

The Individuality and Sociality of Action in Kant.

On the Kingdom of Ends as a Relational Theory of Action

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Introduction

Until very recently, the standard approach in action theory seemed to restrict its focus to individuals, as if what goes on *in* the agent or what she *brings about* in the world provided the essentials to understand agency. In the past few years, however, there has been an increasing interest in the social character of human action or, as is now termed, the ‘sociality of action’. This perspective on human action stems mainly from the contemporary interpretation of Hegel¹. A theory of the sociality of action is an account of human agency that understands both particular actions and agenthood itself as essentially social phenomena, the former because human actions are always embedded in social and cultural contexts, and the latter because being an agent is to be understood as a kind of social status or achievement. At first glance, it seems that in Kant’s philosophical system there is no place for either of those forms of the sociality of action, and for a number of reasons: First, he argues for his views about ethics and human action primarily from the perspective of the individual agent. Second, his central ethical claim –that human agents are morally autonomous– means that reason is able to determine the will by itself, with absolute independence of any influence or constraint, be it external or internal to the agent. Third, his writings show little interest in exploring the implications that the social character of human beings might have for our understanding of the very concept of agency. Fourth, his conception of agency as a causal power to effect change in the world appeals to a sharp distinction between two perspectives from which we can understand human action –as either subject to, or else free from, the causal laws of nature– in a way that seems to prevent him from giving a *unified* account of such agency as something that is at the same time free and yet also responsive to its social or cultural context.

Despite all this, however, a closer examination of this boldly individualistic understanding of human action is precisely what is required in order for us to bring to light the unavoidably social dimension of human action in the clearest way. For, in formulating his practical

¹ See, for instance, Pippin, R. B.: “Hegel’s Social Theory of Agency: The ‘Inner-Outer’ Problem”, and McDowell, J.: “Towards a Reading of Hegel on Action in the ‘Reason’ Chapter of the *Phenomenology*”. In: Laitinen, A. – Sandis, C. (eds.): *Hegel on Action*. New York. 2010, 59-78 and 79-96.

philosophy, Kant himself could not –and most plausibly did not– ignore the fact that human lives are neither lived in isolation nor fully intelligible in abstraction from their social setting. As Herman has pointed out, Kant’s doctrine of the kingdom of ends recognizes that “autonomous moral agency is social”². A more careful assessment of Kant’s position, then, is crucial not only for us to better understand its later development by Fichte and Hegel, but also for us to gain a clearer grasp of those minimal aspects of sociality that should be accounted for by any theory of action, however individualistic it may seem at first glance. This perspective might also help address some of the critiques of Kant based on his ethical formalism, since –as I hope it will become clear– an examination of his theory of action shows that the categorical imperative is meant to morally assess the actions of particular agents in particular situations.

My argument here is divided into three sections. In the first section, I explain the standard approach to Kant’s theory of action as what I will call a ‘*quasi-causalist*’ and distinctively individualistic view. I focus particularly on the ‘double perspective’ from which Kant understands human action –as something either free from, or else subject to, the causal laws of nature– as well as on the notion of the object or matter of the action, or in other words the end of the action’s maxim. These notions play a central role in the second section of my argument, where I explain the two ways in which Kant tries to account for the sociality of action. First, I consider his approach to the ‘context-related’ character of actions’ maxims; and second, I examine his doctrine of the kingdom of ends, where the moral law is described as making possible a “systematic union of rational beings” who can be understood as agents. I argue that Kant’s view, insofar as it is underwritten by a purely formal notion of sociality, can account for the ‘relational’ character that holds among human agents and actions within some social context, but cannot account for the social character of the agents themselves, because it defines that relational character solely from the perspective of the *individual* agent.

In the third section I consider Kant’s writings on the philosophy of history, moral education and culture as a process of civilization, because they provide some of the necessary elements to develop his *relational* theory into a *fully* social theory of action. This issue has been well studied by a number of authors in the past years³. For instance, Wood has claimed that “the

² Herman, B.: “A Cosmopolitan Kingdom of Ends”. In: Reath, A. – Herman, B. – Korsgaard, Ch. (eds.): *Reclaiming the History of Ethics. Essays for John Rawls*. Cambridge. 1997, 207.

³ See Wood, A.: *Kant’s Ethical Thought*. Cambridge, 1999, chapters 6-9; Munzel, G. F.: *Kant’s Conception of Moral Character. The ‘Critical’ Link of Morality, Anthropology, and Reflective Judgment*. Chicago – London, 1999, chapter 5; Loudon, R. B., *Kant’s Impure Ethics. From Rational Beings to Human Beings*. New York. 2000, chapter 5; González, A. M.: “Kant’s contribution to social theory”. In: “Kant-Studien”, C (2009), 77-105.

common characterization of Kant as a moral ‘individualist’ could not be more mistaken”,⁴ and Louden has argued that Kantian morality “can only develop properly within an extensive web of social institutions”⁵. In this paper I will only briefly consider this line of enquiry. Firstly, because it would require another paper to do full justice to it. Secondly, and more important, because Kant takes practical normativity (both moral and juridical) to have no dependence whatsoever on any contingent, historical or social aspect of human existence. Thus, while he agrees that human beings must *develop* and train their moral capacities (moral judgment, moral sensitivity, virtue, etc.) within a specific social context, he claims that the normativity of morality itself is grounded *solely* in reason. Therefore, even though Kant provides some elements to *develop* a full account of the sociality of agency, I do not think it is possible to achieve it within the limits of his system. There is clearly an inherent tension in this view, which I take to result from Kant’s hesitation to give a unitary account of human agency in both its phenomenal and noumenal aspects. As I will show, it is unlikely that we may find a satisfactory resolution of this tension as long as nature and freedom (or reason) are conceived as different domains (*Gebiete*) with different principles of legislation. This, I will argue, leaves Kant unable to provide a satisfactory account of the sociality of agency, even while his writings do provide us with the resources to account for the sociality of particular actions (what I will call the ‘description of the action’). Since both of these aspects of the sociality of action are intertwined, however, I suggest that Kant’s overall theory of human agency must be further developed in order to account for the sociality of action in a sufficiently unified way.

Section 1. Kant’s individualistic approach to action

1.1. The incorporation of maxims and freedom as a causal power to determine the faculty of desire

In recent years, it has become more evident that the theory of action plays an important role in giving an appropriate interpretation of Kant’s moral philosophy⁶. This is not so strange, given that Kant viewed freedom principally as a kind of causality (however different from the causality involved in nature) and explained the idea of morality in terms of an agent’s ability to

⁴ Wood, A. W.: “Kant and the Problem of Human Nature”. In: Jacobs, B. – Kain, P. (eds.): *Essays on Kant’s Anthropology*. Cambridge. 2003, 41.

⁵ Louden, R. B.: *Kant’s Impure Ethics*, 173.

⁶ Especially since the excellent monograph of Willaschek, M.: *Praktische Vernunft. Handlungstheorie und Moralbegründung bei Kant*. Stuttgart – Weimar. 1992. There is a new study on the topic, McCarty, R.: *Kant’s Theory of Action*. Oxford. 2009, but surprisingly it does not make any reference to Willaschek’s book.

determine her actions by exercising her freedom. While the majority of the concepts that he uses to explain this process of free, causal determination are taken from the rationalist tradition (Leibniz, Wolff, Baumgarten)⁷, the concept of a maxim stands apart from them, and is the key to fully grasping Kant's theory of action and, therewith, his moral philosophy.

In Kant's theory of action, a maxim is the determining ground (*Bestimmungsgrund*) of an agent's causality or causal power, in the sense of being the principle of that power (a maxim is defined as a subjective practical principle). This determining ground 'activates', so to speak, the faculty of desire (*Begehrungsvermögen*) and triggers (or prevents) the movements necessary for the agent to carry out an action. Strictly speaking, for Kant, action (*Handlung*) is the effect (*Wirkung*) of this form of causal determination. Although the effect depends on the principle of that causality (that is, on the maxim), the results of this form of causation are not completely in the agent's control; and so Kant maintained that moral value can only be found in (or predicated of) the maxim itself, rather than the action as the effect of that maxim. In fact, he stated that actions (*Handlungen*) are to be understood and explained strictly in terms of the laws of nature. This enables us to understand his claim that actions (as effects) cannot be called 'good' or 'evil' because *good* and *evil* are moral predicates. Goodness, in other words, can only be found in the maxims themselves, as the principles chosen by the agent in exercising her causal powers to act: only "the willing" (*das Wollen*), and not the action as the result, is good or evil⁸.

The view just presented relies upon three presuppositions: i) the interpretation of maxims as composed of a practical rule and an incentive; ii) the conception of the faculty of desire as providing incentives to act on two different levels, the level of choice (*Willkür*) and the level of pure will (*Wille*); and iii) what Allison calls the 'incorporation thesis', which explains how maxims become principles of the agent's causal power to act.

