

VERY ROUGH DRAFT
Incomplete and missing footnotes
Not for circulation without permission

REASON'S FORM

by

Robert Pippin
University of Chicago

I

The question of freedom in the modern German tradition is not just a metaphysical question. It concerns the status of a free life as a value, indeed, as they took to saying, the “absolute” value. A free life is of unconditional and incomparable and inestimable value, and it is the basis of the unique, and again, absolute, unqualifiable respect owed to any human person just as such. This certainly increases the pressure on anyone who espouses such a view to tell us what a free life consists in. Kant’s famous answer is “autonomy,” where this means first or minimally freedom from external constraint, coercion and intimidation (“thinking for yourself”), but even more importantly, being in a certain specific sort of self-relation. I can only be said truly to be “ruling myself” when the considerations that determine what I do are reasons. But if, finally, in exercising reason I am merely rationally *responsive* to inclinations and desires and aversions, I am letting such contingent impulses “rule” my life, however strategically rational or hierarchically ordered my plans for satisfaction turn out to be. So, Kant concludes, I am only truly autonomous, self-ruling, when the one consideration of importance (that is, normatively authoritative) in what I do is, as he says so frequently if

still mysteriously, the “*form* of rationality” as such. The more familiar name for such a necessary condition of autonomy is the Categorical Imperative. To make clear that this subjection to the “form” of rationality counts as autonomy, Kant also insists that this moral law be understood as “self-legislated,” that we must be able to regard ourselves as its “author,” and that we are bound to such a law because we bind ourselves to it.

Kant’s doctrine of freedom as, paradigmatically, autonomy, interpreted as the self-legislated rule of pure practical reason, is understood to have provided us with one of the three basic alternatives in secular conceptions of the nature of practical normativity, alongside consequentialism and ethical naturalism, or “virtue theory.” But Kant’s account is embedded in a much larger and quite complicated picture of the normative relation between rational subjects and the world in general, and we need to understand that picture and how the practical part of his philosophy fits in before we can return to the question of what he might mean by the freedom-autonomy-self-legislation equation.

Quite a typical and bold indication of the core of that picture occurs in a passage from the section on “The Regulative Employment of the Ideas.” Kant is describing the incessant attempt by human reason to find unity behind diversity and to reduce the principles of explanation to the smallest number, and he rejects the idea that we do this only for practical purposes, to save ourselves some trouble or merely to make it easier to organize the results of empirical inquiry. Instead, he insists, in such a case and in general reason “does not here beg but command.” (A653/B681).

This language about commanding is part of a well known complex of legal and political metaphors Kant uses to state his basic position on our cognitive, practical and aesthetic relation to the world. The Copernican turn in philosophy had already proposed

that objects be understood “to conform to our mode of knowledge” rather than the other way around (B xvi), and the understanding itself had been defined as “the mind’s power of producing representations from itself, the spontaneity of knowledge.” (A51/B75) Throughout the first Critique it would at least appear that Kant’s case for the possibility of a priori knowledge everywhere depends on the notion of an active intellect prescribing or legislating or commanding that experience have a unity without which representational content would not be possible.

As noted, this idea is also central to his practical philosophy. It suffices to quote what may be the single most important (and ambiguous) passage from his moral philosophy.

The will is thus not merely subject to the law, but is subject to the law in such a way that it must be regarded also as legislating for itself [*selbstgesetzgebend*] and only on this account as being subject to the law (of which it can regard itself as the author [*Urheber*]). (AA, 4: 431; F, 48)

And while the third Critique would seem to depart the most from the picture of a subject legislating and imposing, the argument nevertheless manages an odd, indirect appeal to such a picture: pleasure in the beautiful is pleasure occasioned by the experience of a formal unity in apprehension of the sort that would have resulted from such legislative requirements, but which is in fact experienced independent of such an application. We thereby can experience pleasure in “purposiveness” but “without a purpose.”

So, the legislating, commanding subject apparently retains its priority throughout the critical philosophy. But there is one further, crucial element to the picture; the most

important and the most compressed element. That dimension is summed up in the final entry in the list of “concepts of reflection.”

Matter and Form. These are two concepts which lie at the basis of all other reflection, so very inseparably are they bound up with the use of the understanding. (A 266/B 322)

Our legislating subject legislates the form of experience, the rational form of action, and the formal, subjective conditions of experience in general set the conditions under which an aesthetic experience can be pleasurable and yet rationally “demanded” from anyone. Transcendental knowledge concerns the mode of knowledge, the *Erkenntnisart*, of objects, or the form of such knowledge (A12/B25) and a pure concept is only “the form of the thought of an object in general.” (A51/B75)

