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"Freedom Must be Presupposed as a Property of the Will of All Rational Beings": A Comment on GMS III, 447 f.

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Section III of Kant's *Groundwork* is subdivided into five (or six, including the "Concluding remark") parts. The task of this section is to show "that a categorical imperative is possible", a task that has at least two aspects. The first concerns justification: Kant aims to show that and why the moral law is a valid principle for any rational will and in its imperative form a binding principle for our will, and no "chimerical idea" or "phantom" (GMS, 445). The second aspect concerns motivation: how our will and actions can be determined by the moral law independently of any inclinations we may happen to have, how it is possible that we take an "interest" in the moral law (GMS, 460). The second question cannot be answered: "[…] it is impossible for us to explain […] how pure reason can be practical" (GMS, 461).[1]

As a first step, Kant focuses on a rational will as such (parts 1 and 2). Subsequently, he confronts the difficulty surrounding the fact that our human wills are not purely rational and it is therefore not prima facie guaranteed that what is valid for a rational will as such is in the same way also valid for our wills (parts 3–5). In our commentary, we focus on the interpretation of part 2 (GMS, 447–448). To begin with, we give a short summary of part 1 in order to sketch the background of our passage. Then we carry out our task in two steps: the first is a reconstruction of the argumentation of part 2, the second is a discussion of five main problems of interpretation with regard to it. These include the ambiguity of the concept of freedom, the significance of the first-person perspective, the kind of reason to which Kant's argument applies, the relation between freedom and indeterminism, and last but not least the extent to which Kant's argument is successful, in other words, what it actually establishes.

In part 1, Kant begins with the notion of a free will. He claims that "the concept of freedom is the key to the explanation of the autonomy of the will" (GMS, 446), that an autonomous will is nothing but a will under the moral law ("reciprocity thesis")[2], and that this connection is an analytical one, i.e. morality follows analytically from the concept of freedom ("analyticity thesis"). Kant first gives a negative characterization of freedom: A free will is a will that is independent of alien determining causes, and this means for Kant that the will is not determined by natural causes according to the laws of nature. But it must be determined *somehow* and according to *some* law, since the concept of free will includes the notion of causality (because the free will is supposed to cause actions) and this notion, in turn, carries

[1] For a thorough discussion of the meaning of the question "how a categorical imperative is possible" see Schönecker (1999, ch. 2).
[2] Cf. Allison (1990, 2002)

with it the concept of law. The activity of a free will, by which it causes actions, must thus follow some law. This can only be a law the will imposes on itself, for otherwise the will would be subject to an alien law and not free. So the negative characterization of freedom of the will, namely, absence of alien determining causes, leads by itself to a second, positive characterization: A free will is an autonomous will, a will that acts according to self-given laws. But, as Kant has shown in Section II, the common principle of those laws or maxims is that they can be willed as universal laws through themselves. This is what the categorical imperative commands, which therefore captures the very idea of autonomy – at least as far as its content is concerned. In its imperative form it applies only to imperfect wills, which do not by themselves act in accordance with the stated principle. The categorical imperative is also the principle of morality, as Kant attempted to show in his analysis of our common moral understanding. A free will is an autonomous will, a will under self-given laws, and this in turn is a will that acts according to the moral law. "If, therefore, freedom of the will is presupposed, morality together with its principle follows from it by mere analysis of its concept." (GMS, 447)

But can freedom of the will be presupposed? This is the subject of part 2 of Section III that we are going to discuss in this contribution. Now, since Kant has argued that a free will is a will under the moral law, the question naturally arises, if our will (or any rational will) is free. If this question can be answered positively, Kant has shown that we (or any rational being[3]) are subject to the moral law. Three argumentative steps can be distinguished in our passage. In a first step ("It is not enough [...] endowed with a will"), Kant sets up his task: to give an a priori proof for freedom. In the second step ("I say now [...] theoretical philosophy"), Kant claims that if a rational being has to view itself as free, it is really free "in a practical respect". In the third step ("Now I assert [...] every rational being"), Kant argues that indeed any rational being has to view itself as free. We will quote and interpret the passage along the three indicated steps, in order to give a reconstruction of Kant's argument (I), and then discuss five critical points about it (II).

I. Reconstruction

Step 1:

"It is not enough that we ascribe freedom to our will on whatever ground, if we do not have sufficient ground for attributing it also to all rational beings. For, since morality serves as a law for us only as rational beings, it must also hold for all rational beings; and since it must be derived solely from the property of freedom, freedom must also be proved as a property of all rational beings; and it is not enough to demonstrate it from certain supposed experiences of human nature (though this is also absolutely impossible and it can be demonstrated only a priori), but it must be proved as belonging to the activity of all beings whatever that are rational and endowed with a will." (GMS, 447 f.)

[3] When we speak of „rational being" we follow Mary Gregors translation of „vernünftiges Wesen".

