

# KANT AND THE PROBLEM OF CONSCIENCE

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## 1. Conscience in Philosophy and in Common Moral Discourse

We could begin with the famous character from Quentin Tarantino's *Pulp Fiction*, who introduces himself by saying "I am Winston Wolf, I solve problems". Conscience seems rather to be characterised as *posing* problems, both in common speech and philosophy. It appears to have a mainly negative nature: conscience bothers and blames, causes concern, anxiety and even grief—it is chiefly 'bad conscience'.<sup>1</sup> But conscience is also linked to problems in a more significant sense: it is exercised in relation to dilemmas and guilt, and even in its most positive meaning, as in the principle of the 'freedom of conscience', it acts against norms and customs. Its metaphorical roles of court, judge and prosecutor, make it the set of a trial, of a contrast between alternatives, a scenario in which something is radically called *into question*. However, if I have chosen 'Kant and the Problem of Conscience' as this paper's title, it is not primarily in relation to the intrinsically problematic nature of conscience, but because the object of our investigation will be conscience seen as a *philosophical problem*.

Originating in antiquity, the notion of conscience has had a crucial role in philosophical thought for centuries, and this has been mirrored by its fortunes in common speech and in public and political discourse. However, this notion does not seem to have remained as central in more recent philosophical history as it has in extra-philosophical discourse. Although the appeal to conscience in common moral discourse, which Kant would have called common rational moral cognition (*gemeine sittliche Vernunftkenntnis*), and its role in political discourse, particularly in relation to 'freedom of conscience', is still prevalent and also important, the role of the notion of conscience in moral philosophy has definitely experienced a decline in recent decades. Even without considering the critical analyses of conscience which have radically questioned its authority—most famously, those by Nietzsche and Freud—the notion of conscience in the twentieth century has not had the importance in moral reflection that it has in common moral understanding. To limit ourselves to two examples, whose authors belong to different philosophical traditions, we can briefly consider the positions of Max Scheler and Gilbert Ryle.

Scheler considerably weakens the role of conscience by challenging it on several fronts: on the one hand, fearing that the *Gewissensfreiheit* could turn into moral anarchy, he denies that conscience can be identified with "moral insight [*sittliche Einsicht*], [or] even with a 'capacity' to it" (Scheler 1916:333/1973:322). He strongly insists that conscience can deceive us, and accordingly denies it the role of "ultimate source" (Scheler 1916:333/1973:322) of moral values. Conscience cannot work as a "substitute" (*Ersatz*) (Scheler 1916:334/1973:323) for moral insight; this claim, as well as that of being a "final court of appeals" (Scheler 1916:335/1973:323), is in Scheler's eyes the result of a religious-metaphysical interpretation according to which the "voice of God" (Scheler 1916:335/1973:323) could be perceived in conscience. Conscience "in this sense is one of the many colours of the sunset of religious

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<sup>1</sup> For John Stuart Mill it is "a feeling in our mind; a pain, more or less intense, attendant on violation of duty" (1969:228).

belief” (Scheler 1916:334/1973:324). In the present context, it is important to notice that the criticism of the role of conscience as a ‘substitute’ for a moral evaluation which finds “fulfillment in intuitively given and evidentially objective values” (Scheler 1916:331/1973:320) applies for Scheler even to the ‘universal validity’ and the ‘capacity for universalisation’ at play in Kant’s ethics.

This scepticism about conscience as the principle of ethics, shown by Scheler in the first decades of the twentieth century, appears to be linked to the demand for a firmer foundation for ethics, which would consequently be more reliable than the one made available by the notion of conscience. The demarcation of the claims of conscience that we can find a couple of decades later, in 1940, in an article by Gilbert Ryle entitled ‘Conscience and Moral Convictions’ (Ryle 1940), takes place within a very different philosophical framework. Starting from the idea that “‘conscience’ was too vague and equivocal a word to enjoy any definite syntax” (Ryle 1940:31), Ryle develops a conception of it which narrows its role by precisely delimiting its meaning. This reduction is clearly expressed in Ryle’s definition of conscience: “Conscience is a *private* monitor” (Ryle 1940:31). “It is absurd to say”, writes Ryle, “My conscience says that *you* ought to do this or ought not to have done that” (Ryle 1940:31). At the end of an analysis which follows from this observation, while considering the translation of ‘internal’ subjective states into dispositions to act, conscience is conceived as

one species, among the others, of scrupulousness; and scrupulousness is the operative acceptance of a rule or principle which consists in the disposition to behave, in all modes of behaviour, including saying to oneself and others, teaching, chiding, etc., in accordance with the rule. (Ryle 1940:38)

It is interesting that a particular emphasis on the so-called ‘operative aspect’ of conscience, which determines its role, can also be found in Kant’s remarks about conscience, under the prominent aspect of *conscientiousness*. However, although he is using a different philosophical framework and following different goals from those of Scheler, Ryle’s main point is also to limit the role of conscience, an idea which is somewhat at odds with the importance of this notion in common speech and with its relevance in the political discourse.

Although in different ways, both Scheler and Ryle open the path for what has been called “the contemporary dismissal of conscience” (Langston 2001:88ff.) which, analogously to William James’s famous question “Does consciousness exist?” (James 1904), has resulted in an even more radical problem of the very existence of conscience, or, at least, to an interpretation of it as a feeling of anxiety and discomfort according to which it is little more than an “emotional buzzer” (Langston 2001:2). As a matter of fact, it has been observed that “‘conscience’ plays no role of significance in either philosophical ethics or psychology in the twentieth century” (Schinkel 2007:28). The fundamental trait of ‘the problem of conscience’ mentioned in the title, is that which results from the contemporary limitation of the role of conscience in philosophy, which has been growing since the twentieth century until today, and its enduring importance in ‘common rational moral cognition’ and in political discourse. As an example, it will be sufficient to refer to the closing lines of a speech by Barack Obama, given on June 23, 2007, ‘A Politics of Conscience’: “So let’s rededicate ourselves to a new kind of politics—a politics of conscience”.<sup>2</sup>

To offer a diagnosis of the historical and theoretical grounds which have led to such a situation goes beyond my skills and aim in this lecture.<sup>3</sup> However, Kant’s position is of great significance in this context, in relation to many of the aspects of this ‘problem of con-

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<sup>2</sup> Quoted in Ojakangas (2013:1).

