by all persons, but also that we must convert our maxims to be willed *at all times*. The 'rusting talents' example can now be made sense of in a way that employs universalization. At one moment I will that I let my talents rust in order to foster my lazy seeking of pleasure. However, at other moments I realize that as a rational being I must will that I develop my talents in order to achieve some ends, and so at those moments I will to develop my talents.¹⁶ Now willing these

arises in that this is not always a mark of immorality. I take it, incidentally, that we would say the same thing about persons: maybe it is irrational to treat two people (say, strangers) differently, but surely this isn't always immoral. So if this is a problem for temporal universalization, it is also a problem for interpersonal universalization. The solution, then, is to find some way of distinguishing between morally relevant and non-morally relevant instances of irrationality. One such answer, which I want to adopt for the purposes of this paper, is that inconsistency is morally relevant only when it bears on treatment of humanity as an end in itself. This answer, while brief and rough, is that given by Mark Timmons, 'Decision Procedures, Moral Criteria, and the Problem of Relevant Descriptions in Kant's Ethics,' *Jahrbuch für Recht und Ethik* 5 (1997) 389-417 (see Herman, ch. 10, for a similar view). The idea is that the different formulations of the Categorical Imperative have different roles, and the role of the Formula of Humanity is (in part) to identify what is and is not morally relevant. Obviously, I cannot defend such an interpretation here, but it seems a viable position to me.

16 I take it that when discussing Kant, we can grant everyone would be cognizant of this rational requirement, just as we are pre-theoretically aware of our moral duties (G, 403-4).

two maxims at different moments does not imply a contradiction, as is entailed by the passage from A32/B49 cited above. That is, mere intrapersonal comparison of maxims does not yield a contradiction if those maxims are time-indexed. However, according to my interpretation of FLN, I must also temporally universalize my 'rusting talents' maxim, making it hold as a law *across all times*, thus generating a contradiction with my other maxim of developing my talents. Since FLN requires that I *always* will that my talents rust, I preempt the possibility of fulfilling my rational requirement to will a maxim to develop my talents.

The same reasoning can be marshaled to make room for universalization within Kant's argument against suicide. The worry was that even if it is true that the purpose of self-love is self-preservation, and even if this contradicts willing as universal law that one self-destruct from self-love, such a contradiction still makes no use of interpersonal universalization. But it does make use of temporal universalization. There is no contradiction in willing at one moment that I kill myself from self-love while at other times I have willed that I preserve myself from self-love. However, if I must will that my suicidal maxim become temporally universal, then I must *at all times* will that I kill myself from self-love. This does contradict my past willing of the maxim that I preserve myself from self-love.¹⁷

Thus through temporal universalization it seems that, despite initial appearances, we can make sense of the role of universalizability in Kant's two FLN examples of duties to oneself, contra Wood's objection. However, in order to make full sense of this interpretation, some of the details for generating these two duties need to be spelled out.

It may seem as if I am misreading Kant's reasoning in the two examples. Kant argues in the 'rusting talents' example that willing the universalization of a maxim of letting one's talents rust contradicts another maxim that must be necessarily willed, namely the development of one's talents. It might then seem that Kant need not be concerned with temporally universalizing the maxim of rusting talents, since willing it just once contradicts the necessary willing of the development of one's talents.

While I think this is a somewhat natural reading of this passage, it cannot explain why Kant emphasizes that the maxim of rusting talents

17 Kant will still have the problem that when we properly contextualize for one's psycho-motivational state, one can temporally universalize 'to commit suicide when life is horrible' consistently with the presence of a maxim 'to preserve myself from self-love when life is good.' However, this is a problem with the duty against suicide, not a problem about Kant failing to use universalization in the argument. Again, universalizing is consistent with proper contextualization of maxims. Thanks to Nelson Potter for discussion on this point.