The first presupposition is not exactly stated in that way in Kant's writings, but I take it to follow from Chapter I of the KpV, entitled "On the principles of pure practical reason" (KpV, AA 05: 19ff.). On my interpretation, a practical rule would be a proposition that establishes a

⁷ See Gerhardt, V.: "Handlung als Verhältnis von Ursache und Wirkung. Zur Entwicklung des Handlungsbegriffs bei Kant". In Prauss, G. (Hg.): *Handlungstheorie und Transzendentalphilosophie*, Frankfurt a. M. 1986, 98-131.

⁸ On this point, Kant was very influenced by the Stoic distinction *kathékon*/*katóρθôma*. See Torralba, J. M., "Stoic *katóρθôma*, perfect duty and Kant's notion of acting *aus Pflicht*. The relevance of the *oikeiôsis* doctrine for the notions of moral good and inner attitude (*Gesinnung*) in Kantian ethics", en Vigo, A. (ed.), *Oikeiôsis and the Natural Basis of Morality. From Ancient Stoicism to Modern Philosophy*. Hildesheim. 2011, pp. 295-346.

means-end relationship between an object (or end) that is desired and an action (or means) necessary to achieve it. The practical rule alone, though, is not enough to determine the agent's causal power because it provides only *theoretical* or technical knowledge (if you want X, you should / it would be reasonable to do Y), which is insufficient on its own to move the agent to act. The presence of an incentive is what changes the practical rule into a maxim. The usual incentive is the pleasure that an agent experiences in the representation of the object or end. This pleasure is enough to determine the agent to act according to that rule, taking the rule as a practical principle or maxim⁹. However, as is well known, the pleasure of the object is not the *only* possible incentive; there is also the incentive of respect for the law.

The second presupposition is expressly developed by Kant in the MS, when he distinguishes between pure will and choice as two levels in the faculty of desire. He writes,

The faculty of desire in accordance with concepts, insofar as the ground determining it to action lies within itself and not in its objects, is called a faculty to *do or to refrain from doing as one pleases* [nach Belieben]. Insofar as it is joined with one's consciousness of the ability to bring about its object by one's action it is called *choice* [Willkür]. [...] The faculty of desire whose inner determining ground, hence even the capacity to choose [*das Belieben*], lies within the subject's reason is called the *will*. (MS, AA 06: 213, translation modified)¹⁰

An agent's choice is determined by the presence of an object (or a state of affairs) she wants to obtain, so long as the pleasure she experiences in her representation of that object provides a sufficient incentive to trigger her causal power to act. At this level, the maxim is the rule that includes both the knowledge of the means necessary for obtaining or producing the object as well as the pleasure in the representation of this object (which acts as the incentive to act). At the level of the will, by contrast, there is a different incentive, which originates from the faculty of pure reason and is, as such, the *internal* determining ground of the faculty of desire itself. I understand this as follows: The presence of some incentive is required for a practical rule to become a maxim, but what kind of incentive it is (pleasure or respect for the law) depends on the will. Thus, pure reason has the capacity to intervene in determining or configuring those incentives through which a rule becomes a maxim. Thus, the will would be the ultimate determining ground of the agent's choice (and accordingly, of her entire faculty of desire). In this sense, therefore, we can say –as Kant himself writes elsewhere (see GMS, AA 04: 438)–

⁹ See Beck, L. W.: *A Commentary on Kant's Critique of Practical Reason*. Chicago. 1960, 80ff.

¹⁰ Unless otherwise stated, translations of Kant's works are taken from *The Cambridge Edition of the Works of Immanuel Kant in Translation*. Cambridge: *Practical Philosophy*. Trans. and ed. M. J. Gregor. 1996; *Religion within the Boundaries of Mere Reason*. Trans. and ed. A. Wood – G. di Giovanni. 1996; *Anthropology, History and Education*. ed. G. Zöllner – R. B. Louden. 2007.

that maxims are rules imposed upon oneself (*sich selbst auferlegten Regeln*), and that freedom is the will's causal power to determine the faculty of desire (see KpV, AA 05: 15).

Furthermore, and this is the third presupposition, this view is borne out by the 'incorporation thesis'¹¹, which holds that incentives must be "incorporated" into maxims as universal rules for an agent's own willing. This thesis is found in Kant's *Religion within the Boundaries of Mere Reason*, where he writes that the

freedom of the power of choice has the characteristic, entirely peculiar to it, that it cannot be determined to action through any incentive *except so far as the human being has incorporated* [aufgenommen] *it into his maxim* (has made it into a universal rule for himself, according to which he wills to conduct himself); only in this way can an incentive, whatever it may be, coexist with the absolute spontaneity of the power of choice (freedom). (RGV, AA 06: 23f., see also 44)¹²

Kant says this in order to justify the claim that agents are *always* responsible for their actions, for the incorporation of one incentive or another is to be understood as already an act of freedom.

To explain this, Kant introduces the notion of an inner attitude (*Gesinnung*), which might be described as a second-order maxim, or a second level on which maxims operate in determining an agent's causal power to act¹³. The two levels on which maxims operate correspond to the two levels on which the faculty of desire operates (*Wille* and *Willkür*). On the one hand, the maxims of choice are maxims in an ordinary sense (or first-order maxims), composed of a practical rule and an incentive. Through such practical principles, the faculty of desire, operating on the level of choice, can straightforwardly determine the agent to exercise her causal power to act. The inner attitude, on the other hand, is a second-order maxim or practical principle of the will. The incorporation of a good or evil inner attitude is the first act of freedom, which determines how the *whole* faculty of desire operates insofar as that attitude intervenes in configuring the incentives of the various first-order maxims that go on to determine the agent's power to act. Thus, there are no morally neutral human actions, since the "inner attitude [*Gesinnung*] ... is never indifferent (neither good nor bad)" (RGV, AA 06: 24).

¹¹ See Allison, Henry E.: *Kant's Theory of Freedom*. Cambridge. 1990, 39f., 147f.

¹² It is clear that "power of choice" (*Willkür*) here means "will" (*Will*), since Kant speaks of its "absolute spontaneity." At the time of writing the RGV, he had not yet expressly formulated the distinction between *Wille* and *Willkür*.

¹³ This terminology was proposed by Timmermann and Schwartz. Kant did not use it, but many of his expressions support it. See RGV, AA 06: 20, 25, 31, 36f.; Timmermann, J.: *Sittengesetz und Freiheit. Untersuchungen zu Immanuel Kants Theorie des freien Willens*. Berlin – New York. 2003, 149ff., and Schwartz, M.: *Der Begriff der Maxime bei Kant. Eine Untersuchung des Maximenbegriffs in Kants praktischer Philosophie*. Berlin. 2006. A similar interpretation can be found in McCarty, R.: *Kant's Theory of Action*. Oxford. 2009, 205-208.

The view just described presents what I take to be the standard picture of Kant's theory of action. All of the basic elements of human action can be found in it: causality, intentionality, teleological structure, incentive, end, knowledge and desire, etc. If we were to classify this view in terms of some contemporary theory of action, we would say that Kant holds a '*quasi-causalist*' theory¹⁴. The main reason for thinking this is that, in addition to his definition of freedom as a form of causality (in a rationalist vein), Kant also seems to accept the hedonistic understanding of human desire as *determining* agents to act on the basis of empirical representations of objects that give them pleasure and promise happiness (similar to Hume's approach). It is also true, however, that one of the main goals of his philosophy is to overcome the hedonistic understanding of morality as resting *entirely* upon an empirical basis – even while he accedes that empirical representations can play some part in determining agents to act¹⁵. There is also Kant's insistence on the irreducibility of the first-person perspective with regard to agency. For these reasons, Kant should not be considered a *proper* causalist.

1.2. Kant's double perspective on human action: agent and deed

Kant understands human action from the perspective of the agent who, through her freedom, has the capacity to determine her causal power to act on her own, with absolute independence from the influence of any other person or thing in the world. This view is unique in insisting that what is morally decisive is how the will is determined, ultimately by *pure* reason, which is practical in and by itself. On this view, morality is independent of the world and located in a place to which the subject has direct access, as the poetic image of the “starry heavens above me and the moral law within me” renders clear (see KpV, AA 05: 161); and freedom is the capacity to determine one's faculty of desire according to that law. More precisely, freedom is the capacity to intervene in the incorporation of any incentive into one's maxims. Since it is strictly the maxims themselves to which moral claims are properly attributed, this suggests that an agent's actions, considered as events in the world that are the mere causal effects of the determination of his faculty of desire by pure reason, seem all but irrelevant to his moral standing.

¹⁴ On the causalist interpretation of Kant's theory of action, see Willaschek, M.: *Praktische Vernunft*, 106–112.