<sup>3</sup> On this, see Kittsteiner (1995), Tomasi (1999), Langston (2001), Hill (2002), Schinkel (2007), Strohm (2011), Ojakangas (2013) and Sorabji (2014).

science'. On the one hand, Kant follows a line of thought which has its main source in Joseph Butler, and takes conscience to be a *faculty* which has a fundamental role in the exercise of morality. On the other hand, Kant limits the systematic role of conscience in moral theory by developing a foundation of morality which makes it impossible to consider his practical philosophy as an 'ethics of conscience'. In this sense, Kant seems to anticipate to some extent the *dismissal* which I have been talking about. However, the role of conscience in Kant's phenomenology of moral life is anything but secondary, and seems to recover several very strong traits of the concept by ascribing to conscience some kind of infallibility as well as the function of a final ground of moral evaluation, not as the source of the law but as its key feature when it comes to guilt or innocence. On this point, he goes so far as to write that "if someone is aware that he has acted in accordance with his conscience, then as far as guilt or innocence is concerned nothing more can be required of him" (MS, 6:401).

Because of the peculiar nature of Kant's theory, I believe that the topic of 'Kant and the problem of conscience' can be explored more deeply on the basis of the following questions, which I shall attempt, if not to explain, then at least to put as clearly as possible: (1) Why does Kant not develop an ethics of conscience? (Section 2) (2) What still important role does he give to conscience and how can it be justified? (Section 3) More broadly, these questions will be our guide in examining some relevant aspects of Kant's theory of conscience and in asking ourselves about their plausibility in relation to the problem of conscience as we have presented it.

Therefore, the questions I shall propose will not only be exegetical ones for Kant scholars, although in what I need to say, some will necessarily arise.

## 2. Why Did Kant Not Develop an Ethics of Conscience?

In this regard, it will be useful to make some preliminary remarks. Kant never gave a systematic treatment of the theme of conscience. However, as with other philosophical issues to which he did not devote a specific treatise, the issue nonetheless occupied him over many years, first of all in his teaching activity, that is, in his lectures on ethics. This reflection is documented in lecture notes, starting from Herder's notes from the years 1762–64, to the late lecture notes by Vigilantius from 1793, in which Kant treats conscience by confronting A. G. Baumgarten's *Initia philosophiae practicae primae* (*Introduction to Practical Philosophy*, 1740, 1760) and the *Ethica philosophica* (*Philosophical Ethics*, 1751, 1763).<sup>4</sup> In the published works the theme is only touched upon in the *Groundwork of the Metaphysics of Morals* and in the *Critique of Practical Reason* but is given more space in three later works: *On the Miscarriage of All Philosophical Trials in Theodicy* (henceforth *Theodicy*), written in 1791, *Religion Within the Boundaries of Mere Reason* (1793; henceforth *Religion*), and in the *Metaphysics of Morals* (1797). Kant develops and transforms his thoughts on conscience not only in relation to the development of his moral thought, but also as a consequence of the inner limits of his theory.<sup>5</sup> It is therefore impossible to refer to a Kantian theory of conscience, although there have been attempts to identify phases in his thoughts about this issue (which, however, have proved difficult to define). Therefore, it will be necessary to choose and refer to specific aspects of his thought, and to use those texts and themes which can be more directly linked to our problem.

That Kant's ethical theory is not an ethics of conscience—as one might define the theories of Joseph Butler, Adam Smith and Jean-Jacques Rousseau—is already clearly shown by

<sup>4</sup> See Schneewind (1997:xxvii n.22): "It is not certain when Kant started using the two Baumgarten texts. Stark conjectures that it may have been as early as 1760, the date of publication of Baumgarten's *Initia Philosophiae practicae*. The first announcement of lectures on ethics is for 1756–7; for 1765–6, Kant announced that he would use the Baumgarten texts." See also Stark (1993:326–7).

<sup>5</sup> See also Hoffmann (2002) and Knappik and Mayr (2013).

how seldom the term is used in the two fundamental works of Critical ethics, the *Groundwork of the Metaphysics of Morals* and the *Critique of Practical Reason*, where it is used *only* three times. In the first, it is only said that it can happen that the power of judgement (*Beurteilungskraft*), here identified with “common reason”, “seeks to engage in legalistic quibbles (*chicanieren* [...] *will*) with its conscience” (Kant 2011:37), with a hint at a difference and possible contrast between conscience and practical power of judgement. In the *Critique of Practical Reason* conscience is more emphatically defined as “that wonderful capacity in us” (KpV, 5:98). Here, again, Kant is talking about a man who is trying (*künsteln*) to “reduce to silence the prosecutor in him” (KpV, 5:98), that is, to absolve himself of moral guilt through self-deception. It is significant that in both of these contexts the reference to conscience seems to be intended to strengthen the idea that man has a capacity for ethical evaluation which is natural for him and, at the same time, to show the difficulties which conscience can face in relation to this possibility and the tendency to self-deception (that which, in the Collins lectures Kant calls the “sophistry” “in the moral courtroom of man”; V-Mo/Collins, 27:359).<sup>6</sup> In the foreground is the *difficulty* of moral judgement, especially about *oneself*, and the idea that this capacity for self-evaluation nevertheless has a peculiar strength and, one could say, a *cognitive superiority*. The two traits sketched here will remain central in Kant’s theory of conscience. However, in both texts conscience is treated only in passing: the reason for this is that it does not play an important role in the Kantian *foundation* of ethics, which these two works are concerned with. Kant intends to develop a “pure moral philosophy” and, while acknowledging the role of “a power of judgement sharpened by experience”, he intends to establish, or better to identify, an unconditionally necessary principle of moral action: “[A] law, if it is to hold (*gelten*) morally, i.e. as the ground of an obligation, must carry with it absolute necessity [so that it] must not be sought in the nature of the human being” (Kant 2011:7). No matter how surely conscience is or puts into practice a particular form of self-consciousness, a form which is endowed with self-consciousness’s virtue of freedom from making mistakes, conscience cannot be taken to be the ground of moral judgement. Conscience cannot be, as Rousseau (1782) argued, a “sure guide [*guide assuré*], [...] infallible judge [*juge infaillible*] of good and evil, which makes man like God”, because this role is assigned by Kant to a kind of moral insight that has different features and can for him bear the weight of an unconditioned and universal foundation of ethics: the consciousness of the moral law.