becomes universal law. It portrays Kant's use of the term 'universal law' as a sort of ad hoc move to be consistent with what he is saying elsewhere, even though he has no real use for it here. Additionally, consider two different readings of Kant's line that qua rational one 'necessarily wills' some maxim. The interpretation presupposed by the objection we are now considering is that necessarily willing a maxim means that humans always, or 'constantly,' will it (though perhaps only tacitly). If this were correct, then intrapersonal temporal universalization would be redundant. But this interpretation has the unreasonable implication that we are always willing that our talents be developed. Sometimes we want to just watch a ball game; not because we think this will develop our talents in ball game analysis or because it will rest us up for later talent development, but just because we want to watch a ball game. This reading also ignores Kant's explicit claim that not all people do actually will the development of their talents (G, 430, 423). Finally, note that if we did necessarily always *in fact* will this, we would not have a *duty* to will it, since, as with one's own happiness, we cannot be obligated to will what 'everyone already wants unavoidably' (MdS, 386).¹⁸

A more coherent interpretation of Kant's use of the phrase 'necessarily wills' is: were I *fully* rational, I necessarily would will that my talents be developed at some time or other.¹⁹ Willing the development of one's talents is a sort of rational requirement for rational agents. However, since we are not perfectly rational, we don't always will this; this feature (not found in necessarily willing one's own happiness) is what makes it possible for us to have a duty to will it. There are familiar worries that by introducing this rational requirement Kant is smuggling in normative content that he is supposed to be deriving.²⁰ Even granting this, though, there must be more to the story. Kant is not merely stating a moral rule and then saying that letting one's talents rust violates it. Rather, he is suggesting that we have a rational rule that our maxims must not contradict upon universalization, and it is at this point that the moral violation enters.

18 Here, Kant's concept of duty (or obligation) is '*constraint* to an end adopted reluctantly. Hence it is self-contradictory to say that he is *under obligation* to promote his own happiness with all his powers.'

19 The clause 'at some time or other' is needed in order to fit this reading with Kant's claim that the duty to develop one's talents is an imperfect duty, allowing for latitude in how it is satisfied. (See n. 8.)

20 Wood (109) takes this to indicate that Kant must supplement the universalizability tests with information derived from the other formulae of the Categorical Imperative.

Since we are imperfectly rational and do not always will in accordance with rational rules, only a saint could will in accordance with rational rules throughout her life. And given Kant's thought that virtue is a lifetime striving and holiness is impossible (MdS, 384), he does not think that perfect sainthood is possible. Thus the best one can do is will most of the time to develop one's talents. But willing only on occasions to develop one's talents, as I argued above, does not, *by itself*, contradict a non-temporally-universalized maxim of letting one's talents rust. Taken at face value, there is no contradiction in willing on Monday to develop my talents, while I will on Tuesday to let them rust. But we can get a contradiction between a maxim of letting one's talents rust and a rational requirement to develop one's talents by making this maxim a policy for one's whole (rational²¹) life, i.e., by temporally universalizing it. That is, I would be willing that I always let my talents rust, contradicting the rationally required maxim of ends that I must at some time or another develop my talents. Thus, on the plausible reading of Kant's line that qua rational I necessarily will some maxims, the only way to get the contradiction in question is through temporal universalization.

But now a related problem arises. Perhaps the maxim is to be formulated as: 'to *never* develop my talents.'²² In this case, willing it just this once (i.e., without a need for temporal universalization) would contradict one's rational requirement to develop one's talents. This problem gets us into the messy question of how Kant thinks maxims are formulated. Unfortunately, in the argument in question he does not give us the maxim, except to suggest that a comfortable person 'prefers to give himself up to pleasure than to trouble himself with enlarging and improving his fortunate natural predispositions' (G, 423). Now this indicates (as some have suggested) that Kant conceives of maxims as fairly general principles of action. Perhaps the general maxim is: 'when in circumstances of suitable comfort, I will *always* seek pleasure and totally disregard the development of my talents.' Given Kant's indeter-

21 A qualifier to the idea of temporal universalization is needed. As I understand it, just as we are to universalize to all rational beings, we are to universalize to all parts of our lives when we have rational capacities. Thus, just as Kant does not (directly) include non-rational animals in interpersonal universalization, so we should not include the non-rational parts of our lives.