¹⁵ At least, it seems to me that the following words of the Introduction to KpV can be so interpreted. “It is ... incumbent upon the critique of practical reason in general [*überhaupt*] to prevent empirically conditioned reason from presuming that it, alone and exclusively, furnishes the determining ground of the will” (KpV, AA 05: 16; translation modified).

Again, this is the standard picture of Kant's view. However, it does not acknowledge all that Kant has to say about human action. In his writings on the philosophy of history, which were not very well known until recently, he considers human action from a second perspective, the perspective of its effect or results. In the beginning of his *Idea for a Universal History from a Cosmopolitan Point of View* (1784), he writes:

Whatever concept one may form of the *freedom of the will* with a metaphysical aim, its *appearances* [Erscheinungen], human actions, are determined just as much as every other natural occurrence in accordance with universal laws of nature. History, which concerns itself with the narration of these appearances, however deeply concealed their causes may be, nevertheless allows us to hope from it that if it considers the play of the freedom of the human will *in the large*, it can discover within it a regular course; and that in this way what meets the eye in individual subjects as confused and irregular yet in the whole species can be recognized as a steadily progressing though slow development of its original predispositions. (IaG, AA 08: 17)

Here Kant seems to acknowledge that paying careful, historical attention to human actions as events in the world may tell us something about the free causal power from which they originated, and that the meaning of those actions can only be properly understood by reference to such a power.

Nonetheless, this does not modify at all what has previously been said; rather it confirms it. Human actions are understood from two perspectives (as either noumenal or phenomenal), and each perspective is independent of the other insofar as the two invoke different forms of causal law to explain those actions. Despite the fact that there *must* be *continuity* between the determination of the faculty of desire and the effect that it produces in the world (which is properly called *Handlung*), Kant seems incapable of explaining *how* this 'continuous' connection specifically takes place¹⁶. It is only *as a whole* that one can, possibly, discover the relationship between the causes of action (which lie in our freedom) and the effects of those causes (which appear in the empirical world). What is never possible is to understand *each* particular action as an effect of a specific free cause in the determination of the will. Nor does the inverse relationship occur (and this is important for our topic here): We cannot understand

¹⁶ Willaschek provides an interpretation in which he argues that the moral determination of the will produces an effect on *inner sense* (see Willaschek, M.: *Praktische Vernunft*, 131-142). He claims that pure reason gives a *reason* that becomes a *cause* in the domain of natural law and, thus, a cause of *Handlung*. I don't agree with his interpretation, since it would either violate the phenomenon/noumenon distinction or else lead us to a third-person perspective on human action (since it is impossible to link the 'reason' with the 'cause' of an action from a first-person perspective). Willaschek is, of course, aware of this risk, but he sees no problem in adopting a third-person perspective and, thus, interpreting Kant as a causalist. He thus concludes: "...wir uns hinsichtlich unserer eigenen Handlungsgründe *prinzipiell* in derselben epistemischen Situation befinden wie unsere Mitmenschen" (141). In my opinion, the effect of pure reason is not on inner sense, but on incentives.

the phenomenal aspects of human action as having any causal influence on, or direct intervention in, the determination of the will; they are only relevant in a negative sense, as the origin of those incentives which are to be overcome through the exercise of our freedom. This consequence of Kant's 'double perspective' on human action may strike some as paradoxical; we shall return to it in the next section.

Section 2. The sociality of action in Kant

2.1. The social context of action and the matter or object of action

Kant's practical philosophy usually focuses on the foundation of moral principles, in a way that inclines the reader –and even some scholars– to forget the perspective of the acting agent. But intuitively, action itself does not begin from the definition of the categorical imperative, rather, it emerges from the situation in which the agent finds herself¹⁷. This situation, moreover, is always related to the agent's practical context, in which she finds herself in what Kant variously calls a particular "status" or "condition" (*Zustand*) (being old, being a father, a citizen, an officer, etc.)¹⁸. It is in this context that particular interests (possible objects to obtain or states of affairs to produce) arise as possible incentives for the agent's action. Such action, then, should not be understood as taking place 'in a vacuum', arising from a pure will operating independently of the world, or even from pure reason (i.e. the pure use of reason) *alone*, as some statements by Kant in the *GMS* and *KpV* might seem to imply. An agent's action always arises from the presence of an object and from the interest (or pleasure) that is caused as a result of its presence (see, for instance, *MS*, AA 06: 384f.; *KpV*, AA 05: 34). These two elements (object and pleasure), as explained earlier, lead to the formation of a maxim, which contains the description of the action and necessarily refers to the empirical context in which the agent is to be found¹⁹. The categorical imperative becomes relevant as a moral principle when the agent deliberates and passes moral judgement on the maxim²⁰.

¹⁷ See Höffe, O.: "Universalistische Ethik und Urteilskraft. Ein aristotelischer Blick auf Kant". In: "Zeitschrift für philosophische Forschung", 44 (1990), 549ff.

¹⁸ In *KpV*, AA 05: 66 Kant includes "condition" in the categories of relation. In *MS*, AA 06: 468f. there is a chapter entitled "On ethical duties of human beings toward one another with regard to their condition," in which he writes: "How should people be treated in accordance with their differences in rank, age, sex, health, prosperity or poverty and so forth? These questions do not yield so many different *kinds* of ethical *obligation* [Verpflichtung] (for there is only *one*, that of virtue as such), but only so many different ways of *applying* it" (*MS*, AA 06: 469). These duties that refer to the condition of others (although they cannot properly be part of the system of morality) are located in Chapter II of Part II of the "Doctrine of the elements of ethics". Significantly, Chapter I was devoted to the "Duties to others merely as human beings."

¹⁹ Herman also makes this point: "The particular and social conditions of our agency partly determine what we can will. This is a social fact. [...] Thus although the principle of our willing is the self-legislated principle

a) The description of the action

Following this line of thought, Kant should be seen as committed to the view that no human action takes place outside of a social and cultural context, that is, outside of the agent's condition. This presses the question of how actions are to be properly described, though, since the description of what is being done (or what will be done) essentially depends on some practical context. It is true that Kant did not develop a theory of action description, nor did he address the question in these terms, but different passages from his works do show that he was acquainted with this issue, specifically those in which he draws a conceptual distinction between 'event' and 'action' and makes claims concerning imputation, intentionality, and the first-person perspective on human action. Furthermore, questions about the proper description of actions frequently arise in the "casuistical questions" of the MS. For instance, in §6, entitled "On killing oneself," Kant asks:

Is it murdering oneself to hurl oneself to certain death (like Curtius) in order to save one's country? – or is deliberate martyrdom, sacrificing oneself for the good of all humanity, also to be considered an act of heroism? ... Can a great king who died recently be charged with a criminal intention for carrying a fast-action poison with him, presumably so that if he were captured when he led his troops into battle he could not be forced to agree to conditions of ransom harmful to his state?" (MS, AA 06: 423; see also 433)

Kant is not, as is frequently interpreted, suggesting that these cases are *exceptions* to duties. He is only dealing with the general difficulties of finding the proper description of actions and, thus, admitting that the context is indeed relevant to this issue (see MS, AA 06: 390).

To be sure, the proper description of an action depends not only on the particular circumstances in which the agent finds herself, but also on her broader, 'human context', so to speak, including all the contingent, historical, and cultural aspects that bear on what she does. The description of one 'event' might vary from one person to another and –why not– from one cultural or historical period to another. At the same time, though, this does not have to imply any kind of relativism or radical contextualism for Kant's view of action description, which seems to hold that it will always be possible to distinguish between more or less relevant descriptions of a fact, and indeed, between true or false descriptions.

of autonomy, because we have needs that are mediated by social structures, what we will – the content of our maxims – is not" (Herman, B.: "A Cosmopolitan Kingdom of Ends", 198).

²⁰ See Enskat, R.: "Autonomie und Humanität. Wie kategorische Imperative die Urteilskraft orientieren". In: Baumgarten, H.-U. – Held, C. (Hg.): *Systematische Ethik mit Kant*. Freiburg – München. 2001, 82-123.

To see why, consider first that, on Kant's view, a proper description of an action is not *only* a 'theoretical' description of the facts the agent is facing, but also indicates something about the agent's 'practical' engagement with or response to those facts. That is why in his terminology an action description corresponds to a maxim²¹. Herman has developed this aspect of Kant's view with her notion of "rules of moral salience", which she describes as rules for perceiving the morally relevant aspects of a given situation or context. The agent develops –mainly through moral education– a sense of how to perceive such aspects of her situation²². Now, since culture is essential for grasping these rules so as to become sensitive to those aspects, a defective education or set of cultural values might lead to mistakes in moral judgment. In spite of this, the canon of what is morally relevant is for Kant ultimately determined by the moral law, not by a particular culture. That is the reason why we can say, at some point in time, that the action descriptions of some people (at a particular time, in a particular culture, or with regard to a particular issue) were wrong. Kant maintains a very clear position here: the moral law *within us* provides sufficient resources for both passing moral judgment and describing actions in a morally relevant way²³.

b) The matter and the incentive of the action

As we have just seen, the object or 'matter' has some role to play in the description of an action and, thus, in the formation of a maxim, insofar as the determination of the faculty of desire and the action that follows from it as its effect are 'context-related'. However, Kant maintains that an agent's first-person perspective is what plays a privileged role in this process. But how can this be so, if the results of an agent's action are not completely in her control, so that she cannot guarantee that she will in fact produce the end, object or matter that supposedly constituted her maxim, intention and action? How are we to understand the specific role of the matter in determining an agent's faculty of desire?

