

The Particularist Challenge to Kantian Ethics – A Trilemma

Kant and Kantians have often been accused of rigorism: of failing to do justice to the fact moral life is full of subtleties and that our moral obligations vary with and depend on the circumstances that we are in. This line of criticism stretches all the way from Benjamin Constant, whose infamous example of the murderer at the door has exercised Kantians ever since its conception in 1797, to contemporary moral particularists, who take the circumstance-dependence of our obligations to its radical conclusion by denying that principles play *any* role in moral theory or practice. When trying to respond to this objection, Kantians are under pressure to reconcile three *prima facie* incompatible claims. Given their commitment to universal principles of duty, which are meant to apply across the board, they struggle to explain how it is that, in exceptional cases, it can be permissible or even obligatory to do something that is otherwise impermissible (let's say, to lie) partly because of some feature of the circumstances, while, in standard cases, actions of this kind are impermissible simply because they are of this kind (e.g. lies), and for no other reason. The difficulty of reconciling these ideas seems to throw Kantians on the horns of a trilemma.

This diagnosis is important for at least two reasons: first, because it sheds light on some of the existing attempts to defend Kant against the charge of rigorism and on their respective flaws and, second, because, with this diagnosis in mind, we can tackle the issue at its root. More specifically, I will first argue that the two responses that are widely seen as the most promising, namely Christine Korsgaard's and Barbara Herman's, can be understood as attempts to escape the above trilemma by means of a division of labour, and that this strategy leads to predictable inconsistencies. Second, I will turn to what I see as the root of the problem: a misreading of one of the three purportedly incompatible claims, that is, the idea that a principle of duty isn't universal in the sense that matters to Kant, if it doesn't hold *for all cases or all circumstances*. If Kant's insistence on universal laws was motivated by a concern for our ability to generalize across cases, then the worry that his principles of duty *overgeneralize* would be appropriate indeed. However, if we pay close attention to the kinds of considerations that lead him to insist on universal laws in the first *Critique*, we find that he is actually driven by a rather different concern: a concern for the possibility of acquiring objective knowledge of the relevant domain (that is, for our purposes, the moral domain). But to secure *this* possibility, the possibility of objective moral knowledge, it suffices that principles of duty be valid (according to and) *for all rational agents* who are in the same circumstances – or so I will argue. If this argument succeeds, I will have shown that there is no trilemma after all.