2. The Enlightened Architectonic of Practical Reason

'Quod petis, in te est, nec tu quaesiveris extra.'
Persius, Satirae[22]

2.1. Tracing the Origin of Morality

In the *Groundwork of the Metaphysics of Morals*, Kant outlines the urgent challenge of his critical project in the practical field: in a world of moral ambiguity and bleakness, in a noir environment of personal and collective fluidity, moral philosophy needs to find a 'firm' standpoint, to construct a stable, objective position on which the self can determine her duties.[23] Defining the concept of *duty* as 'the necessity of an action from respect for law',[24] it follows that what is at stake is precisely the articulation of a law that can distinctly instruct our *will* – 'the capacity of rational beings to act in accordance with the representation of laws'[25] – towards determining our duties, escaping ambiguity,[26] and distinguishing between Good and Evil. Kant is adamant: 'if this law is to hold morally, that is, as a ground of our obligations, it must carry with it absolute necessity' by being valid for every rational being.[27]

Where shall we search for the source of this law, of this practical objective principle that can govern our 'subjective principle of volition' –

22 Cited in Karl Vorländer, *Immanuel Kant: Der Mann und das Werk*, *Vol. I* (Felix Meiner, 1992), 293.
23 Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. and ed. Mary Gregor (Cambridge University Press, 1998), 4:425–426.
24 Ibid., 4:400.
25 Ibid., 4:412.
26 Ibid., 4:405.
27 Ibid., 4:389.

our *maxim*[28] – in a modality of absolute practical necessity? If the law's aim is to subject the manifold of desires to a state of unity, the challenge Kant faces is to outline a common intersubjective ground on the basis of which a sound deliberative route can be sketched, a route capable of transcending the particularities of fragile human nature. Oddly enough, in pointing out that it is the particularities of fragile human nature that need to be brought to a state of reflective equilibrium, we have simultaneously established a commonality between the agents participating in the terrain of morality: their fragility, their vulnerability, their exposure to the stimuli of the *Lebenswelt*. Could this common ground provide the moral measure that the German philosopher is striving to identify? Could the object of transcendence provide the necessary means towards its self-transcendence?

Kant begins from a very humble perception of the human condition. As part of the sensible world, human beings are not self-sufficient since everyone depends on many things to live – or simply to survive – and, when those things are lacking, suffering increases: hence the constant ontological anxiety to procure the necessary things for one's self-preservation. The satisfaction of our needs and inclinations is a necessary object of our *desire* ('the being's faculty to be by means of its representations the cause of the reality of the objects of these representations')[29] and, in fact, as Kant insists, pursuing this satisfaction and the *pleasure* it implies is the sole empirical object at which our desire can aim.[30] To avoid any confusion, this does not mean that the sensible self can only pursue the means of her, stricto sensu, self-preservation and well-being, without being inspired by feelings of altruism or sympathy for other beings: as social beings, we are physically and, more evidently, emotionally dependent on our interaction with others, so a certain degree of care and sympathy towards their suffering is natural. What is important to note is precisely that any attitudes of 'sympathetic sensibil-

28 Ibid., 4:401. See also *Critique of Practical Reason*, 5:19.

29 Kant, *Critique of Practical Reason*, 5:9n. See also Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge University Press, 1991), 6:211.

30 Kant, *Critique of Practical Reason*, 5:21–22.

ity'[31] are an expression of our sensible, dependent nature, which, in this way, is the only source of our desire's objects, or – to put it in Kantian terms – of its 'matter'.[32]

Kant's humble perception of the human condition begins to take shape: since we depend on so many things to survive and live well, our inclinations constituting the matter of our desire are various and fragmented. The unity of our fragmented inclinations in one sum can be reflected in the idea of *happiness*.[33] Happiness is a necessary demand of our finite nature and 'an unavoidable determining ground of the faculty of desire'.[34] Admittedly, prima facie, it looks like a more than promising concept to serve as the much-coveted ground of moral legislation. If all human beings necessarily desire the satisfaction of their inclinations, and if the manifold flow of them can be united within the concept of happiness as a universal ideal of imagination,[35] then we seemingly have at our disposal an object of desire capable of providing us with a principle of practical necessity, that is, a principle universally applicable to all human beings: the principle of *self-love*. Can the principle of self-love constitute the practical law that will endow our faculty of desire with the necessary standing to transform into a *will*?[36] Can the pleasure that we derive from the maximisation of our well-being prove to be the ultimate determining ground of choice (Willkür)? In a nutshell: is it the *fact of self-love* that structures our agency?

Kant denies this possibility categorically: despite the fact that the concept of happiness necessarily underlies the practical relation between desire and its objects, 'it is such an indeterminate concept that, although every human being wishes to attain this, he can still

31 Ibid., 5:34.

32 Ibid., 5:21.

33 Kant, *Groundwork of the Metaphysics of Morals*, 4:399. See also *Critique of Practical Reason*, 5:124 and *The Metaphysics of Morals*, 6:387.