To answer this question, it is necessary first to distinguish between the *foreseen* and the *actual* results or consequences of an action. The former are, to be sure, included in the maxim as part of the representation of the agent's end. Kant never claimed that the agent is allowed to

²¹ As Herman explains, "the representation of action-as-willed in a maxim should provide a description of an action (a proposed, intended action) *as* purposive voluntary activity initiated for the sake of an end that the agent judges herself to have sufficient reason to pursue" (Herman, B.: *The Practice of Moral Judgment*, 143).

²² See Herman, B.: *The Practice of Moral Judgment*, 73-93.

²³ See the section in MS on "Ästhetische Vorbegriffe der Empfänglichkeit des Gemüths für Pflichtbegriffe überhaupt", which considers the "*subjective* conditions of receptiveness to the concept of duty" (MS, AA 06: 399ff.).

describe what she is doing in any way she pleases, but rather insisted that she take into account the context (including the causal connections in the realm of nature) in which her action is performed. The latter, however directly they may seem to implicate the object of her action, are irrelevant for the formation of her maxim, and thus for her moral judgment. The agent's action is to be assessed only on the maxim under which it was performed, since, again, Kant's considers the *actual* results to be outside the agent's control and, therefore, not to be viewed as morally relevant to the description of her action. If the agent comes to know that she was mistaken about the *foreseen* results, then the next time she acts, she cannot exclude that knowledge from her description of the action.

Correlatively, we must remember that an agent's choice (her faculty of desire) is, strictly speaking, determined by her incentive and not by the matter or object of her action (see KpV, AA 05: 21, 29). Certainly, when the incentive is pleasure, this comes from the representation of the object of the action, but still, the agent's action is to be understood here as determined not directly by the object, but only indirectly by the incentive that object gives rise to. And while it is indeed the case –as has already been mentioned– that there are no maxims without objects, and so no determination of the will without a matter (see RGV, AA 06: 4), nevertheless, the *incorporation* of a maxim depends on the incentive (be it pleasure or respect) and the incentive is thereby brought under the agent's control. This is the ground of Kant's privileging the first-person perspective in an agent's action description.

c) Empirical/intelligible character and the unity of agency

It is well-known that Kant distinguishes between the empirical and the intelligible character of actions in order to account for their distinct phenomenal and noumenal dimensions (see KrV A: 551/B: 579). Moreover, he claims that the agent is supposed to be able to consider the empirical phenomena of her action as brought about by her freedom, and thereby impute the action to herself as her own deed. As Kant puts it:

For, the *sensible life* has, with respect to the *intelligible* consciousness of its existence (consciousness of freedom), the absolute unity of a phenomenon, which, so far as it contains merely appearances of the inner attitude [*Gesinnung*] that the moral law is concerned with (appearances of the character), must be appraised not in accordance with the natural necessity that belongs to it as appearance but in accordance with the absolute spontaneity of freedom. (KpV, AA 05: 99; see also RGV, AA 06: 70, note)

One of the best accounts I know of this doctrine is made by Kaulbach with his interpretation of the intelligible character as a “practical being (*praktisches Sein*)” the agent develops through what he calls “principle of corporality (*Prinzip der Leiblichkeit*)”²⁴.

However, on the whole, I find this ‘double perspective’ through which Kant describes human action to be unsatisfactory because it cannot account for the *unity* of agency, i.e. the *continuity* of its phenomenal and noumenal characters. Kant claims that, if we are to make sense of free human action, there *must* be such a continuity, but he does not explain *how* it works. Kant’s proposal, however much it may cohere with his doctrine of transcendental idealism, is rather enigmatic and contrary to our ordinary understanding of experience and our practical lives. If action, considered as a phenomenon that results from the determination of the will, *belongs to the agent* as her own deed, then why can’t what is said of the agent also be said of the action itself? More specifically, if the agent becomes good by determining herself to act in accordance with certain practical principles, what still prevents us from being able to describe her actions themselves, insofar as they depend on those principles for their existence, “good” in a corresponding sense? Above all, if the agent’s will is determined through a form of causality that operates within the realm of freedom, how is it possible to maintain that the action resulting from this determination belongs to a distinct realm of natural law, that is, that this action can be *completely* explained without any reference to the agent who is its free cause?

To my knowledge, the best answer Kant could give for this problem is to say that freedom intervenes in the configuration of the agent’s incentives and thus in the determining ground of the agent’s causal power to act, as has been explained above. From this, it would seem to follow that, since the incentive is then incorporated into the maxim (that is, since it makes the practical rule become a subjective practical principle), the maxim thereby acquires a moral configuration, and with this, so does the end or object (the matter) itself. But Kant would never endorse this account²⁵. His double perspective on human action, we must conclude, is an obstacle that needs to be overcome in order to provide a more satisfactory understanding of the unity of agency²⁶.

²⁴ See Kaulbach, F.: *Das Prinzip Handlung in der Philosophie Kants*. Berlin – New York. 1978, 206ff. and 300-316. On the contrary, I find McCarty’s claim that “we act in two worlds, *literally*” (McCarty, M.: *Kant’s Theory of Action*, xv, see also 106f.) misleading.

²⁵ That is why, in my opinion, Kant must distinguish between the good, which is the “object of practical reason” *as such*, and the highest good, which is the “totality [*Totalität*] of the object of pure practical reason” (KpV, AA 5: 108). See Gallois, L.: *Le souverain bien chez Kant*. Paris. 2008, 99.

²⁶ See the critique of Kant’s “opacity” in this regard, in Pippin, R. B.: “Idealism and Agency in Kant and Hegel”. In: “The Journal of Philosophy”, 88 (1991), 539f.

In this section, I have tried to indicate the way in which Kant's theory of action *does* take into account the social context in which particular actions take place. The matter of human action, I have claimed, includes both the circumstances of particular actions and the broader socio-cultural context in which the agent performs them. At the same time, however, the 'double perspective' through which Kant accounts for the determination of the faculty of desire strongly privileges a first-person perspective on human action that blinds his account to those crucial, social-contextual aspects.

2.2. Agenthood as a social status and the kingdom of ends

The second sense of the sociality of action mentioned above is the sense in which agenthood is understood as a social status or a product of socialization. At first glance, it does not seem possible to find room for such an understanding in Kant's account of human action. He considers agenthood to be a capacity based on the "causality through freedom" that all rational agents have as such. That is, on his view, we are agents precisely because we can freely determine our causal powers to act. According to my explanation above, this capacity is connected *primarily* to the will's determination and only *secondarily* to the social and cultural context in which actions result as effects of that determination. Now I have suggested that there are no actions 'in a vacuum', that they always originate out of human needs and are aimed at modifying the agent's situation, which should be understood from within its particular social context. For Kant, however, agenthood is not an acquired capacity, nor does it depend on society, but rather, it is to be understood as an 'ontological' property that is intelligible and ascribable to human agents independently from the social contexts in which they are situated.

The existence of this capacity in human beings is discovered, as is well known, in the critique of practical reason. It is undeniable that the method of critique – in all its three domains – consists in the examination of the mind's faculties (*Vermögen des Gemüts*) (see, for instance, KrV A: 275/B: 331ff.; KpV, AA 05: 10, 15f.; KU, AA 05: 171ff.; EE, AA 20: 201ff.; MS, AA 06: 211ff.). Why we have such faculties, however, and why they have the properties they do, are on Kant's view questions without an answer, at least within the limits of his critical method of investigation. As he puts it in the second Critique: "All human insight is at an end as soon as we have arrived at basic powers or basic faculties [*Grundvermögen*]; for there is nothing through which their possibility can be conceived, and yet it may not be invented and assumed at one's discretion" (KpV, AA 05: 46f.). In what follows I want to show that critical investigation into the structure of our practical faculties does provide us with some relevant knowledge about

the sociality of agenthood, in a way that that helps to explain what it is *to be* a being with such faculties.

a) Basic aspects of the human condition

The idea I would like to suggest is that the critique of reason discloses ‘basic aspects’ of the human condition that serve as the presuppositions for Kant’s moral theory, and that these conditions and presuppositions should be understood as necessarily referring to the ‘sociality’ of agenthood in the case of human beings. Of course, this should not be understood as the disclosure of empirical knowledge about human nature, since on Kant’s view, such knowledge cannot be legitimately employed in moral philosophy (see MS, AA 06: 216f.). These insights are, rather, the results of investigating the “relation of the faculties of the human mind to moral laws” (MS, AA 06: 211)²⁷. The study of moral laws was the main objective of KpV and it is there that Kant says, of the development of the metaphysics of morals, that the “determination of duties as human duties, with a view to classifying them, is possible only after the subject of this determination (the human being) is cognized as he is really constituted, though only to the extent necessary with reference to duty generally” (KpV, AA 05: 8). In MS, Kant investigates the consequences of human beings’ following the moral law (insofar as they are understood as a kind of rational being). The result of this investigation is what he calls an “anthroponomy” (see MS, AA 06: 406), a kind of normative knowledge about a human agent’s condition, not represented as something “affected by physical attributes” but rather “in terms of his *humanity*” (MS, AA 06: 239).