22 I take it that this is the formulation that Wood (90) has in mind when he speaks of devoting one's 'life entirely' to pleasure and idleness. It also seems to be Fred Feldman's (*Introductory Ethics* [Englewood Cliffs, NJ: Prentice Hall 1978], 99) understanding of maxims. See John E. Atwell, *Ends and Principles in Kant's Moral Thought* (Dordrecht: Martinus Nijhoff 1986), 48-9, for further critique of this view.

minate writings on the matter, I follow Onora O'Neill in holding that a maxim is a 'principle of a particular rational agent at a particular time' (*Acting on Principle*, 34; cf. 'Consistency in Action,' 129-30). Thus, when I order take-out, my maxim is something like 'to order take-out when I am too lazy to cook and well-off enough to afford it.' This is a principle regarding *this* action and no other. Note, then, that while it does express a *general* policy, it alone does not commit me to willing this general policy *always*.²³ I could at some other time, when I am lazy and well-off enough, simply decide to forego dinner. I would not be violating my previous maxim, since my previous maxim, though a general policy, is just a maxim for *that* action. Kant writes that a maxim is a principle 'in accordance with which the subject *acts*' (G, 420); this does not entail that it is a commitment the subject makes for the entirety of the subject's life. To be clear, then, the maxims considered here are principles for particular acts, though they are expressed as general policies. Generality does not entail a lifelong commitment.

To return to the case of letting one's talents rust, the maxim is something like 'when in circumstances of suitable comfort, I will seek pleasure and totally disregard the development of my talents' — the same as is suggested in the last paragraph, omitting the 'always.' Again, this general policy alone does not preempt the possibility of willing to develop one's talents. The way to get the contradiction is to temporally universalize the maxim — in effect, to reinsert the 'always.' O'Neill (*Acting on Principle*, 63) takes the standard view, suggesting that a universalized form of this maxim would be 'Everybody will (seek pleasure...) if (comfort abounds...),' filling in the parenthetical action description as the original maxim in question requires. If this is all universalization amounts to, then universalization is not used in Kant's 'rusting talents' example, as Wood argues. I want to suggest that the universalized form of the maxim should add a temporal and not merely personal component, resulting in something like 'Everybody will *always* (seek pleasure...) if (comfort abounds...).' Thus it is only via temporal universalization that Kant can (at least on this score) generate the imperfect duty to develop one's talents. Note, finally, that the impossibility of (temporally) universalizing one's maxim means that it is impermissible to seek only pleasure at the total expense of one's development. Tempo-

23 There are maxims that hold for our character dispositions as well, for Kant. And he indicates (R, 25) that we have adopted a maxim for life about whether to privilege the moral law over inclination or vice versa. There is no principled reason why there cannot be these several kinds of maxim, but in the *Groundwork* argument that occupies us currently, he clearly wants to focus on maxims for individual actions.

rally universalizing a maxim of seeking pleasure in a way that takes account of one's talent development would not preempt fulfilling the latitudinous rational requirement to develop one's talents.

Now we can address Kant's suicide example. He argues that one and the same natural system cannot have one law that self-love leads to both self-preservation and self-destruction. Here one might object to the thesis that Kant is concerned with temporal universalization, that Kant is arguing that under a universal law of self-love leading to self-preservation one cannot consistently will *even just this once* to self-destruct from self-love. That is, there cannot be without contradiction a universal law of nature that self-love lead to self-destruction when it must always lead to self-preservation (by definition, according to Kant). This would render temporal universalization redundant at best.

Again, this reading cannot explain why Kant would use this argument in order to *illustrate* FLN, and presents Kant's use of 'universal law' as ad hoc. But there is also a more direct problem with this interpretation. Kant understands self-love as having a *Bestimmung*, a purpose or destination, of preserving the self. But he cannot mean by this that humans' self-love always *in fact* aims at dutiful self-preservation. For the same motive of self-love also leads to transgressions of duty. Aside from leading some to suicide, self-love is also the basis for the opacity of the will: we cannot ever know with certainty if we are acting from duty because even on an externally rightful action we may have been acting on a 'covert impulse of self-love' (G, 407). So Kant cannot be saying that self-love necessarily aims, as a matter of fact, at the fulfillment of duty and yet sometimes at the transgression of duty.