34 Kant, *Critique of Practical Reason*, 5:25 and *The Metaphysics of Morals*, 6:387.

35 Kant, *Groundwork of the Metaphysics of Morals*, 4:418.

36 'The power of desire, insofar as it can be determined to act only by concepts, i.e., in conformity with the presentation of a purpose, would be the will'. Immanuel Kant, *Critique of Judgement*, trans. Werner S. Pluhar (Hackett Publishing Company, 1987) 5:220.

never say determinately and consistently with himself what he really wishes and wills'.[37] The reason is that all the elements belonging to the concept of happiness – our fragmented inclinations and needs – are, without exception, empirical, while 'for the idea of happiness there is required an absolute whole, a maximum of well-being in the present and in every future condition'.[38] Even for the most insightful – yet, still finite – being, it is impossible to determine for herself what she really wants. Kant's examples are more than vivid: if, for instance, somebody wills riches, it is impossible to predict whether this will actually make her happy, considering how much anxiety, envy, and intrigue this path might entail. In short, no one is capable of any principle by which to determine with complete certainty what would make her truly happy, because for this, 'omniscience would be required'.[39] One cannot therefore act on determinate principles for the sake of being happy, 'but only on empirical counsels … which experience teaches are most conducive to well-being on the average'.[40] In light of this, we cannot, strictly speaking, consider them imperatives, since they do not objectively present actions as practically necessary.

Determining universally our duties on the basis of self-love seems utterly insoluble, given that, as mentioned, happiness is not an ideal of reason but of imagination, resting merely upon empirical grounds, incapable of determining an action by which the totality of a series of infinite results would be attained. The inadequacy of self-love to serve as an objective moral imperative becomes even more striking when we examine the heterogeneity of inclinations and interests not within the self, but among the members of the moral community. The variety of judgements regarding what each subject takes to promote her happiness would be infinite, so the principle can indeed give rules that are general, but not universal, 'that is, rules that on the average are most often correct but not rules that must hold always and necessarily'.[41]

37 Kant, *Groundwork of the Metaphysics of Morals*, 4:418.
38 Ibid.
39 Ibid.
40 Ibid. See also *Critique of Practical Reason*, 5:26.
41 Kant, *Critique of Practical Reason*, 5:36.

Since this principle does not prescribe the same practical rules to all human beings, it lacks practical necessity; considering that practical necessity is a *sine qua non* for the law that Kant tries to identify as the firm standpoint of moral deliberation, it has to be dismissed.

This corollary places us in a practically problematic position. If happiness, as Kant insists, is a) the sole possible empirical object of human desire, and b) incapable of providing us with a law of absolute practical necessity, it seems that experience is not the proper terrain on which to look for such a law. Yet, our thrownness (Geworfenheit) in the sensible world is not something we can repudiate; since time is an a priori form of our sensible intuition, the causality of our desire's machinery unfolds within its wheel. Every object of my desire, which from a sensible perspective constitutes the cause of the representations that determine my action,[42] is itself constituted in time, necessarily conditioned by what has taken place in the past. Since, however, past time is not in my hands, every object I come to desire is determined by grounds beyond my control; that is, I am never free at the moment when I am summoned to determine my action.[43] Let's imagine a person whose main object of desire is wealth: the reason this object of desire has been constituted as such can be traced back to an endless series of conditions – her personal upbringing, the cultural environment and the values imposed on her, her sensible drives, etc. The existence of those conditions can in turn be traced back to an infinite regressive series of conditions, causally affecting simultaneously an endless progressive series of events. From a sensible perspective, the subject is just a link in the causal chain: she drags the ball and chain of a past that has been bequeathed to her, without her *consent*. The impossibility of consent in the sensible world is crucial: it means that the subject cannot take any distance from the series of sensuous representations imposed on her. The possibility of taking such a distance would imply that the subject is not solely a passive link in the flow of the causal chain, but has the opportunity to break free from it and initiate a causal chain on her

42 Ibid., 5:44.
43 Ibid., 5:94.

own. This elevation to the role of the initiating, *unconditioned* cause of a series, this gesture of spontaneity creating a rupture in the machinery of time and natural necessity, is what Kant calls *freedom*.

Our line of argumentation so far has led us to conclude that a) identifying a law of absolute necessity within the sensible world is not possible, and b) as sensible beings we cannot escape the causality of natural necessity and thus remain bound to the *heteronomy* of alien causes imposed on us and the moral ambiguity they entail (due to the heterogeneity of the objects of desire they produce). The assumption, however, that freedom is conceptually impossible within the sensible world *does not imply that it is conceptually impossible altogether*. On the contrary, it allows us to imagine another sphere in which freedom might be possible: a sphere where we could overcome the heteronomy of passively acting in response to sensible stimuli and the moral bleakness they create, a sphere where we could potentially identify the sound principle we are looking for.