Although Kant does not put it this way, I consider there to be three ‘basic aspects’ of the human condition that are disclosed by this investigation (or, to put it another way, three basic aspects on which the results of that investigation depend). Specifically, Kant’s investigation discloses the practical faculties of human beings as (a) finite, (b) constituted in terms of both rationality and sensibility, and (c) related to other human beings.

The first aspect, finitude, refers to the structure of a faculty that is constituted both by the givenness of objects to it, and the principles on which such givenness depends. The distinction between faculty and object is the sign of a *distance* (but not a separation) between subject and

²⁷ In his own words, it might be said that what Kant does is “accept a proposition (on the basis of experience)” even though he does not “make it the expository principle. ... For the first does not maintain that the feature belongs *necessarily* to the concept, but the second requires this” (MS, AA 06: 226f.). In this passage, Kant is referring to choice, which is to be understood as free even while experience shows that agents frequently act against such freedom.

world²⁸. The finitude of human beings' practical faculties is the finitude of willing (or desiring) something that does not exist at present, or in other words, a lack of givenness of whatever is currently desired; and this is the basis of the teleological structure of human action. The object of desire has the form of an end, because there is a distance between the subject (or agent) and what she desires. This distance is covered by the means (which is the action undertaken) that brings the object into being. What is most significant here is that this finitude explains the necessary reference to ends in Kant's theory of action²⁹.

The second basic aspect is the dual constitution of human beings' practical faculties as both rational and sensible. This point needs little further justification since it is one of the initial premises of Kant's ethics. The basic moral experience, that of duty, consists in the presence of a rational requirement that exercises *coercion* upon us insofar as we are not *solely* rational³⁰. Through such an experience, we discover two different practical principles lying within ourselves as we are constituted—the first one, autonomy, is based on our rational constitution; the second, self-love, is based on our sensible constitution. What is most significant here is that each principle allows for the development of a distinct form of agency ('rational-moral' and 'rational-sensible')³¹. This duality of principles for action poses a problem for any human agent, namely, how to reconcile their conflicting demands within the purview of one and the same causal power to act.

A superficial reading of Kant might lead one to think that, if there is an opposition between 'rational-moral' and 'rational-sensible' forms of agency, then the main demand of morality is for the moral form of agency to eliminate the influence or operation of the sensible form

²⁸ In a more general sense, it is also the case that transcendental philosophy assumes the finiteness of the human being and tries to show the necessary unity of the two faculties of the human mind, sensibility and understanding, or in this case, reason and the faculty of desire (will). See Benton, R. J.: *Kant's Second Critique and the Problem of Transcendental Arguments*. The Hague. 1977, 15ff.

²⁹ In this regard, it is significant that Kant defines ethics or metaphysics of morals as "the system of the *ends* of pure practical reason" (MS, AA 06: 381).

³⁰ Kant affirms that moral constraint does not apply to rational beings *as such*, but to human beings, since we are "rational *natural* beings" (MS, AA 06: 379). Also relevant is Kant's distinction between "*Vernunftwesen*" and "*Wesen der Vernunft*" (MS, AA 06: 418).

³¹ 'Rational-moral' here is used not as a characteristic of humanity, but of personality (according to the classification in RGV, AA 06: 26); it is at the level not of *Willkür*, but of *Wille*. It is used as a synonym of transcendently-practical freedom and opposed to empirically-practical freedom (on these notions, see Schönecker, D., *Kants Begriff transzendentaler und praktischer Freiheit. Eine Entwicklungsgeschichtliche Studie*. Berlin – New York, 2005). 'Rational-sensible' agency is also rational, in the broad sense of being governed by reason (that is, in the sense that *any* maxim is a product of reason), but is sensible in depending on the impulses of sensibility to set the ends for which the agent must find the means. This distinction is not completely parallel to the 'double perspective' mentioned above, i.e. the phenomenon/noumenon distinction, since both rational-sensible and rational-moral agency belong to the domain of maxims and are, thus, under the power of the agent, whereas action as *Handlung* is not.

entirely. However, that would be impossible, for human beings have a rational-sensible constitution and cannot (and should not) deny the existence of their own sensibility. Kant affirms that the sensible disposition to animality (i.e. to self-love), as well as the disposition to humanity and personality, are “not only (negatively) *good* (they do not conflict with the moral law) but are also predispositions to the *good*” (RGV, AA 06: 28). The task of morality consists rather in establishing a proper hierarchy among these dispositions, which allows for a *kind of* integration of both forms of agency (an idea we will return to later). The systematic place where that integration is accomplished is none other than in the incentives of an agent’s maxim (see RGV, AA 06: 36).

The third basic aspect of the human condition –and the most important for our topic– is the relation to other human beings, the community (*Gesellschaft*) we form together. We could say that Kant begins by explaining the experience of ‘colliding’ with other entities. In the *Rechtslehre*, which is devoted exclusively to the external dimension of agency (or freedom), Kant writes,

There can be only *three* external objects of my choice: 1) a (corporeal) *thing* external to me; 2) another’s *choice* to perform a specific deed (*praestatio*); 3) another’s *status* [Zustand] in relation to me. These are objects of my choice in terms of the categories of *substance*, *causality*, and *community* between myself and external objects in accordance with laws of freedom. (MS, AA 06: 247)

The parallelism established between “substance” and “corporeal thing,” “causality” and “another’s choice,” and “community” and “another’s status” is significant, for Kant here draws upon the *pure* concepts of the understanding, through which we cognize empirical objects, in order to distinguish the three basic kinds of external “entities” upon which we exert a practical influence through the free exercise of our power to act.

In the beginning of the *Rechtslehre*, Kant specifies the sort of “entity” involved in the moral use of our power to act, by writing that “the concept of right [...] has to do, *first*, only with the external and indeed practical relation of one person to another, insofar as their actions, as deeds [*Facta*] can have (direct or indirect) influence on each other” (MS, AA 06: 230). That is to say, relations of causality and community are always with other human beings (or persons), since these relations refer to choice (*Willkür*) and, thus, to freedom. Kant does not seem to think that an animal or object (directly and by itself) could interfere with the right use of my free power to act—but he gives no clear justification for this denial.

In any case, from this it is immediately clear that Kant would reject any kind of solipsism, because his conception of our condition presupposes the basic aspect of the relations of

community that we establish with other human beings. And these relations are not only physical but practical, since they affect the freedom of our choice. In this regard, Kant's view affirms something *similar* to what the philosophical tradition has called the social character of human beings (by their nature). But –and this is very important– for Kant (in opposition to Aristotle), “social” does not mean, nor does it directly imply, “civil”. On his view, the opposite of a “state of nature” is not a merely “social state”, but a “civil state”, for in the state of nature, he writes, “there can be societies compatible with rights (e.g., conjugal, paternal, domestic societies in general, as well as many others)” (MS, AA 06: 306). A truly “civil union” must be created on the basis of a freely established community of human agents related practically, in such a way that we achieve a “rightful condition”, in which “it can be said [...] that all human beings who could (even involuntarily) come into relations of right with one another *ought* to enter this condition” (MS, AA 06: 306). The reason for this is that the rightful condition is a requirement for the exercise of moral autonomy, because human beings are neither isolated nor immaterial beings³².

Paying closer attention to these three basic aspects of the human condition, especially the third one, thus reveals a different view of the Kantian theory of action than the boldly individualistic view described earlier. The agent is no longer understood as an isolated being, faced with the moral law in difficult deliberations that obligate her to simply repress her sensible constitution, including its ineliminably social dimensions. Rather, these dimensions are, by the human agent's very constitution, to be taken into account in the incorporation of incentives into a maxim for action.

