

This is a pre print version of the following article:

The Practical Significance of the Categorical Imperative / Bagnoli, Carla. - 11:(2021), pp. 178-199.

Terms of use:

The terms and conditions for the reuse of this version of the manuscript are specified in the publishing policy. For all terms of use and more information see the publisher's website.

13/05/2024 16:42

(Article begins on next page)

9

C9 The Practical Significance of Kant's Categorical Imperative

Carla Bagnoli

C9.P1 On a standard interpretation, the aim of the formula of universal law is to provide a decision procedure for determining the deontic status of actions. There is an overwhelming consensus that this aspiration is not met, but there is an interesting disagreement about the extent, the nature, and diagnosis of this failure, which encourages us to rethink the practical import of the categorical imperative.

C9.P2 This chapter is an attempt to make some progress in this debate by relating the practical function of the categorical imperative as the form of practical reasoning to its practical function as governing the dynamics of moral agency. I begin in Section 1, by stressing the complementarity of the three formulas of the Categorical Imperative (CI), aiming to uncover Kant's general view of rational agency. In Section 2, I illustrate Kant's theory of incentives, understood as the theoretical apparatus that makes sense of the dynamics of moral agency. Finally, in Section 3, I explain how moral knowledge obtained by observance of CI counts as practical knowledge, that is, knowledge that guides rational agents in action. The conclusion of the argument is that the CI represents a distinctive informal mode of practical reasoning, which carries knowledge of what one ought to do and, at the same time, knowledge of oneself as a practical subject. This interpretation appeals to a (non-proceduralist) form of construction, and aims to show that Kant's conception of practical reason is minimal but far from empty.

RUNNING HEAD EXCEEDING, PLEASE CHECK

1. The Form of Finite Rational Agency

C9.S1

1.1 The CI: A Mapping Tool for the Deontic Domain?

C9.S2

C9.P3

In the second section of the *Groundwork*, Kant formulates the CI as follows: act only in accordance with that maxim through which you can at the same time will that it become a universal law (G 4:421, 4:402).¹ This formula is taken to be equivalent to acting as though your maxim were to become a law of nature by your will (FLN), which is the formulation used to show how the CI can be applied.

C9.P4

On a standard interpretation, the promise of the formula of universal law (FUL) is to provide the tools for mapping the moral domain by determining the deontic status of actions (G 4: 424; C2 5: 67, 69). This would be an impressively large achievement for such a simple formula.² However, there is an overwhelming consensus that the formula does not fulfill its promise, and that it lacks deontic powers, because it is a formal test.³ Counterexamples prove that the formula gives puzzling results: false negatives challenge the claim that the requirement of universality is a necessary criterion for rightness, and false positives show that it is not a sufficient criterion for rightness.⁴ Furthermore, understood as a test applied to the totality of subjective maxims, the FUL is impossible to manage for finite

¹ Citations from Kant's works are by volume and page numbers of the Akademie edition of *Kants gesammelte Schriften* (Berlin, 1902–). The English translations are thus abbreviated: A, B: *Critique of Pure Reason* (Cambridge University Press, 1998); G: *Groundwork of the Metaphysics of Morals* (Cambridge University Press, 1998); C2: *Critique of Practical Reason* (Cambridge University Press, 1997); C3: *Critique of the Power of Judgment* (Cambridge University Press 2000); MM: *The Metaphysics of Morals* (Cambridge University Press, 1996).

² “The simplicity of this law in comparison with the great and various consequences that can be drawn from it must seem astonishing at first,” MM 6: 225.

³ On the charge of empty formalism, there is a vast debate, starting with G.F.W. Hegel, *Elements of the Philosophy of Right* (1821, trans. Cambridge: Cambridge University Press, 1991), section 135. In this chapter, I consider a particular form that this objection has taken in recent debates, mostly generated by the constructivist interpretation, see Onora O’Neill, *Acting on Principle* (2nd edition, Cambridge: Cambridge University Press, 2013), 13–37, C.M. Korsgaard, *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), 43–223; Allan Wood *Kant’s Ethical Thought* (Cambridge: Cambridge University Press, 1990), 97–110; Patrick Kerstein, *Kant’s Search for the Supreme Principle of Morality* (Cambridge: Cambridge University Press, 2002), chapter 8; Stephen Engstrom, *The Form of Practical Knowledge*, (Cambridge: Cambridge University Press, 2009); and Mark Timmons, *Significance and System: Essays on Kant’s Ethics* (Oxford: Oxford University Press, 2017), chaps. 3–5.

⁴ See, e.g., Allan Wood, “How a Kantian Decides What to Do,” in Matthew Altman, ed., *The Palgrave Kant Handbook/Palgrave Handbooks in German Idealism*, (London: Palgrave Macmillan), 263–284, 279.

agents, and this is a drawback that fatally undermines its practical prospects.⁵

C9.P5 In defense of the ambitious claims associated with the CI, scholars have followed various lines of reply. The first strategy is to argue that some interpretations of the test of the FUL may prove more successful than others.⁶ The results are at variance with Kant's original claims and, ultimately, insufficient to silence all the concerns regarding its formality.⁷ A second strategy is to admit that the test is empty because it is formal, and say that in order to deliver practical results, a formal method must be combined with criteria of moral salience, which supply with contents the bare structure of practical thought.⁸ The problem with this strategy is that it does not seem to fully capture the function and significance of universal principles in Kant's conception of moral knowledge and rational self-governance.

C9.P6 A third strategy is to accept the charge of emptiness limitedly to the FUL and reject Kant's claim that the formulas are equivalent. Indeed, other formulas seem better suited than the FUL to provide the theory with deontic power, and justify a systematic account of duties. The formula of humanity (FH) can be brought in so as to supply the material considerations that specify the content of the moral law: in G, it is used to derive the four general duties that belong to the system of ethical duties.⁹ This strategy may succeed in vindicating the role of the CI in the generation of duties, but at the expense of making sense of the role of universality in Kant's account of moral knowledge.

⁵ Wood "How a Kantian Decides What to Do," 276.