In the practical sphere, the moral law or categorical imperative is regularly said to be the “form of pure practical reason” as such. Since, according to Kant, unaided human reason has no insight into natural law or objective moral properties, only subjection to the form of pure practical reason can ground a rationalist ethics. This of course already sounds very far from our ordinary understanding of the urgency of moral obligations and the nature of the claim of such requirements. (Why am I supposed to be so deeply committed to “subjection to the form of pure practical reason”?) But this is certainly Kant’s position. In the second Critique, the “supreme formal principle of pure practical reason” is said to constitute “the autonomy of the will” (Beck, 41); the “formal practical principle of pure reason” itself is said to be the “determining ground of the will” in such moral autonomy. It is clear enough that Kant means to say by these claims that when we act according to what he calls “material” principles, like the satisfaction of desires or

even in the pursuit of what we take to be substantive goods, we cannot be said to be truly self-determining, simply because we have no control over what inclinations, impulses and passions we happen to experience, or why some putative good should be taken actually to be a good, whereas we have acted in a completely self-determining way when we always attend, as a possible constraint to any materially motivated action or to the setting of any finite end, to the purely formal character of any such maxim, asking in effect if this maxim's form can satisfy the formal nature of reason as such – that it can be shared by all, that no “exception” is claimed for oneself. That much about Kant's intentions is clear, but the link between this formulation about formality, and the good or bad making features of our reasons, has always been a source of great controversy.

II

So much for the standard summary and the standard picture. Let us say that it seems by and large to be an “impositionist” picture, with spontaneous human reason imposing a self-legislated form *onto* the unruly material contents of intuition, *onto* the unruly egoistic passions due to our sensible natures, and that such rational form provides the formal framework imposed as the form of all experience, within which the experience of some objects could occasions a distinctly aesthetic and shareable pleasure. Stated this way, without qualification, it is also an immensely unattractive, implausible philosophical account, suggesting a crude idealism in cognition, a narrow, rigoristic, self-alienated motivationally opaque moralism, and an unstable subjectivism in aesthetics. The picture is made even more unattractive by Kant's suggestion that the source of all such forms is reason's self-legislating activity, as if we actually *produce* forms which we then impose on a recalcitrant sensible materiality. What I want to suggest is that this impositionism is

only superficially Kant's picture. The strategy will be to show that the self-originating and self-legislating impositionist picture is not faithful to the deepest insights of the theoretical philosophy, and then to suggest what implications this might have for practical philosophy.

But even before proceeding to the details, there is an immediately pressing, *prima facie* reason for doubting that this picture could be accurate: it saddles Kant with a position he could not possibly hold. In his epistemology, the fact that Kant thinks of the form of experience as having something to do with the judgmental form of thought, and the fact that he says the chief activity of the understanding is judging, nevertheless could not mean that he thinks of experience *as consisting in judgments*, in the actual application of conceptual form to sensible matter as in predicative classification. That would mean that he would have to think that the perception of a red rectangle on a table in front of me consists in some silent and, one would assume, extremely rapid judgmental activity occurring in each perceptual episode, a token of the "There is a red rectangle in front of me" type. If that is not so, and, when one considers the extraordinary variety of perceptual content in any moment of experience, it cannot be so on pain of absurdity, one must still do justice to the fact that Kant nevertheless insists that experience would not be possible without the understanding's "activity," how should we understand that "activity"? (One way to think of this would be to align oneself with Geach, who insisted that "whatever one can judge to be so one can also conceive to be so without judging it," and so, as with McTaggart's "non-assertoric thought," identify the "internal structure" of such a judgment and such a thought. This would come close to Spinoza's view that a thought is by its nature assertoric and so "only a background of adult conviction keeps a

thought of a winged horse from being a judgment that a horse is winged.” This certainly relevant to Kant but it does not yet specify the act of thinking or conceiving if this is not an act of judging. Likewise by saying that experiencing cannot be simply judging, I do not mean to conflate judging with linguistic expressions of or reports of judgment. Experiencing is certainly not identical with these either, but that is another issue.)¹

Moreover, while Kant’s account of the form of practical rationality might have suggested to some commentators that the actual exercise of such practical rationality simply consists in “applying” a universalizability test to explicitly formulated maxims, as if moral deliberation consisted in explicitly attending *to the proper logical form of a material maxim*, testing its universalizability, and then proceeding to act or to refrain from action because the maxim “passed” or not, there is nothing in Kant’s many examples of ordinary moral deliberation to suggest such a picture. It is true that in the four famous examples from the Second Section of the Groundwork, Kant writes as if an agent in doubt about the rightness of a possible action performs a universalizability test and thereby comes to see a “contradiction” and therewith why a wrong action would be wrong. But he has already told us that in such examples he is not describing ordinary moral experience, but is making an abstract philosophical point. The examples are not meant to reveal what actually goes on in the assessment of a course of action as impermissible, any more than the claim that the form of our perception is judgmental is meant to suggest that perception consists in judgments. As Kant had made clear in the First Section:

To be sure, ordinary human reason does not think this principle abstractly in such a universal form, but it always has the principle in view and uses it

as the standard for its judgment. It would be easy to show how ordinary human reason, with this compass, knows well how to distinguish what is good, what is bad, and what is consistent or inconsistent with duty. (Beck 20)

And later in the paragraph:

But the most remarkable thing about ordinary human understanding in its practical concern is that it may have as much hope as any philosopher of hitting the mark. In fact it is almost more certain to do so than the philosopher, for while he has no principle which common understanding lack, his judgment is easily confused by a mass of irrelevant contradictions so that it easily turns aside from the correct way. (Beck 20-21)