Kant's view must therefore be that, as with the rational requirement to develop one's talents, it is part of the concept of self-love that it is *supposed* to lead to self-preservation: this is its *Bestimmung*. But, as free moral agents, we have the power within us to impede this purpose. This brings us back to temporal universalization. There is no contradiction in sometimes letting natural purpose run its course and other times impeding it. But when I will that my maxim to impede become universal, I must *always* impede that natural purpose, which contradicts the times when I will to let it run its course. In the case of suicide, we see that there is no contradiction in (perhaps unconsciously) letting self-love lead to self-preservation at one time and self-destruction at another. But if I must *always* will that self-love lead to self-destruction, I contradict the times when I will or have willed, in accordance with the concept of self-love, that it lead to self-preservation. While this reading of Kant's argument still leaves him open to the charge that he has attached a normatively loaded *Bestimmung* to the motive of self-love, we can now understand how the argument is an illustration of FLN.

Note that though this reading is similar in some ways to my reading of the ‘rusting talents’ example, it does not turn the contradiction here into a ‘contradiction in the will’ as opposed to a ‘contradiction in conception.’ (This would be a problem for Kant because contradictions in the will generate ‘wide’ duties, allowing latitude in fulfilling the duty, whereas suicide is supposed to be a ‘strict’ duty, allowing no such latitude [G, 424].) For it is still the case that temporally universal self-destruction from self-love runs contrary to the *concept* of self-love, insofar as it is ‘conceptually true’ that self-preservation is its *Bestimmung*. This is not the case in the ‘rusting talents’ example. The purpose Kant invokes in the maxim of letting one’s talents rust — pleasure and laziness — cannot be conceptually contradicted, as this motive is not conceptually connected to leading one to develop one’s talents. It is for this reason that it must be contradicted by an entirely separate rule — for Kant, a teleological law — generating a contradiction in the will. By contrast, the contradiction in conception is available in the ‘suicide’ example once he attributes the destiny of self-preservation to the concept of self-love and incorporates this motive into the maxim in question, for then the motive of self-love pulls in two opposite directions. Another way of making this point is that the contradiction in the ‘suicide’ example rests on a tension *internal* to a maxim with self-love as its motive, while the contradiction in the ‘rusting talents’ example rests on a tension that comes about only once one brings in an *external* rule.

IV A Duty to Others

I have so far tried to respond to two objections, namely (1) that Kant makes no use of universalization in the arguments for duties to oneself, and (2) that arguments for duties to oneself should not involve universalizability anyway. I contend that he does use universalization, but it is temporal, not interpersonal. I have not tried here to fully defend Kant’s arguments for the two duties to oneself, and there are other problems with those arguments. First, I have hinted that Kant’s arguments for the two duties to oneself have problems regarding teleology,²⁴ and if one

24 For a spelling out of these problems, and the corollary that Kant’s *Tugendlehre* arguments for the duties are more defensible, see Nelson Potter, ‘What is Wrong with Kant’s Four Examples,’ *Journal of Philosophical Research* 18 (1993) 213-29, at 216-21).

agrees one will not think that temporal universalizability is sufficient to make plausible Kant's derivation of the two duties to oneself. And we have seen similar worries that Kant is smuggling in normative content with his 'rational requirements' and the *Bestimmung* of self-love. Finally, as Fred Feldman suggests, perhaps the first two problems should be welcomed by Kantians, since Kant's two duties to oneself are duties that seem intuitively wrong-headed (108, 113). The thought is that it should be morally permissible to commit suicide and let one's talents rust, at least in some cases.

Yet even if Kant's arguments for the two duties to oneself fail for these reasons, we can still see, at least, that Kant was in fact illustrating FLN when arguing for duties to oneself. In addition, temporal universalizability may be of help in interpreting other parts of Kant's ethics. Indeed, I think that the temporal universalizability requirement has been tacitly used in some discussions of Kant's false promising example, an example often taken to be a paradigmatic case of interpersonal universalizability. Kant argues (G, 422) that if one were to universalize a maxim of making a false promise to obtain needed money, this would fail his universalizability test. The failure rests on the idea that 'no one would believe what was promised him but would laugh at all such expressions as vain pretenses.' Roughly, if we all knew that all promises were false, they would not be believed, and so there would be no promises; as a result, one wills a contradictory state of affairs in which one makes a (false) promise and in which there are no promises made.