⁶ There are good reasons to prefer the practical to the logical and teleological interpretations, see Onora O'Neill, "Consistency in Action," in Nelson Potter and Mark Timmons, eds., *Morality and Universality: Essays on Ethical Universalizability* (Dordrecht: Reidel 1985), 158–86, O'Neill, *Constructions of Reason* (Cambridge: Cambridge University Press, 1989), chapter 5.

⁷ Korsgaard notes that the practical interpretation fails to show any contradiction in conception in the case of murder for revenge, Korsgaard, "Kant's Formula of Universal Law," in *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), 77–105. This failure points to the importance of intention in conceiving of action, in contrast to overt actions or mere performances. This suggestion may help refocus the discussion away from the issue of the deontic power of the theory, though it does not directly and definitely support the view that the test is a criterion for subjective rightness.

⁸ Barbara Herman holds that the CI should be supplied with "rules of moral salience," in order to produce moral judgment, see *The Practice of Moral Judgment* (Cambridge, MA: Harvard University Press, 1993), 77ff, and 208–40.

⁹ G 4:429. See Korsgaard, *Creating the Kingdom of Ends*, 106–180, and compare Wood, "How a Kantian Decides What to Do," 275.

RUNNING HEAD EXCEEDING, PLEASE CHECK

C9.P7 A fourth strategy exploits the notion of maxim as a subjective principle, and points out that the CI is vulnerable to the objection of vacuity only on the assumption that it selects particular acts, rather than operating on general rules such as maxims are. By contrast, it should be understood as a second-order rule.¹⁰ This strategy makes an important point about the meta-normative nature of the CI, but it does not fully capture its role in constituting the stance of rational agency.

C9.P8 For the most part, scholars take seriously the charge of emptiness, and implicitly agree that the formality of the test is a liability for its practical significance.¹¹ In the next section, I propose an alternative strategy in defense of the general practical significance of the CI, which seems to me more promising and apt to sustain Kant's distinctive conception of moral knowledge as practical knowledge.

C9.S3 1.2 An Account of Complementariness

C9.P9 When assessing the practical prospects of the CI in guiding rational action, the problem arises as to what to make of Kant's claim that the formulas are equivalent.¹² They are not equivalent in the sense that they can be substituted with one another without loss of meaning; rather, they capture different but complementary determinations of the moral law. In particular, the FUL and the FH are held because they impose the same constraint on the subjective maxims.¹³ Building on this notion of complementarity, I attempt to devise an alternative strategy in support of the practical significance of the CI. In contrast to the strategies presented in Section 1.1, this strategy does not take for granted that the formality of the FUL amounts to its emptiness. Nor does it suggest that, taken together, the formulas provide a complete decision procedure. On the contrary, by endorsing the claim that the formulas are complementary, I aim to dispute that the practical significance of CI coincides with the offer of a decision procedure. As I shall clarify in

¹⁰ Béatrice Longueness, "Moral Judgment and a Judgment of Reason," *Kant on the Human Standpoint* (Cambridge: Cambridge University Press, 2005), 236–64, 251ff.

¹¹ In stark contrast, see Engstrom *The Form of Practical Knowledge*, 184–240. The reader should not be surprised that I do not discuss Engstrom's work, since I am in substantial agreement with his emphasis on practical knowledge, see "Morality as Practical Knowledge," *Analytic Philosophy*, 53 (2012): 60–9. My contribution here is to highlight the dynamic character of Kant's account of moral knowledge, against the background of his theory of inactives.

¹² G 4: 436–7.

¹³ G 4: 431.

Section 1.4, the apparent deficiencies of the CI as a decision procedure point toward a different understanding of its significance.

C9.P10 The whole purpose of Section II of G is to elucidate the “supreme principle of morality” by making its content more and more explicit via philosophical analysis.¹⁴ The analysis is deepening and progressive: each formula elucidates further and further aspects of the CI because none are fully understandable on their own. The Formula of Autonomy¹⁵ (FA) makes explicit the basis of moral worth, thereby making explicit the sort of self-conception marked by freedom and equality that is implicit in common cognition.¹⁶ It identifies the distinctive structure of rational agency as law-making, which warrants unconditional worth.¹⁷ This tells us what makes an action right and morally worthy. The Formula of the Kingdom of Ends (FKE) captures the idea of a plurality of rational agents unified by the moral law, and hence it clarifies the scope of moral principles.¹⁸ The FKE integrates the previous two formulas, and represents the complete determination of the maxim.

C9.P11 By asking whether a maxim can serve as a practical law, the FKE does not merely provide a check of coherence among the subjective maxims of a plurality of practical subjects, but it also illustrates the normative paradigm of cooperation among all practical subjects, which represent a collective response to conflicts experienced by individuals. This formula helps individuals appreciate themselves as belonging in a community of shared norms, rooted in reciprocity, with all the entitlements and responsibilities associated with that position. Finite rational agents often run into conflicts that they cannot solve. Often these are conflicts that cannot be solved individually and, often, not because individuals are limited reasoners, but because the solution requires infinite time or depends on the full cooperation of others, which may not be in place. The formula helps in such cases, by calling

¹⁴ G 4: 398. ¹⁵ G 4: 436, 440.

¹⁶ On the equivalence of the FUL and the FA, see Reath *Agency and Autonomy in Kant's Moral Theory*, 135ff. On the social dimension of the CI, see O'Neill, *Acting on Principle*, Reath *Agency and Autonomy in Kant's Moral Theory*, 173–95; Bagnoli, “Kant in Metaethics: The Paradox of Autonomy, Solved by Publicity,” in Matthew Altman, ed., *The Palgrave Kant Handbook/Palgrave Handbooks in German Idealism*, London: Palgrave Macmillan, 2017: 355–77.

¹⁷ G 4:431, 4:432, 4:437, 4:440. This formula calls attention to the contrast between the adoption of ends and the maxim of overt actions. Kant refers to “inner actions” MM 6:393, but it is an open question whether the CI test concerns subjective rightness, see Timmons *Significance and System*, chapter 2.

¹⁸ G 4:439, 4:433, 437–9. G 4:428. The FKE can be seen as a way to preserve law-likeness of the moral domain without a lawgiver, and without any prefixed moral ontology.

RUNNING HEAD EXCEEDING, PLEASE CHECK

attention to a normative community unified by the moral law, in which members are co-legislators. Under these complementary characterizations, the supreme principle of morality is taken to identify “the most complete” form of rational agency, not to map the deontic domain or to delimit a special sector of overriding reasons.