Now to be sure, Kant goes on to explain that while we have no need of philosophy to clarify *what we ought to do* in any case, we are so tempted by self-love that we constantly devise arguments against the moral point of view and for the satisfaction of our desire for happiness. Accordingly, even common human reason requires critical philosophy as either a barrier or corrective to these temptations, but the elaborate detailed formulation and reformulations of the moral law in the Second Section and the casuistical discussions of examples are relevant only to this second-order and defensive task, and are clearly not meant to be articulations of ordinary moral knowledge or themselves a component of that “ordinary human reason,” “gemeine Menschenvernunft.”²

And so the same question arises: what would be right account of the actualization of pure practical reason, *reason in action*, one could say, if it is not such a continual testing procedure?

III

The key to what Kant is trying to say lies in a proper understanding of what he calls *Spontaneität*, what we can generally call the problem of conceptual or rational activity, an activity that Kant considers fundamentally legislative. The most comprehensive characterization of that feature of human awareness that makes such activity conceptual or rational (“normative” in the broadest sense) is that such awareness is apperceptive. The argument is that any possible objective purport in experience (any intentional determinacy, thought’s possibly being about objects at all) has to be understood as a relation that must be established, cannot be understood as a result only of sensory interchange with the world, as if the mere presence of sensible objects and their modification of sensibility on its own, as it were, sets or triggers the content of conscious thought. This means that all contentful consciousness is a self-relation in relation to objects, although that self-relation cannot, on pain of regress, be a dyadic intentional relation or a simple self-monitoring. Wilfrid Sellars, in his classic essay, “Empiricism and the Philosophy of Mind,” put this point by saying that perception is “so to speak, making an assertion or claim.”³ It is not easy to spell this out because the character of the conceptual activity at work is difficult to describe. As noted before, it certainly does not mean that experience actually consists of some string of impossibly many assertoric judgments. But the key point is that any conscious attentiveness to content of a sort cannot be said merely to happen to a subject, but must be an exercise of what Kant called spontaneity, even if not an exercise attended to as such. (At any point when there is some need to do so, a challenge or an anomaly, any such taking can always be made into a judgment; it must be of the character always to be available for such an explicit claim.)

That is, in all my conscious attentiveness to the world there is some kind of implicit continual responsiveness to the normative dimensions of all experience, an openness we might say everywhere and always to whether I am getting it right, an openness that must be “held open,” all as a characteristic of my attentiveness. It is this feature of that attentiveness that for Kant and his successors forever makes a wholly psychologistic or naturalistic account of consciousness incomplete. I want to claim that there is a parallel phenomenon in play in what Kant must understand to be a kind of practical apperception, and so a parallel temptation to misinterpretation or over-interpretation. Awareness does not consist in judgments, and moral attentiveness and responsiveness (what Kant calls ordinary human reason, gemeine Menschenvernunft) does not consist in universalization tests.

I want now to take up some suggestions from Wilfrid Sellars about this issue and follow through its implications in some of his articles. The first and most important suggestion comes from §33 of Science and Metaphysics, where, in support of the claim that “it would be a radical mistake to construe mental acts as actions,” he writes of our perceptual takings that, “It is nonsense to speak of taking something to be the case ‘on purpose.’ Taking is an act in the Aristotelian sense of ‘actuality’ rather than in the specialized practical sense that refers to conduct.”⁴ (By “perceptual takings,” as in taking there to be a book on the table, I understand Sellars to be referring to perceiving (in the sense, he says, of “noticing”) a book on the table, not taking it that what I am seeing on the table is a book; he is quite deliberately not talking about “judgmental taking.”)

What we want to understand (in order to disabuse ourselves of any worry about intellectualism or the “over-intellectualizing” perceptual experience described in the last

section) is how considering perceptual takings as “actualities” in the Aristotelian sense might help in such disabusing. However these remarks are part of a larger Sellarsian picture built up of the notions of form and content as well as actuality and potentiality and we need a few more elements of that picture before we can appreciate the force of this claim about “conceptual actualization.” We need especially to take on board, here without defense and only for the sake of understanding this one issue, a controversial aspect of Sellars’ Kant interpretation.⁵ What we have been referring to as the “content of experience” is for Sellars a manifold of empirical intuitions, once we realize that such empirical intuitions are conceptually informed, have, as I am trying to say here, a conceptual form.

Here is Sellars from his essay “Some Remarks on Kant’s Theory of Experience,” explaining his famous denial that the concept/intuition distinction in Kant is congruent with the conceptual/non-conceptual distinction.

Actually, the pattern of Kant’s thought stands out far more clearly if we interpret him as clear about the difference between *general* conceptual representations (sortal and attributive), on the one hand, and, on the other, *intuition* as a special class of *non-general* conceptual representings... ‘Intuitive’ representings would consist of those conceptual representings of individuals (roughly, individual concepts) which have the form illustrated by

this-line

As contrasted with

the line I drew yesterday

which is an individual concept having the form of a definite description.