Despite some analogies, this consciousness cannot in any way be equated to conscience, either in terms of its phenomenology or its systematic role.<sup>7</sup> Kant speaks in the *Metaphysics of Morals* of conscience as an “an unavoidable fact” (*unausbleibliche Tatsache*) (MS, 6:400), with an expression which could seem to be reminiscent of the concept of *Factum der Vernunft* de-

<sup>6</sup> See also V-MS/Vigil, 27:620: “[A] procedure of deceiving or quibbling with conscience by sophistry [*eine Übung, um nach der Sophistic das Gewissen zu hintergehen oder es zu chicanieren*].”

<sup>7</sup> One could think of linking Kant’s notion of conscience to that of consciousness through two of Kant’s famous examples. The first example, from the *Critique of Practical Reason*, is aimed at confirming through experience “this order of concepts in us” (KpV, 5:30). The man in the grip of his overpowering inclinations, when threatened with death for obliging him to lie against another man must concede without hesitation (*muß ohne Bedenken einräumen*) the possibility of going beyond his attachment to life; consequently, “He judges, [...] that he can do something because he is aware that he ought to do it” (KpV, 5:30). In the *Groundwork of the Metaphysics of Morals*, when conscience is mentioned, we still have to do with knowledge of the moral law (here in the common intellect), which is confirmed even in those cases when the subject tries to quibble with his conscience. However, this complication and self-deception has to do with something different from the first case. In the example from KpV, 5:98 the question of the possible self-deception is different: the reality of conscience (the empirical fact of remorse) is not seen here as something suggesting an analogy between the consciousness of the law, the fact of reason, and moral conscience: rather, the latter would not arise if it did not presuppose the possibility of attributing guilt, and therefore freedom (which again, although this is not remembered here, is known through the consciousness of the law). We are therefore not presented with two analogous references to the same thing—the solidity of consciousness of the law—but with the appeal to the fact of reason, on the one hand, and to conscience, on the other.

veloped in the Second *Critique*. However the two expressions are different in meaning: without entering the complex exegetical issues concerning the doctrine of the *Factum der Vernunft*, the core idea expressed with it is that of the unavoidability of practical reason's acknowledgement of the moral law, which is a principle of universalisation of the maxims which a rational being employs and cannot but employ for guiding his actions. The moral law—an 'unconditional law'—is said by Kant to be "merely the self-consciousness of a pure practical reason" (KpV, 5:29): practical reason acknowledges the structural conditions of its acting, that is, it acknowledges that it cannot justify its actions according to general rules without acknowledging that these rules have to share the requirement of universality. As one can see, though it is a form of self-consciousness, a grounding of this kind avoids in principle every objection suffered by an ethics of conscience, starting from the risk of an 'anarchy in moral matters' which Max Scheler shared with Auguste Comte. The foundation of moral action on the fact of reason is indeed based on a kind of subjective self-consciousness, and in this it frees the subject from any external authority: "Consciousness of this fundamental law may be called a fact of reason" (KpV, 5:31); the law is that which reason gives to itself. At the same time, it individuates in the logic of moral reasoning an unavoidable *acknowledgement* of an absolute and formal principle. What is ethically right or wrong is therefore not based on any *subjective content* which is taken to be true, not on any *subjective belief*. Both terms are extremely important: in the consciousness of the moral law (1) there is no *content*, and (2) what is acknowledged does not have a *subjective* value. We shall see that when Kant develops a theory of conscience he will move, albeit with many uncertainties, towards an always increasing formalisation of conscience which takes away the importance of its contents.

It is therefore sufficiently clear why Kant does not present a moral theory based on conscience: if this term is to have a meaning, it cannot be about the way in which the subject relates to his convictions in the moral field, that is, to those beliefs that motivate his actions and their evaluation. This would concern the phenomenology and the psychology of moral life, and could not have the status of a pure ethics that shows the *foundations of the obligation* to act in a certain way. The appeal to conscience as the foundation of values can be justified only in a context, like that of Rousseau, in which conscience is taken as a "divine instinct, [as an] immortal and celestial voice" (Rousseau 1782:63). Kant, on the other hand, while still linking conscience to God,<sup>8</sup> does not take conscience to be divine in nature.

### 3. What Important Role Does Kant Assign to Conscience, and How Can It Be Justified?

If our first question, namely, the question of why Kant did not develop an ethics of conscience, in which conscience is the foundation of moral values, is answered quite easily—given the distance between an ethics of conscience and an ethics of the fact of reason—matters are much more complicated when it comes to the role Kant assigns to conscience. This role can appear to be marginal, but this is hard to maintain if we take into account Kant's commitment in the late lectures on ethics *Metaphysik der Sitten Vigilantius*, that "the doctrine of conscience is of the greatest importance in morals" (V-MS/Vigil, 27:613). As has been observed by Dieter Schönecker and Elke Schmidt (forthcoming)—and is evident to anyone who takes the matter into consideration—Kant's theory of conscience is extremely complex and difficult to account for coherently. I should promise here, like Winston Churchill,

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<sup>8</sup> "Conscience must be thought of as the subjective principle of being accountable to God for all one's deeds" (MS, 6:439)—to take ourselves as responsible in front of God is something completely different from taking the voice of conscience and its content to come from God. See also V-PP/Herder, 27:160: "analogon fori divini"; V-PP/Herder, 27:161: "forum internum nicht humanum sondern divinum"; and V-Mo/Collins, 27:296: "[A] divinum in this life." But the clearest example is to be found in V-Mo/Collins, 27:298: "Conscience is thus the representative of the *forum divinum* [...] [as it] judg[es] by dispositions [*nach Gesinnungen*]." See Kant (1990:78).

“nothing but blood, sweat, and tears”. I shall try not to delve into the many interpretative issues and select only those aspects that can be interesting for our problem, but some toil will be unavoidable.

