Kant's Formula of Universal Law as a Moral Principle

REBEKAH WELLING

"It is impossible to think of anything at all in the world, or indeed even beyond it, that could be taken to be good without limitation, except a good will." (GMS 4:393)

It is widely held that Kant's moral philosophy is an attempt to provide an account of moral principles. It is unclear how he intends it to do so, and various philosophers have attempted to explain how it should work, focusing on different parts of Kant's thought to find what is most important. In the search for an understanding of moral principles, however, I will argue that not all interpretation are plausible.

On Kant's view, the moral law, the Categorical Imperative (CI), "must determine the will for it to be called good absolutely and without limitation" (GMS 4:393). The Formula of Universal Law (FUL) is generally used in the literature as the primary form of CI.

> FUL. Act only according to that maxim through which you can at the same time will that it become a universal law. (GMS 4:421)

Many philosophers have given interpretations of FUL to understand it within Kant's moral project. I will begin by outlining a general grounding account of moral principles, arguing that moral principles underwrite

Rebekah Welling will graduate from Brigham Young University in April 2026 with majors in philosophy and German studies, after which she plans to pursue graduate studies. Her philosophical interests include history of philosophy, social philosophy, and ethics. This essay placed first in the 2025 David H. Yarn Philosophical Essay Contest.

a relationship between particular moral facts and the facts that explain them. I will show that a common view that CI is a decision procedure is not compatible with Kant's intention to capture a moral principle. I will then argue that Korsgaard's and Kleingeld's interpretations of FUL fail to make FUL a moral principle because they overgeneralize and do not ground morality in the good will. A third account, Wolf's, will offer a way to see how FUL makes reference to the good will, offering a promising path forward. I will end by proposing that future interpretations of Kant's morality must focus on agents rather than actions in order to show how the good will explains moral facts.

Moral Principles

There is some relationship between particular moral facts and the facts that explain them. We see Kant pursuing this in the *Groundwork*. Rosen sees the connection between normative and natural facts as a central concern in metaethics (151), and Fogal and Risberg agree (1). I will offer an account of how that should work using grounding, a type of non-causal explanation about what makes something the case. On such a view, principles either underwrite or describe moral explanation.

Moral explanation involves a non-moral fact, such as, "*x* is a lie," and a general moral fact, such as, "It is wrong to lie," which is a moral principle (Fogal and Risberg 1). Moral principles describe a connection between moral facts (like wrongness) and non-moral facts (like lying). Grounding offers an account of such explanations. It is a "distinctive variety of non-causal dependence" best illustrated in statements such as "(1) An act is pious *because* it is loved by the gods; (2) An act is pious *in virtue of* its being loved by the gods; (3) The fact that an act is loved by the gods *grounds* the fact that it is pious; (4) An act's being loved by the gods *makes it the case that* the act is pious" (Berker, "Unity" 731–732). On a grounding view, moral principles describe grounding relationships. We observe patterns of particular instantiations of moral facts being grounded in non-moral facts. Moral principles are "summaries of the particular instantiations of the grounding relation between moral and non-moral properties, where the facts about the instantiation of this relation are not themselves just a matter of the facts about the obtaining of its relata" (Berker, "Explanatory" 27). In other words, principles describe how properties are grounded; they do not just list which properties are grounded in which principles.

For my analysis, I will use a neutral view of grounding without unnecessary metaphysical commitments. Two views are possible of how grounding works: moral principles *mediate* grounding explanations, or

moral principles only *describe* grounding relations. The neutral account of grounding says only that principles describe grounding relations, so it is metaphysically neutral about how that is done and compatible with either view. It requires only that a moral principle pick out all and only moral facts and describe how they are grounded.[1] Thus it will provide a reasonable framework for analyzing whether interpretations succeed in making FUL a moral principle.

The grounding view of moral principles is reflected in the way moral principles are commonly talked about in other contexts. At the simplest, "moral principles present themselves as criteria for distinguishing right from wrong in particular situations" (O'Callaghan 555). They are a "criterion that makes a morally right action morally right" (Stark 478), and if we were to say we did not know "a man's moral principles," it would mean not that we were "unable to list his general rules, but simply that we were not able to say when he would think a thing right or wrong" (Foot and Harrison 98). All these views suggest that moral principles are trying to capture what makes something right, a grounding view made more robus in the framework I propose.