C9.S4

1.3. A Misplaced Expectation

C9.P12

It is undeniable that Kant’s search for the supreme principle of morality is meant to be of practical—not only speculative—significance.¹⁹ But how exactly to understand the practical nature and significance of this project, is a more difficult question. As the supreme principle of morality, the CI not only specifies what makes an action right and moral. Its ambition is not only to serve as a criterion of right and wrong, but as a compass that orients agents in practical deliberation. How exactly are we to understand its action-guiding features and powers? In this section, I approach the question by disputing the expectation that the CI provides for “procedural guidance.”²⁰

C9.P13

After presenting the FUL and illustrating its use in connection with making a lying promise, Kant remarks that “with this compass in hand, [*common human reason*] one knows very well how to distinguish in every case that comes up what is good and what is evil, what is in conformity with or contrary to duty.”²¹ These claims are prefaced by Kant’s clarification that his project of searching for and establishing the CI as the supreme principle of morality differs from the project of applying it in practice.²² Within this context, it seems doubtful that a decision procedure is on offer.

C9.P14

A decision procedure is a stepwise method for determining action, whose basic requisites of adequacy are *coherence* and *normative determinacy*. These

¹⁹ G 4:392. Particular duties are discussed in MM, but at a very high level of abstraction, and Kant himself notices that a complete account of concrete cases would require a discussion of how the moral law is adapted to fit the circumstances. This is the domain of judgment.

²⁰ John Rawls talks of the CI-procedure, but he underscores that unlike algorithms the CI requires shared capacity for moral judgment and moral sensibility, see his *Lectures on the History of Moral Philosophy*, (ed. by Barbara Herman, Cambridge, MA: Harvard University Press, 2000), 167ff. Compare Wood, “How a Kantian Decides What to Do,” 276. The expectation of a decision procedure is more appropriate for a theory that searches for moral algorithms, aside from and independently of any general view of agency, like Utilitarianism. This expectation makes sense against the background of the British reception of Kant’s ethics in a debate heavily influenced by Utilitarianism. O’Neill herself first approached Kant with this expectation, see O’Neill, *Acting on Principle*, 34.

²¹ G 4:404.

²² G 4: 392.

two requisites are interestingly related, and this is a point to which I should come back while commenting on the general significance of the CI.²³ The most common way to understand the practical significance of an ethical theory is in terms of normative determinacy, that is, the capacity to determine what one should do. More specifically, among various kinds of ethical theories about how one should live, moral theory is thought to be of practical significance when it has deontic power, that is, the capacity to determine right action.²⁴ In the present context of discussion, the distinction between ethical and moral theory is useful to highlight that not all theorizing in ethics envisions its practical task in terms of a system of duties. The latter task is more characteristic of modern moral theory, and different moral theories conceive and characterize deontic power in different manners, some of which are hardly characterized in terms of a decision procedure. This is a term borrowed from decision theory, which is distinguished by a marked instrumentalist bent. In fact, the term decision procedure is designed to identify a way of reasoning apt to guide choice whatever the preferences, values, and profile of the choosers are. It is apparent that this conceptual tool is not utilizable by non-instrumentalist conceptions of practical reasoning, and I shall argue that it is inadequate to make sense of and sustain Kant's conception of moral knowledge as delivered by the activity of reason.

C9.P15 To pinpoint the contrast between Kant's project centered on practical reason and the offer of a decision procedure, it is useful to start with a preliminary definition of the latter. In its most ambitious formulation, a decision procedure is purported to have maximum deontic power when it exhibits the following properties:

- C9.P16 (i) *completeness*: for any action, it says whether the action is right or wrong;
- C9.P17 (ii) *self-sufficiency*: it provides a necessary and sufficient test to determine right actions;
- C9.P18 (iii) *act-level determinacy*: it yields conclusions about the deontic status of a wide range of reasonably specific act tokens—concrete doings that are or might be performed by a person at a time in a particular set of circumstances;

²³ There is an obvious sense in which incoherence undercuts the practicality of a decision procedure. But for Kant practical incoherence also indicates the fragility of the rational organization of the self, which amounts to lack of integrity.

²⁴ See Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge: Cambridge University Press, 1985).

RUNNING HEAD EXCEEDING, PLEASE CHECK

- C9.P19 (iv) *relevance*: it explains why it is that a self-sufficient decision procedure satisfies the requisites for practical significance; and
- C9.P20 (v) *maximum width scope*: it determines practical principles of action that apply to the maximum general audience.²⁵
- C9.P21 Some of the defining features of a decision procedure are also characteristics that Kant attributes to the CI. The CI is said to be a self-sufficient test,²⁶ and with high deontic power, insofar as it determines moral obligations that are valid for all rational agents, finite and infinite.²⁷ But these purported properties of the CI are not sufficient to ground the expectation that Kant intends to devise a decision procedure. In fact, such an expectation is misleading in three senses. First, it leads to misunderstanding the relations among the different formulas. Second, it does not fully explain what the appeal to universality is designed to accomplish. Third, and more generally, it misconceives the practical significance of the CI, in that it takes normative determinacy to be its unique practical task, leaving out a further distinctive sense in which moral knowledge is practical knowledge. Thus, even though the CI may be seen to exhibit the features of a decision procedure, it is misleading to conceive of Kant's account of rational deliberation in proceduralist terms. I shall address the first two issues in turn, and deal with the third issue in Section 3.
- C9.P22 If the CI is taken to offer a decision procedure, the issue of the relation among the formulas is settled straightforwardly. The FUL provides the empty structure, and the FH gives the content. Based on the assumption that a formal test of coherence must be empty, other doubtful interpretative claims follow. Remarkably, only when the procedure is understood to be empty does it need to be completed by a criterion of relevance. Correspondingly, on the assumption that the FUL serves as a formal test of coherence, the FH is interpreted as a criterion of relevance, which specifies how considerations bearing on rational autonomy represent the most fundamental morally relevant features of action. These include considerations about how actions causally affect the rational autonomy of persons but also considerations about how actions express rational

²⁵ Timmons *Significance and System*, 91–3. The debate about the scope of moral principles (iv) is only partly a debate about the sort of information that enter the derivation of duties, see Wood, *Kant's Ethical Thought*, 141–2, 147–8; and Timmons *Significance and System*, ch. 5.