There is one problem with part 1 of Section III that Kant has to solve in part 2, namely he has not yet shown that we can indeed presuppose freedom as a property of the will of all rational beings (and therefore ascribe morality to ourselves as rational beings). At the end of part 1, he states that he intends a "deduction of the concept of freedom from pure practical reason" which requires "further preparation" (GMS, 447). So the idea is to show that we have to ascribe freedom to our will insofar as we are rational. Why should we look for a proof of freedom in practical reason? As a preliminary remark, Kant reminds us that we cannot take an alleged proof of our freedom from particular experiences. That might of course be tempting: Don't we experience our freedom directly? But that would merely be an a posteriori argument for freedom, and moreover, it would at best be valid for human beings. Since the task of the *Groundwork* is to develop "a pure moral philosophy, completely cleansed of everything that may be only empirical and that belongs to anthropology" (GMS, 389), this road is closed, and an a priori argument for freedom must be given that is valid for any rational will. Freedom has to be proved as a property of beings that are a) rational and b) have a will. So in part 1, Kant hypothetically presupposed freedom and arrived at morality analytically. Now he sets up the task of proving freedom from rationality, and so in the end he moves from rationality to morality. An outline of the completed argument would run as follows:

1. Every rational being has a free will.
2. A free will is not determined by alien causes or according to alien laws.
3. A free will is an autonomous will.
4. Autonomy is the property of the will to be a law to itself.
5. The fact that a will is a law to itself means that it acts on a maxim that can be willed as a universal law through itself, which is the principle of morality.
6. An autonomous will is a will under the moral law.
7. The will of every rational being is a will under the moral law.

The argumentative program for the passage under discussion is:

1. Morality is valid for us insofar as we are rational beings.
2. Morality must be valid for all beings insofar as they are rational.
3. Morality follows from freedom as a property of the will of a rational being.
4. The reason to ascribe freedom to a will must be the same for all rational beings.
5. Freedom must be proved as a property of beings that are a) rational and b) have a will.

Step 2:

"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 inseparably bound up with freedom hold for him just as if his will had been validly pronounced free also in itself and in theoretical philosophy." In a footnote, Kant restates this in greater detail: "I follow this route – that of assuming freedom, sufficiently for our purpose, only as laid down by rational beings merely in idea as a ground for their actions – so that I need not be bound to prove freedom in its theoretical respect as well. For even if the latter is left unsettled, still the same laws hold for a being that cannot act otherwise than under the idea of his own freedom as

would bind a being that was actually free. Thus we can escape here from the burden that weighs upon theory." (GMS, 448)

Step 2 consists in a claim expressed in the first half-sentence, and its following clarification and justification. Kant does not aim at what he calls a theoretical proof for freedom: a straightforward argument to the effect that any rational will is a free will. Such an argument would be difficult or impossible to give, but that does not matter, because for Kant's purposes it is dispensable. Instead, he claims that any being that has to *view* itself as free when acting (that has to act "under the idea of his own freedom") may be considered to be free "in a practical sense". That is, the being may be considered to be subject to the same laws as if it had been proved that it *is* free. What it means that any rational agent has to view himself as free will become clear in step 3, when Kant presents his argument for this claim. What is clear by now is that Kant's argument is bound up with the perspective of the first person, because any rational agent has to presuppose his *own* freedom. The topic is "freedom [...] as laid down by rational beings [...] as a ground for their actions". The "practical respect" mentioned here as opposed to the "theoretical respect" characterizes the kind of proof Kant is going to give for the freedom of any rational being. If any such being has to view itself as free, it also has to admit that it is subject to any law that goes along with freedom, in particular, it has to accept the moral law as a valid law for its will.

Step 3:

"Now I assert that to every rational being having a will we must necessarily lend the idea of freedom also, under which alone he acts. For in such a being we think of a reason that is practical, that is, has causality with respect to its objects. Now, one cannot possibly think of a reason that would consciously receive direction from any other quarter with respect to its judgments, since the subject would then attribute the determination of his judgment not to his reason but to an impulse. Reason must regard itself as the author of its principles independently of alien influences; consequently, as practical reason or as the will of a rational being it must be regarded of itself as free, that is, the will of such a being cannot be a will of his own except under the idea of freedom, and such a will must in a practical respect thus be attributed to every rational being." (GMS, 448)

As in step 2, Kant starts with a claim and gives the justification afterwards. The claim reformulates the title of part 2: Freedom *must be presupposed as* (not: *is*) a property of the will of all rational beings. Presupposed by whom? In the first place, freedom must be presupposed by the rational being itself who is acting, as we have already seen, i.e. freedom must be presupposed from the first-person perspective. What Kant additionally seems to claim is that "we" (from the perspective of the third person) must ascribe ("necessarily lend") the idea of freedom to any agent who has to view himself as free ("acts under the idea of freedom").