Kant had already delineated this sphere in his first *Critique* with the introduction of the third antinomy of reason where he famously addresses the problem of freedom's possibility. Without being able to delve deeply into the architectonic of the third antinomy and its considerable intellectual stakes, we can nevertheless highlight certain key elements that will help us develop Kant's argument regarding morality. The third antinomy seeks to illustrate how all effects are linked to their causes and derive through synthesis a dynamic system of causal linkage. According to its thesis, 'causality in accordance with laws of nature is not the only one from which all the appearances of the world can be derived'. To explain these appearances, it is necessary to assume another causality as well: that of 'freedom'.[44] The antithesis claims that 'there is no freedom, but everything in the world takes place solely in accordance with the laws of nature'.[45] As we know, what Kant calls *antinomy* is a conflict of reason with itself, defined by its difference from *contradiction*, whose appearance it initially takes. The

44 Kant, *Critique of Pure Reason*, A444/B472.
45 Ibid., A445/B473.

two propositions initially seem to force reason into an impasse, since a contradiction is precisely the annulation of one judgment by the other: either freedom in the form of spontaneity exists or causality unfolds exclusively according to the deterministic mechanism of natural necessity. The contradiction could however be lifted if it could be shown that those two different modalities of causality take place simultaneously in two different spheres. This is precisely the way Kant resolves the antinomy and brings reason out of the impasse.

The fundamental tenet for understanding the Kantian resolution of the antinomy is the distinction between *appearances* and *things in themselves*. In Kant's words, if an object is represented to us as it appears to our senses – as a *phaenomenon* – we must assume that beyond its appearance there must also be *a thing in itself*.[46] Since things in themselves do not constitute objects of sensible intuition, we can assume for them a special kind of 'intelligible intuition';[47] they cannot be sensed and therefore cannot be understood through the use of the categories; they can only be *thought* – as *noumena*.

If appearances and things in themselves were the same, considering that all events in the sensible world are subject to the inviolable law of natural necessity under the dome of the a priori forms of intuition – time and space – the possibility of freedom could not be upheld in either appearances or things in themselves. If, however, as Kant notes, appearances are not equated with things in themselves, but viewed merely as representations connected to empirical laws, 'they must themselves have grounds that are not appearances'.[48] The fact that 'sensible intuition does not pertain to all things without distinction'[49] allows thought to make room for those grounds – namely, *things in themselves* –, a domain beyond the sphere of appearances and its causality.[50] By limiting 'the pretension of sensibility',[51] we can think of a

46 Ibid., A249.
47 Ibid., B307.
48 Ibid., A537/B565.
49 Ibid., A288/B344.
50 Ibid., A255/B310.
51 Ibid., A255/B311.

negative space beyond: a *noumenal cause* which, in not being subject to the mechanism of natural causality unfolding within the wheel of time, is potentially *unconditioned*. That is precisely what Kant suggests when he notes that 'such an intelligible cause will not be determined in its causality by appearances, even though its effects appear and so can be determined through other appearances'.[52] Whereas the causality of objects in the field of appearance – subject to the empirical laws of nature – is determined, the causality of this intelligible ground, this *thing in itself*, is not. This means that it is *potentially* capable of arising spontaneously, of halting an endless regress of causes by constituting the *unconditioned*, initiating condition.

The space opened by Kant in the first *Critique* is particularly important for his critical project in the practical domain. What we have tried to establish so far is that as sensible beings we are inescapably subject to the laws of natural necessity. We have also attempted to show that the principle guiding our sensible nature – namely, self-love – is inadequate to provide a law of practical necessity because of its contingency. The possibilities opened by Kant in the first *Critique*, however, allow us to think that as *things in themselves*, we might, alongside the laws of natural causality, be subject to a wholly different causality, untouched by the temporality of experience: *a causality of freedom*. If freedom can be loosely defined as *autonomy* – as giving oneself a law that transcends any alien causes – then the negative ground beyond phenomena, delineated in the first *Critique* as the potentially unconditioned cause of a series, is what Kant needs to articulate as an ontologically real law within his moral works. Since this law must not be conditioned on empirical facts in order to achieve the much-coveted practical necessity, the only adequate faculty for determining it is the one that allows us to enter this intelligible space outlined in the first *Critique* – the space of concepts for which 'no congruent object can be given in the senses',[53] the space of *ideas*: namely, the faculty of *reason*.

52 Ibid., A537/B565.
53 Ibid., A327/B383.

The moral law Kant tries to identify must be a law sculpted by the canons of rationality.

2.2. Articulating the Moral Law

Reason is the capacity that every human being finds in herself, by which she distinguishes herself from all other things, even from herself insofar as she is affected by objects of desire.[54] In view of this capacity, every human being has two standpoints from which she can regard herself. First, insofar as she belongs to the world of sense – as *homo phaenomenon* – she finds herself heteronomously bound by laws of nature. Second, insofar as she belongs to the intelligible world – as *homo noumenon* – she cognises laws which, being independent of nature, are not empirical, but grounded merely in reason and its – conceptually possible – spontaneity. Considering that reason shows in ideas 'a spontaneity so pure that it thereby goes far beyond anything that sensibility can ever afford',[55] it is capable of providing us with the representation of an objective principle, an *imperative*, whose validity is not *hypothetical*, that is, it does not represent the practical necessity of a possible action as a means to achieving an empirical – and therefore contingent – end. Reason, according to Kant, is the only faculty that can potentially produce an imperative that represents an action as objectively necessary of itself, without reference to another end: a *categorical imperative*.[56]