(272)

So it is the notion of conceptual activity relevant to these “this-such,” intuitional representings, to the content of experience as the experience of discriminated particular objects and events, that we want to understand.

And we note right away that by understanding the way such conceivings are in play as actualizations, not judgments, Sellars does not mean that we should think that some sort of mental activity is merely triggered into operation, or let us say, occurs non-apperceptively. He says that the “evoking” by a red object in sunlight of ‘this is red’ from a person who knows the language to which this sentence belongs is “no *mere* conditioned response.” This is just as true of the evokings of intuitional representings, the content of experience, because, in the same way:

To know the language of perception is to be in a position to let one’s thoughts be guided by the world in a way that contrasts with free association, with day-dreaming, and, more interestingly, with the coherent imaginings of the story teller. (273)

This “letting be guided” is thus somehow neither a causal notion of evocation (causally wrung out of us) nor a judgment in the sense of a “decision” of sorts about what is before me.

It is this sense that Sellars can formulate his own version of Kant’s “same function” claim, Kant’s assertion at A79/B105 that “The same function which gives unity

to the various representations in a judgment also gives unity to the mere synthesis of intuitions in an intuition...”

In receptivity we do the same sort of thing we do in the ‘spontaneity’ of imagination, but we do it as receptive to guidance by objects we come to represent. (273)

The “same thing” is conceiving, but “in receptivity,” is a dialectical notion we need more of the picture to understand.

We need this following piece above all. Sellars then warns against a temptation (a temptation I think at play in many of the accusations about Kantian “over-intellectualizing”).

The temptation is to think of the ‘content’ of an act as an entity that is ‘contained’ by it. But if the ‘form’ of a judging is the structure by virtue of which it is possessed of certain *generic* logical or epistemic powers, surely the content must be the character by virtue of which the act has *specific* modes of these generic logical or epistemic powers. (274-5)

So it is not the case that we should think of the subject-predicate logical form or the substance-property categorical form or any general form as “empty” containers or something analogous to empty shapes or molds which are either “filled” by sense impressions of, say, the ‘Tom-is-tall’ sort when we encounter the tall Tom, or which is sufficiently stimulated to “stamp” sensory impressions with the Tom-is-tall form. “Tom is tall” is just the specific way *the S is P form* is actual, manifests in actuality the discriminatory power that having *the S is P form* enables. That form is “enmattered” just by being this specific mode of actualization of the capacity, not by being some stuff that

is shaped. And an empirical intuition, a perception of a particular, a perception of a particular-with-attribute, or the determination of a specific temporal relation between events are the ways any such generic powers are, differentially, specifically actualized in sensible creatures like us.

And we can already note that none of this is guilty of cognitivism or intellectualism or, maybe the term should be, “explicitism.” One’s seeing the tall Tom approaching involves the actualization just described without one thinking or judging “There is that tall Tom” or “Tom is tall” or any application of concepts to sensory material. Just as in Aristotle’s account the *phronimos*’s practical rationality is *in* the way he attends to, ignores, selects and dwells on (or not) aspects of the events and possibilities before him, the power of seeing is for us a conceptual power. That does not mean it is not a “truly sensual seeing” power but rather a “conceptual” or judgmental power. Because it is a conceptual power (apperceptive, as Kant puts it) it can always, as we see, also be “attuned” to or “open” to, say, it actually not being Tom I see. We see the tall Tom in a way always open to cues that it is not Tom because in perceptually taking it to be Tom, I am apperceptively aware of it being such a taking. Not aware of Tom and aware of the taking, but aware of Tom in that way, in that adverbial sense. That is the way we *see*; it is not a seeing also “monitored” by a self-conscious I.

This is also relevant to how the way animals have representations is different from ours. Theirs are intentional in their way, but they do not have the status of “cognitions,” as McDowell puts it. A dog might see a human figure far away (upwind, let us say) and seeing an unknown person, begin barking, only later to start wagging her tail as the known person it really is comes into view. *But the dog did not correct herself.* Here

we do want to say that a perceptual cue prompted a response (one we can even call a rational response), and then a different perceptual cue (with more detail of visual features in view) prompted a different behavioral response. (I've never noticed, for example, that my dog Molly become embarrassed that she made such a mistake – which she often makes – since she has no way of knowing that she made a mistake that she ought to correct. That is not how she sees; she sees one set of cues then she sees another. This would be one way of saying she has no unity of apperception.)

And here we might as well take fully on board the form-matter, actuality-potentiality language Sellars is suggesting, and so the kind of hylomorphism most interesting, soul-body hylomorphism. In the standard analogy (from Book Two of Aristotle's *De Anima*), if the eye were body (matter), seeing, the power of sight, would be its soul (form), the distinct way of the being-at-work or first actuality of its body. (There is thus no true separability (even if there is logical distinguishability); a “dead” eye is not an eye anymore, except homonymously.)⁶

So in a human sensibly receptive creature, subject to sensory impressions, specific conceptual intuitings (this-suches) would be the distinctive actuality, the distinctive being-at-work of such a capacity in creatures like us. The temptation to think that for creatures like us, we must distinguish the sensory manifold from the form which informs it, is the great temptation to be avoided, Sellars is insisting. The power of the eye's sight is not a power “added” to a material eye, as if there could be an eye identical in all respects to a normal eye, but which cannot see, and which is then “infused” with the seeing power. The seeing power is the distinct being at work of that body.