There are two possibilities of interpretation for this, a weak and a strong one. The weak one says that this is not really an additional claim. We simply discover that the agent has to consider *himself* to be free and in this sense "lend him the idea of freedom". The strong

one says that *we* have to consider him to be free. We have to introduce a distinction here, because there is a certain ambiguity in terminology. If we speak of a rational being we might merely think (weakly) of a being that engages in practical deliberations. Any such being has to consider itself to be free, as Kant subsequently shows, but of course *we* don't have to view it so. We can ascribe its practical judgments to mere impulses, while the being itself assumes at the same time that it is acting according to reason. But, if we speak of a rational being, we might also think (strongly) of a being endowed with a purely rational or perfect will, and such a being would of course have to be considered to be free by any spectator and not just by itself. The point is that we cannot know if we are rational beings in this strong sense. But what we know is that we are rational beings in the aforementioned weak sense: We engage in practical reasoning and view our practical judgments as causing our actions. In doing so, we have to view ourselves as being guided by reason and therefore as free. We do not have to think that we are rational throughout (we know that we are not), but when we deliberate what to do and come to a considered judgment, we have to ascribe this judgment to reason and so hold ourselves to be free at least in this respect.

Kant states that if we think of a rational being with a will, we have to assume that it is provided with practical reason: a reason that "has causality with respect to its objects." In this assumption, Kant identifies the will of a rational being with practical reason: We thereby think of a will as determining what is chosen or what is done in a reasonable way. The latter is important, because Kant does not think of a will here in the sense that it has a freedom to choose whatever it likes in an indeterminate way. The formulation that the will "has causality with respect to its objects" rather means that we have a reason for an action, and that the action is really due to this reason, and not due to some other external cause, e.g. an impulse. We have to remember what Kant stated in part 1 about the two kinds of causality. On the one hand, there is causality "just as natural necessity" (GMS, 446) that applies to nonrational beings as determined by alien causes. On the other hand, there is a causality independent "of alien causes determining it" (GMS, 446) which corresponds to the negative definition of freedom, namely freedom from alien causes. What Kant develops from the first person perspective amounts in the first place to showing that we have to consider ourselves to be free in this negative sense. If we engage in practical deliberation, we view ourselves as rational beings with wills, and then we cannot consistently think of ourselves as "receiv[ing] direction" from unreasonable sources: from impulse or inclination, which would mean heteronomy. Instead, we have to assume freedom in the sense of autonomy, which corresponds to the positive concept of freedom. This concept has two aspects: the aspect of spontaneity (we do not receive direction from alien causes, but our will has causality with respect to its objects), and the aspect of acting under self-given laws (as any kind of causality goes along with some law, the spontaneous will acts according to self-given laws, everything else would mean heteronomy).

Now, these self-given laws are the laws of reason. For, if you reason out what to do, you must consider your judgment to be dependent on principles of reason, and not caused by an impulse, because otherwise it would be no *judgment* at all. You cannot say: "I judge this course of action to be best, to be the one I should adopt, but I only say so because I had no breakfast today." The second half of the sentence simply renounces what the first one states.

The first half states that you have reasons to do such-and-such, whereas the second half denies this: there is merely a natural cause operating on you. If you really think that a natural impulse drives you to judge and do such-and-such, you cannot at the same time consider this action to be a rational action, and much less the foregoing practical judgment to be a reasoned judgment, in fact, you cannot view it as your judgment at all. So, a rational being, i.e. a subject who is able to deliberate and make considered judgments, cannot "attribute the determination of his judgment not to his reason but to an impulse". It must view its reasoning as being governed by principles of reason (which are the laws reason gives to itself). The reader will note that this line of argument applies to theoretical as well as to practical reasoning. A deliberating being, if it wants to claim validity for the resulting judgments, has to presuppose that its deliberations are guided by the laws of reason, no matter if these deliberations are theoretical (what to believe) or practical (what to do). As the passage "Reason must regard itself as the author of its principles independently of alien influences; consequently, *as* practical reason […]" (emphasis by us), and also the foregoing sentence "Now, one cannot possibly think of a reason that would consciously receive direction from any other quarter with respect to its judgments […]" indicate, Kant is aware of this. Of course, his main interest is practical reason, consequently most of his formulations refer to the will, and so it may be disputed that he has more in mind here than practical reson, namely, reason in general. But at least the systematic fact remains that Kant's argument, if valid at all, is as valid for theoretical deliberations and judgments as for practical ones. We will come back to this in the third comment.

So, any rational (in the sense of deliberating) being has to consider itself to be autonomous, to be free in the positive sense, at least as far as its actual deliberations and judgments are concerned. In particular, it has to view itself as acting according to the laws of reason, and it has to view these laws as self-given. Therefore every deliberating being has to admit that it is subject to the principle that expresses the idea of autonomy, i.e. the moral law. In particular, *we* (as human beings) have to view ourselves so and thus accept the moral law as a law for our wills. It cannot be questioned that human beings are rational beings in the sense that is required for Kant's argument to go through, for such a question, when put forward by a human being, presupposes what is questioned. Kant here gives (or at least purports to give) an argument in order to establish certain conclusions, and we try to comprehend and judge it (or, at least, we view ourselves as doing this). In doing so, we have to look upon ourselves as being subject to the laws of reason. Whenever we think about what to do or what to believe, we are bound to view ourselves as rational beings, as far as this very activity of deliberating is concerned.