Insofar as the idea of a categorical imperative determines our duties independently of the heterogeneity of subjective desires, it constitutes the firm standpoint on the basis of which Kant seeks to develop his moral architectonic. Admittedly, it is hard to grasp how an empty law, an imperative denuded of any pre-conception of what is good or useful, can work as a sufficient compass for the fundamental question

54 Kant, *Groundwork of the Metaphysics of Morals*, 4:452.
55 Ibid.
56 Ibid., 4:414. See also *Critique of Practical Reason*, 5:20.

of subjectivity: *What should I do?* In which way should I act if all possible objects of my desire have been excluded as a determining ground? Yet, this is precisely the point of the Copernican revolution Kant brings to the terrain of morality. If Enlightenment consists in man's emergence from her self-incurred immaturity, then to be an enlightened moral subject and actively stand in the world requires a release from the passivity of heteronomous desires – this sleepiness of noein. The path towards this liberation can be traced, according to Kant, within the mere concept of a categorical imperative, which may 'provide its formula containing the proposition which alone can be a categorical imperative'.[57] If the imperative contains the necessity that the subjective principle of my will provides a law of universal necessity, and if all matter has to be excluded from my will, then nothing is left with which the maxim of action is to conform but the *form* of the law as universal. There is, therefore, only a single categorical imperative to guide our action and this is: 'Act only in accordance with that maxim through which you can at the same time will that it become a universal law'.[58]

Abandoning the matter of our volition as a groundwork of our duties does not mean that, as agents, we cease to be affected by the stimuli of the phenomenal world. As sensible beings, we are still subject to the laws of nature, meaning that the objects of our desire must be the causes of the representations that determine it. As intelligible beings, however, our will is to be the cause of these objects, 'so that its causality has its determining ground solely in the pure faculty of reason, which

57 Ibid., 4:420.

58 Ibid., 4:421. On the categorical imperative in the formula of universality, see also *Critique of Practical Reason*, 5:30. Kant stresses that since the universality of law in accordance with which effects take place constitutes what is properly called nature in the most general sense (as regards its form) – that is, the existence of things insofar as it is determined in accordance with universal laws – the universal imperative of duty can be further articulated according to the following formula: 'Act as if the maxim of your action were to become by your will a universal law of nature'. See *Groundwork of the Metaphysics of Morals,* 4:421 and *Critique of Practical Reason*, 5:43.

can therefore also be called pure practical reason'.[59] This means that, whenever I am to make a morally crucial decision, I need to take a step back from the matter of my desire (and the causal flow it imposes on me) and reflect on whether it can provide a law of practical necessity, that is, a law that would be acknowledged by all rational beings in all similar cases. As Kant explains, 'the matter of the maxim can indeed remain, but it must not be the condition of the maxim since the maxim would then not be fit for a law'.[60] Hence, in the words of the German philosopher, 'the mere form of the law, which limits the matter, must be at the same time a ground for adding this matter to the will' – thus affording universality – 'but not for presupposing it'.[61]

Since the mere form of the law can be represented only by reason and is, therefore, not an object of the senses, it determines the will independently of all sensuous motives and the natural causality they impose. The property of the will, as a kind of causality, to be efficient independently of alien empirical causes determining it can be called *freedom*.[62] The aforementioned definition of freedom is just negative; there flows from it, however, a positive concept which, in Kant's words, is much richer and more fruitful: since the concept of causality necessarily entails a law according to which the causal mechanism unfolds, and considering that freedom is a property of the will that is not in accordance with natural laws, freedom cannot be lawless, 'but must instead be a causality in accordance with immutable laws but of a special kind'.[63] If, as analysed earlier, the independence from the matter of our desire (and its heteronomous summons) leaves our maxim with nothing to conform but the universal form of the law, then freedom in a positive sense is analytically reciprocal to the moral law as articulated through the concept of the categorical imperative.[64] The equivalence

59 Kant, *Critique of Practical Reason*, 5:44.
60 Ibid., 5:34.
61 Ibid.
62 Ibid., 5:29. See also *Groundwork of the Metaphysics of Morals*, 4:446.
63 Kant, *Groundwork of the Metaphysics of Morals*, 4:446.
64 Kant explains in the *Groundwork* that a mere analysis of either freedom or the moral law leads to the concept of the other, 'for a free will and a will under

between freedom and the moral law implies that our will can only be free when it is in all its actions a law to itself, when, in other words, 'it acts on no other maxim than that which can also have as object itself as a universal law': a will can be free when it is *autonomous*.[65]

Autonomy of the will is the sole principle of all moral laws and duties defined in accordance with them. It is nothing other than what elevates a human being above her sensible nature, into an intelligible sphere accessible only to reason. Autonomy is nothing more than *personality*, that is, freedom and independence from the natural mechanism; insofar as we are a priori able to take a reflective distance from any heteronomous flows (regardless of whether they come from our desire, from God, from the monarch, etc.) and stand under the discipline of reason and its 'holy' imperative, we can transcend our vulnerable nature and constitute the initiating cause in the causal chain. This transcendental standing, our standing as the unconditional bearers of freedom under the dome of reason, a standing sculpted by the responsibility that the summons of the moral law awakens in us, is precisely what Kant calls *dignity*: the incalculable status of human beings regarded as *persons*, that is, as subjects of practical reason, by which we exact respect for ourselves from all other rational beings in the world.[66]