At first, Kant conceived conscience not as a ‘faculty’, intended as something which can be exercised freely, but as an ‘instinct’ or a ‘feeling’, that is, as something independent from the choices of the subject and, we could say, inescapable. This feature remains even later, when conscience is no longer seen as a feeling:<sup>9</sup> conscience acts “involuntarily and unavoidably” (*unwillkürlich und unvermeidlich*) (MS, 6:401),<sup>10</sup> it is something that “follows him [the man] like his shadow”, “incorporated in his being” (MS, 6:438). In this second moment, conscience is seen as directed towards the evaluation of actions in terms of their conformity to moral law: following the medieval tradition—delivered to Kant through the texts of Alexander Baumgarten—on which he gave his lectures on ethics,<sup>11</sup> conscience is taken to be devoted to the *application* of the moral law, a task in which an error is possible. Therefore, at this stage Kant does not take conscience as infallible. In the *Praktische Philosophie Herder* conscience (*Gewissen*) can be either *logica*—in which its error would consist in the lack of consciousness (*Bewußtsein*) of our actions (or their consequences: this would be “carelessness” (*Leichtsinnigkeit*); or it can be *morale* and its ‘error’ consists in the lack of moral feeling concerning *our* actions. The error is a ‘blunting’ of this feeling, in which (as in the *Groundwork* and in the *Critique of Practical Reason*) some kind of self-deception is at play.<sup>12</sup> The *Gewissen moralis*<sup>13</sup> “feels wrong” (*fühlt übel*) (V-PP/Herder, 27:42), it either evaluates erroneously or it does not evaluate actions through feeling at all. Kant later abandons the theory of the moral sense, and adjusts the whole description of the process of moral decision and evaluation by relocating the possibility of error from conscience to practical reason, that is to say, the intellect or the practical capacity to judge. Here it is not possible to enter into the subtleties and the problems concerning the use of the terms for faculties in this framework: however, the fundamental point is that of the dimension of the relation between law and actual situation, law and instance—the question of application is now considered in the framework of a *purely cognitive* act which, since it is not evaluative, is not morally central.

When the idea of conscience as feeling is abandoned, Kant assigns it different cognitive

<sup>9</sup> In V-Mo/Collins, 27:352, *moralisches Gefühl* and *Gewissen* are said to still *imply* each other. See also V-Mo/Collins, 27:353: “The judgement of conscience is legitimate if it is felt [*empfunden*] and exercised.” However, it would be a mistake to think that Kant considered conscience a feeling even in his mature theory, especially in the *Metaphysics of Morals*. See Esser (2011).

<sup>10</sup> V-PP/Powalski, 27:162: “[E]in Instinctus, nach welchem unsre Handlungen 1. imputiert und 2. aufs Gesezz appliciret werden 3. auch rechtskräftig beurtheilet werden. Ueberhaupt ist es der Antrieb in unsrer Natur, uns selbst zu richten.” See also V-Mo/Collins, 27:296: “[...] [W]e find an instinct, an involuntary and irresistible drive in our nature”; and V-Mo/Collins, 27:297: “It is thus an instinct for us to judge and pass sentence on our actions [...] Hence it is not a free faculty. [...] It passes sentence on us against our will, and is thus a true judge”; cf. V-Mo/Collins, 27:353. See also V-Mo/Collins, 27:351: “[C]onscience has a driving force [*eine treibende Gewalt*] [...], it is an instinct to sentence and not to judge [*zu richten und nicht zu urteilen*] (trans. amended; here the English translation is incorrect: *richten* in this context does not have the meaning of ‘to direct’). It should be pointed out, however, that the status of a faculty is here not fully denied: the claim is that conscience is “not a mere faculty” (*kein bloßes Vermögen*), “not merely a faculty” (*nicht bloß ein Vermögen*) (emphasis added).

<sup>11</sup> See V-MS/Vigil, 27:615–6: “Baumgarten locates conscience merely in the *subsumptio factorum nostrorum sub lege*. This amounts, therefore, to equating it with the soul’s faculty of judgement, whereby the *facta judicantis* would be subjected to the rules of the understanding. From this the rectitude or otherwise of the action would emerge, but not whether the agent is behaving conscientiously.”

<sup>12</sup> “[W]ie alte Bösewichter, die so lange künstelten, bis jene mit der Zeit übertäubt” (V-PP/Herder, 27:42). Here the English translation is misleading: “[A]s with old scoundrels, who have been *prevaricating* for so long, that in time that feeling is stifled” (emphasis added).

<sup>13</sup> The Herder notes contain the Latin adjectives ‘logica’ and ‘moralis’ although *Gewissen* is neuter, because *Gewissen* is the equivalent of the Latin *conscientia*.

tasks, but not that of applying the moral law in particular instances. In the *Metaphysics of Morals* conscience is “[c]onsciousness of an *internal court* in the human being” (§13, MS, 6:438), and the trial which takes place in it is ascribed to the capacity to judge and to reason: it appears then to include the application of the law to the case.<sup>14</sup> In the same work, however, Kant argues that “I can indeed be mistaken at times in my objective judgment as to whether something is a duty or not” (MS, 6:401) while conscience, for its part, cannot err precisely because its task is of a different kind, since “it [conscience] is not directed to an object but merely to the subject” (MS, 6:400). In the Collins lectures of 1784–85 the judgement of conscience is still a judgement “in regard to the lawfulness of our actions [*Rechtmäßigkeit unsrer Handlungen*]” (V-Mo/Collins, 27:351).<sup>15</sup> It is clear that this aspect must somehow be involved in the operation of conscience, which cannot be indifferent to an action’s conformity to the law (conformity to the *moral law*, which means arising from the proper *Gesinnung* and not being merely an exterior characteristic of the action). However the ‘core business’ of conscience seems to be involved in a much more subjective dimension whose key features are more difficult to identify. In his work *Theodicy* of 1791, the first of the three published texts where Kant deals more extensively with the theme of conscience, the focus is entirely on conscientiousness (*Gewissenhaftigkeit*) and its relation to sincerity (*Aufrichtigkeit*). Here conscience is brought into play in a complex analysis which I have discussed on other occasions,<sup>16</sup> in which the central issue is that of the obscurity of our relation to ourselves and the possibility of self-deception. On the reflexivity of conscience, the work of two years later (1793) on the *Religion Within the Boundaries of Mere Reason* is particularly clear. In this text, what was only hinted at in the *Metaphysics of Morals* is more clearly outlined, that is, that conscience “is not directed to an object but merely to the subject” (MS, 6:400). To a certain extent, it would be almost obvious that in a Kantian context a moral evaluation is not directed at the object (the action) but at the subject, to its moral disposition or *Gesinnung*. However, the ‘object’ mentioned here could be intended as the *Gesinnung* itself, so that the evaluation of lawfulness (*Rechtmäßigkeit*) would not concern the action but, more naturally in the Kantian framework, the maxim or the subjective aspect of the motivation. In *Religion*, it becomes clear that *this is not* the decisive point, but rather that conscience has a markedly reflective nature, which should justify its claim to freedom from error. Let us try and make this clear.