More importantly, the grounding view of moral principles captures Kant's view of moral principles. The preface to the *Groundwork* ends with the intention: "The present groundwork, however, is nothing more than the search for and establishment *of the supreme principle of morality*" (GMS 4:392). Kant begins the next section with the one thing that "could be taken to be good without limitation"—the thing that makes other things have moral worth—which is a good will (GMS 4:393). When Kant concludes that a good will must be present for anything to have moral worth, it looks like he has made a claim that moral facts are grounded in the good will. CI itself is grounded in the principle of willing:

> But suppose there were something *the existence of which in itself* has an absolute worth, that, as an *end in itself*, could be a ground of determinate laws, then the ground of a possible categorical imperative, i.e. of a practical law, would lie in it, and only in it alone. (GMS 4:428)

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[1] The grounding view will not impose unnecessary commitments on Kant's moral philosophy, but stronger commitments may already be present on Kant's view. He writes, "In the case of what is to be morally good it is not enough that it *conform* with the moral law, but it must also be done *for its sake*; if not, that conformity is only very contingent and precarious" (GMS 4:390). The neutral view presented here would indeed require only that actions *conform* with the moral law but here Kant is advocating a stronger view that moral principles mediate grounding relations. The neutral, weaker view will be sufficient to show that the three interpretations I will analyze fail to make FUL a moral principle, and if it is true that a stronger view is warranted on Kant's philosophy, it will only make my argument stronger.

In other words, there is something that is intrinsically and unconditionally valuable: a good will. That thing makes laws possible and makes CI possible. If the good will can ground laws, then it would be the only thing that can ground CI. Kant goes on to describe how CI acts as the "formula of an absolutely good will" (GMS 4:437). The close connection between CI and the good will in Kant's writing makes it clear that interpretations of moral worth cannot separate CI from the good will.

Other scholars agree that Kant is making grounding claims about morality. G. C. Field writes that Kant intended CI to capture "an essential feature of this characteristic of rightness," so that Kant's project could be said to establish that "all actions capable of being universalized are right" (18). Kerstein writes that Kant's basic concept of the supreme principle of morality is that it "would serve as the supreme norm for the moral evaluation of action," or give one principle that would describe all right actions (1). These accounts argue that Kant is trying to find the thing that grounds moral principles. Because the grounding view captures the essence of Kant's project, it will be appropriate to use it to analyze whether interpretations of CI succeed in capturing CI as a description of how morality is grounded.

CI as a Decision Procedure

Before proceeding, it will be helpful to address the misconception that FUL is a decision procedure. If FUL is only a decision procedure, it is not a moral principle on the grounding view or on Kant's view. A decision procedure lets us "figure out what to do on a given occasion" but does not "specify what it takes for a given action on a given occasion to have some moral property or other" (Berker, "Explanatory" 4). I will argue that it is not a useful or accurate to read FUL as a decision procedure.

FUL may be read as a decision procedure if an agent finds herself in a situation about to make a choice and asks herself whether she could will her maxim as a universal law. If she cannot, she knows the action would be immoral. FUL is used only to determine which course of action would be best. Alternatively, FUL can be read as a means of generating moral statements: an agent considers hypothetical situations and asks herself whether the maxim in the situation could be willed as a universal law, generating a list of maxims that are themselves the moral principles.

Kant's project is to find the supreme principle of morality, not to merely create a formula for correct action. If FUL is only an algorithm to determine if an agent should take an action, there is no connection to moral worth because FUL does not describe any grounding relation. It would generate

nothing more than imperatives, "statements to the effect that something ought to be done or that it would be good to do it" (Foot 305). The moral principles themselves cannot say something about grounding if CI says nothing about grounding; CI cannot impart content it does not have. And if CI is making grounding claims, it would be redundant to use it to generate grounding claims. There would be no reason to look at secondary grounding claims if more fundamental grounding claims are available. If FUL is read only as a decision procedure, the moral principles it generates would distract from Kant's real ethical project. So if Kant intends to be making grounding claims at all, it must be CI itself making the claims.