Let us assume that Kant's argument is successful. Let us assume that in deliberating we have to view ourselves as free in the negative as well as the positive sense. Then the question arises why he has not thereby reached his goal. Hasn't he shown that any being that is capable of practical deliberation is subject to the moral law, in the sense that any such being has to admit that it is subject to this law? Why does Kant not simply stop at this point, why the further parts of Section III? This is due to the fact that we are *not only* rational, deliberating beings, but *also* sensible beings. As rational beings, we are subject to the self-given laws of reason, and in particular to the moral law, but as sensible beings, we are subject

to the laws of nature. So, we have a kind of antinomy here. We are subject to two kinds of laws that according to Kant pull in different directions. So, for him it is not enough to show that we have to accept the moral law as valid for us, because there is another law with the claim to determine our behaviour: the natural law that directs us by way of our inclinations and impulses. Something has to be said about the relationship of these two laws. The problem can also be posed thus: Even if we (have to) admit that we are subject to the moral law (and whatever laws of reason there might be), we know that we often act contrary to the moral law. It is clear that at least sometimes we are not determined by the laws of reason. In these cases, other laws must be guiding us. The laws of reason therefore do not have "objective necessity" for us, but at most "subjective necessity" (GMS, 449). So, it is not enough to view ourselves as rational agents. Another perspective is forced upon us, and something must be said about how these two perspectives and the laws that correspond to them relate. In addition, Kant has to argue that one perspective, that of ourselves as rational beings, can claim priority over the other, for otherwise he could not establish that we always *should* follow the laws of reason, no matter if we actually do so or not.

If we were endowed with perfect wills, Section III of the *Groundwork* could have ended with part 2, but we are not. This does not mean that the first two parts of Section III are exclusively concerned with perfectly rational beings. They are not: they are concerned with all beings who deliberate what to believe and what to do, and it is shown that all those beings are in deliberating bound to look upon themselves as being guided by the laws of reason, at least as far as the ongoing deliberation is concerned. So, one could say that part 1 and 2 of Section III are concerned with the rational part of rational beings. But this is not the only aspect of those beings, if they are not perfectly rational. They know, first, that in another respect they are not guided by the laws of reason but by the laws of nature, and second, that they often act contrary to what reason requires. The argument that we are free in a practical respect may be valid, but there is also an argument that we are subject to the laws of nature, that our actions are completely determined by *these* laws. As Kant holds the latter considerations to be at least as weighty,[4] we face a conflict of perspectives that is to be resolved. This conflict, to repeat, has two sources: First, that Kant thinks that we cannot be determined by the laws of reason *and* by the laws of nature simultaneously, at least not in any straightforward sense, because the negative aspect of freedom consists in the absence of natural determination according to the laws of nature. Second, that we know very well that we are *not* always guided by the laws of reason. To resolve the conflict, Kant introduces an ambitious kind of compatibilism that is based upon his distinction between noumenal and phenomenal world, and two corresponding points of view. As the phenomenal world, the world of appearances, is completely determined by natural laws, freedom must be situated in the noumenal world, i.e. we have to consider ourselves to be things in themselves that spontaneously cause events in the phenomenal world. Our actions, viewed as events in the phenomenal world, are on the one hand fully determined by natural causes according to the laws of nature, and are thus mere links in a great causal chain. The very same events, viewed as our actions, are on the other hand spontaneously caused by our noumenal selves. In

[4] Cf. GMS, 456

addition, Kant has to show that one of these conflicting perspectives, namely the homo-noumenon-stance, has priority over the other. He does this by arguing that "the world of understanding contains the ground of the world of sense" (GMS, 453) and therefore, "what belongs to mere appearance is necessarily subordinated by reason to the constitution of the thing in itself" (GMS, 461). All this constitutes one important topic of the remaining parts of Section III. (Another is the problem of motivation: how it can be that we take an interest in the moral law, independently of any inclination or impulse.)

We will come back to this solution later (in the fifth comment), but only in passing because it is not our main topic. In the meantime, it is important to keep in mind that in GMS III, 2 Kant does not draw on the distinction between phenomenal and noumenal world at all, and consequently, that his argumentation in the passage under discussion does not depend on it. To assess its validity or to find it plausible, we do not have to buy Kantian dualism or his special kind of compatibilism.