Dignity is the absolute moral worth of humanity, an inner value that we need not trace back to any external source such as God, natural, or cosmological balance. All we have to do is look *inside us*, to the majesty of reason residing in our breasts, to our capacity of being the author of the moral law. This capacity allows us to escape the heteronomy of

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moral laws are one and the same'. Ibid., 4:447. Similarly, in the second *Critique* he writes that 'freedom and unconditional practical law reciprocally imply each other'. Kant, *Critique of Practical Reason*, 5:29. Allison has called this analytic identity of freedom and the moral law the 'Reciprocity Thesis'. See Henry E. Allison, 'The Reciprocity Thesis', in *Kant's Theory of Freedom* (Cambridge University Press, 1990), 201–213.

65 Kant, *Groundwork of the Metaphysics of Morals*, 4:447. Accordingly, we have CI's formula of autonomy as articulated by Kant: 'So act that the will could regard itself as at the same time giving universal law through its maxim'. Ibid., 4:434.

66 Kant, *The Metaphysics of Morals*, 6:435.

natural necessity and confers upon us, in Hohfeldian terms, an *immune* standing, correlative to the transcendental *disability*[67] – namely, lack of moral authority – of other rational beings to injure it; an immune standing that, in other words, provides us with an inviolable authority to address valid claims and demand compliance with them. And, if we closely look at the status of dignity – the unconditional core of our humanity – we will quickly find out that it is not a solipsistic existential ground, as Kant has often been accused of. If my dignity is grounded in my capacity to legislate according to the moral law, transcending, hence, the machinery of natural causality, the deliberative standpoint I occupy – that of the formal universality of the law – is a standpoint occupied by all human beings insofar as they are rational. In being autonomous, I necessarily respect the autonomy of all rational beings, since my legislating noumenal self is precisely mirrored in the rational nature of every human being. In being autonomous, I must never betray my humanity, that is, my rational nature, by treating it as a means towards achieving empirical, contingent ends (surrendering thus to heteronomy), and the same applies to the humanity of every agent, which must never be enslaved to a law that could not rationally stem from her own will. Based on the fact that all subjective material ends are relative and the only thing that has an absolute, unconditional worth is humanity (that is, our rational nature), being thus an end in itself that constitutes the limiting condition of all our subjective ends, Kant gives us the following – more intersubjective – formula of the CI: 'So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means'.[68]

If, as per the aforementioned articulation of the CI, all rational beings stand under the law that each of them is to treat herself and all others never merely as means but always at the same time as ends

67 The Hohfeldian typology of the judicial correlation between immunity and disability has been employed at this point. See N. W. Hohfeld, 'Fundamental Legal Conceptions as Applied in Judicial Reasoning', *Yale Law Journal* 26, no. 8 (1917): 710, https://doi.org/10.2307/786270.

68 Kant, *Groundwork of the Metaphysics of Morals*, 4:429.

in themselves, our thread of thought leads to a very fruitful concept, which probably constitutes the link between the Kantian moral and political philosophy: the *kingdom of ends*. 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, according to Kant, to think of 'a whole of all ends in systematic connection', that is, a whole both of rational beings as ends in themselves and of the ends of her own that each may set herself.[69] This systematic union of rational beings through common objective laws, the *kingdom of ends*, does not correspond to any empirical reality; it constitutes a regulative ideal (as Kant employs the term in the first *Critique*). In the framework of the kingdom of ends, universal reason brings the claims of all rational agents into a state of reflective equilibrium, orchestrating them on the basis of the symmetrical a priori status that all agents share: their *dignity*, by which they can exact respect from one another, constructing therefore relations of *reciprocal* responsibility.[70] What enables human beings to participate in this systematic union is precisely their sovereign capacity to interact by adopting an impersonal deliberative standpoint from which they can rationally evaluate the reciprocal demands addressed to them; the standpoint of formal universality, the standpoint of their autonomy, that gives us the last formula of the CI: 'So act as if you were by your maxims at all times a lawgiving member of the universal kingdom of ends'.[71]

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69 Ibid., 4:433.

70 For a fruitful elaboration of the concept of the kingdom of ends and the reciprocity of relations within it, see Christine M. Korsgaard, 'Creating the Kingdom of Ends: Reciprocity and responsibility in personal relations', in *Creating the Kingdom of Ends* (Cambridge University Press, 1996), 188–221.

71 Kant, *Groundwork of the Metaphysics of Morals*, 4:438. As Kant explains, the three fundamental formulas of the CI – that is, a) the formula of universality, b) the formula of humanity as an end in itself, and c) the formula of the kingdom of ends – are at bottom representations of the same law and each one of them unites the other two within itself. This reveals a progression, as through the categories of the *unity* of the form of the will (its universality), the *plurality* of the matter (of objects, i.e., of ends), and the *totality* of the system of these (the kingdom of ends). Ibid., 4:436–437.