²⁶ G 4:421, 403.

²⁷ G 4: 389. Kant does not promise completeness, since he admits of cases in which grounds of obligation conflict and no moral obligation can be determined.

autonomy.²⁸ This supplementation may still be too meager to grant normative determinacy, and makes the FUL almost dispensable, since it is the principle of humanity that plays the decisive normative role.

C9.P23 In taking the formulas to be equivalent, Kant is pressing the claim that there is a synergic interplay among the three mutually supporting formulas of the CI. The complementarity strategy sketched in Section 1.3 is meant to underscore this synergic completion. Each formula embodies an aspect of the requirement of coherence, and this is a sense in which the formulas complete each other. The completion that Kant uncovers is not reducible to the combination of an empty container plus content, as the decision procedure approach suggests, and discourages any mechanical understanding of moral deliberation as the combination of form (i.e., the universality formula) and matter (i.e., the formula of humanity).

C9.P24 The second problem is that this approach misunderstands the role and centrality of universality. Starting with the assumption that the CI is a decision procedure, it is asked whether it meets the requisites of coherence and normative determinacy. Within this framework, the charge is that Kant's criterion meets the requisite of coherence but not the requisite of normative determinacy. Indeed, the objection of emptiness is based on two tacit assumptions: (a) that the CI amounts to a formal test of coherence, and (b) that the test is empty because it is formal. But the formula of universality supports coherence in a more complex way, and in a way that directly supports and contributes to its practical significance.

C9.P25 The test of universality contributes to the practical significance of CI in two distinct ways: it selects maxims that can be held as practical laws, and are suitable to govern a multitude of interdependent agents; and it also warrants the normative structure of rational agency, hence allowing for rational self-governance. If we interpret the CI solely as a decision procedure, such important roles attributed to universality remain unexplained and unjustified. The objection of emptiness is meant to show that the CI achieves less than it promises because it does not have deontic power. But this conceives too narrowly of the general practical purpose of the CI, and also of its way of guiding action.

²⁸ Wood, *Kant's Ethical Thought*, 141–2; 147–8 and Timmons *Significance and System*, ch. 5.

RUNNING HEAD EXCEEDING, PLEASE CHECK

C9.S5 1.4 The CI as the Method of Finite Rational Deliberation

C9.P26 The mistaken expectation about the CI is often associated with the constructivist interpretation of Kant's ethics.²⁹ Critics assume that the CI picks out a decision procedure which is formal in the sense in which an algorithm is formal, that is, mechanical and contentless, and such that it produces normative results when combined with relevant data which serve as its input: data about the circumstances of action, on a given range of recipients.³⁰ Thus presented, the CI seems arbitrary and useless: it is not clear why this particular procedure is to be elected over others; and, given the battery of counterexamples offered in the debate over emptiness, it appears that almost any algorithm would do a better job than the CI.

C9.P27 These concerns arise because the notion of 'construction' is understood to name a formal procedure, in analogy with mathematical construction. However, the proceduralist notion of construction is unfit to capture Kant's conception of practical reason. Kant considers ethics along with physics as material rather than as formal, like logic, although they both have a pure structure.³¹ Ethics includes a material part because nature matters in the way practical reasoning works in humans. The reason why there is any need for a supreme principle of morality is precisely that the human will is rational but also "affected by nature."³² Thus, to be an explanatory device apt to capture the practical powers of reason, the metaphor of construction must be defined in a richer way, as Rawls does.³³ Differently than any algorithm, the CI is designed to operate against the background of shared capacities for moral judgment and shared moral sensibilities.³⁴ Kant's metaphor of construction appropriate for describing

²⁹ Wood, "How a Kantian Decides What to Do," 280.

³⁰ Wood, *Kant's Ethical Thought*, esp. 374 n. 4. See also Timmons *Significance and System*, 82.

³¹ G 4: 388.

³² G 4: 387, also 388–89, 412, MM 6: 21. Moral laws hold for all rational beings as such, but anthropology is needed for understanding how they apply to human beings in particular, see G 4: 412.

³³ Rawls, *Lectures on the History of Moral Philosophy*, 165ff.

³⁴ "It is a serious misconception to think of the CI-procedure as an algorithm intended to yield, more or less mechanically, a correct judgment. There is no such algorithm. It is equally a misconception to think of this procedure as a set of debating rules that can trap liars and cheats, scoundrels and cynics, into exposing their hand. There are no such rules," Rawls, *Lectures on the History of Moral Philosophy*, 166. Rawls' notion of construction relies on Kant's later works in moral psychology, see Herman, "Introduction," *Lectures on the History of Moral Philosophy*, xiv.

the workings of practical reason is not borrowed from mathematics, but from the building trade.³⁵ Within this metaphor, the appeal to the formality of the procedure is not so much due to the emptiness of the moral domain (i.e., the lack of any moral ontology), as to the methodological point that we should not start with any fixed moral ontology: moral cognitions are the upshot of the activity of rational justification. This methodological recommendation is what establishes the practical powers of reason.³⁶ This is why the canon adequate for practical thought and action is not formal in the way an algorithm is.³⁷

C9.P28 A second, related point is that the role of the CI is not recognitive of the moral domain. According to Kant, all rational agents have equal capacities for moral judgment.³⁸ Thus, the role of the supreme principle of morality is not that of providing us with moral cognition, but with a rational justification for it. In providing for rational justification, the CI also makes explicit the form of rational willing. This is how it fulfills its paramount practical function of guiding action: by providing a scheme for rational self-governance. Whether such a scheme is ultimately defensible and desirable partly depends on how it determines the bounds of the self.

C9.S6 1.5 The Alleged Paradox of Moral Supremacy

C9.P29 In recent scholarship, many have taken Kant to claim that the supreme principle of morality tracks “moral reasons,” which have a supreme normative status, and are overriding in deliberation. For instance, Wood writes that Kant recognizes “three kinds of practical reason: instrumental, prudential and moral,” which are lexically ordered.³⁹ In normative ethics debates, Kant’s moral theory is often taken to target the understanding that it licenses a lexical order of reasons. Critics point out that Kant’s supreme principle of morality is problematic because it undermines agential authority, and raises serious issues of integrity and authenticity. Such a principle takes moral

³⁵ *Doctrine of Method*, C1 A738-39/B 766–67, A 711/B 739, compare WOT; and see O’Neill, *Constructing Authorities*, 25–37.