Analogously: when Kant famously says, that “intuitions without concepts are blind,” he does not mean that we are first subject to blind intuitions which can be said to become “informing” and “guiding” intuitions “after” concepts are applied to them. There are no blind intuitions, waiting to be conceptualized. Kant means to be rejecting the idea of non-conceptual content, not specifying its initial blindness. Blind intuitions are no more determinate intuitions than dead eyes are eyes. It is thus also a mistake to ask a question like “how do sensations guide or constrain the application of concepts,” the same mistake as asking “How do we compare our judgments about states of affairs or our experiences of states of affairs with the states of affairs”? Experience is not guided by sensations; it is sensory awareness and can only be sensory awareness, on to particular objects and events, if it has the power of discrimination, a conceiving power, actualized sensorily. Likewise, the contents of experience are states of affairs. Any reluctance to judge on the basis of such experience comes from what else we experience not from any comparison.⁷

So it is not the case that ostensible seeings are so necessitated that when we correct what we wrongly took to be what we saw, we are just *otherwise necessitated*. I have tried to say why this is not so. Ostensible seeings are just that, ostensible as such, apperceived in Kant’s terms, and so always subject to correction, not alternate necessitation. And it all does not suggest that cognitive claims are simply up to us, as if we *could* irresponsibly judge there to be an elephant in the seminar one when there is not one.

The conceptual capacities that are brought into play, actualized, in a perceptual experience (that is, properly understood, in empirical intuitions of the world) amount to

the kind of actualization called for in the seamless and generally unproblematic perceptual experience of the world. But those capacities (the same capacities) can be brought into play in another way, at another register, when, in that experience, the actualization of an order of reflectiveness and assertoric claim-making is called for, which, while always available, is mostly not called for. This actualization is called for whenever something discordant in our perceptual experience occurs (we perceive at a later time aspects of the world inconsistent with what we took ourselves to be perceiving earlier, say) or when a question is posed: “Did you really see the cube?”) The *modes of actualization* are different, not the *relation to the will*.⁸

Of course these suggestions are just suggestions at this point; they do nothing to establish that Kant’s position was not “impositionist” in this sense. But we have already quoted the “same function” passage from A 79, and there are others of the same tenor. At B138, in the second-edition deduction, Kant writes,

The synthetic unity of consciousness, is, therefore, an objective condition of all knowledge. It is not merely a condition that I myself require in knowing an object, but is a condition under which every intuition must stand in order *to become an object for me*.

And he works hard to insist that is not turning the question of objectivity into the question of subjectively necessary unity.

The concept of cause, for instance, which expresses the necessity of an event under a presupposed condition, would be false if it rested only on an arbitrary subjective necessity, implanted in us, of connecting certain empirical representations according to the rule

of causal relation. I would not then be able to say that the effect is connected with the cause in the object, that is to say, necessarily, but only that I am so constituted that I cannot think this representation otherwise than as thus connected. This is exactly what the skeptic most desires. For if this be the situation, all our insight, resting on the supposed objective validity of our judgments, is nothing but sheer illusion. (CPR, B168)

The point of all these metaphors of course, is to find as many ways as possible to suggest some modality of conceptual activity other than assertoric judging or acts of conceptual sorting (“this is an A, this is a B, etc.”), or deliberate rule-following. We can claim that we cannot be successfully onto objects without the actualization of a sortal discriminatory power, even while insisting that the actualization of that power in the sensory presence of the object is quite different from its actualization in judgmental sorting.

IV

This is even clearer in practical contexts, I now want to claim, especially in consideration of something like practical apperception, the self-relation by virtue of which what I am doing is this deed of mine, not that, and not something happening to me or that I suffer. The full claim, which would require a lengthy separate discussion, is that my intention (conceptually mediated mindedness in this context) should be said to be “in” the action, not “before” or “behind” it, in much the same way we discussed rationality for the *phronimos*)⁹ In initiating and then sustaining an action I obviously know what I am doing and have some sense of why and so can be said to be going about

my task “knowingly” without that having to mean that, as the deed unfolds, I keep checking to see if my intention is being fulfilled or if the action still fits the act-description under which I became committed to the intention or if I still regarded it as justified. I can clearly be said to be attentive to all this without being attentive to the intention and act description and evaluation “as such” (just as I can be said to have reasons for what I am doing without ever reasoning). To return to the point of the analogy with cognition, just as experience, perceptual knowledge, say, does not consist in some series of empirical judgments, so rectitude in a life does not consist in some kind of self-monitoring and self-testing. No “impositionism” anywhere in other words. A righteous moral life is not one in which some individual has decided at some punctuated moment to make the Categorical Imperative the superordinate principle of choice for all decisions, as if there is some noumenal moment of election: a choice between radical evil or the *supremum bonum*. Rather, such a life involves a variety of discriminatory and evaluative capacities “actualized” in sensibly embodied ways as occasions demand. Prior to any putative deliberative moment, capacities for discrimination, perception, assessments of relevance, affective responses and so forth have already long since been engaged in ways that are conceptually complex and subject to possible direct assessment if something happens that calls for it.