II. Discussion

1) There are several, and not only two, notions of freedom involved in Section III of the *Groundwork*, which at the beginning of the discussion should be distinguished clearly, even if either further or obvious or well-known considerations show that these notions amount to one and the same thing. What Kant actually proves in our passage is this: A reasoning being has to assume that in its reasoning it obeys the principles of reason. This, and no more, is shown. It is not proved that the being cannot view itself as standing under the laws of nature, nor, that the being has to view itself as "spontaneous", nor, that the laws that guide the reasoning must be considered to be "self-given", nor, that if the reasoning issues in an action, the being "could have done otherwise". These conclusions *may* follow from further or earlier considerations, and Kant undoubtedly thought that at least some of them would, but the argument as such in the passage under discussion does not lead to them. So, we have to distinguish *five* notions of freedom, the relationship of which is to be elucidated.

(i) A being is free$_1$, if it deliberates, judges, wills and acts according to the laws of reason. This is the kind of freedom that is proved – at least in a "practical" sense – in the passage under discussion. It could be called "freedom as rationality".

(ii) A being is free$_2$, if its deliberations and judgments, its will and actions are not determined by the laws of nature (or other "alien laws"). This is what Kant calls "negative freedom", one could also speak of "freedom as the absence of heteronomy".

(iii) A being is free$_3$, if it acts spontaneously, if it is the starting point of new causal chains, if its will "has causality with respect to its objects", if it is, so to speak, an unmoved mover. This is "freedom as spontaneity".

(iv) A being is free$_4$, if it deliberates and acts according to self-given laws. It is this kind of freedom that is most properly called "freedom as autonomy".

(v) A being is free$_5$, if it has genuine alternative possibilities of action in the sense that its choice of an action, its will, is not pre-determined by any foregoing factor whatsoever. This might properly be called "freedom as indeterminism".

Two general remarks about these definitions: First, these notions of freedom are not necessarily meant to denote *permanent* properties of beings. That may be the case, but it need not, it is a further question. For example, when we take freedom as rationality, it seems that human beings sometimes deliberate, judge, will and act rationally, and sometimes they do not. When they do, they are free$_1$, when they do not, they are not. The same holds for the other notions of freedom. There is no guarantee, nor would it be plausible, that a being that is sometimes free in a certain sense must always be free in this sense. So one could add a time index to the definitions above: "A being is free$_i$ at time t, if at time t it . . .". Second, it might be objected to the definitions that it would be more plausible to refer to abilities or capacities than to actual performances. That is, for example: "A being is free$_1$ (at time t), if (at time t) it *is able to* deliberate, judge, will and act according to the laws of reason (no matter whether it actually does so or not)", and analogously for the other notions of freedom. To refer to abilities in such a way may be appropriate concerning several kinds of freedom, but not concerning freedom *of the will*, which is at stake here. With freedom of the will, such a move would merely shift the issue one step back. If a being *is able* or *has the capacity* to do something, it depends (among other things perhaps) on its will whether it actually does so or not. But we are dealing here precisely with the question how *the will* of the being comes about, and what we have to assume about this coming about in order to call it free. The five notions of freedom are five different ideas what freedom of the will might consist in. It cannot consist in a certain ability of the subject, because it depends on the subject's will whether the subject makes use of its ability or not, and therefore, as long as we talk about abilities or capacities, the will is out of focus and all problems concerning its freedom remain open.

Let us add some remarks on terminology here. As we know from other important notions in Kants oeuvre, he does not always use terms in a stringent way. In the *Groundwork*, the notion of spontaneity plays no prominent role, it just shows up in GMS 452, when Kant talks about the "pure self-activity" of reason. But he has the same thing in mind, when he, in our passage, speaks of "a reason that […] has causality with respect to its objects" (GMS, 448). In *Prolegomena*, § 53, he makes the distinction between causality interpreted as natural necessity and causality as freedom, and introduces explicitly freedom as spontaneity (Prol, 344). In the *Critique of Pure Reason*, Kant speaks of "transcendental freedom" to describe the same thing (e.g. KrV, A 445/B 473 ff., A 532/B 560 ff.). The ability of self-determination, that in Kant's view implies that one's will is not determined by sensual impulses, is called "practical freedom" there (KrV, A 534/B 562). These two aspects of practical freedom are what Kant calls "positive freedom" and "negative freedom" in GMS. In GMS III, 3 reason ("Vernunft") is described as "pure self-activity" ("reine Selbsttätigkeit") as opposed to understanding ("Verstand") which is restricted to the function "to bring sensual

representations under rules" (GMS, 452). Reason shows a "pure spontaneity" as an ability to build ideas independently of empirical and sensual influences.[5]

The notion of autonomy is often traced back to Rousseau's political philosophy in which the point is made that political freedom consists in being subject to no other laws than the ones to which we have given our consent (Schneewind, 1992, 313 f.; Wimmer, 1980; Sturma, 2004). Another concept of autonomy is the "empirical" one of John Stewart Mill or Harry Frankfurt, autonomy "as action on reflectively endorsed desires, or as avoiding specific sorts of social and personal dependence." (O'Neill, 1989, 53 f.) In Kants moral philosophy, autonomy does not mean either of these, it rather describes the fact of being subject to the moral law that we have to give to ourselves insofar as we are rational. So we are subject to a law (nomos) that we have given to ourselves (autos).

