



Empiricism and rationalism in moral theory

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Featuring the current global problems in politics, economics, the environment, the fundamental question seems to me, how far one gets with empirical or rationalistic considerations in moral thinking? Enlightenment is best achieved here with the archetypes of these theoretical forms, namely Hume and Kant. However, even modern Humeans or Kantians often find it difficult to even understand, let alone weigh in the right light, the arguments of the other side. I think the open or covert opposition between the two camps is exaggerated in view of the global challenges that lie ahead and I will show to what extent the two schools do not contradict each other, but only look at the same subject from different perspectives. Finally, I try a synthesis of Humean and Kantian moral concepts.

The frontlines are well-known: Hume says that action is possible just on an emotional basis, while Kant believes that only reason-founded action is morally relevant. Both can not apply equally to the stated rigor. Even before a transcendental analysis of our moral concepts, a direct comparison between Hume's and Kant's moral models reveals systemic strengths and weaknesses. The most obvious difference first and foremost is the fundamental anthropological assumptions of moral theory, namely the meaning of reason. While Hume sees reason as a 'slave of passions', as a vicarious agent of our satisfaction of needs (in the sense of increase in pleasure and avoidance of pain), Kant wants the 'true determination' of reason to be the leading role in the effort of man to moral 'autonomy' situate.

As part of his empiricist-hedonistic approach, Hume is able to present quite plausibly why humans act at all and to what extent they have an incentive for moral action, namely, if they thereby improve their chances of satisfying their needs in the short, medium and long term. Above all, from an epistemological point of view, it remains unclear how the individual man, starting from his own needs, should pave the way to intersubjectively valid moral concepts. This genesis does not succeed over the way Hume proposed in the 'moral point of view' of completely blanking one's own interests, because then *any* basis for induction and abstraction is lacking, through the comparison of one's own needs with those of all other people could lead to generally binding moral regulations.

In contrast, the foundation of the validity of moral norms is the strength of Kantian moral concept. The actual normative sense of intersubjective moral validity seems to me better resolved in the principle of consent than in its categorical imperative, for if my maxim (by its universalization) is not suitable as a general law, but is compatible with the maxims of all other men, my maxime is quite morally justifiable. Regardless of whether one interprets the function of reason in the Hume's sense hedonistic or Kantian idealistic, one arrives at the result of the so called 'consent principle'¹ that a certain behavior qualifies as moral or immoral only if it is of *each* people as such can be accepted. Now one may safely assume that most people act in the (short-term) self-interest - as suggested by Hume - but can also be guided (at least in part) by (long-term) rational motives - as demanded by Kant. Insofar as it is possible to find norms that

¹ Vgl. Kant (GMS) S. 429; Kant (KpV) S. 106f.

can be justified out of self-interest *and* in the common interest, one satisfies *both* types of theories, covers *both* rational understandings, grasps all reasonable short-term *and* long-term possible options for action of each human being. However, with the approval principle, there is explicitly no (content) norm, but only a (formal) norm generation procedure (similar to Kant's Categorical Imperative). Therefore, we are by no means relieved of the question of what may be abstract or concretely moral or immoral in *content*?

The ultimate transcendental problem of the demarcation between Hume and Kant is the question of whether reason can create and justify new moral norms, values, principles, the presuppositions of which are not already established in human emotional world or, in other words, whether sensible moral norms, laws, and principles are not properly interpretable only as derivatives, complications, and abstractions of emotional states? If Hume's assessment of the emotional basedness of our thinking, will and action proves to be correct - for which newer psychological as well as neurological findings speak - then the Kantian and with it all moral theories of the rationalistic type (Rawls, Habermas) should be blamed to be wrong in some way. A transcendental analysis rejected by Kant, but considered possible and carried out by me, suggests that all of our (even meaningful) moral concepts, no matter how elaborate, can be traced back to creating more pleasant and avoiding unpleasant emotional states. This applies exemplarily to central moral norms, which guarantee the protection of the freedom of action and, of course, thus fundamentally include a right to life and bodily integrity.

The essential advantage of an empirical approach to morality over a rationalist Kantian style seems to be simply that, before a specific moral context of reasoning, one generally investigates what drives people to action, what they want to achieve and avoid. At the beginning of an empirical theory of morality, in other words, there can be a theory of motivation and action. In contrast, a rationalistic moral theory seems to be based on formulating rational normative processes in order to develop moral values and goals. The great danger here is evidently to formulate such ideas that in everyday life hardly affect a person that rarely moves a person directly to action.

Rationalistic normative objectives (such as freedom or equality) would therefore have to be concretized on the basis of certain points of view, rules, criteria (content), in order to make them manageable, applicable and, on the other hand, sufficient motivation for their attention. Correspondingly, solid empirical bonds would be required, but they are lacking on a rationalistic basis because this level (with whatever 'justification') was skipped methodically at first. In Kant's theory, therefore, one often gets the impression that his moral concretization levels are hardly or not at all related to the moral level of principles (such as the 'absolute' ban on lying, the prohibition of suicide or the strict rejection of a right of resistance), as if Kant were more likely to come here conservative opinion expressed as a thoroughly loyal Prussian citizen, as a scientifically justified attitude from the system of his moral theory. In this respect, he offers many plausible moral (rationalist) objectives, but only a few convincing (empirical) methods of their concretization or even their realization.