Before moving on to the next section, we need to note another ‘basic aspect’ (of a sort) constitutive of human agents' practical faculties, which is central to Kant's definition of the moral law—namely, universality, as the form of intelligibility constitutive of the faculty of understanding. It is well-known that Kant arrived at the formulation of the categorical imperative through a process of elimination, after discarding all available material principles. He writes, “Since material principles are quite unfit to be the supreme moral law, [...] the *formal practical principle* of pure reason [...] is the *sole* principle that can *possibly* be fit for categorical imperatives” (KpV, AA 05: 41; see also KpV, AA 05: 29 and GMS, AA 04: 420f.). What is of interest for our topic is that Kant takes the “formal practical principle” from the understanding itself, since the universal form of the laws of nature grasped by the

³² On this question, see Pippin, R. B.: “On the Moral Foundations of Kant's *Rechtslehre*”. In Pippin, R. B.: *Idealism as Modernism. Hegelian Variations*. Cambridge. 1997, 56-91.

understanding in its empirical use is common to any legality, including the laws of freedom grasped by the understanding in its practical use. Thus, he writes, “it is also permitted to use *the nature of the sensible world* as the *type* of an *intelligible nature*, provided that I do not carry over into the latter intuitions and what depends upon them but refer to it only the *form of lawfulness* in general. [...] For to this extent laws as such are the same, no matter from what they derive their determining grounds” (KpV, AA 05: 70). The essential characteristic of universality, in terms of which Kant is able to define the moral law, is taken to be a ‘given’ part of the human condition (in this case, the constitution of human understanding). In the next section, I will consider how this and the above three aspects are used in formulating the categorical imperative.

b) The kingdom of ends as a relational theory of action

With these three (or four) basic aspects in mind, I would like to argue for the following conclusion: The doctrine of the kingdom of ends can be interpreted as the way in which the moral law is shown to be the practical principle on which the realm constituted by human beings depends.

In the KU and EE, Kant explains that the domains (*Gebiete*) of both nature and morality include principles that legislatively govern the objects that exist within those domains (see KU, AA 05: 174f.; EE, AA 20: 195ff.). The moral law is the principle on which the objects of freedom depend in order to be possible objects of (pure) practical reason. The function of this principle is to establish the law or laws that normatively relate the different elements that are in that territory (*Boden*). The passage on the categories of freedom in the KpV contains precisely the justification of how to submit “a priori the manifold of *desires* to the unity of consciousness of a practical reason commanding in the moral law, a pure will” (KpV, AA 05: 65), and thereby shows that the moral law is indeed the principle on which *all* the elements of the practical domain depend³³. In this sense, the formula of the kingdom of ends can be interpreted as the way in which the moral law takes into account the basic aspects of the human condition. If it failed to take these aspects into account, it could not serve as the principle for the territory of practical objects so as to constitute the domain of freedom. Let us examine how this is possible.

³³ See Torralba, J. M., “Die Rolle der Typik der reinen praktischen Urteilkraft und der Kategorien der Freiheit in der Konstitution des Gegenstandes der praktischen Vernunft” (to be published in *Tagung Kant und die “Kategorien der Freiheit”, Universität Bonn*).

The formula of the kingdom of ends presupposes the formula of humanity in GMS. There, Kant states that “All rational beings stand under the *law* that each of them is to treat himself and all others *never merely as means* but always *at the same time as ends in themselves*. But from this”, he continues, “there arises a systematic union of rational beings through common objective laws, that is, a kingdom, which can be called a kingdom of ends (admittedly only an ideal)” (GMS, AA 04: 433; see also MS, AA 06: 395). To understand this constitutive role of the formula of the kingdom of ends, then, we must consider three notions, namely, end, kingdom, and universality.

In the MS, Kant gives a detailed explanation of the fact that *any* action has an end that is “an *object* of free choice, the representation of which determines it to an action (by which the object is brought about)” (MS, AA 06: 384f.). And in the same section, devoted to finding “the basis for thinking of an end that is also a duty” (i.e., the ground of an ethical duty), Kant maintains that “a *categorical imperative* would be impossible” if there were no “objects of free choice” which the agent “*ought to make his end*” (MS, AA 06: 385). Thus, since the basic structure that determines the human causal power to act is teleological, he argues that there must be obligatory ends (ends that are duties) if the human power to act is to be able to will objects according to universal laws of freedom. In other words, Kant is seeking to show that the teleology of human action is not foreign to moral law, but that a relation can be established between human action and the moral law, even while the object of desire is not what determines the human power to act in a specifically moral way. The doctrine of the object of practical reason is what offers an explanation of how pure practical reason can legislate a free choice (*Willkür*)³⁴.

On my interpretation, Kant’s argument here thus takes into account not only the first basic aspect (finitude), but also the second (their rational-sensible constitution), for the object of an agent’s choice –which is a part of her maxim insofar as it serves as the maxim’s end– must include her condition (*Zustand*) and the socio-cultural context of her action, insofar as it is an

³⁴ Kant claims that one of the requirements of moral autonomy is that the will (*Wille*) be capable of constituting by itself, and *a priori*, its object. If it is true that the will can be determined solely and *a priori* by pure reason, there has to be an *a priori* practical object, independent of the (empirical) ‘matter’ for action. Kant devotes the second chapter of the KpV to explaining the constitution of such a pure practical object. However, this object is only an abstraction, valid for the task of grounding morality, but insufficient to explain real action. Thus, it might be said that there are two (intertwined) objects of practical reason, depending on whether reason is considered as ‘purely’ practical or as practical ‘in general’ (*überhaupt*). I have argued for this interpretation in Torralba, J.M., “The Two Objects of Practical Reason: Moral Autonomy, Human Causality, and Inner Disposition (*Gesinnung*),” in Bacin, S. – Ferrarin, A. – La Rocca, C. – Ruffing, M. (Hg.), *Kant und die Philosophie in weltbürgerlicher Absicht. Akten des XI. Internationalen Kant-Kongresses*. Berlin – New York (forthcoming).

object for a practical faculty that is sensible and therefore finite, depending upon the givenness of its object in order to be possibly exercised. Therefore, the sociality of action is not excluded from the explanation of the nature and legislative role of the moral law. In particular, sensible ends are no longer considered as simply ‘independent’ of ethical duties, but are understood as connected to and hierarchically ordered (or subordinated) under ends that are, ultimately, none other than duties³⁵. As Kant puts it, “A rational being, as an end by its nature and hence as an end in itself, must in every maxim serve as a limiting condition of all merely relative and arbitrary ends” (GMS, AA 04: 436).

On my reading, therefore, this connection makes *some* progress toward solving the problems created by Kant’s double agency (as both ‘rational-sensible’ and ‘rational-moral’), in arguing that the objects and ends of human agency as ‘rational-sensible’ must be subordinated to those of human agency as ‘rational-moral’ if the former are to be considered as possible objects of free choice. A problematic issue remains, however, insofar as the relation of subordination is a kind of connection that does not entail *full* integration –for, these subordinate and subordinating elements must still be understood as belonging to separate constitutional domains– and, thus, the unity of agency is not yet sufficiently explained.

The second notion to consider, then, is the notion of a kingdom, which Kant defines as “a systematic union of various rational beings through common laws” (GMS, AA 04: 433). This systematic union can also be called a “nature” in Kant’s sense of “the existence of things under laws” (KpV, AA 05: 43). The law of the kingdom of ends is the moral law, because it is the law that governs the acts of willing, and the relationships among these acts, which might be called ‘free objects’, (just as the laws of nature govern the states and causal relationships among ‘empirical objects’). Kant claims that the kingdom of ends is a nature “under the autonomy of pure practical reason” (KpV, AA 05: 43)³⁶. I take it to be evident that this conception of the kingdom of ends is meant to include the *relational* character of human agency, as something governed by the moral law. That is, Kant presupposes that human beings establish relationships

³⁵ These ends are basically two: one’s perfection and the happiness of others. The only justification Kant gives for this claim is that “one’s happiness” and the “perfection of others” cannot be duties. He seems to assume ‘as given’ that we have relations to other persons and that, since we have a mixed constitution (as both rational and sensible), morality (virtue) and happiness (sensible satisfaction) are the two basic, possible objects of our willing. The doctrine of the highest good affirms that the *complete* good (as the object of practical reason) requires both virtue (moral perfection) *and* happiness, thus establishing the requisite connection between these two basic kinds of end.

³⁶ And Kant goes on to say, “For, the moral law in fact transfers us, in idea, into a nature in which pure reason, if it were accompanied with suitable physical power, would produce the highest good, and it determines our will to confer on the sensible world the form of a whole of rational beings” (KpV, AA 05: 43). There are similar passages in GMS, AA 04: 442, 446; KrV A: 418f./B: 446f..

between each other, relations that are not merely physical or sensible, but that belong in the domain of freedom. The idea of a kingdom of interrelated agents invokes the existence of just that sort of legality that is adequate to account for these relations as relations among free beings³⁷.