In GMS III,1 Kant's "negative freedom" is freedom$_2$. This is the notion Kant starts from. It means willing and acting in absence of alien determining causes. We note that for Kant natural causes, and in particular our own inclinations, are alien causes and *vice versa*. That goes without saying for readers of the *Groundwork*, but is by no means unproblematic. That all and only natural causes are alien causes is in need of justification. We take the point for granted here and address it later (in the fifth comment). Now, what does it mean to act, but not from alien determining causes? How can such a situation be characterized positively? One can either think of case (iii) or of case (v), but freedom as indeterminism is ruled out by Kant as an absurdity, for it amounts to the idea that the will is under no law at all. So, the absence of alien determining causes implies freedom in the sense of (iii): A being that is free$_2$ ("negatively") in its willing and acting has also freedom in the sense of spontaneity. But, as any kind of causality is causality according to some law, freedom$_3$ implies freedom$_4$. If a being is free$_3$, it can start causal chains, which must occur according to some law, which can only be a self-given law, for otherwise the being would be subject to an alien law and not be free$_2$. Thus, according to Kant, (ii), (iii) and (iv) are only different characterizations of the same situation. The notion of freedom is introduced through the contrast between autonomy and heteronomy that he previously developed and explained at the end of GMS II. Freedom is not introduced through the contrast between determinism and indeterminism, which would point to freedom in the sense of (v). The autonomous will is not indetermined, but determined by self-given laws.

Now, what is proved by Kant in our passage (not theoretically, but at least practically) is freedom$_1$: freedom as rationality.[6] It is the same as freedom as autonomy if and only if the laws an autonomous being gives to itself are the laws of reason. Why should this be the case? It is only the case if we *identify* a rational being with its reason – with its rational part. The

[5] Cf. KdU, § 77

[6] This is what Dieter Henrich (1975, 64 f.) calls "Vernunftfreiheit" (freedom of reason) or "Urteilsfreiheit" (freedom of judgment). He distinguishes it from „transzendentale Freiheit" (transcendental freedom) and claims that the further is relevant for theoretical contexts and rational beings in general, whereas the latter is relevant for practical contexts and for rational beings that are endowed with a will. In Henrich's interpretation, transcendental freedom is the presupposition for the principle of morality. It is a mixture of what we call freedom2, freedom3 and freedom4. Using this terminology, Kant's argument establishes freedom of reason in a straightforward way, whereas the case for transcendental freedom is problematic and remains to be scrutinized.

point of Kant's argument here is that in reasoning a rational being *has to identify itself with reason*, and so has to consider itself to be free in the senses (i) and (iv) simultaneously. The self-given laws are just the laws of reason. So, Kant seems to have proved successfully that in deliberating any being has to view itself as $free_1$, $free_2$, $free_3$, and $free_4$ simultaneously (whereas $freedom_5$ is an absurdity). This preliminary judgment will be further clarified and scrutinized in the following comments.

2) Note that it is the first-person perspective from which freedom as rationality must be presupposed. That is why so many commentators come to the conclusion that one of the main topics of GMS III is the self-relation of the subject (e.g. Prauss, 1993, 255; Steigleder, 2002). But then the problem arises of whether this insight about ones own practical reason is necessarily to be transferred to others, and why. You can easily say about somebody else: "He judges this course of action to be best, but his judgment is due to the fact that he had no breakfast today and is therefore in a bad mood." But you cannot say such a thing about yourself. If you do, you contradict yourself in an outright way. Now, in making this statement about a third person, you represent this person's will as irrational. This means that even from the third-person perspective a *rational* will must be considered to be subject to the laws of reason, otherwise it would simply be no rational will. But this analytic truth is not Kant's point here. He does not say: "From the notion of a rational will, it flows analytically that it is a will under the laws of reason." If this were his point, he would have given us a purely *theoretical* proof for the freedom of any rational will. Kant's concern here is not whether a rational will is a will that follows the laws of reason, which is clear, but whether we actually have rational wills in this sense. The point is that in practical deliberation we have to represent ourselves as rational and therefore as $free_1$. So, the title Kant has given to the passage can be misunderstood. That freedom understood as rationality *is* (not only: must be presupposed as) a property of a rational will, is true analytically, but whether we are entitled to view our wills as rational is not so clear. We can doubt that we have rational wills. What we cannot doubt is that we engage in practical deliberation, and what Kant shows is that in doing so we have to consider ourselves to be rational and therefore $free_1$, at least as far as an ongoing deliberation is concerned. It is this argument that works only from the first-person perspective. I can say about your judgments that they depend on non-rational natural impulses, but I cannot say it about mine. If I say it about mine, they are no longer my judgments. Therefore, every deliberating being has to consider itself to be rational, at least with respect to its actual deliberation.