³⁶ B ix-x, cf. C2 5: 46–89. See also Engstrom, *The Form of Practical Knowledge*, 119.

³⁷ C1 A726/B754, A727/B 755, C1 A795/823; G 4: 424. ³⁸ G 4: 404.

³⁹ Wood, “How a Kantian Decides What to Do,” 266, 267. By contrast, Engstrom, *The Form of Practical Knowledge*, 66–90.

RUNNING HEAD EXCEEDING, PLEASE CHECK

reasons to override and undercut any other kind of reasons.⁴⁰ The paradoxical result is that moral obligations are both rational requirements and yet unreasonably demanding, especially when the most fundamental normative reasons for an agent spring from concerns that are not ‘moral.’⁴¹ Call this the paradox of moral supremacy, since it takes the CI to establish the supremacy of the moral domain. Interestingly, in this dispute, the charge is not that the supreme principle of morality gives no guidance because it is formal, but that it unduly constrains the self, hence leading to rigorism.

C9.P30 Indeed, Kant takes “the moral self” to be the “proper self,” in contrast to the “dear self,” which identifies the standpoint of prudential or technical rules dictated by our impulses and inclinations.⁴² However, the ends humans set for themselves depend both on the ways they seek or avoid instrumentally, and on the unconditional command of duty. In formulating the subjective maxim, the “self” is what Kant calls the “entire” self, which comprises the moral and natural incentives. Yet, the “dear self” has a natural propensity to “make its claims primarily and originally valid, as if it constituted our entire self,”⁴³ and this is why the CI is called into play. Its function is not to affirm the supremacy of the moral domain, but to promote the integrity of the “entire self” by generating a unified agential stance from which to assess the various proposals for action.

C9.P31 To dislodge the worries about the severe normative impact of the supreme principle of morality on the self, and explain the paradox of moral supremacy away, Kant’s conception of the categoricity of moral obligations should be understood differently than in terms of overridingness and lexical priority. In the next section, I propose that it should be elucidated against the background of his theory of incentives.⁴⁴

⁴⁰ The objection that Kant’s conception of moral reasons has alienating effects dominated the debate in normative ethics in the eighties, see Michael Stocker, “The Schizophrenia of Modern Ethical Theories,” *The Journal of Philosophy* 73/14 (1976): 453–66; Amélie Rorty, *The Mind in Action* (Boston, MA: Beacon Press 1988); Lawrence Blum, *Friendship, Altruism, and Morality* (London: Routledge, 1980). In the last three decades, such objections have given new impulse and direction to Kantian ethics.

⁴¹ Bernard Williams, *Moral Luck* (Cambridge: Cambridge University Press, 1981). Williams’ arguments question also the tripartition of the kinds of reasons, since reasons that spring from so-called ground-project, are not easily classifiable as either prudential or moral. Likewise, reasons based on stable desires and passions, which are defining character traits are hardly treatable as instrumental reasons.

⁴² G 4:457–8, G 4:407. ⁴³ C2 5: 74.

⁴⁴ This is chapter III, of C2, which expands on the claims about the rational and empirical grounds advanced in G 4: 441–5.

2. The Dynamics of Moral Agency

C9.S7

C9.P32 My working hypothesis is that Kant’s theory of incentives is the locus where we can find some crucial elements that help us explain the novelty of his theory of practical reason, and to account for the claim that moral obligations are requirements of practical reason.⁴⁵ The dynamics of incentives is part and parcel of Kant’s argument for the practical power of reason, and can be best illustrated by exploiting the resources of the metaphor of construction. The constructors are “animals endowed with reason,” the method of reasoning proper for them is the CI, the raw materials from which they start reasoning are their mixed incentives, and their task is to act so as to protect and express their ‘entire self.’ An adequate appreciation of Kant’s theory of incentives allows us to make sense of practical reason as a productive or constructive faculty, rather than as a faculty of self-restraint.

C9.S8

2.1 Respect and Self-Regard

C9.P33 Kant’s theory of incentives is centered on respect, which is a feeling rather than a cognitive capacity, and hence it is not the source of moral cognition.⁴⁶ The feeling of respect is moral in that it is generated by the mere contemplation of the moral law, in contrast to pathological feelings. This peculiar origin makes sense of two features of respect which are crucial to understand its role in establishing the practical import of reason. First, respect pertains distinctively to finite rational agents, who are concerned with themselves and self-reflective. Such agents represent themselves as neither determined by natural desires, nor fully determined by pure practical reason.⁴⁷ This self-representation marked by the moral feeling of respect is the basis and the condition of possibility for rational deliberation. This same characteristic plays an important role in accounting for the distinctive efficacy that animals endowed with reason have, in contrast to brutes.

C9.P34 Second, respect is distinctive also in its function as an incentive: it is “*the sole and undoubted moral incentive,*” that is, “*morality itself taken as an*

⁴⁵ One way to put it is to say that the normativity of instrumental reasoning depends on non-instrumental reasoning; I shall come back to this feature of Kant’s account of practical reasoning in Section 3.3.

⁴⁶ MM 6: 400.

⁴⁷ G 4: 454, 456. C2 5: 78, 76.

RUNNING HEAD EXCEEDING, PLEASE CHECK

incentive.”⁴⁸ This qualification marks the contrast between the respect and incentives rooted in inclinations and self-interest, which can support conduct in conformity with moral demands, but are not moral motivations *per se*. The dichotomy between moral and pathological sources of incentives gives rise to an interplay, which ultimately aims to produce a motive for action. Such dynamics cannot be described by saying that the moral incentive overrides the natural incentives. The moral motive is built through a complex dynamic, which reflects the unstable condition of finite but rational agents, who are sensitive to moral and natural incentives.