Now –and this is the third notion to be considered– the moral law has universality as its defining property insofar as it is a law. We said above that Kant finds this aspect as ‘given’ in the understanding because universality just is the form of legality as such. Now we can add that universality allows Kant to define what morality consists in: The systematic interrelatedness of freely willing agents under a universal law seems to offer the proper picture of what a moral realm or domain should look like. For, the universality of a law that is to govern agents who make free use of their practical faculties entails that everyone in the kingdom of ends ought to be both a member (subject to the law) and a legislator (giving the law) at the same time. In other words, the formal character of the moral law implies that its only ‘content’ (the only thing it can command) is that human agents relate to each other in a kingdom of ends by willing only those laws that could be both obeyed and legislated by all.

In light of what has just been said, Kant’s definition of the kingdom of ends acquires new meaning. He writes,

By a *kingdom* I understand a systematic union of various rational beings through common laws. Now since laws determine ends in terms of their universal validity, if we abstract from the personal differences of rational beings as well as from all the content of their private ends we shall be able to think of a whole of all ends in systematic connection (a whole both of rational beings as ends in themselves and of the ends of his own that each may set himself), that is, a kingdom of ends, which is possible in accordance with the above principles. (GMS, AA 04: 433)

³⁷ Korsgaard’s interpretation of the kingdom of ends in this regard is very insightful. See Korsgaard, C. M.: *Creating the Kingdom of Ends*. Cambridge, 1996. She says that “attributions of responsibility may be understood in either of two ways, which I will call theoretical and practical. Construed theoretically, responsibility is a characteristic of persons. Construed practically, holding one another responsible is something that we do, the more or less deliberate adoption of an attitude” (197). This explains why Kant refers to the kingdom of ends as an “ideal,” which we might fail to promote, and, therefore, as an “obligation.” Korsgaard argues that “unless you hold others responsible for the ends that they choose and the actions that they do, you cannot regard them as moral and rational agents, and so you will not treat them as ends in themselves” (206). On her view, it is impossible to “think that the only free agent in the world is me-right-now,” because in that case, it would be impossible to treat others as ends. In my opinion, the requisite justification is not the one she gives (for, it might be asked, *Why do we have to treat them as ends?*), but the following: The moral law commands us to enter into a kingdom of ends, because it “has” the legality that corresponds to the relations we enter into with other human beings, *insofar as we act teleologically*. The reason for ruling out a ‘Robinson Crusoe’ position is not (at least, directly) that we are moral beings and there is a categorical imperative. On my view, the categorical imperative (in its “humanity” and “kingdom of ends” formulations) is a *consequence* of our condition or constitution as human beings among other human beings.

As I understand it, by abstracting “from the personal differences of rational beings”, we are left with only the fact that a *relation* obtains between free beings, and by abstracting “from all the content of their private ends”, we are left with only the *teleological structure* of their acts of willing (the presence of an object). This double abstraction makes it possible to conceive of “a whole of all ends in systematic connection”, that is, to conceive of the *universality* of a nature, in the case of the moral domain, in terms of a law that is itself willed universally so as to establish the relation that obtains among all human agents as such³⁸.

Kant asks us to make these *abstractions* so that we may grasp the characteristics of the kingdom of ends and thereby discover the law that governs all of its objects. For Kant, the following characteristics of human agency are not casually but necessarily related: freedom as constituting a domain of objects whose principle is the moral law, the kingdom of ends as the “systematic union of various rational beings through common laws”, universality as the defining characteristic of morality, and human beings as those entities capable of determining their agency through that universality. The fact that human beings are related to each other is the starting point for grasping the moral law that establishes this systematic interconnection between them—a law whose form is universal. And so, community, legality and universality form a single conceptual unity when referred to morality, entailing that human agents are not intelligible as such in isolation from one another.

For these reasons, we can conclude that Kant considers morality and agency as essentially *relational*. If there were no other human beings, or if the agent were isolated, there could perhaps be some kind of ‘morality’ (in the sense of an orientation that guides action), but it would surely not be the same as that which Kant describes in his works³⁹.

³⁸ A. Reath’s article (“Legislating for a Realm of Ends: The Social Dimension of Autonomy”. In: *Reclaiming the History of Ethics*, 215-239) gives a different account of the topic. His point is this: “Autonomy, as much as agency itself, has an essential social dimension. We tend to think that autonomy renders agents independent of all uncritically accepted social influence and externally imposed standards; and it does. But that does not mean that the autonomous agent is an isolated atomic unit. Autonomy is meaningfully exercised among other autonomous agents whose rational capacities serve as a constraint on, and confirmation of its exercise” (236). He maintains that a universal legislation (such as the moral law) is only possible through an appropriate legislator and that the idea of a legislator implies the idea of those who are legislated.

³⁹ I take Herman to endorse a similar interpretation, when she says that the primary task of Kantian moral theory might be “seen as elaborating the practical consequences of the fact that the basic norms of rationality for autonomous agents are social” (Herman, B.: “A Cosmopolitan Kingdom of Ends”, 189). In a similar vein, Tuschling affirms that the kingdom of ends is not an addition “trying to annex a social or ‘intersubjective’ dimension to a basically unsocial or even antisocial conceptual scheme”, but an analytical elucidation “of implications that are involved in the concepts of an individual, of reason, of a rational being, of freedom, and of a free agent” (Tuschling, B.: “*Rationis societatis*: Remarks on Kant and Hegel”. In: Rossi, P. J. – Wreen, M. (eds.): *Kant’s Philosophy of Religion Reconsidered*. Bloomington – Indianapolis, 1991, 182). On the contrary, Robinson and Harré hold a conception of the kingdom of ends where there “appears to be no need

For all we have said so far, in order to show that Kant's notion of morality essentially includes the fact that human action takes place within a systematic context of interrelated human agents, a problem still remains open: While the relational character of morality explains the formulation of the categorical imperative as the law that governs (or creates) a kingdom of ends, this account is still insufficient to explain the nature of human agency itself. It only goes in one direction, from agent to society, and not the other way round. That is, the kingdom of ends functions as an ideal and an 'ought-to-be' that provides (so to speak) the form that shapes and directs the matter of particular, 'context-related' actions. Kant provides (to a great extent) a satisfactory account of rational-moral and rational-sensible agency, and shows how the latter can be ordered or subordinated under the former. What seems unsatisfactory, however, is that, within his system, there is no way of giving an account of the *unity* of both kinds of agency as such; and therefore, the unity of the notion of agency itself is left obscure. The kind of sociality proper to rational-sensible agency (namely, being 'context-related') remains independent from, and unaccounted for by, the kind of sociality proper to rational-moral agency (namely, the law-governed relationship among all human beings as members of the kingdom of ends). Insofar as both kinds of sociality and agency refer to one and the same subject, an explanation of their unity ought to be given, and yet is absent, in Kant's practical philosophy. This is a problem because the intentionality that is characteristic of human actions, and therefore, of the human agents who will those actions, necessarily refers to the context in which those actions take place. Thus, the subject's capacity to act intentionally (i.e., to be an agent) must be understood as shaped in some essential way by its socio-cultural context, because without that context (or outside of it) there would be nothing intelligible as human agency at all. Kant's proposal of the moral law as a merely *formal* relation among free beings, which is independent of the actual content or context of their particular actions, is therefore insufficient as an account of agency. In a nutshell: To say that agency is necessarily relational is not yet to show that it is necessarily social.

3. Kant's theory of culture and education as a process of civilization

The preceding sections gave a picture of both the scope and limits of Kant's theory of action with regard to the social dimension of human agency. Within the Kantian system, it is possible

for a population numbering more than one" (Robinson, D. N. – Harré, R.: "The Demography of the Kingdom of Ends". In: "Philosophy", 69 (1994), 9). In my opinion, they mistakenly read Kant's statement that "morality is not an essentially social or cultural achievement" (10) as claiming that morality functions in *complete* absence of any reference to the context of the action.

to account for the contextual (social, cultural, historical, etc.) aspects of particular actions and agents, but agency itself is considered to be a capacity of the individual subject (based on her freedom) and is defined from her perspective in a highly abstract manner, as we have seen in the doctrine of the kingdom of ends. Thus, instead of a social theory of human action, Kant provides what might be called a relational theory. His formal account of the moral law and the free, human agency it governs prevents him both from providing an *integrated* account of the matter and the form of an agent's maxim (and thus of the rational-moral and rational-sensible aspects of human agency) and from accounting for the dependence of agenthood on society. Kant's notion of agency assumes that the agent is not isolated but related to other human beings; however, this does not *essentially* modify the nature of agenthood as a causal power, but only the use of that capacity. Agency is a formal, "ontological" property of human beings, intelligible independently from the particular social context in which it is exercised.

In this final section, I briefly explore Kant's theory of culture and education, since it provides a somewhat different view on the relationship between his practical philosophy and the sociality of human action. The difference here is that Kant takes into account the empirical knowledge of human nature propounded in his pragmatic anthropology. I do not think it substantially modifies the philosophical conclusions reached in the previous sections, but it does at least open the door to possible further developments of his view. Allen Wood has given in his works a detailed account of all these issues and has underlined their relevance to avoiding a one-sided understanding of Kant's moral philosophy as brutally individualistic. In relation to Kant's statement in his lectures on *Pedagogy* that "The human being can only become human through education. He is nothing except what education makes out of him" (*Pädagogik*, AA 09: 443)⁴⁰, Wood affirms that

Kant also holds that the development of our human predispositions is a social process, a result of the collective actions of society (most of which are unknown to and unintended by individual agents).