It was Lewis White Beck (1960, cf. 1975), and more recently followed by Christine Korsgaard (1996) who emphazised the difference between the perspective of the actor and that of the spectator. From the (first person-) perspective of the actor who has to view himself as the author of his actions and his foregoing deliberations, freedom must be presupposed. Beck and Korsgaard also speak of the "practical point of view", refering to the doctrine of the two standpoints in GMS III, 3. Freedom is thus characterized as an idea that is a creation of practical reason – not as a mere fantasy, but as a necessary assumption. On the other hand, from the perspective of the spectator, we observe events in the world that we can describe from the "theoretical point of view", according to the laws of nature. We do so without

interpreting ourselves as involved and without interpreting the events as results of our will. While it seems possible, although very unnatural, to describe another "actor" as merely a part of nature, as if he were not free, it is of crucial importance for Kants moral philosophy that we are not only forced to interpret ourselves as free but also lend the idea of freedom to all other rational beings. If we had no reason to apply the idea of freedom to other beings, it would not be clear why we should treat them as persons, as ends in themselves, and not as mere means or things. Therefore it is no coincidence that the notion of autonomy at first appears in combination with the formula of humanity in GMS II when Kant describes "every rational being" as "the subject of all ends" and therefore as an "end in itself" (GMS, 431). "From this there follows" as Kant points out "the third practical principle of the will", the so-called principle of autonomy, that describes the will not only as "subject to the law but subject to it in such a way that it must be viewed as also giving the law to itself and just because of this as first subject to the law (of which it can regard itself as the author)." (GMS, 431) From there we are lead, according to Kant, to the idea of a kingdom of ends that is "a systematic union of rational beings through common objective laws" (GMS, 434) that can be understood as common and objective because they "abstract from the personal differences of rational beings as well as from all the content of their private ends" (GMS, 433). But this means to interpret the others as free beings as well.

It seems that from the argument given in GMS III, 2 (that should give a justification for the moral point of view developed in GMS II) it follows that we have to consider ourselves to be free i.e. autonomous because we have to consider ourselves to be rational from the first-person perspective. And we know that any other deliberating being has to do so as well with respect to itself. But is this enough to show that we have to interpret others as free i.e. autonomous beings as well and therefore as ends in themselves that are an object of respect for all our maxims? This does not seem to be implied by Kant's argument in III, 2, and is at the very least in need of additional argumentation. The problem surfaces as early as Section II, when Kant derives the formula of humanity (GMS, 429). There he writes: "The ground of this principle is: *rational nature exists as an end in itself*. The human being necessarily represents his own existence in this way; so far it is thus a *subjective* principle of human actions. But every other rational being also represents his existence in this way consequent on just the same rational ground that also holds for me; thus it is at the same time an *objective* principle [...]" from which the categorical imperative in the form of the formula of humanity follows. But again, the question is, even if every rational being has to regard *itself* as an end in itself, why does he have to regard the *other* rational beings as ends in themselves, too? This is the same kind of problem as we face in our passage. To be sure, if every rational being has to view itself as autonomous, and if the principle of autonomy is "to act on no other maxim than that which can also have as object itself as a universal law" (GMS, 447), every rational being is bound to will according to this principle. But it is not clear what this principle implies with respect to other rational beings, whether it dictates a specific attitude towards them. In other words, if we look at the categorical imperative: It is not clear whether the formula of universal law indeed implies or is equivalent to the formula of humanity. This is claimed by Kant, of course, but to get to this result he has to make the problematic step just mentioned.

3) Although Kant's argument aims at practical deliberation and practical judgments, it is as valid for theoretical judgments. Kant's primary interests here are the rational will and rational actions, but what he claims is in effect about judgments in general, be they practical or theoretical. The core sentences of his argument are: "Now, one cannot possibly think of a reason that would consciously receive direction from any other quarter with respect to its judgments, since the subject would then attribute the determination of his judgment not to his reason but to an impulse. Reason must regard itself as the author of its principles independently of alien influences [...]" (GMS, 448). These statements are about reason in general, not just about practical reason. This is quite obvious from the continuation: "[...] consequently, *as* practical reason or *as* the will of a rational being it must be regarded of itself as free" (emphasis by us). So, Kant talks about reason in general, and only afterwards applies his considerations to the special case of practical reason. And this is very plausible. I can no more say "I judge this proposition to be true (probable, well-confirmed etc.), but this judgment is due to a non-rational impulse" than I can say "I judge this course of action to be the right one, but only due to a non-rational impulse". So, as Kant's formulations as well as systematic considerations show, his argument applies equally to any kind of deliberation and judgment.[7]

In this context it should also be kept in mind that Kant emphasizes the unity of reason in the *Preface* of GMS. There he says "I require that the critique of a pure practical reason, if it is to be carried through completely, be able at the same time to present the unity of practical with speculative reason in a common principle, since there can, in the end, be only one and the same reason, which must be distinguished merely in its application." (GMS, 391) For Onora O'Neill, the mentioned "common principle" has to be the moral law, interpreted as "the supreme principle of all reason" (O'Neill, 1989, 52). She claims that Kant "argues not from reason to autonomy but from autonomy to reason. Only autonomous, self-disciplining beings can act on principles that we have grounds to call principles of reason. […] Autonomy does not presuppose but rather constitutes the principles of reason and their authority". (O'Neill, 1989, 57) Kant has never really carried out his idea of the unity of theoretical and practical reason, and it is, of course, hardly believable that all principles of reason should somehow spring from the bare idea of self-legislation.[8] But this is only an aside. We will discuss the problematic relation between autonomy and rationality in another respect in the fifth comment. For now, we note that Kant's argument applies to every activity of reasoning and judging.