But Kant's vague wording leads Jonathan Harrison to hold that Kant's idea in the part about us no longer believing promises upon universalization is that promising would die out over time.²⁵ An unfortunate implication of this is that until promising dies out, false promising is possible and so morally permissible. However, as J. Kemp points out, this is not Kant's argument. Rather, Kant means that when false promising is universal law, it *logically* bars the possibility of promising. As Kemp puts it: 'there would not be and would never have been any promises.'²⁶ Now of course there are different views on exactly what kind

25 Jonathan Harrison, 'Kant's Examples of the First Formation of the Categorical Imperative,' in *Kant: A Collection of Critical Essays*, Robert Paul Wolff, ed. (Notre Dame: Notre Dame University Press 1967), 235

26 J. Kemp, 'Kant's Examples of the Categorical Imperative,' in *Kant: A Collection of Critical Essays*, Robert Paul Wolff, ed. (Notre Dame: Notre Dame University Press 1967), 252-3

of contradiction Kant and Kantians should be looking for, which we will come to shortly.²⁷ For now note that at least on Kemp's reading of Kant's contradiction in conception test, temporal universalizability must be utilized. For if we can index the maxim being tested to locations in time, then Kant could be saying no more than that the practice of promising would die out upon universalization. But clearly this is not what Kant intends. Rather, we are to remove all temporal specification from the hypothetical natural law, and then false promising becomes impossible (and thus immoral), in the past, present, and future. So while the false promising example is an illustration of Kant's interpersonal universalizability principle, it also requires temporal universalizability for its success.

V Moral Deliberation

The duty against false promising is one area in which temporal universalizability has ramifications outside of Kant's duties to oneself. Earlier I noted the messy problem of how to formulate maxims; this is the old and vexing problem of relevant descriptions, and I think that temporal universalizability may also be of some help here (though surely it is not sufficient to resolve the problem altogether). Or, rather, temporal universalizability may provide needed amendments to one interpretation of how the universalization test is supposed to work; and, if we can do this, we can get closer to a workable model for moral deliberation that avoids the problem of relevant descriptions.

Briefly, the problem of relevant action description, formulated for Kant's ethics, is as follows. Actions can be described in a number of ways. So there are an immense (perhaps infinite) number of maxims that one may attribute to any given action. The problem is not just that there is indeterminacy here, but also that it allows for the universalizability tests to generate 'false positives' and 'false negatives' — cases in which, respectively, maxims pass the test when they are actually immoral and maxims fail the test when they are actually morally permissible. So, for example, suppose that I am robbing a bank. Presumably, if my maxim

27 See Mark Timmons, 'Contradictions and the Categorical Imperative,' *Archiv fur Geschichte der Philosophie* 66 (1984) 294-312; Richard F. Galvin, 'Ethical Formalism: The Contradiction in Conception Test,' *History of Philosophy Quarterly* 8 (1991) 387-408; Barbara Herman; and Christine Korsgaard (among others), for different interpretations, discussions, and mapping of the contemporary philosophical territory on this issue.

is 'to rob a bank,' it will rightly fail the test. But if my maxim describes the action of robbing the bank too generally, such as 'to get some money from the bank,' presumably it will wrongly pass the test (a false positive). Stated generally, if Kant's universalization procedure is to succeed, we need an interpretation of it that can avoid such counter-intuitive results.

So far as I can see, temporal universalization will by itself be of little help in the case just considered. But this is only to concede that there is a problem with using FLN to algorithmically derive moral pronouncements on every concrete action. This may not be a problem for Kantians who agree with Aristotle and Ross that moral judgment is going to be required in concrete cases of moral ambiguity — that a supreme moral principle can't do all the deliberative work. Barbara Herman has recently presented such a Kantian model for deliberation. In order to succeed, however, that model still relies on FLN for deriving something like Ross's *prima facie* duties, and Herman provides no conclusive story about how to do this. It is here that temporal universalizability may help.