C9.P35 The instability in the human principles of volitions depends on a general propensity to self-regard. This is not the name of one single attitude, but a complex cluster of attitudes, which results from a sort of systematization of all inclinations. Since inclinations do not come to attention already organized in a system, self-regard is the suitable philosophical term that names the standpoint of happiness: “All the inclinations together (which can be brought into a tolerable system and the satisfaction of which is then called one’s own happiness) constitute regard for oneself (*solipsismus*).”⁴⁹ There is a distinction to be made in the way such a natural regard for oneself manifests itself: it can be “a predominant *benevolence* toward oneself,” which is named “self-love”; or, it can be a “satisfaction with oneself,” which is named “self-conceit.” The way in which pure practical reason impinges upon one of these two forms of self-regard reveals that they are indeed very different. While pure practical reason constrains self-love, it is said to strike down self-conceit altogether.⁵⁰ These results obtain because of the intervention of respect. Unlike sanctioning and nudging, respect does not operate externally, but internally by directly affecting and transforming the maxims of self-love. Its role is not only that of constraint and restraint, since it also allows for ranking and integrating incentives so as to produce the moral motive.⁵¹ When this transformation succeeds, the self is not just restrained and confined within its proper bounds, but also enhanced and reassured about its rational powers and capacities.

C9.P36 The transformative operation of respect as the moral incentive is key to explain the practical impact of the deliverances of reason. To possess moral knowledge of what to do is not to possess a piece of information that must be

⁴⁸ C2 5: 78, 76, see also MM 6: 399–402.

⁴⁹ C2 5: 73.

⁵⁰ C2 5: 73.

⁵¹ In contrast to Wood, “Kant on Practical Reason,” in Mark Timmons and Sorin Baiasu, eds., *Kant on Practical Justification: Interpretative Essays* (New York: Oxford University Press), 63–6.

applied in practice when the occasion arises. Rather, it is practical in the sense that it is immediately productive, as it generates an interest in action. Finite rational agents conceive of action in two different ways. They can take an interest in action, or they can act from interest. In the former case, their wills depend on the principles of reason itself; in the latter, the principles of reason are used to satisfy inclinations. When the agent is governed by the principles of reason, instead, he is interested in action rather than in what the action brings about.⁵² These are two forms of rational action, dependent on the respective ways in which the principles of reason inform acting.

C9.P37 The deontic power of the CI should be elucidated against these dynamics. The principles of self-love provide incentives, which have some normative relevance, but they do not constitute practical principles. Humans take incentives into account as subjective maxims, and test them against the requirement of universality. This is to say that there *is* an agential stance from which one deliberates about what to do. Embodiment does not rule out rational agency: respect governs the dynamics of incentives and the CI provides the means to build the agential stance. Importantly, the stance of rational agency is not abstract and freestanding: on the contrary, it is the stance of practical subjects who are radically and reflectively concerned with themselves, and thus can take an interest in their own actions.

C9.S9

2.2 The Rational Authority of Moral Cognitions

C9.P38 Humans engage in reasoning because they care for themselves, not solely synchronically as bearers of interests and needs, but also dynamically as bearers of integrity over time.⁵³ The stance of rational agency is not fragmented: there are two sources of incentives, but there is only one source of normative authority, and this is reason. The metaphor of construction is useful to represent reasoning as productive of a novel moral incentive. To do so, it is not sufficient to rely on the formulas of the CI; it is also necessary to take into account the normative impact of respect. In this robust version, the constructivist metaphor helps to show that Kant's dualism about motivation does not end up with a dualistic conception of practical reason, nor with a

⁵² G 4: 413 n14.

⁵³ Integrity over time is importantly related to the agents' empirical stance, but also to one's stance as a practical subject. Kant's argument in the third paralogism states that we can be conscious of the numerical identity of ourselves as an entity only because being conscious of ourselves as a spatiotemporal, empirical, entity among other empirical entities (A 363).

RUNNING HEAD EXCEEDING, PLEASE CHECK

lexically ordered partition of kinds of normative reasons for action.⁵⁴ Natural incentives have some efficacy, but no normative authority prior to and independently of the exercise of practical reason. Thus, Kant avoids a bifurcation within practical reason, while acknowledging the relevance of inclinations and desires under the guise of maxims, which count as proposals of action to be surveyed from the agential stance. Finite but rational agents experience moral conflicts and may fail to reason about what to do, but practical reason does not put them at odds with themselves; on the contrary, it is the faculty that allows for their integrity.

C9.P39 This integrated view of practical reason is true to the facts of finitude and interdependency. Kant's theory of incentives represents agents from inside out, divided and perplexed, but also thrilled and reassured by the capacity to come to terms with such challenges. The moral feeling of respect for the law implicates self-respect, or respect for one's rational capacities, and its effects are not only humiliating and frustrating, but also elevating and self-enhancing.⁵⁵ Analogously, the moral feeling of respect for the moral law also implicates respect for others, and its major effects should be accounted not only in terms of coordination by mutual constraint, but also and more importantly in terms of the mutually enhanced capacity for shared agency and communal interactions.

C9.S10

2.3 Respect and Moral Knowledge

C9.P40 Respect functions both as an incentive and a constraint. Under the former characterization, respect identifies the specific motivation that is characteristic of acting under the idea of freedom. Under the latter characterization, instead, respect constrains the reasoning that justifies action. This is the subjective counterpart of the exercise of autonomy (FA) and also of the requirement that rational agents reason by considering others as co-legislators (FKE).

C9.P41 This account of respect helps us qualify the sort of knowledge implied in acting morally. It figures prominently in Kant's account of finite rational agency, not a surrogate of duty but as its subjective aspect. It conveys

⁵⁴ G 4: 398, 401n. Some complexities concerning the notion of inclination depend on the fact that it can be interpreted in a narrow or in a broad sense. Inclination is one species of desire, and thus, acting by inclination is no different than acting by desire. Cf. Harry Allison, *Kant's Theory of Freedom* (Cambridge: Cambridge University Press, 1990), 108.

⁵⁵ C2 5:75, 78–9.

subjective awareness of the effects of the moral law on human sensibility and this is an epistemic gain, though it provides no evidential knowledge of an external moral realm.⁵⁶ The variety of knowledge involved in the exercise of moral feeling is not knowledge of something external to the workings of our mind. The feeling of respect provides the agent with some important variety of self-knowledge, that is, knowledge of oneself as a rational agent, that is, as an intentional causality. This is precisely because respect plays a normative role in the formation of principles of action, rather than in the psychological enforcement of maxims. It is the subjective condition of autonomy that explains how finite rational agents can form and adopt moral maxims, i.e., practical laws. To link respect to moral knowledge is a decisive step toward appreciating the practical significance of the CI.