Moreover, in Kant's view the evil in human nature is a social product, and our fulfilment of our moral vocation *ought* to be social in nature: our only hope for human moral improvement lies in an ethical community with shared or collective moral ends⁴¹.

The goal in this section will be to identify the way in which sociality is necessary for the development of the moral capacities of the subject, i.e., for a human agent's use of freedom.

⁴⁰ Kant taught this course several times from 1776 to 1787. Rink published them in 1803, but it is unclear whether Kant revised them before they were published. See dos Santos, R., *Moralität und Erziehung bei Immanuel Kant*. Kassel. 2007, p. 25ff.

⁴¹ Wood, A. W., "Kant and the Problem of Human Nature," p. 41.

According to Kant, a certain “social unsociability” is what triggers the development of human practical capacities so that “a beginning is made toward the foundation of a mode of thought [*Denkungsart*] which can with time transform the rude natural predisposition to make moral distinctions into determinate practical principles and hence transform a *pathologically* compelled agreement to form a society finally into a *moral* whole” (Idee, AA 08: 21). The transition from barbarism to culture begins with the inclination –based on the disposition to humanity– to “acquire worth in the opinion of others” (RGV, AA 06: 27), which brings jealousy and rivalry. Nature “uses” this inclination, so to speak, to spur culture on.

In §83 of the *Critique of the Power of Judgment*, Kant defines culture as the “aptitude for all sorts of ends for which [someone] can use nature (external and internal)” (KU, AA 05: 430) and distinguishes between the culture of skill (“the foremost subjective condition of aptitude for the promotion of ends in general”) and the culture of discipline (“the liberation of the will from the despotism of desires, by which we are made ... incapable of choosing for ourselves”) (KU 5:432). In the *Pädagogik* (AA 09: 449), he refers –in a slightly different manner– to these two senses of culture and adds a further distinction, between civilization and moralization. Now, insofar as he defines civilization as a kind of culture of skill, it might be said that according to Kant, there are then three main senses of culture: the culture of skill, the culture of discipline, and moral culture⁴². Moral culture endeavours to develop maxims, whereas the culture of discipline is based on the training of inclinations and incentives (see *Pädagogik*, AA 09: 480). Moreover, moral culture, unlike the culture of skill, does not consist in the capacity to obtain *any* kind of end whatsoever, but specifically *moral* ends (by the formation of an inner attitude).

As I understand Kant’s point here, discipline and skill (including civilization) are necessary enabling conditions for moralization, but the latter is an original acquisition, whereas the former two are acquired mainly through social interaction. Society is necessary for the very process of (moral) education, since this process cannot be just an individual endeavour; but morality itself should not be understood as a direct result of the process of acculturation, but rather as a result of the use of the freedom that any human agent already possesses as such. That is to say, the whole process of acculturation is meant to help the child to discover or realize what she already possesses: dignity as a free being (see *Pädagogik* 9:489). Regarding the question whether human beings are good or evil by nature, Kant answers: “He is neither of the two because by nature he is not a moral being at all; he only becomes one when his reason

⁴² See González, A. M., “La doble aproximación de Kant a la cultura”. In: “Anuario Filosófico”, XXXVII (2004), pp. 679-711.

raises itself to the concepts of duty and of law” (Pädagogik, AA 09: 492). Reason and morality, therefore, are constitutive features of human agency that do not depend on socialization or culture or history. As he puts it in a famous passage of the *Anthropology*, “The human being is destined *by his reason* to live in a society with human beings and in it to *cultivate* himself, to *civilize* himself, and to *moralize* himself by means of the arts and sciences” (Anthropologie, AA 07: 325; first italics added). Thus, it seems to me that when Kant says in the beginning of the *Pedagogy* that human beings become human only through education, he is referring to culture and civilization as a *necessary* enabling condition for being an agent with powers to act in accordance with the moral law, but not as a *sufficient* one⁴³. We may grant that it is impossible to *develop* as a human being outside of society, but –paradoxical as it may sound– that development is not, according to Kant, what makes someone human. Human beings are on his view destined *by reason* to *develop* –through culture– the use of their ontologically constitutive moral faculties⁴⁴. This interpretation is clearly supported by the picture given in the methodology of KpV and MS, where Kant deals with the “aesthetic of pure practical reason,” as well as by his references to the exercise of the faculty of moral judgment which leads the pupil to the “consciousness of his freedom” (see KpV, AA 05: 159f.), the use of a moral catechism wherein the teacher is described as “the midwife of the pupil’s thoughts” (MS, AA 06: 478), the distinction between *Beispiel* and *Exempel* as the difference between merely imitating someone’s conduct and grasping its maxim (see MS, AA 06: 480, note), and the claim that the standard’s for a teacher’s moral instruction is not “comparison with any other human being whatsoever (as he is), but with the *idea* (of humanity)” (MS, AA 06: 480).

At the same time, other remarks of Kant’s seem to point in the opposite direction, suggesting that the power to act in accordance with the moral law is something human beings may lack, both individually and collectively, at a given moment in history. First, he claims that we are in the epoch of discipline and culture but not in that of moralization (see Pädagogik, AA 09: 451). Second, he claims that moralization is not an aim to be reached in an individual, but in the species (see Pädagogik, AA 09: 446). And in his philosophy of history, Kant adopts a similar view, on which individuals unknowingly cooperate to obtain collective ends. Wood has convincingly argued that Kant’s position here is *near* to that of Hegel, or even Marx. Wood

⁴³ I take this to be also Loudén’s interpretation. See *Kant’s Impure Ethics*, p. 172f.

⁴⁴ Education certainly introduces the child into the social practices that allow her to act intentionally, but Kant would include such practices in the realm of culture (which is just the aptitude to set ends) and, thus, consider them as, again, necessary but not sufficient conditions for the free exercise of agency according to the moral law. See Herrmann-Sinai’s discussion of the “conceptualist position” in her chapter.

argues that, “in comparison to other *animals*, what distinguishes human beings is that they have a collective history that they themselves are to make.”⁴⁵ This “developmental” tendency in Kant’s philosophy of history is not incompatible with what has been previously said (as long as teleology is used in history only as a regulative principle), but I do not think these two tendencies of Kant’s thought can be brought together so easily, because the agent of history is no longer to be seen as an individual free agent. There is thus an unresolved tension here in how we are to understand the nature of agenthood.

Although I think it remains questionable whether we can find a unified and coherent conception of agenthood in Kant’s writings, his notion of an “ethical commonwealth,” as presented in the *Religion*, might help us begin to resolve the tension in his view. For, he claims there that, since the end of the “species of rational beings” is the promotion of the highest good, which cannot be achieved by the actions of individuals, it is necessary to create a whole (*Ganzes*) or system of virtuous human beings. And he adds that the duty to achieve this is not a regular moral duty, because achieving this end is not in our power (see RGV, AA 06: 97-98). This ethical commonwealth thus plays a dual role: On the one hand, it is parallel to the kingdom of ends in being a systematic connection of human beings under the moral law⁴⁶. On the other hand, it is not merely formal, because the highest good explicitly includes the matter of human action (happiness)—and thus the context-related character of that action. In addition, that “whole” is the subject of a moral collective end of the human species, of which individuals are aware but cannot *directly* contribute to realizing with their actions. Agency has, therefore, a further dimension that lies outside the agent’s power and that cannot be reduced to the determination of the faculty of desire. Agency is, in this context, to be understood as institutionalized. On a charitable reading, it might be said that this ethical commonwealth has all the required elements to account for the sociality of action. This account just needs to be developed.

⁴⁵ Wood, A. W., “Kant and the Problem of Human Nature,” p. 54. On Kant’s discussion with Herder see Wood, *Kant’s Ethical Thought*, p. 226-235. However, I disagree with Wood’s (materialist) interpretation of Kant when he affirms that there is an historical development of human species-capacities. See “Kant’s Historical Materialism,” in Kneller, J. – Axinn, S. (eds.), *Autonomy and Community. Readings in Contemporary Kantian Social Philosophy*. New York. 1998, p. 25.

⁴⁶ In this regard, Herman has claimed that participation in a moral community creates a “community of judgment” and that “even the most basic moral facts – what counts as a harm that sets a moral claim, what counts as a valid agreement – are functions of social practice” (Herman, B., “A Cosmopolitan Kingdom of Ends,” p. 207). Although she is referring to the doctrine of the kingdom of ends there, it seems to me that the proper place for such a claim is rather within the context of considering the ethical commonwealth, because the kind of judgment she is talking about cannot be *purely* formal.