We can begin by examining Herman's critique of Christine Korsgaard's 'practical contradiction interpretation' (92ff.) of the universalization tests, according to which the contradiction emerges when the purpose in the agent's immoral maxim is frustrated upon universalization. Against this interpretation, Herman has advanced cases of 'coordination maxims' (136-43) that present false negatives for Korsgaard's interpretation. Consider Herman's case of agent B playing tennis on Sunday at 10:00 because this is when the court will be open due to B's neighbors being in church. On the practical contradiction interpretation, this would allegedly generate a contradiction upon universalization, because if everyone acted on this maxim, the courts would not be open at 10:00 and so the purpose of finding an open court would be thwarted. Thus it would fail the test, but since it is an obviously permissible maxim, Korsgaard's interpretation apparently falls prey to false negatives.

This allegedly holds for all such coordination maxims — maxims that rely on 'others acting differently' (138). But if we temporally universalize such maxims, I think we can avoid the counter-intuitive results Herman derives.²⁸ If we follow this strategy, we eliminate the temporal location

28 Since what I will have to say is intended as a general response (and not just a response to the 'tennis' case), it is worth noting that all of the coordination maxims Herman uses to derive false negatives for the practical contradiction interpretation explicitly rely on some particular temporal location.

from the universalized form of the maxim (in addition to interpersonally universalizing) and convert ‘I will play tennis at 10:00 because the courts are open then and I want to get on the courts’ to ‘everyone will play tennis when the courts are open because they want to get on the courts.’ As far as I can see, no contradiction arises when we universalize this way, and so the coordination maxim rightly passes the test.²⁹

One might think that a contradiction would emerge even after temporal universalization on the grounds that if everyone went to the courts when they were open, they would no longer be open. But this is not the case. Going when the courts are open requires recognizing when they are and are not crowded, and so going when the courts are open could not, by definition, include going when everyone else is also going. It is the difference between (where B is a tennis-playing agent), on the one hand, ‘for all Bs, Bs go to the courts when they are open’ and, on the other hand, ‘for all Bs, *all* Bs go to the courts when they are open.’ (I take it that this difference reveals what tennis players regularly do; they go by the former rationale, not the latter.)

Herman directly considers a strategy in which we remove the temporal component but rejects it because, in the language of action description,

it would not be adequate to say that there are “equally accurate” noncoordination descriptions, since that would leave actions permissible under one but not another description. We would need to argue that the coordination description is erroneous. But since coordination actions are routine, and conceived as such by agents, there should be maxims where that feature of the action is a natural part of the description. (Herman, 139-40)

If this were how our solution to the ‘tennis’ case proceeded, Herman’s objection would be decisive. But we are saying neither that this is a noncoordination maxim nor that coordination descriptions are erroneous. (That is, we still acknowledge that the agent is going to the tennis courts when others aren’t going.) Rather, we are simply eliminating the temporal component at the stage of universalization. In doing this, we

29 Marcia W. Baron, ‘Kantian Ethics,’ in Marcia W. Baron, Philip Pettit, and Michael Slote, eds., *Three Methods of Ethics* (Malden, MA: Blackwell 1997), 72-3, also suggests replacing ‘Sunday at 10’ with ‘when the courts are open.’ Rather than justifying this switch on the basis of temporal universalizability, Baron grounds it on the idea that it ‘seems more truly to be the agent’s maxim.’ As Baron remarks in her evaluation of this move, however, there may be some agents for whom ‘Sunday at 10’ is integral to their maxim, in which case the switch becomes question-begging. Regarding the interpretation presented here, I discuss the question-begging worry below.

can use the practical contradiction interpretation without having to falsely reject coordination maxims.

One salient feature of this solution is that it reveals the entrenchment of the standard interpretation. Herman's diagnosis of the putative problem with the practical contradiction interpretation is that on the one hand we expect Kant's universalization procedure to reject free riding, but, on the other hand, 'The problem with the practical interpretation, as I am reading it, is that it fails to distinguish free riding from coordination' (Herman, 139). As I suggested above, the standard interpretation, while right to focus on the passage where Kant comes closest to worry about free riders, misses the parenthetical remark to the effect that universalizing includes a temporal component.