C9.S11

3. Moral Knowledge as Practical Knowledge

C9.P42

We can now turn to the problem of the practical significance of CI. In Section 1, we have considered the deontic power of the CI, that is, its capacity of determining the deontic status of actions. In illustrating how the CI works at the level of incentives in Section 2, a second dimension of the practical import of the CI has come to light: it has to do with rational self-governance.

C9.S12

3.1 Universality and Self-Governance

C9.P43

According to Kant, the capacity to act out of respect for the moral law fits the self-understanding of finite rational agents: “All human beings think of themselves as having free will”,⁵⁷ even the “most hardened scoundrel” thinks of himself as capable of acting on duty.⁵⁸ This self-conception is the basis of rational construction, which generates the dynamics of respect.⁵⁹ The appeal to universality as a method for making rational decisions should be read as a

⁵⁶ MM 6: 400.

⁵⁷ G 4:456.

⁵⁸ G 4:454.

⁵⁹ The argument in Section 3 raises a worry about the circularity, because it may seem to merely ascribe ourselves freedom and then derive the moral law from it, see esp. G 4:450, and 451–3. The reply to this worry is complex and starts with the claim that freedom and autonomy (the will’s own lawgiving) are reciprocal concepts, which leads to the two standpoints accounts of rational agency, G 455–63. As I understand it, the general thrust of the argument in Section 3 is that the practical (vs. speculative) understanding of freedom relates to the moral feeling of respect, see G 4: 460.

RUNNING HEAD EXCEEDING, PLEASE CHECK

structure that allows for rational self-governance, and provides the normative framework for personal relations and cooperative interaction, in the way suggested by the complementarity of the formulas.

C9.P44 On this interpretation, the purported advantage of Kant's appeal to universality is that it faces upfront the predicaments of contingency, which are distinctive and peculiar to the human condition. Its conception of universality is a normative tool for responding to problems that arise in coordinating actions among a plurality of interdependent agents, each acting on their own representation of the good. The appeal to universal principles is meant to guarantee not only the synchronic tenability of subjective maxims, but also a coherent structure of practical agency over time and of personal relations.⁶⁰ The rational principles that guide action are principles that interdependent agents, endowed with similar capacities (i.e., reason, moral judgment, and moral sensibility), could share.⁶¹

C9.P45 Insofar as rational construction is rooted in the practical standpoint, the sort of universality that practical principles display does not concern solely the internal organization of actions, but the structure of rational agency. The point here is that the logical form of practical thought mirrors the structure of rational action and rational agency. Within this context, the reflexive feature of rational agency is crucial to explain the conceptual relation between practical knowledge and knowledge of oneself as a rational agent. It is this connection that makes sense of acting on principle, as something that resonates deeply with the sense of identity of finite rational agents, rather than being perceived and conceptualized as an alien constraint or demand imposed on them. Finite rational agents are radically interested in reasoning and acting rationally because they have a constitutive interest in expressing and preserving their 'entire self' so as to achieve integrity. By contrast, self-defeat occurs because failure at acting rationally involves one in practical contradictions and conflicting commitments. Integrity and freedom also require acknowledgement of respect as an appropriate factor in the constitution of the rational self.⁶²

C9.P46 Universal principles ensure that rational agents make themselves reciprocally accountable and respond authoritatively to the demands of rational justification pressed by others and uncover the structure of cooperative

⁶⁰ Kant insists on possible purposes and goals, and on the 'wholeness' of happiness, with an emphasis on future dynamics, see G 4: 415–16.

⁶¹ MM 6: 399–402.

⁶² My thanks to Muhammad Legenhausen for prompting this clarification.

interactions. The emphasis on the constructive nature of practical principles that justify action signal that such principles are open to revisions and changes, within the constraints of universality. As a formal requirement, universality does not block or preempt new considerations from being taken into account, nor does it merely filter them. In fact, the freedom to change view within the constraints of reason is importantly related to the profile of rational agents.⁶³ As shown in Section 2, the requirement of universality channels the moral incentive and, when it operates successfully, leads to the integration of incentives within the bounds of practical reason.⁶⁴ If we take seriously the metaphor of construction, how does practical reasoning look?

C9.S13 3.2 Practical Reasoning as Aiming to a Principled Alteration

C9.P47 The CI is largely taken to generate a practical reasoning akin to deductive inferences. For instance, Beatrice Longueness writes that the “formulations of the categorical imperative are supposed to function as principles or premises for inferences determining a system of duties.”⁶⁵ Along these lines, Kant’s case of deposit is modeled as a hypothetical syllogism by Modus Tollens.⁶⁶ This conviction is widely shared. However, it does not do full justice to the role of the CI and does not make sense of the many practical functions that practical reasoning is meant to accomplish. The metaphor of construction can be fruitfully deployed to show that Kant’s account of practical reasoning is far more radical than it is generally assumed.

C9.P48 My contention is that the CI should be read a genuine alternative to the extant forms of practical reasoning, as identified by philosophical theories. In contrast to heteronomous doctrines, the CI is meant to capture the distinctive form of rational agency, which explains not only the validity but also the subjective authority of moral knowledge, by centering on the

⁶³ Changes in view pose a large problem in action theory, insofar as they indicate a conflict between the pressure for diachronic coherence and self-governance. Adequately developed, this feature of Kant’s theory represents a decisive advantage over those theories of willpower that favor a marked conservatism and tend to downplay the call for change and development as unsettling sources of temptations.

⁶⁴ Compare C3 §40 5:293, and WOT 8:143–6. The metaphor of construction is usefully paired with other metaphors that associate the activity of reason with public debate, see O’Neill, *Constructing Authorities*, 33–4. This interpretation stands in contrast to others, with a juridical emphasis, see e.g., Longueness, “Moral Judgment and a Judgment of Reason.”

⁶⁵ Longueness, “Moral Judgment and a Judgment of Reason,” 236.