But why should I account others' opinions about what they consider to be good or bad in my judgment, which seems to me to be useful or harmful? The simple (Humean) answer is this: because they otherwise have reason to disrespect my views of good or bad, because otherwise they have a (moral) reason to hinder or even prevent my intentions and because the pursuit of *common* action objectives in *consensus* with other people *through cooperation* offers greater chances of success for their realization. Without *global* consensus on climate change, preservation of species and privacy, these efforts will be scarcely successful.

All people would *rationaly* argue for the (legal) prohibition of harm and the (ethical) benefit as moral principles, because both principles can be justified emotionally, intellectually and reason based, because they offer all people cooperation advantages. Beneath this relatively

abstract level of principles exists with the human rights - such as laid down by the UN in the AEMR in 1948 and then in the 'International Covenant on Civil and Political Rights' and in the 'Covenant on Economic, Social and Cultural Rights' ratified worldwide in 1966 - a well established and widely recognized system of standards that closely matches both the emotional, prudential, and reason-based requirements of the principals - human rights *best protect the most important interests* of human beings.

Acting according to these norms can therefore be accepted by *all* people and *generally* be demanded. However, it is not enough to understand the importance of human rights as mere defensive rights (such as freedom or equal rights in the classical sense) or simple social rights (such as warranty claims for a minimum, clothes, food, work, housing), but it seems to me unavoidable to interpret the values and norms laid down in it as general legal and ethical objectives, whose realization is ultimately the responsibility of *every* human being. In this respect, in addition to all state powers, *every* private person and especially *every* company has the obligation not only to help to avoid violations of human rights, but also to promote a general realization of human rights.

With shared values across all cultural, religious, social barriers, just the normative side of a global moral corresponds, because the already established human rights are violated on a daily basis, even though they are recognized by almost all states in the world. To enforce a global morality that includes human rights, we also need appropriate international institutional frameworks. In many regions of the world the hurdles to be overcome on the way to the nation state have already been connected with great efforts. Today it seems foolish that Bavaria and Brandenburg (as happened in 1866) or even the Bayreuth against the Nuremberg (in 1553) could lead a war. Nonetheless, the current trend is to consolidate existing nation-state structures, as they lull many citizens into deceptive security of preserving their interests in a rapidly, steadily and comprehensively changing world.

In order for human rights conforming behavior to be able to establish itself permanently in the long term, it must offer *all* people advantages, and simply 'pay off'. But under growing population pressure, the struggle for scarce resources, globalization induced economic pressure among nation states, many state and non state actors have a strong incentive to value their own (unmoral) interests in the short term, as the (moral) interest of all humanity. The development of predominantly economically motivated alliances in the European, Asian, but also in the American area (EU, ASEAN, NAFTA) is to a large extent due to the intensifying global economic competition. Various regions of the world are trying to increase their competitiveness on the world market by means of an economically oriented merger. In the process, competition between the individual states and confederations for investment and the resulting jobs lead them into a competition for the establishment of companies, which lets other goals - such as environmental protection and social policy - falling behind. Worldwide arises a 'race-to-the-bottom' effect in environmental and social standards. Such serious global aberrations do not correspond either to the expanded human rights concept or to the global moral principles developed here. The decisive argument for a world government, for a federally built world state and continental states is logically that under the previously prevailing, predominantly national state normative and institutional conditions, the (extended) human rights are not (far enough) adequately realizable, because the *benefits* of the Globalization is mainly used by relatively few international companies, while the *disadvantages* must be borne by all.

Legal and ethical norms for the realization of human rights are *globally* enforceable only with the help of *globally* operating state institutions. The task of a world state would be, first and foremost, to establish norms promoting human rights, such as climate protection or fair world trade, and to monitor compliance with them. Human rights-based action will only prevail, if all people see that they have significantly more advantages than disadvantages at least in the

medium and long term. Climate change, extinction of species, overpopulation permanently harm all people more than they use them. But without a strict regime of controls, gratifications and sanctions, multilateral agreements can not be more effective than the efforts made to achieve human rights. In order to deal adequately with this great task, we need not only legal courts, but also ethics courts.

In order to maximize the realization of human rights in order to avoid unjustified preferences or disadvantages, all people would opt for upper limits on income and wealth. They would also work for fairer world trade to prevent poverty migration. All people would also advocate the principle of subsidiarity: a task should, as far as possible, fulfill the one institution that can best and effectively handle it. It is therefore advisable to establish continental states (North America, South America, Asia, Africa, Europe including Russia) with continental governments and continental parliaments between existing nation states and the world state. Approaches to such new institutional structures already exist (EU, UN, African Council).

The extended human rights - environmental protection, social economy, resource-conserving treatment of nature - can not flourish on the basis of a neo-liberal, early capitalistic economic model, which often diametrically opposes these goals because it favors the strong and discriminates against the weak. All people would therefore opt for a system of social market economy that does not reinforce social inequalities, but balances, which uses not primarily global companies and a relatively small upper class. However, with the current prevailing neoliberal world economic order, *structural* injustice is solidifying and magnifying, which all people of the world should politically and morally motivate to found a world state.