So, following Herman, we should expect Kant's universalization procedure to not only reject free riding, but we should also expect it to allow maxims that involve permissible coordination with others' acting differently. The way to differentiate between permissible and impermissible coordination with others' acting differently, it seems, is to utilize temporal universalization. If we eliminate the temporal component of the maxim upon universalization and no contradiction emerges, it is a case of permissible coordination (as in the tennis case). If the temporal component is eliminated and the maxim nevertheless fails to pass the test (as we saw above in the case of false promising), it is a case of impermissible coordination or free riding. Herman charges the practical contradiction interpretation with failing to bring out 'reasons that explain what is morally wrong with the [impermissible] maxim' and with failing to distinguish between permissible coordination and deceptive coordination (140-1). But this accusation only makes sense if such reasons are limited to interpersonal reasons; once we see that another such explanatory reason can be that a morally wrong action fails to be temporally universal, and as such fails to have the form of law required by morality (as I argued in section II), we can rebut the presumption in that accusation.

Another charge Herman makes against this type of interpretation is that it begs the question by assuming what is morally relevant when, after the permissible coordination maxim fails the test, we identify and eliminate the feature(s) of the permissible coordination maxim that made it fail the first time around (140). That is, redescribing the action in a way that makes it pass the test requires, prior to re-testing, identifying and eliminating the features that initially made the maxim fail the test, and in doing this we don't really test the maxim. But we are not doing this here. In our version of the strategy, in fact, we need not redescribe the maxim at all, for our solution does not rest on any tricks at the stage of maxim-description. Instead, the innovative move comes at the next step, universalization of the maxim, when we eliminate reference to any

particular time (10:00), just as we would eliminate reference to any particular agent (B). And because (1) universalization just is eliminating such morally irrelevant particulars, and (2) temporal universalization is independently motivated by Kant's conception of the moral law (again, as argued in section II), there is no question-begging or ad hoc step in our interpretation.

All of this being said, however, I still agree with Herman that no overall solution to the problem of relevant descriptions presents itself. That is, I see no way of having a test by which we can, for every discrete action, use FLN to accurately test our relevantly described maxim and only our relevantly described maxim. Herman's way of dealing with the issue of moral deliberation in Kant's ethics (143-58), with which I also am sympathetic, is to use the universalization procedure to generate results about sufficiently generic maxims — 'to do *x*-type action for *y*-type reason' (Herman, 147). Generic maxims rejected by the procedure generate 'deliberative presumptions' against committing those action types.

So, for instance, if the universalization procedure rejects a general maxim of false promising, then we get an initial presumption against making false promises when cases arise in which we must deliberate about whether or not to make a false promise. These deliberative presumptions (which, though this is not Herman's language, look similar to Ross' *prima facie* duties) can be overridden for particular maxims of particular actions, 'only if [the particular maxim's] justificatory basis is something other than self-interest' (Herman, 149). So we can rebut a deliberative presumption in our moral deliberations if there are appropriate and non-self-interested special features of the case at hand. Herman has a much richer story to tell about how this type of moral deliberation proceeds, but for our purposes, I want to focus on the part about the initial derivation of deliberative presumptions. The reason for this focus is straightforward: Herman's Kantian deliberative strategy requires that we are able to generate deliberative presumptions, and because deliberative presumptions are derived from the universalization procedure, Herman's deliberative strategy requires a workable understanding of the universalization procedure. But Herman seems conflicted about how to get this workable understanding:

I think we do best to stop with the practical interpretation generating false negatives and [its rival] the logical interpretation generating false positives, with the practical interpretation more effective in dealing with maxims as they are willed, and the logical interpretation superior in the kind of account it gives of what is wrong with the maxims it directs the CI procedure to reject. (Herman, 143)

I must confess, first off, that I am unsure why, given her critique, Herman thinks the practical interpretation is 'more effective in dealing with maxims as they are willed.'³⁰ But I want to focus on the idea that while each interpretation has its strengths, each has its weaknesses. It seems to me that if Herman's deliberative model is to be fully defensible, then we need a workable way of generating deliberative presumptions from the universalization procedure, in which case we need to have one interpretation without weaknesses. The alleged weakness of Korsgaard's practical interpretation is that it generates false negatives because it cannot effectively differentiate free riding from permissible coordination. If the interpretation I have given here — the interpretation according to which we utilize temporal universalization to make just that differentiation and thus to eliminate the false negatives, all while explaining the wrongness of rejected maxims (they fail to have the form of law, i.e., universality) — is correct, then we eliminate at least one apparent weakness of the practical interpretation.³¹ In this case, we move

30 But see her comment (on 140) that 'The practical interpretation draws strong intuitive support when it seems to pick out free riding on the activities of others as the morally salient failure of impermissible actions.'