In the *Metaphysics of Morals*, the objective side of moral evaluation is indicated by the question ‘as to whether something is a duty or not’: the answer to this question is an ‘objective judgement’. The subjective side, which is expressed in what Kant calls a ‘subjective judgement’, concerns the question “as to whether I have submitted it to my practical reason” (MS, 6:401). The first is the classic problem of application, that of the *lawfulness*, but this does not exhaust the moral evaluation of an action: once one identifies an instance of application of the law and thus acknowledges an action as duty, the problem remains of acting in a way which is not only *pflichtmäßig* (with the same words as in GMS, 4:397: “that conforms with duty”), but is *motivated* by the law itself and is therefore done *from duty* (*aus Pflicht*). Like the first objective aspect of application of the law, even this more essentially moral aspect is for Kant subject to mistakes. Already in the *Groundwork of the Metaphysics of Morals*, and then very clearly later on, Kant expresses the idea that the moral subject is not self-reflectively transparent to himself. On the contrary, obscure and unconscious motivations can always influence the subject’s actions. Moral judgement on oneself has no imme-

<sup>14</sup> “But the internal *imputation* of a *deed*, as a case falling under a law (*in meritum aut demeritum*), belongs to the *faculty of judgment* (*iudicium*), which, as the subjective principle of imputing an action, judges with rightful force whether the action as a deed (an action coming under a law) has occurred or not. Upon it follows the conclusion of *reason* (the verdict), that is, the connecting of the rightful result with the action (condemnation or acquittal)” (MS, 6:438).

<sup>15</sup> Note that in the Vigilantius lectures, *Rechtmäßigkeit* is translated as “rectitude” (V-MS/Vigil, 27:616).

<sup>16</sup> La Rocca (forthcoming).

diacy and no cognitive primacy over moral judgement on another, but shares with the latter its inferential character. Therefore, it cannot lay claim to any immunity from error.<sup>17</sup> As a consequence, if conscience has to keep some sort of claim to freedom from error, none of these aspects may be at play within it.

What, then, is the ‘subjective’ character most peculiar to conscience? From the way in which it is presented in the *Doctrine of Virtue*, its judgement concerns “whether I have submitted it [the thing of which I am asking as to “whether (it) is a duty or not”] to my practical reason” (MS, 6:401). It is clear that here we have to do with a second level operation—a judgement *on* a judgement—but much less clear is *what kind of operation* it is. The explanation in the *Religion* is clearer. Even in this text Kant clearly expresses the meta-cognitive and self-reflective character of conscience by defining it as “the moral faculty of judgment (*Urteilkraft*), passing judgment upon itself” (RGV, 6:186). Again, he distinguishes it from the application of the law to the instance—here specified by the question “whether an action is in general right or wrong” (RGV, 6:186), which is here ascribed first to the understanding and then to “reason [...] so far as it is subjectively practical” (RGV, 6:186). In the V-MS *Vigilantius*—again in opposition to the question about “the rectitude or otherwise [*Rechtmäßigkeit oder Unrechtmäßigkeit*] of the action” (V-MS/Vigil, 27:616)—the role of conscience is that of establishing “whether the agent is behaving conscientiously [*mit Gewissenhaftigkeit*: with conscientiousness]” (V-MS/Vigil, 27:616).

That conscience examines conscientiousness might seem as a logical ‘circle’, but it in fact is only a terminological one. If conscientiousness is that positive characteristic which can be attributed to a deliberation process which has been carried out correctly, this process implies, as we shall see, a self-reflective component; the function of conscience is at the same time (1) to carry out the process of deliberation in a certain manner, (2) to scrutinise this manner of deliberation (to oversee it in some way), and (3) to be aware of it. Conscientiousness is therefore the result of the work of conscience, from which it is inseparable. However, the point on which we should focus here is what this process consists in, what Kant introduces into the conception of conscience, and what role this plays both in his ethics and, more generally, in our ‘problem of conscience’.

As I mentioned, the emphasis on conscientiousness, less evident in the *Metaphysics of Morals*, is in the foreground both in the V-MS *Vigilantius*, from the same period of the *Religion*, and in the writing on the *Theodicy*, which precedes it. I think that our main reference can be the *Religion*, where the operation of conscience is described thus:

[H]ere reason judges itself, whether it has actually undertaken, with all diligence [*Behutsamkeit*],<sup>18</sup> that evaluation [*Beurteilung*]<sup>19</sup> of actions (whether they are right or wrong), and it calls upon the human being himself to witness *for* or *against* himself whether this has taken place or not. (RGV, 6:186; trans. amended)

Without a doubt, what should be emphasised here is the way in which this operation is carried out (“with all diligence”), although elsewhere it seems that what counts is *that* this operation has taken place.<sup>20</sup> In *Theodicy*, however, ‘diligence’ has become ‘care’ (*Sorgfalt*), and conscientiousness is mainly oriented toward ‘truthfulness’ (*Wahrhaftigkeit*) or sincerity. Kant writes: “The formal conscientiousness—which is the ground of truthfulness—consists precisely in the care in becoming conscious of this belief (or unbelief) and not pretending a

<sup>17</sup> La Rocca (2013).

<sup>18</sup> In the Cambridge translation of *Theodicy*, *Behutsamkeit* is translated as “caution” (MpVT, 8:268).

<sup>19</sup> In the Cambridge translation, we find “examination” for *Beurteilung* here.

<sup>20</sup> We have seen how, in the *Metaphysics of Morals*, the judgement of conscience seems to have to do with the question “as to whether I have submitted it to my practical reason (here in its role as judge) for such a judgment” (MS, 6:401); the nature of this confrontation (*vergleichen*) with practical reason should be clarified.

holding-to-be-true of which we are not conscious” (MpVT, 8:268; trans. amended).