Korsgaard: Practical Contradiction Interpretation

Korsgaard gives a Practical Contradiction Interpretation (PCI) of FUL, which says that a maxim fails on FUL if universalizing the maxim makes the means to the end impossible. However, the view overgenerates and fails to show how FUL describes a connection between moral facts and a good will.

According to PCI, a maxim fails on FUL if willing the maxim as universal law creates a practical contradiction (as opposed to a logical or teleological contradiction). Korsgaard writes, "We must find some purpose or purposes which belong essentially to the will, and in the world where maxims that fail these tests are universal law, these essential purposes will be thwarted, because the means of achieving them will be unavailable" (96). We can use Kant's example of a lying promise as an illustration. If someone applies for a loan with no intention to repay because she is in need, she must imagine a world in which everyone who is in need makes a lying promise. In that world, no one would be willing to give loans to people who promise to repay because they would know the promiser would not repay.[2] So the maxim fails the universalizability test because the means (being offered a loan) to the action (receiving a loan) no longer exist.

On PCI, morality is a step removed from FUL. Kant will only later show that "moral conduct is rational conduct" (Korsgaard 79). PCI clearly shows that actions are rational, and would succeed as a rational principle because it describes how rational actions are grounded in the principle of maxim universalization. But since further argumentation is required to

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[2] The three views of FUL presented here find similar contradictions because they are trying to make sense of Kant's own interpretation of the case: "For the universality of a law that everyone, once he believes himself to be in need, could promise whatever he fancies with the intention not to keep it, would make the promise and the end one may pursue with it itself impossible, as no one would believe he was being promised anything, but would laugh about any such utterance, as a vain pretense" (GMS 4:422).

establish the connection between the practical contradiction and moral facts, PCI is not itself a moral principle. To succeed as *Kant's* moral principle, Korsgaard would have to show that if an action is rational, it was done out of and in accordance with duty (Kant's definition of moral worth), but PCI does not show any connection between moral actions and the principle of willing.

The second concern is that PCI can only trivially describe how moral actions are grounded because it overgeneralizes. PCI would deliver judgments equally well for non-moral facts. Clark Wolf gives a toy example of shopping on Tuesdays to avoid the busyness of the weekends. On PCI, if an agent universalized her maxim to shop on Tuesdays so that everyone shopped on Tuesdays, the stores would be terribly busy on Tuesdays. The means (empty stores) to the end (easy shopping) would not exist, so the action fails on PCI. Shopping on Tuesdays intuitively has no moral content, but PCI says the action is morally impermissible, so it fails to capture all and only moral actions, making it ineffective as a moral principle.

Kleingeld: Volitional Self-Contradiction Interpretation

In her Volitional Self-Contradiction Interpretation (VCI), Kleingeld argues that a maxim is impermissible on FUL if it creates an internal contradiction in the agent. However, like PCI, the view overgeneralizes and fails to show how moral actions are grounded in the good will.

Instead of focusing on the universalizability requirement of FUL, on VCI an action is morally wrong if it is contradictory for an agent to will her maxim "at the same time" as both a personal maxim and a universal law. "The FUL can be read as requiring us to act only on maxims that we can will as our own maxim and simultaneously will as a universal law" (Kleingeld, "Contradiction" 100). The resulting volitional self-contradiction is internal to the agent. To use the example of the lying promise again, a loan applicant wills that she get a loan through a false promise (acting on her personal maxim). But that maxim would be possible only in a world where no one makes false promises, so the applicant is simultaneously willing that nobody get a loan by making a false promise (in a world where the maxim is a universal law) (106). A volitional self-contradiction occurs in that the agent is willing two things simultaneously that contradict each other. This is in contrast to PCI, where the contradiction is that the means of reaching the end are impossible. The means would also be impossible on VCI, but Kleingeld holds that FUL was meant to capture the internal contradiction in willing (107).