31 There are other potential weaknesses facing the practical interpretation, which must be addressed case-by-case. One set of putative problem cases concern a subset of 'natural,' rather than 'conventional,' actions (i.e., actions that rely on no convention in order to succeed). Herman's case (118) of convenience killing and Korsgaard's case of revenge killing (100) illustrate the point. Here, one may universalize killing for revenge (or convenience) without frustrating one's own killing. It might appear, on first glance, that temporal universalizability would be of help; one might think that if I must temporally universalize my killing for revenge (or convenience), then if someone in the past had cause to kill me out of revenge (or for convenience), they would have done so, making my current killing impossible. While this kind of argument may certainly work for many people, it would not apply to a person who was never the target of vengeance or who never got in the way of another's plans (and so would not inconvenience the agent). While such persons are perhaps rare, they are possible, and as such revenge (or convenience) killing seems to be legitimate for them on the practical contradiction interpretation. Accordingly, that interpretation seems to still generate false positives, even if temporal universalizability renders it immune to false negatives. Herman's (ch. 6) own generation of a deliberative presumption against killing seems strained, insofar as it generates a contradiction in the will, rather than a contradiction in conception; as such, it would appear that on standard Kantian readings, agents have only an imperfect duty not to kill, allowing for latitude in how, when, and to what extent they will comply with the duty not to kill. (However, the 'how, when, and to what extent' reading, while standard, is controversial. See David Cummiskey, *Kantian Consequentialism* [New York: Oxford University Press 1996], ch. 6, for an opposing view.) See Cheshire Calhoun, 'Kant and Compliance with Conventionalized Injustice,' *The Southern Journal of Philosophy* 32 (1994) 135-59, for a different solution to the problem of

towards having a workable model for generating deliberative presumptions through Korsgaard's practical contradiction interpretation, which is just to work towards the claim to provide a guiding structure for moral deliberation through Herman's deliberative model.

VI Conclusion

If all of this is on target, temporal universalizability seems importantly helpful in several ways. First, it seems required for generating Kant's famous prohibition on false promising. Second, and more centrally, temporal universalization is crucial in an explanation of how Kant thinks that the two duties to oneself can illustrate FLN. The only way that critics can argue that Kant doesn't really illustrate FLN with his duties to oneself is by presupposing a problematically limited notion of universalizability as merely interpersonal. Instead, we should also include a temporal component that is part and parcel of Kant's conceptions of rational action and the categorical nature of morality.

So even if Kant's arguments for duties to oneself fail for other reasons, and, in any case, we shouldn't want to defend duties against suicide and letting one's talents rust because they seem like wrong-headed duties, we should care about temporal universalization insofar as it makes sense of the text. Although Kant does place more emphasis on interpersonal universalizability, he seems to think temporal universalizability is important enough to at least give it a parenthetical remark in the *Groundwork* regarding the nature of immoral willing. (And I have tried in section II to put that remark in the context of other comments ranging from Kant's *Lectures on Ethics* to his first two *Critiques* and to motivate it by consideration of the nature of rational willing and the universality of the moral law.)

Finally, temporal universalization may be one of the last plugs needed for filling old holes in using FLN for purposes of moral deliberation. If we can adopt Herman's deliberative presumption model, we need a way of generating those presumptions. We can remove one major obstacle to doing that by using Korsgaard's practical contradiction interpretation once we incorporate a temporal component at the stage at which generic

natural actions. This solution rests on conceiving the victims of either natural or conventional actions as 'fully free, equal, and rational,' and therefore capable of effective resistance to 'the conditions created by universalizing a maxim' (148). As such, convenience or revenge killing becomes impossible, as do other problematic practices, such as some forms of slavery.

maxims are universalized. In short, expanding the limits of our conception of universalization in Kant's ethics allows us to make sense of Kant's text, better understand how universalization works in the famous examples from the *Groundwork*, and shore up an interpretation of the universalization procedure that allows Kantian ethics to guide moral deliberation.³²

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