As we are approaching the very heart of Kant’s conception of conscience, let us examine more closely what this *care* (or perhaps carefulness) consists in. In advance, we can say that in Kant’s most mature and characteristic conception of conscience, conscience is only *indirectly* concerned with the goodness or badness of a moral action, and consequently with the *truth* of the moral judgement on it. Instead, conscience mainly concerns the reflective relation of the moral subject to his beliefs. As we have seen from the quoted passages, what is at stake here is essentially a relation of the subject to himself, in which what counts is not the first level cognitive correctness of the relation to the object of evaluation, but the *manner* in which the subject is related to the process of moral evaluation and therefore to the nature of his beliefs. Let us see how Kant describes this relation of the subject to his beliefs in the MS Vigilantius lectures. Here too, Kant distinguishes the work of conscience from the application of the moral law and its fallibility. Its work does not concern the truth or falsity of judgement but the distinction between those judgements formulated in a conscientious (*gewissenhaft*) way and those formulated without conscience (*gewissenlos*):

When the consciousness of what constitutes our duty is coupled with the judgement that a thing is right or wrong, though in itself it was impermissible or right, such an understanding merely judges erroneously; it is different, however, *and does concern conscience*, when to this is coupled the agent’s awareness of the wrongness of the reasons (*Gründe*), and that his judgment is founded on them, and he nevertheless regards a thing as right, which he knowingly holds to be wrong; if he has previously concluded that his judgement is false, and yet decided in favour of this opposite, he has acted without conscience. (V-MS/Vigil, 27:614; emphasis added)

Here, as in the *Theodicy* passage, it clearly emerges that what is at stake is the dimension of the *Fürwahrhalten*, the ‘holding-to-be-true’, or what we today would call *belief*. We should be careful not to reduce the question to the ‘easy’ matter of sincerity or veracity in manifesting opinions. Sincerity and veracity are absolutely central, but their role has to be understood properly, otherwise the matter at hand would only concern a specific virtue. It is not simply a question of sincerity, primarily because sincerity is not at all a simple matter for Kant: the possibility of self-deception (the difficulty one faces “to deal honestly with [one]self”; V-MS/Vigil, 27:616) is, as I said earlier, always central, and Kant highlights it even in these lectures: “man is only too readily inclined to persuade himself of something, and *feign it as* [delude himself to think it as] more than the truth” (V-MS/Vigil, 27:616; trans. amended and emphasis added). It is not about deciding whether or not to lie to ourselves, whether or not to ‘say’ some truth we are aware of (Kant speaks of *innerlich aussagen*). In order to clarify this issue it is necessary to recall Kant’s theory about the various forms of belief, of ‘holding-to-be-true’. The key distinction is that between persuasion and conviction:

Taking something to be true [‘holding-to-be-true’ (*Fürwahrhalten*)] is an occurrence in our understanding that may rest on objective grounds, but that also requires subjective causes in the mind of him who judges. If it is valid for everyone merely as long as he has reason, then its ground is objectively sufficient, and in that case taking something to be true is called *conviction*. If it has its ground only in the particular constitution of the subject, then it is called *persuasion*. (A820/B848)

Although this distinction is conceptually clear, Kant insists on the subjective elusiveness of the borders between persuasion and conviction.<sup>21</sup> Therefore there is nothing immediate about our relation to our beliefs, and no ‘simple sincerity’. Rather, conscience operates by means of (and coincides with) a self-examination—or perhaps we could say a supervision, as

<sup>21</sup> Cf. A821/B849: “[P]ersuasion cannot be distinguished from conviction subjectively.”

the examination can take place not only after, but also during the process of deliberation. This activity consists of several aspects, which are specified in the *Vigilantius* lectures. One of these aspects is represented by the reflexive conscience of undertaking or having undertaken the self-examination;<sup>22</sup> another one is the examination that brings the subject to the awareness that he has reached a ‘subjective certainty’, and which seems to have a mainly negative character: “i.e., the subject is unaware of other possible circumstances that might cause his certainty to waver” (V-MS/Vigil, 27:616). In other words, the subject must have thoroughly examined the circumstances and the degree of certainty that they allow. Finally, “consciousness must be accompanied with an attitude of sincerity”, which includes the effort not to fool ourselves either about our motivations or about the self-deception that can occur in the consideration of the circumstances themselves.<sup>23</sup> Even the accuracy of the subsumption of the instance under the law plays a role (V-MS/Vigil, 27:619). However the element which is most prominent both in *Theodicy* and in *Religion* is that of veracity as relation to the *nature* of our beliefs. These aspects might seem to be relevant mainly, if not entirely, due to that religious context which is common to these two writings, in which the sincerity of faith or the opposite “impurity in the human heart” (MpVT, 8:268) “that lies deep in what is hidden” (MpVT, 8:270) are of obvious importance. However, veracity has a much broader importance, as it does not regard what we could call the ‘absolute’ or objective epistemic value of beliefs (their truth), but their value *for the subject*. Veracity concerns the subject’s relation to truth, which is of great importance in any field, but is quite fundamental when it comes to ethics, to the point that we could think—and, as we have seen, Kant explicitly affirms—that “if someone is aware that he has acted in accordance with his conscience, then as far as guilt or innocence is concerned nothing more can be required of him” (MS, 6:401). Next to what we could call the ‘judgemental’ character of conscience, the *explorative* one gains more and more weight in Kant’s conception. He speaks on the one hand of *potestas judiciaria* and of ‘judging conscience’ (*richtendes Gewissen*) and, on the other, of a *potestas exploratoria* or ‘exploring conscience’ or maybe better ‘examining conscience’ (*prüfendes Gewissen*) (V-MS/Vigil, 27:616). This last aspect is the most specific and interesting for the problem of conscience.

By conceiving of conscience as concerning the relation of the subject to the various forms of assent to his beliefs—that is, as a capacity of self-examination—Kant offers a theory which, though complex, avoids two outcomes of the problem of conscience. (1) On the one hand, it avoids the paradoxes of ‘moral anarchy’ which are linked to the appeal to that freedom of conscience which, when conceived as implying that moral value can be founded on personal persuasion, can be used for justifying even the worst crimes; (2) on the other hand, it avoids the devaluation of the role of conscience typical of its contemporary philosophical ‘dismissal’ which, in contrast with its relevance in common moral discourse, relegates conscience to a secondary status. Now, leaving aside the interpretative issues which arise from the details of Kant’s theory of examining conscience, to better grasp its meaning it is useful to consider the examples Kant gives us, as they make it possible to clarify that aspect of the theory which could seem more questionable: that of the infallibility of conscience.

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<sup>22</sup> “1. Consciousness of the fact that the subject has decided on [undertaken (*unternommen*)], inaugurated, or is actually engaged in, self-examination” (V-MS/Vigil, 27:616). This aspect has been interpreted as a ‘logical’ trait of conscience, which has a strong analogy with apperception. This interpretation is based on passages from *Theodicy* (MpVT, 8:267–8) affirming that conscience is *unmittelbar bewusst* and the identity between the act of judging and the act ‘to know actually’ to believe something (see Knappik and Mayr 2013). However, the meaning of this ‘immediate’ character of conscience deserves to be cleared (see La Rocca, forthcoming, and La Rocca 2013).