At the beginning of the chapter, we highlighted the need to establish a firm standpoint on the basis of which we can soundly determine our duties as the main challenge of Kant's critical project in the practical domain. By managing to articulate the moral law in its different formulas, Kant admittedly provides us with a sound deliberative route, with a compass to distinguish between Good (Gut) and Evil (Böse) – as the only objects of practical reason, possible as effects of our freedom[72] – setting aside our empirical and, thus, contingent conceptions of our well-being (Wohl) and woe (Weh). In a noir environment of different and conflicting interests, in a bleak setting where discerning between Good and Evil (often, seemingly, fused into one another, as in the body of Reverend Powell), Kant paves an enlightened path which, admittedly, leads to the formulation of a *sovereign* subjectivity – able to transcend ambiguity and securely define her intersubjective duties.

2.3. Impact of the Moral Law

Our thread of analysis has so far traced the conceptual possibility that the subject finds within her a causality different from the one imposed by nature: the causality of freedom, which is analytically reciprocal to the imperative addressed by the moral law. An important point nevertheless still needs to be elucidated: in what way does the subject relate to the law, being affected by its causality? In other words: how does the moral law actually move the power of desire without the mediation of sensible motives?

Our sensible nature, as demonstrated earlier, cannot renounce its striving for happiness: we cannot help but desire the satisfaction of our inclinations, and the principle of self-love is, thus, an inevitable guide of our action. This is per se acceptable so long as the striving for our empirical ends takes place within the framework outlined by the imperative of the moral law. In fact, as Kant admits, the preservation of one's own happiness is a duty for, 'want of satisfaction with one's con-

72 Kant, *Critique of Practical Reason*, 5:57–58.

dition, under pressure from many anxieties and amid unsatisfied needs, could easily become a great temptation to transgression of duty'.[73] The problem, according to Kant, arises when the principle of self-love, despite its proven inadequacy to provide laws of absolute practical necessity, develops legislative aspirations; when, in other words, *self-love* turns into *self-conceit.*[74] If to be a subject means to act independently of the causality of nature (negative definition of freedom), that is, in accordance with the moral law (positive definition of freedom), then subjectivity, as the ego's relation to the law, presupposes that this relation is immanent, that the law does not simply exist outside the subject in a transcendent sphere, but actively affects it: the law's impact on the subject is called *respect* (Achtung).[75]

In respect Kant sees the unification of two moments, a negative and a positive one. These two moments acting together, *Achtung* as *attentio* and *reverentia*, correspond, according to Gabriela Basterra, to the two senses, negative and positive, he attributes to the notion of freedom: freedom *from* (our phenomenal nature) and freedom *to* (obey the moral law).[76] In a first negative sense, the moral law 'strikes down self-conceit'[77] and restricts the aspirations of self-love within the commitments stemming from the categorical obligation to universalise. This restrictive action brings about pain: it humbles and humiliates us.[78] It is precisely because of our finite, sensible nature that we may

73 Kant, *Groundwork of the Metaphysics of Morals*, 4:399.

74 Kant, *Critique of Practical Reason*, 5:74.

75 Ibid., 5:73.

76 Gabriela Basterra, *The subject of Freedom: Kant, Levinas* (Fordham University Press, 2015), 94.

77 Kant, *Critique of Practical Reason*, 5:73.

78 Ibid., 5:74. The humiliating effect of the moral law has been underlined by Béatrice Longuenesse when highlighting the proximity between the moral law and the Freudian superego. According to Longuenesse, for both Kant and Freud, 'the moral attitude has its primary manifestation in the feeling of guilt, which for Kant is the negative component in the feeling of respect for the moral law, and which for Freud is the experiential manifestation of the ego ideal/superego'. See Béatrice Longuenesse, 'Kant's "I" in "I ought to" and Freud's Superego', *Proceedings of the Aristotelian Society, Supplementary Volumes* 86, no. 1 (2012): 32, https://doi.org/10.1111/j.1467-8349.2012.00206.x.

feel respect for the law and its prevalence over our pathological inclinations; not only in the sense that the law has to prevail over something – otherwise we would be endowed with a holy will – but also because respect as a 'feeling' presupposes the very sensibility it restricts. This should not nevertheless lead us to believe that the sensation of respect is per se pathological; as Kant insists, 'the cause determining it lies in pure practical reason'.[79]

Beyond having the negative effect of restraining pathological motives, 'this law is still something in itself positive – namely the form of an intellectual causality, that is, of freedom'.[80] As the form of a causality through freedom, the moral law serves as the intellectual basis of a positive feeling that 'is cognized a priori' and 'the necessity of which we can have insight into'.[81] Unlike respect in the negative sense which affects sensibility, respect in the positive sense occurs within the limits of the noumenal self: the soul finds itself above its frail nature, and it is precisely the removal of this phenomenal hindrance that 'is esteemed equivalent to a positive furthering of its causality'[82] on the intellectual side.