To return one last time to the analogy with cognition, when Kant says that the “undetermined object of an empirical intuition is an appearance (Erscheinung),” (B34/A20) I take it that he means (that he must mean since he also says that we *know* appearances) that such an appearance is an articulate one without yet any explicit articulation having gone on. I would have to stop and think about what it is exactly that I

saw, what would be relevant to answer a question I was posed etc. It is undetermined for me. Likewise, as noted earlier, I can have several reasons for what I am doing without, yet, any reasoning having gone on. Prior to such an articulation by me, they, the reasons, could be said to be *as yet undetermined for and by me*; I would have to stop and think about just why I was doing this or that. . Or: *the undetermined object of a human intention is a phenomenal action*.

So what gets attended to in practice as salient, of ethical significance; even what goes “properly” unnoticed in a division of labor in, for example, a well functioning egalitarian society (race, gender, etc.), a society with a rational form; what occurrence raises a question, demands attention, what does not; who is taken to be of relevance to the moral community, who is not; and so forth can all be imagined to be of great, attended to, but unreflected weight in our practical world, some so deeply unreflective and strongly held that it is hard to imagine ever questioning them. We have all of this is “in mind,” without any of it being “before the mind.” And yet it is highly implausible that such historically and culturally quite variant shared forms of practice could be said to have any immediate, direct presence in our experience “on their own,” as if pressing on our attention in themselves or “from the outside.” A highly complex conceptual or normative interpretive framework is at work, actual, and is available for reflection, without it being the case that such a being at work is a matter of some explicit “reflective endorsement,” or the result of an articulated moral evaluation somehow “going on” as a mental event and so a distinct component of such normative attentiveness.

This also gives us a different way, or the beginning of a different way, to think about the autonomous individual. Commonsensically, we rightly understand the

minimum condition for such self-rule to be freedom from external constraint or coercion or threat and so forth. In a general sense, we also accept what Kant introduces as a condition for such self-rule being genuine: it should be rational. If we are under the influence of some urge or passion that tempts us to do something we recognize we have no good reason to do or very good reason to refrain from doing (or, to add massively to the complexity of the case, we could so recognize were we not under such an influence), and yet we satisfy the urge, we tend to agree that something is going wrong; we are not leading our lives in the proper sense. But we balk at what is taken to be the next Kantian step: that what it would be to be fully rational would be to submit our reasons for action to some consideration of compatibility with the form of rationality as such. That move introduces all the rigorism and empty formalism and difficult motivational worries. But these worries look different if we concede that by the form of rationality Kant means a capacity for assessment that can no more be isolated as a kind of criterion than there are ever “substances” or “causes” in experience, or than we can understand seeing without understanding it as the seeing of a kind of eye, human, or bat, or fly, say. (There is no “seeing as such”; there is only species-specific actualizations of such a power.) And it looks different if we understand the actuality of reason in a human life as a capacity for justification specific to, relative to, the way in which some form of life at some time calls for, or does not, such justifications and acknowledgements. The idea of autonomy as the capacity of an individual to “think for herself,” of such thinking as the genuine deliberation necessary for self-rule only if rational, and of the standard of rationality conceived in the “formal” way I am suggesting Kant does not hold, all begins to look

different if we consider how Kant meant us to understand “form” and “activity” in the theoretical philosophy.

To be sure, in the practical context, there are things we do “on purpose”; there are genuine actions that are up to us, not only actualizations. But these actions are initiated fairly far “downstream,” within some understanding of the context of possible action, the available alternatives and the relevant criteria for assessment. There are practically relevant perceptual “takings” that are hardly the result of how we might “decide” to look at things, and it is only in such determinate contexts that rationally evaluative capacities are then drawn into play, and this again in ways that are not simply “up to us.” (We don’t decide what justifies what.) There is also of course deliberation, where what we ought to do is not clear: is this action a betrayal of friendship or what a good friend ought to do? But the terms of the deliberation and the relevant options must still be understood as aspects of the actualization of our rational capacities and not as resolvable finally by something like a “free choice.” It is much the same as cognitive deliberation: was that dog or a wolf I just saw? No one finally “decides” what the answer shall be.