VCI does not describe how actions are grounded in Kant's view of moral worth. Kleingeld argues, "Acting on a given maxim is morally

impermissible if willing both simultaneously would lead to a self-contradiction of the will" ("Self-Contradictions" 612). The moral principle she formulates says an act is morally impermissible *because* it generates a contradiction. Like PCI, VCI describes how an action is morally impermissible if universalizing the maxim would generate a contradiction, which, like PCI, captures rationality, not morality. To be a moral principle on Kant's view, it should describe how an act is morally impermissible if it were not done with a good will.

On Kleingeld's own account, VCI applies just as well to non-moral actions as to moral actions. To illustrate the procedure, she gives a toy example of "willing that I eat chocolate while simultaneously willing that nobody eats chocolate" ("Self-Contradictions" 103). On VCI, the example is a valid application of FUL and identifies a genuine contradiction of the will. Since the maxim could not be willed at the same time to be both a personal maxim and a universal law, the action is morally impermissible. This does not seem right—her example could be seen as irrational (or petty), but it does not seem to be *morally* wrong. VCI will overgenerate and fail to capture only moral actions, another failure as a moral principle.

Wolf: Causality Interpretation

Wolf's Causality Interpretation (WCI) openly avoids trying to make sense of universalizability as a test of moral permissibility. Instead, Wolf thinks Kant is using "law" in a causal sense (as a law of cause and effect) to describe the real grounds of action (462). WCI says that if the maxim were the real grounds of an action, there would be a lawlike causal relation between having that maxim and taking the action (475). "Though all actions have a cause, the idea is that a maxim cannot *be* the decisive cause . . . of an action unless it is universalizable" (461). On WCI, FUL is not a test to determine moral permissibility and impermissibility, like it was on PCI and VCI.

The example of a lying promise will again be helpful to illustrate the interpretation. The applicant would have to ask whether it could be a law that "$\forall x \square$(<when x is in need, x will lie in order to get a loan $\rightarrow$ x applies for a loan)," with the antecedent being the maxim and the consequent being the action (484). But if the law were universalized, it would not be possible to apply for a loan in the first place, which means the maxim is not the real grounds of the action; the action was taken presumably from some other inclination or incentive (483). Whereas Korsgaard thought a problematic contradiction arose in that the action would be impossible and was thus morally impermissible, Wolf thinks if the maxim is not universalizable, the agent would not have taken the action at all.

Like PCI and VCI, WCI (if used as a moral principle) overgeneralizes. Wolf takes the maxim: I shop on Tuesdays to avoid the busyness of the weekends. If the maxim is universalized, the means to the end become impossible, so the universalization can't describe a causal relation between the maxim and going shopping. WCI returns the result that the maxim was not the real grounds of the agent's action, so if the agent shops on Tuesdays, it is from some other reason than the universalized maxim. So like the others, WCI cannot differentiate moral and non-moral facts, making it ineffective as a moral principle.

As indicated above, Wolf himself is skeptical about the connection of FUL to morality. He says Kant intends the "ought" in FUL to make FUL a moral principle, which would explain why FUL is an imperative but it would not explain why FUL is a *moral* imperative. The principle applies to rational actions in general. Wolf then says that his reformulation of FUL as a causal principle should give a causal account of which maxims are the real grounds of actions, which "has the potential to give us a nonmoral basis for making a moral distinction" (487). Wolf explains that the causal reading is closely related to Kant's conception of moral worth:

> The direct conclusion of the test is that the maxim can be the determining ground of the action, and if it is the determining ground of the action, then it has precisely the character of the good will. That implies that it is possibly the ground of a morally worthy action. (487)

This beginning of a connection to Kant's idea of moral worth was not present in the other views. If a good will should act out of duty, WCI shows that that is what is motivating the action.

A Path Forward

As demonstrated above, Kant intends CI to describe how moral principles are grounded, so PCI, VCI, and WCI rightly fail if their accounts of FUL achieve less. Creating a new interpretation of FUL or Kant's *Groundwork* is beyond the scope of this paper, so I will provide just a sketch of a possible route forward.