Analysing the complex relation between the negative and the positive side of respect – *attentio* and *reverentia* – does not fall within the scope of our analysis.[83] What is important to emphasise, setting

79 Kant, *Critique of Practical Reason*, 5:75.

80 Ibid., 5:73.

81 Ibid.

82 Ibid., 5:75.

83 In some passages (see the previous citation), Kant seems to imply a causal relation between *attentio* and *reverentia* in the sense that attentio, as a negative limitation, creates the space for reverentia, as a positive feeling. Close to this reading lies the perception of Dieter Henrich who claims that 'the positive factor in respect exists for feeling only mediately insofar as humiliated sensibility is the ground of a rational evaluation of worth'. See Dieter Henrich, 'Ethics of Autonomy', trans. Louis Hunt, in *The Unity of Reason*, 110. Basterra denies this, arguing that such a perception would reduce the Kantian doctrine to a theory of limited sensibility by interpreting the positive aspect of respect as a psychological reward for the elevation one experiences and, hence, as a sensible compensation. Instead, she maintains that those two 'moments' occur simultaneously within two heterogeneous standpoints located within subjectivity – the phenomenal and the noumenal

aside this more than interesting theoretical problem, is that Kant does not claim that respect is a feeling that functions as the incentive or motivating force behind the unfolding of practical reason, something that would create a disturbing paradox in his moral system in the sense that it would condition reason's activity on the pathology of sensibility. Respect is 'morality itself', and it is only from a subjective viewpoint that it is regarded as an incentive.[84] The immanent presence of the moral law within us and its impact – respect – are one and the same. This is precisely the reason behind Kant's insistence that if the moral law is going to serve as the groundwork towards *objectively* determining an action as practically necessary – as a *duty* – this determination must always take place on a *subjective* level from respect for the law. If, in other words, I just act *in conformity with my duty*, motivated, however, by my inclinations, then this action does not have any moral worth in itself and its sole value consists in its 'legality', in the fact that it is externally conformable.[85] Moral worth, on the contrary, 'must be placed solely in this: that the action takes place *from duty*, that is, for the sake of the law alone'.[86]

If respect is morality itself, regarded from a subjective point of view as an incentive, and if the only possible subject of morality is the human being as a rational being, Kant concludes that respect 'is always directed only to persons', never to non-rational things (such as animals).[87] What we respect in the other person and ourselves, according to Kant, is not our sensible vulnerability, our talents, or achievements. These traits can be objects of sympathy, of admiration, or appraisal, but never of respect: given that the aforementioned feelings are pathological, they cannot enter the field of morality. The source of respect when encountering another human being is her standing as an incarnation of the moral law; her capacity to direct her will autonomously, her dignity,

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respectively – safeguarding, hence, the non-sensible character of the intelligible sphere. See Basterra, *The Subject of Freedom*, 98–101.

84 Kant, *Critique of Practical Reason*, 5:76.

85 Ibid., 5:81

86 Ibid.

87 Ibid., 5:76.

which consists in her ability to transcend her animality by standing as the initiating link in the causal chain, her authority to address valid claims stemming from her practical identity as the author of the moral law. Reason is the axis around which intersubjectivity spirals: it is the voice of the moral law within me and the relation to it through the feeling of respect it elicits – what we may call *transcendental subjectivity* – that enables my encounter with the other person who, despite our phenomenal differences, is an *alter ego*, given that we share the same transcendental status as ends in themselves. It is this status that allows us to orchestrate our coexistence by taming phenomenal heterogeneity and establishing a noumenal common ground characterised by symmetry and reciprocity.

2.4. Grounding the Moral Law

Duty, the practical necessity of an action from *respect* for the *law*. *Dignity,* the status of rational beings that enables them to exact respect from one another, a status stemming from their ability to transcend their animality and act *from duty*. *Respect*, the impact of the moral law on the subject, a sine qua non for the definition of our *duties* and the morality of our actions, a practical feeling that elevates our sensible nature to the noumenal height of *dignity*. *Autonomy*, the capacity of every rational being to determine actions of practical necessity, that is, *duties*, in accordance with a law of *universal* validity – and the feeling of *respect* this law elicits. The *moral law,* the imperative to act *autonomously,* that is, according to a maxim one can will to become a universal law. What we have attempted so far is a) to unfold the analytic threads between the aforementioned concepts, and b) to expose the texture of the moral architectonic these concepts weave, an architectonic located within the noumenal self. Our thought has been guided by the conceptual possibility opened by Kant in the first *Critique*: that as *things in themselves*, we *might* be subject to a causality different from the one imposed by natural necessity – a *causality of freedom*. If morality is analytically reciprocal to freedom, the possibility of the former has been

safeguarded by the possibility of the latter. The *conceptual possibility* that has been opened, however, is far from amounting to an *ontological reality*: what Kant has proved up to that point of our presentation is that if there is such a thing as morality, it must be incarnated in the voice of the categorical imperative. But he has not proved that morality actually exists. His moral architectonic and the concepts comprising it remain suspended, without an actual groundwork. How does Kant respond to this great challenge, a challenge that is crucial for the existence not only of practical but also of theoretical reason, since freedom constitutes 'the *keystone* of the whole structure of a system of pure reason', both practical and theoretical?[88]

Kant makes various attempts throughout his work to ground the moral law. Whereas in his earlier works he tries to deduce morality from theoretical reason,[89] in the *Groundwork* and the second *Critique*, practical reason becomes the centre of his attention. These two works and the different argumentative itinerary Kant follows within them will constitute our point of focus in this part.