<sup>23</sup> “Consciousness must be accompanied with an attitude of sincerity, i.e., that the subject be aware of having entered upon his examination with an eye to probability; this examination always has to do, of course, with the merely external circumstances in the action; it calls for a customary rigour, in order not to view a *factum* as other than it really is” (V-MS/Vigil, 27:616).

Both in *Religion* and in the Vigilantius lectures on ethics, Kant's example for clarifying the *Gewissenhaftigkeit* is that of an inquisitor—in the lectures he names Torquemada (V-MS/Vigil, 27:615), the famous Great Inquisitor of the sixteenth century Spanish Inquisition. However, the example in the *Religion* is much clearer on a crucial point, namely, the description of the inquisitor's relation to his religious faith, which is called by Kant 'his statutory faith'. The inquisitor is presented as not just bearing a sincere conviction of the truth of his faith (an exclusive truth: *Alleinigkeit*), but as having a deep and solid persuasion: he "clings fast to the exclusiveness of his statutory faith even to the point, if need be, of martyrdom" (RGV, 6:186). As we mentioned before, Kant holds that from the first-person point of view it is almost impossible to distinguish between persuasion and conviction. It is however possible, we might say, to measure the *degree* of our persuasion: for the *Critique of Pure Reason* the touchstone which makes it possible to tell if we have to do with a firm belief is "betting" (A824/B852); in *Theodicy* the 'trial of truthfulness by fire'—as Kant calls it—is offered by the 'internal oath', that is, "the trial whether the holding-as-true can withstand the test of an internal hearing of the profession *under oath*" (MpVT, 8:268–9; trans. amended). The disposition to martyrdom can play an analogous role, but only for measuring the intensity of one's 'holding-to-be-true', and not for distinguishing between persuasion and conviction, which remains the crucial point in Kant's analysis. The inquisitor, so continues Kant's example, must judge "a so-called heretic (otherwise a good citizen) charged with unbelief" (RGV, 6:186). Can the appeal to his conscience on the part of the inquisitor (which corresponds to a deep and strong conviction) justify the death sentence of the heretic? According to Kant's aforementioned thesis that "if someone is aware that he has acted in accordance with his conscience [...] nothing more can be required of him" (MS, 6:401), it would seem so. Is acting according to conscience not what matters, even if one's moral judgement on the fact can be wrong? Can we "say that he has passed judgment according to his conscience (though erroneous)" (RGV, 6:186)? If the question concerns *strength of the conviction*, can we deem that this conviction is not strong enough? In Kant's words we can ask: "[W]as he really *as strongly convinced* of such a revealed doctrine, and also of its meaning, *as is required* for daring to destroy a human being on its basis?" (RGV, 6:186; emphasis added).

Kant's firmly negative answer and the arguments given for it shed a great deal of light on the nature of his conception of conscience. The inquisitor cannot resort to his firm conviction and therefore appeal to his conscience; in fact, "since we can always tell him outright that in such a situation he could not have been entirely certain that he was not perhaps doing wrong" (RGV, 6:186), we can say that he acts without conscience (*gewissenlos*). The point of this example is that the inquisitor takes an important ethical decision on the grounds of a *Fürwahrhalten* which, *in principle*, cannot claim that status which is necessary in order to make judgement. A religious conviction based on "historical documentation" (*Geschichtsdokumenten*) (RGV, 6:187), that is, something which comes exclusively from a divine will expressed in sacred writings, is not *as such* sufficient for taking an ethical decision which must be "apodictically certain" (RGV, 6:187), and this independently of its particular content. The inquisitor is not wrong because he wrongly applies the law to the case, nor even because of a wrong evaluation of his subjective commitment, the degree of his assent to his beliefs (for a psychological insincerity, if we want to call it that): the matter of veracity or sincerity does not depend on the level of the subject's persuasion—an element of awareness which seems to clash with Kant's repeated affirmation of the opacity of self-consciousness in morality—but it depends on a self-examination which enables him to understand *what kind of relation he has to the grounds of his beliefs*, and therefore what kind of beliefs these can be.

The 'examining conscience', that reflexive relation with one's 'holding-as-true' on which conscientiousness depends, requires a 'reflection' on the part of the subject concerning what characterises the criteria for distinguishing the various kind of 'holding-to-be-true', namely,

the relation of the subject to the *reasons or grounds* (*Gründe*) of his beliefs.<sup>24</sup> As we have said, the difference between persuasion and conviction lies in the presence of causes (*Ursachen*, psychological, private) or grounds (*Gründe*, universally communicable). The inquisitor's convictions are not simply equated by Kant with mere persuasions, but are brought back to historical reasons which are *wholly different from what is required for a moral judgement*. This has to go beyond the status of a mere 'opinion' (a kind of conviction based on subjective reasons) and be close to that of 'knowledge'. Kant expresses it in a "postulate of conscience" (RGV, 6:186; trans. amended): "With respect to the action that I want to undertake [...] I must not only judge, and be of the opinion, that it is right; I must also be *certain* that it is." The work of conscience leading to a correct process of deliberation—and thereby expressing conscientiousness—has to lead me to ask myself whether the conviction which arises from "such a revealed doctrine, and also [from] its meaning" (RGV, 6:186) can legitimately contrast with and outweigh the outcome of a purely moral judgement: "That to take a human being's life because of his religious faith is wrong is certain" (RGV, 6:186), while no certainty can be ascribed to a revealed faith.

It may seem that the requirements posed by the postulate of conscience are too high in contrast to the double fallibility of moral judgement, a trait of Kant's moral theory which is of great interest and importance: moral judgement is fallible both *a parte objecti*, as we have often seen, that is, it can err in the subsumption of a case under the moral rules, which is fallible as any act of application of rules to reality; and it is also fallible *a parte subjecti*, for the opacity of our knowledge of ourselves and of our motivations, in perennial contrast to egoism and the tendency to self-deception. I think that it is possible to interpret Kant's view in a way which does not allow these aspects to make it incoherent. The inconsistency is mitigated if one notes that the result of the postulate of conscience is mainly negative, and Kant often expresses it in a negative form. Just before speaking of the postulate, Kant speaks of a "moral principle, requiring no proof" (RGV, 6:185) that says: "we *ought to venture nothing where there is danger that it might be wrong*" (RGV, 6:185).<sup>25</sup> There is no apodictically certain moral judgement: in the *Vigilantius* lectures Kant explicitly criticises Baumgarten's notion of *conscientia certa*, "insofar as this is taken to mean the objective certainty of the rectitude of the action" (V-MS/Vigil, 27:619). However, there are moral principles which advance this claim. In the case of the Inquisitor, in front of a universal principle grounded on the moral law (note its universal formulation: "to take a *human being's* life because of his religious faith is wrong" (RGV, 6:186; emphasis added), conscientiousness must consist in the awareness that such a principle cannot be opposed by reasons which do not respect the

<sup>24</sup> The cognitive mistake in the application of the law becomes in this context a guilt, because it results from an inadequate evaluation of the kind of certainty necessary in that context: the mistake arises from an inadequate exam of the kind of reliability of the judgement here required (it becomes a kind of 'precipitation').