V

Now admittedly this all also begins to look very different from the historical Kant. He certainly seemed to think that freedom minimally required an ability, as it is said, “to step back” from what we might be inclined, even powerfully inclined to do, and deliberate about what we ought to or may do, and *this simply qua rational deliberator*, having put out of play all considerations except what it would be rational to do. His account of moral responsibility has always suggested to many that he meant us to

consider each action as chosen, that in cases of moral temptation, we should think of ourselves as like controllers faced with a switch, with access to a guide book about tests; either act for self-love or elect to act only on maxims that can be universalized, according to the rules in the guide book. Such election would of course only be possible in Kant's noumenal world, unconditioned and so not in time, and so a choice for which we bear sole and absolute responsibility. Moreover, given what is accepted as Kant's picture of moral conflict – a struggle between inclinations, all species of self-love in one way or another, and what we know is the right thing to do – there just cannot be a continuity between Kant's practical philosophy and his theoretical philosophy, if the latter is, as has been claimed, non-impositionist. Moral life according to the canonical Kant is certainly the struggle to *impose* “what reason demands” *onto* the resistant passions of self-love we are naturally subject to. And, as already conceded, there are certainly passages where he seemed to be saying that the question of whether our lives could be said to conform to the form of rationality and so count as autonomous was indeed a matter of constantly testing maxims for universalizability, or for conformity to some moral ideal (respect for persons as ends) said to be equivalent to the universalizability test.

It is too late in the day at this point to turn to the minutiae of Kant interpretation, but I think we should at the very least hesitate before concluding that while Kant was not an impositionist in his theoretical and aesthetic philosophy, he was in his practical philosophy. It may have served Kant's purposes occasionally to lay out the issues and alternatives in stark and somewhat simplified terms, suggesting mind-made empirical objects and self-monitoring maxim testers, but when one considers his overall position and more of the details, it looks less likely that the core, canonical formulations

should be taken as his last word. Consider this one indication of the complexity of his position.

Very early on in Book One of Kant's Religion book, he attests in a striking footnote to his deep sympathy with Schiller, the author of one of the most famous little poetic objections to Kant (that if I aid my friend, I should find some way to dislike the friend or for the Kantian there could be no moral worth in the action). In praising Schiller's essay Über Anmut und Würde, Kant, while agreeing that actions done from duty are not properly understood as ever "graceful" (they rather inspire "awe") he surprisingly agrees with Schiller that there is something wrong, objectionable, about the picture of someone who experiences doing his duty as, one has to say, the difficult imposition of a constraint on what he would truly like to do, doing his duty always reluctantly or grudgingly. Kant writes,

Now if one asks, What is the *aesthetic* character, the *temperament*, so to speak, of *virtue*, whether courageous and hence *joyous* or fear-ridden and dejected, an answer is hardly necessary. This latter slavish frame of mind can never occur without a hidden *hatred* of the law. And a heart which is happy in the performance of its duty (not merely complacent in the recognition thereof) is a mark of the genuineness (*Ächtheit*) in the virtuous disposition... (R, 19)

It is true that Kant is here commenting on virtue and not autonomy as such (where virtue is something like having an autonomy as an end) but his general point seems to be about the genuineness of moral motivation, a more general condition of moral worth in both individual actions and in the virtue of a life as a whole . So even in individual cases,

when the question is whether the moral law has been the superordinate factor in the decision, this kind of remark suggests a far more complicated set of conditions for the attainment of this commitment, the “out of duty” state of mind, than what strength of will or resolve alone can achieve. And since our moral vocation requires us always to strive for such a dutiful state, whether as a ruling principle in all our actions (virtue) or in any act, such conditions are essential to the achievement of what morality requires. To experience the moral law as a painful constraint on what one would otherwise want to do is, Kant is suggesting, even if one ends up doing what duty requires and because it is required, evidence of a sort that one has not yet “genuinely” made “the right” the determining ground of one’s actions. (He says that without the right “joyous frame of mind (“fröhliche Gemüthsstimmung”) we won’t ever know whether we have attained a true love of the good; that is, whether we have the condition he calls “having incorporated” (“aufgenommen”) such a concern with the morally good “into one’s maxim.”) Or put the other way, even the fact of the moral law “winning out” in some conflict with self-love is not evidence of a morally righteous action, but at most still only a “legally” correct compliance.)

Kant is of course famous for expressing skepticism that we can ever attain anything more than legal compliance like this, but he is suggesting that the picture of a dualism between sensible inclinations and a constraining, regulating moral law, an impositionist picture, is not something we should consider the default position; it is not the true picture of a moral, or said more broadly, an autonomous life. (The passage indicates that subjection of my will to the Categorical Imperative may be a necessary condition of autonomy, but it is not sufficient.) And this opens up onto a lot of issues not

usually associated with the canonical Kant. For if a properly autonomous life does not involve some sort of mere rule over our rebellious affective lives, then it is also true that we cannot manage to have the proper affective attunement, the avoidance of a dualism between affective matter and rational form, simply by choosing to have it, as in choosing to love doing our duty. The conditions that must be fulfilled for us to be in the position of having genuinely adopted moral rightness as of superordinate importance in what we do are not then themselves simply up to us, but require a sort of socialization and education and affective relationships with parents and other members of what Kant calls “the ethical commonwealth.” This would suggest that the form of one’s action could not count as rational in isolation, that it depends on whether the form of one’s life as a whole is rational, and this might then depend, in the sense just suggested, on whether a community’s form of life was rational. Perhaps this would mean that a certain economy of shared affective and evaluative responsiveness had been achieved and had become interwoven in the fabric of the self-understanding, culture and educational practices of a community, all such that the possible achievement (“actualization”) of autonomy might be more a social than an individual achievement.