Kant ends the second section of the *Groundwork* ('Transition from popular moral philosophy to metaphysics of morals') by admitting that to show that morality – and with it the autonomy of the will – is not a 'chimerical idea' or a 'phantom' requires not merely an analytic but a synthetic use of pure practical reason.[90] He begins the third section ('Transition from metaphysics of morals to the critique of pure practical reason') with interrelated definitions of will as 'a kind of causality of living beings insofar as they are rational' and negative freedom as 'that property of such causality that it can be efficient independently of alien causes *determining* it'.[91] Acknowledging the negative definition of freedom as inadequate for insight into its essence, he proceeds by giving us the positive definition: freedom, as a kind of causality independent of natural necessity, is not itself lawless, but guided by

88 Ibid., 5:3–4.
89 See Henrich, 'The Concept of Moral Insight', 74.
90 Kant, *Groundwork of the Metaphysics of Morals*, 4:445.
91 Ibid., 4:446.

'immutable laws of a special kind'. Given now that freedom of the will – being independent of the mechanism of natural necessity – is nothing other than autonomy – namely, 'the will's property of being a law to itself' – he unveils another analytic equivalence, this time between positive freedom and the categorical imperative, to the extent 'that the proposition that the will is in all actions a law to itself indicates only the principle to act on no other maxim than that which can also have as object itself as a universal law'.[92]

The use of reason up to that point of Kant's argumentation is still analytic, with a circular set of definitions linking the will, (negative and positive) freedom, and the categorical imperative; they either stand or fall together. What actually allows us to break through the circle and ground morality is the idea that freedom must necessarily be presupposed as a property of the will of all rational deliberating beings – and this is exactly the central moment in Kant's argumentation:

> I say now: every being that cannot act otherwise than *under the idea of freedom* is just because of that really free in a practical respect, that is, all laws that are inescapably bound up with freedom hold for him just as if his will had been validly pronounced free also in itself and in theoretical philosophy.[93]

Kant's strategy in the third section of the *Groundwork* is, in short, to a) establish the reciprocity thesis between autonomy and the bindingness of the moral law, and b) deduce the latter from the former to the extent that freedom is an inescapable condition of rational deliberation. His argumentative itinerary changes direction in the *Critique of Practical Reason,* where it is the moral law that becomes the gateway to the concept of freedom. He states in one of the most famous footnotes in the history of philosophy:

> …whereas freedom is indeed the *ratio essendi* of the moral law, the moral law is the *ratio cognoscendi* of freedom. For, had not the moral law already been distinctly thought in our reason, we should never consider ourselves justified in *assuming* such a thing as freedom (even though it is not self-

92 Ibid., 4:447.
93 Ibid., 4:448.

> contradictory). But were there no freedom, the moral law would *not be encountered* at all in ourselves.[94]

The reversal in Kant's argumentative strategy is obvious: it is the moral law we encounter when practically deliberating – which reason presents as a determining ground outweighing sensible conditions – that leads to the concept of freedom and not the other way around.[95] Kant employs two examples to crystallise his point; in the first one, he urges us to think of someone subject to an irresistible inclination.[96] Would the person continue to surrender to his inclination if he were threatened with hanging on a gallows? Probably not. What this example reveals is that, however intense a desire may be, it can be disrupted and outweighed by a different one – potentially including the desire to act according to the representation of the moral law, namely, the rational will. This possibility is exactly what the second example touches on: now Kant speaks of someone whose prince demands 'on pain of the same immediate execution, that he give false testimony against an honorable man whom the prince would like to destroy under a plausible pretext…' Perhaps he would not dare to assert whether he could 'overcome his love of life', as Kant admits. He must nevertheless 'admit without hesitation that it would be possible for him. He judges, therefore, that he can do something because he is aware that he ought to do it and cognizes freedom within him, which, without the moral law, would have remained unknown to him.'[97]

Were the mechanism of natural causality the utmost horizon of one's existence, there would not even be a question about whether the person involved has a duty to refuse the prince's demands. But this is not the case: if the person involved is being honest with himself, he will encounter the voice of the moral law commanding him to treat the honourable man as an end in itself and not as a mere means towards his self-preservation. The echo of this voice is precisely what liberates

94 Kant, *Critique of Practical Reason*, 5:4n.
95 Ibid., 5:29–30.
96 Ibid., 5:30.
97 Ibid.

the hero of the example from his inclination towards his self-preservation; the noumenal self is what sets the phenomenal into question. Consciousness of the moral law, Kant claims, is an indisputable fact:

> … a fact of reason (ein Faktum der Vernunft), because one cannot reason it out from antecedent data of reason, for example, from consciousness of freedom (since this is not antecedently given to us) and because it instead forces itself upon us of itself as a synthetic a priori proposition that is not based on any intuition, either pure or empirical, although it would be analytic if the freedom of the will were presupposed.[98]

98 Ibid., 5:31.