<sup>25</sup> The same principle can be found in *Theodicy*, and is identified with 'material conscientiousness': "[M]aterial conscientiousness' consists in the caution [*Behutsamkeit*] of not venturing anything on the danger that it might be wrong" (MpVT, 8:268). See also Refl 6303, 18:579, where Kant speaks of a "supreme principle of conscience". In this *Reflexion* it is extremely interesting to see that the same positive resolution is presented as arising from the overturning of material conscientiousness. A hypothesis whose criticism entails the danger of doing something wrong is morally certain: the principle of caution, therefore, does not necessarily lead to inaction. Naturally, we can ask ourselves on which basis the evaluation of the danger of doing something wrong is carried out. I think it is evident that in such a kind of evaluation the possible consequences, and therefore also a *comparative attribution of worth*, is fundamental. Kant writes: "Eine Hypothese, deren Bestreitung Gefahr bey sich führt unrecht zu thun, (durch) deren Anschauung (wir) aber niemals unrecht thun können, ist moralisch gewiß, und die Voraussetzung derselben in Absicht auf die Bevestigung der moralitæet der moralische Glaube. Der moralische Glaube also ist nicht von der Übereinstimmung unseres Urtheils mit dem object, sondern mit unserm Gewissen hergenommen." Of extreme interest is also the formulation we find in Refl 6309, 18:603: "[E]s bedeutet nichts anders als: niemals mit Bewustseyn, daß es Unrecht sey, oder mit (dem Bewustseyn) einer überwindlichen Unwissenheit, ob es recht sey, etwas zu thun". The *awareness of an insurmountable ignorance* must guide the choice.

claims of universality and shareability that must belong to moral principles as such and, with them, to moral thought. The so called ‘complementary’ aspect of the “danger that [something] might be wrong” (RGV, 6:185) is not moral judgement’s absolute certainty but, on the contrary, a *principle of caution which contrasts the blind power of subjective convictions*. Whoever wants to punish someone on the basis of “religious dissidence [*Religionsverschiedenheit*] [...] must necessarily have attained beforehand to a complete certainty, that the other’s judgment runs counter to the possible consciousness and truth of his reasons [*Gründe*]” (V-MS/Vigil, 27:614). The reference to certainty is used to leave open “*the possibility of the opposite, that his assumption is in fact incorrect, and thus that what he determines to be right is actually not permitted*” (V-MS/Vigil, 27:615; emphasis added).<sup>26</sup> In this way, it brings moral deliberation in the field of *Gründe*, of those reasons and grounds that can lay claim to inter-subjective validity, and therefore keeps moral deliberation in the *space of reasons*, or better still in the *space of moral shareable reasons*.

As I mentioned at the outset, Kant undertakes in this way a sort of formalisation of conscience. The most interesting nucleus of his theory is that it does not take conscience as the individual source of morality, while at the same time it tries to salvage its strength to the point of claiming its infallibility. Conscience does not guarantee the *content* of any moral evaluation, and therefore the content of any *belief*: it guarantees that a *way of proceeding* is followed, which is suitable for moral reasoning. This should find place within a logical framework which can be appropriate for choices that must stay within the horizon of a possible absoluteness, without nevertheless aiming to overcome the finitude of every human judgement.

So, it can be said that at least some closely linked parts of Kant’s conception of conscience are worthy of consideration when seeking an answer to the problem of conscience, that is, to the oscillation between its downplay in the foundation of ethics (and therefore in philosophical theories) and the relevance it continues to have in the common moral and political discourse.

To conclude, I shall try to clarify this by considering an example from John Skorupski’s discussion of conscience: that of the ‘conscientious slave owner’. The example mitigates some traits of the example of the inquisitor: the severity of the death sentence, its obscurantist religious motivation, its being based in a subjective conviction whose intensity does not seem to guarantee its morality. Skorupski’s hypothesis is the following:

Consider a person living in a community from which he derives moral convictions that he sincerely shares about the rightness of slavery. He is, by his best lights, a just and generous slave owner. He could not reasonably be expected to see that the very institution of slavery is morally flawed: he does not have the critical power to see that for himself. (Skorupski 2010:559)

Is this a case in which, in Kant’s words,

[since] someone is aware that he has acted in accordance with his conscience, then as far as guilt or innocence is concerned nothing more can be required of him[?] (MS, 6:401)

I think that here, as in the case of the inquisitor, Kant’s notion of conscience limits the possibility of absolving the slave owner: the self-examination in which formal conscientiousness consists (guided by the material one), obliges us to take into account the *nature* of our ‘holding-to-be-true’ (before considering its content). Are the reasons of our convictions

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<sup>26</sup> Cf. Refl 6303, 18:580: “Die Richtschnur des Gewissens ist hier bey moralisch guter Absicht, *nicht mehr Überzeugung zu erkünsteln*, als wir deren fähig seyn, damit wir sicher sind, bey diesem Erkenntnis nicht unrecht zu thun” (emphasis added).

sufficiently clear to us? Are they of a *kind* which allows us to consider them as apt to the claim to universality and shareability which arise from practical reason? According to Kant's conception of it, conscience obliges us to a moral reasoning which faces up to these claims, not because of an alleged subjective certainty, but rather in the awareness of the fallibility of any concrete judgement. It is Kant—in his awareness of the necessity of 'cultivating conscience'—who produces a theory that invites us to promote a conscience of *this* kind, which is not the source of moral values but is more important than a 'private monitor' of our scrupulousness or an 'emotional buzzer'. One might say: Kant allowed for permissible infanticide, discrimination against women, and the death sentence, and has made some questionable assertions on race. We could answer with another famous quote from a movie, quite different from the one mentioned at the beginning: "nobody is perfect". Even Kant, sometimes, was not conscientious enough.

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