Let me summarize the claim I am making one final time with reference to the crucial self-legislation claim. There are several levels to Kant’s insistence that we must be able to regard ourselves as the “authors” of the law and that it is self-legislated, not, let us say, merely self-administered. It clearly involves simply thinking for oneself, not being coerced, cowed, intimidated, subject to influences and impulses in some way responsible for one’s choices. Secondly, it must mean that in opting to constrain everything I do and to set my own ends according to “what is rational,” there is no other

consideration motivating me except reason itself. The air of paradox begins here (or the whiff of a possible regress can be detected). But neither of these formulations does justice yet to the strong language of “authoring” and self-legislating. Kant does not say I am the rational executive in this legislative analogy, but am legislative. So there must be a third and deeper formulation of autonomy. The claim clearly cannot mean that one formulates for oneself what will count as rational. The form of rationality just is the form of rationality. But Kant’s language suggests that this form is motivationally inert (just a logical form) and indeterminate unless and until I legislate it as the superordinate practical principle of my life. (It would then be the rational form *of my life*; not, as one usually hears about Kant, that my life should be understood to have *the form of a pure practically rational being*.)¹⁰ I cannot “legislate” it as the law, but I do legislate that it be my law. (I must, if it is to be my law.) The air of paradox then returns. Understood this way, it will be very difficult for Kant to keep distinct what the form of reason considered simply as such means, and what the form means, amounts to, when “actualized” as a life-principle. That will largely depend on the concrete form of life itself.¹¹

All of this of course begins to sound less like the Sage of Königsberg and more like the wise Schwabian from Stuttgart, but that is hardly worrisome in itself.

¹ Geach (1971), p. xi. Geach cites Spinoza, Ethics, II. 49 scholium. It would involve a lengthy digression to explain why this issue is also relevant to Geach's rich discussion of why we should never understand expressions like "the wisdom of Socrates" in a Platonic way, as splitting into "the wisdom" and "of Socrates," but rather "What refers to a form is 'the wisdom of...,' not the whole phrase 'the wisdom of Socrates'; 'the wisdom of... ' needs to be completed with a name of something that has the form, just as the predicate 'is wise', which also stands for this form, needs to be completed by a subject." Geach, God and the Soul (1969), p. 48. Cf. also his "form" and "function" argument, p. 49ff.

² When Kant does discuss the education of such common human reason, as in the "Methodology of Pure Practical Reason" that closes the second Critique, he concedes the importance of argument and the battle with egoistically motivated sophistry, but his emphasis is on examples and with finding a way to allow the motivational power of the representation of righteousness to accomplish its task unimpeded.

³ Wilfrid Sellars, Empiricism and the Philosophy of Mind (Cambridge: Harvard University Press, 1997), p. 39.

⁴ Science and Metaphysics, p. 74

⁵ It is not controversial for me; I am in complete accord with it, and think it is the key to understanding later German Idealism. See Hegel's Idealism, Chapter Two.

⁶ I mean this analogy only as an analogy, although when one takes this line similar issues arise as in the case of Aristotle. Some commentators insist that, given what Aristotle says about artifacts (the same matter persists even when no longer enformed), there must be an equivalent, say, sub-organic identity for ensouled or organic beings that actually persists, not merely homonymously. Christopher Frey seems to me to have refuted this “two body” view (2007) and his result is important for this use of Aristotle. Similar issues arise in the post-Kantian tradition and in much of the commentary, since it is often assumed that on the “matter-form” picture, it must be the same matter whether enformed or not, or the same matter if enformed differently. I (and Hegel) deny such an inference.

⁷ Compare Hegel's formulation. In the Encyclopedia Philosophy of Spirit, in trying to distinguish sensory receptivity as the mere modification of sensibility from intuition he says,

... intuition on the other hand is consciousness filled with the certainty of reason, whose object is rationally determined and consequently not an individual torn asunder into its various aspects but a totality, a unified fullness of determinations. (E, #449)

⁸ I am not claiming that Kant kept carefully to the distinctions I, following Sellars, am making. As at B130 and many other places, he often talks of any representation of complex unity as a result of the understanding's activity, and what the understanding does is judge. But taken without qualification this would make for an impossible picture

of experience. See McDowell, “Self-Determining Subjectivity and External Constraint,” p. 96.

⁹ I argue for this in Chapter Six of Hegel’s Practical Philosophy.

¹⁰ I realize how heterodox this sounds and how many issues it leaves unresolved. What to do with the phenomenal/noumenal distinction is an obvious question.

¹¹ The contemporary Kantian who has done the most thorough job of thinking through the implications of this core notion in Kant is of course Christine Korsgaard, but I disagree with her approach. See Chapter Two of my Hegel’s Practical Philosophy and see Terry Pinkard’s demonstration of the relevance of the notion and its potential paradoxes for later German philosophy in German Philosophy 1760-1860: The Legacy of Idealism.