I propose that moral actions must be interpreted in connection with an agent. The grounding framework used in this paper means that an action being done with a good will grounds the action being moral. If morality is grounded in the good will, it would not be possible to interpret FUL without reference the agent who would act with or without a good will. PCI and VCI interpreted FUL only in regard to a certain action. Kant writes clearly that an isolated action cannot be determined to be moral: "In the case of

what is to be morally good it is not enough that it *conform* with the moral law, but it must also be done *for its sake*; if not, that conformity is only very contingent and precarious" (GMS 4:390). Since moral worth lies in the principle of willing, making categorical statements about the morality of certain actions—like "lying is wrong"—is nonsensical because such statements have no reference to the principle of willing. Even if some such statements turn out to be true, it will be accidental because it is not what the *Groundwork* is trying to establish. Actions must conform with duty, so it is immoral for an agent to take a wrong action with a good will, but it also not moral for an agent to do the right thing without a good will (GMS 4:397, 4:393).

A good first step in theorizing in this direction would be to move beyond FUL as the primary formulation of CI. Kant gives three other formulations of CI that offer some insight into how the good will is related to moral worth: the Formula of Humanity as an End in itself (FHE) the Formula of Autonomy (FA), and the Formula of the Kingdom of Ends (FKE).

> FHE. So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means. (GMS 4:429)

> FA. [Act] only in such a way that the will could through its maxim consider itself as at the same time universally legislating. (GMS 4:434)

> FKE. All maxims from one's own legislation ought to harmonize into a possible kingdom of ends as a kingdom of nature. (GMS 4:436)

Although Kant writes that FUL, FHE, and FKE should be equivalent, he also writes that to determine maxims, FUL should provide the form, FHE the ends, and FKE "a complete determination of all maxims" (GMS 4:436). Paul Guyer argues that "a complete account of the real possibility of action in accord with CI for any rational being requires reference to the four formulations" (385). Further research would do well to draw on the other formulas of CI to develop a fuller view of Kant's moral project.

Wolf started on this path when he wrote that FUL has to be a test about what is determining the will, an idea that is even more clear in the paper that inspired Wolf. There Johnson writes, if an "agent is a cause" and "causes do their work in conformity with universally valid laws" (two claims from the *Groundwork*), "rational agents, because they are agents, do their work in conformity with universal laws" (89). Kant's moral law should be interpreted to be a constraint on the agent and agency and not

a rational constraint on action if it is to capture how morality is grounded in the good will.

Some Kantian philosophers have started to explore what it means that morality is grounded in a principle of agency. David Velleman, for example, argues that seeing respect for the law as a respect for an abstract principle of legislation is wrong. Instead "reverence for the law . . . is in fact an attitude toward the person, since the law that commands respect is the ideal of a rational will, which lies at the heart of personhood" (348). In interpreting conformance with FUL as rational, PCI, VCI, and WCI all saw respect for the law as respect for the abstract legislation whereas Velleman brings the focus of CI to agents with rational wills. He emphasizes Kant's distinction between price and dignity: something that has a price can be replaced, but something with dignity "admits of no equivalent" (GMS 4:434). Moral worth, on Velleman's reading of Kant, is based on rational willing, which lies in the dignity of personhood and redirects the focus of Kant's morality from rational action in conformity with FUL to determining the will through CI. Further work could show what insight this gives into how moral worth is grounded.

Conclusion

The current failure to explain FUL as a principle of morality warrants reconsideration of the current conversation about Kant's Categorical Imperative. Using a grounding view of moral principles, I showed in this paper that current interpretations of CI fail to show how moral facts are grounded in Kant's supreme principle of morality: the good will. The grounding framework makes it clear that the good will grounds moral worth, so interpretations of Kant's moral thought must reference the agent the center of moral judgment. Changing the focus of current interpretations of Kant's moral philosophy would open the field to understand FUL and the other formulations of CI as moral principles. Kant has already set out the critical points for interpretation by saying his project is to show how moral principles are grounded, giving the principle moral worth is grounded in, and formulating CI in four overlapping and complementary ways. The next step is to draw on those resources rework interpretations of CI to show what it means for morality to be grounded in the principle of willing.

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