⁶⁶ C2 5: 27, see also G 4: 424. Longueness, “Moral Judgment and a Judgment of Reason,” 255.

RUNNING HEAD EXCEEDING, PLEASE CHECK

self-awareness of rational agents. Adherence to CI as a productive and constructive principle of practical thought ensures the autonomy of reason, thereby achieving a sort of moral knowledge that uniquely qualifies as practical in that it can suitably guide finite rational agents. This is the sort of knowledge that Kant seeks to establish, and by which he means to vindicate the practical power of reason. The CI is the supreme principle of morality not because it tracks the supremacy of a moral domain, but because it guarantees the autonomy of reason and, by this route, the unconditional authority of moral obligations.

C9.P49 On the constructivist interpretation of the CI, practical reasoning does not take the stepwise form of deductive practical inference.⁶⁷ Rather, I submit, the aim of practical reasoning is to produce a principled alteration of one's intentions.⁶⁸ The activity of rational justification is anchored to a profile of rational agency, marked by a specific kind of self-representation: the rational agents to whom practical reasoning is addressed conceive of themselves as free and equal. The specification of the basis of rational constructions establishes who needs rational justification and why. It tells us that the issue of rational justification arises for practical subjects, finite, embodied and interdependent agents, capable of rational assessment and sensitive to reason. Unlike any foundationalist program, the CI identifies an activity that aims to bring all agents endowed with rationality into principled agreement by transforming their incentives rather than by forcing them to converge onto an external object.

C9.P50 Within this framework, the CI addresses two sets of problems that are distinctive of finite rational agency. First, it enables agents to suitably exercise their agency by construing the stance of agency according to the form of universality. Universality is not merely a second-order norm, but the norm constitutive of the rational stance. To this extent, the primary purpose of the CI is to warrant rational authority of action. Second, Kant's theory of incentives suggests that such authority should be understood dynamically, because of the recurring insurgence of empirical incentives. The empirical roots of the self pose an issue for the transmission of agential authority over time, since the natural incentives are unsettling. The function of the CI is to provide practical principles that work as cross-temporal governing

⁶⁷ See, e.g., Alan Donagan, *The Theory of Morality* (Chicago, IL: University of Chicago Press 1977); Nelson Potter, "How to Apply the Categorical Imperative," 397.

⁶⁸ In support of this distinction between reasoning and deductive inference, syllogism, and proofs, see Gilbert Harman, "Practical Reasoning," *Review of Metaphysics* 29 (1976): 431–63.

structures.⁶⁹ They allow for a dynamic coordination, which is necessary for the exercise of rational agency over time. So, in its function as a method of reasoning, the CI uncovers and organizes the normative resources that are distinctive and peculiar to the human condition, that is, the capacity to transform incentives so as to produce an interest in action.

C9.S14 **3.3 Rational Re-Orientation Toward Moral Ends**

C9.P51 The CI provides a scheme of coordination among a plurality of interdependent practical subjects, capable of their own representation of the good and not coordinated by nature. Under this construal, coordination names a problem, and moral obligation (as a practical rational requirement) names its solution. Thus understood, the practical significance of the CI—and its comparative advantage in comparison to previous accounts of moral obligation—is that it faces upfront the predicaments of interdependency and embodiment, which are constitutive aspects of the human condition.

C9.P52 In contrast to prominent approaches in the theory of practical reasoning, Kant’s argument for the CI establishes a relation between the instrumental and non-instrumental aspects of practical reasoning.⁷⁰ The efficacy of practical reasoning does not depend on psychological endorsement, but it is firmly anchored on features that are constitutive of rational agency. Consequently, Kant’s theory of practical reasoning does not merely avoid the trade-off between rationality and morality by imposing a lexical ranking of the kinds of reasons relevant for action. Rather, it comes with the recommendation that the moral problems posited by finitude be relocated within practical rationality. The radical claim is that reason serves as the compass for the moral domain: there is no eminent moral domain before the compass is put to work. While moral obligations can be burdensome and difficult to carry on, they cannot be unreasonably so.

C9.P53 In sum, the key practical function of the CI as the form of practical reasoning is to appropriately govern mental activity by altering what agents think about what to do, so that they could conceive of action in the right

⁶⁹ J. Glasgow, “Expanding the Limits of Universalization: Kant’s Duties and Kantian Moral Deliberation,” *Canadian Journal of Philosophy* 33 (2003): 23–47.

⁷⁰ It is a matter of disagreement whether this claim is defended explicitly by Kant, but it is generally agreed that this is an implication of his argument. To this extent, Kant’s model of practical reasoning represents an interesting alternative to contemporary theories of bounded rationality, and to minimalist or instrumentalist theories of rational action.

RUNNING HEAD EXCEEDING, PLEASE CHECK

way. Unlike others, this characterization of the CI aims allows us to appreciate the empowering role of practical reasoning. By engaging in practical reasoning, agents undertake changes. The FUL exposes corrupt self-serving maxims and rules out ways in which one makes exceptions in one's own favor. To this extent, the constructivist approach to the CI points out that the efficacy of reasoning primarily concerns the agent.

C9.S15

4. Conclusion

C9.P54

I have argued for the practical significance of the CI, centering on Kant's account of the dynamics of incentives. This approach may be found useful in a number of ways. First, it situates the CI in relation to Kant's rich conception of rational agency, thus avoiding some widespread misconceptions about how it operates and false expectations about what it promises and delivers. Second, it explains how it differs from deductive practical inferences. The CI is the supreme form of morality, and yet not in the sense that particular categorical principles can be derived deductively from it, once the relevant details are filled in. Finally, it explains how Kant's conception of practical reasoning is addressed to interdependent rational agents. Moral knowledge is knowledge about what we ought to do; but it is also a distinctive variety of self-knowledge, that is, knowledge of ourselves as efficacious rational agents. The efficacy of practical reasoning primarily concerns agents, and consists in their reorientation toward the right end.⁷¹

⁷¹ I would like to thank the audience at the *X Arizona Workshop in Normative Ethics*, and also Christel Fricke, Hajj Muhammad Legenhausen, Michael McKenna, Robert Johnson, Michael Smith, Caj Strandberg, Mark Timmons, and two anonymous referees, for their helpful comments.