In particular, it applies to instrumental reasoning. First of all, even a perfect will would have to reason instrumentally if it aimed at the realization of an end. "Now, what serves the will as the objective ground of its self-determination is an end, and this, if it is given by reason alone, must hold equally for all rational beings. What, on the other had, contains merely the ground of the possibility of an action the effect of which is an end is called a means." (GMS, 447) As any action pursues an end (as is emphasized repeatedly by Kant, e.g. RGV, 4; Ge, 279, note; KpV, 34), the process of practical reasoning can never do without

[7] Cf. Schönecker (1999, ch. 4.2.1)
[8] Cf. Schönecker (1999, ch. 4.4.1)

instrumental, i.e. means-end-reasoning. In particular, this applies to a being that acts from the motive of duty. If it wants to do its duty in a certain situation, it always has to obey hypothetical imperatives, too. Second, if we consider an end that depends on a natural inclination, reason does not tell us to pursue the end. But it does tell us that *if* we are to pursue the end, we have to will the means. The validity of the hypothetical imperative expressed by the conditioned sentence does not depend on the mentioned inclination or any other "alien influence". After all, reason in the form of the hypothetical imperative does neither command us to take the means, nor to pursue the end. It commands us to take the means *provided* that we (for whatever reason) are to pursue the end. Any rational being can follow this reasoning and recognize its validity, whether or not it actually approves of the end. This is how Kant puts it in the *Groundwork*: "Whoever wills the end also wills (insofar as reason has decisive influence on his actions) the indispensably necessary means to it that are within his power." (GMS, 417)

What makes this matter difficult is that insofar as the will depends on a natural inclination, it is not free in the negative sense. For example, at the end of GMS II, in "Heteronomy of the Will as the Source of all Spurious Principles of Morality" (GMS, 441), Kant says: "If the will seeks the law that is to determine it *anywhere else* than in the fitness of its maxims for its own giving of universal law […] *heteronomy* always results. The will in that case does not give itself the law; instead the object, by means of its relation to the will, gives the law to it. This relation, whether it rests upon inclination or upon representations of reason, lets only hypothetical imperatives become possible […]" (GMS, 441) So, in how far is the will of a deliberating being free, when it engages in instrumental reasoning in order to fulfill a natural desire? Kant himself has changed his mind as to whether such a being has freedom in the sense of spontaneity (transcendental freedom). In the *Critique of Pure Reason* he opts for "yes" (KrV, A 547/B 575 f.), in the *Critique of Judgment* for "no".[9] Concerning freedom as rationality, the situation is as explained above: Reason does neither command us to take the means, nor to pursue the end, but it commands us to take the means *provided* that we are to pursue the end. So, we have to distinguish between the different notions of freedom here. Hypothetical imperatives carry with them an *ought*, and if one judges, according to a hypothetical imperative, that one *ought* to do such-and-such, one claims validity for this judgment, and consequently has to presuppose that the judgment is made according to the laws of reason. So, Kant's argument *de facto* applies to these cases of reasoning, too, and establishes freedom as rationality. But we seem to have neither negative freedom, nor freedom as autonomy, nor freedom as spontaneity in these cases of instrumental reasoning, where reason serves a natural inclination. What complicates the matter further is that it is not quite clear how to describe the situation from the first-person perspective. Generelly, when one engages in practical deliberation to serve a certain desire, one reflectively endorses that desire, at least rudimentarily, and thereby implicitly claims freedom as autonomy (or, at least, a certain sense of autonomy). From the third-person perspective it is easy to view somebody who is deliberating what to do as unfree in every possible sense, especially when we are Kantians and the person thinks about how to satisfy a certain natural desire. But it is hardly

[9] Cf. the *Introduction* to KdU

possible to do so with respect to one's own desires – to view them as alien influences on the will and nevertheless continue thinking about how to satisfy them. To remember, it is the first-person perspective that is relevant for Kant's argument here.

It does not seem that definite solutions to these problems are to be found in Kant's writings, and we will not discuss the issue further here. We merely note that the four different kinds of freedom involved here (rationality, negative freedom, autonomy, and spontaneity) do not automatically coincide. The systematic reason for the fact that the hypothetical imperatives create difficulties is that with them, on closer inspection, the different kinds of freedom tend to fall apart. Since Kant wants them to amount to one and the same thing, he himself is uncertain whether to call an action free that is due to the representation of a hypothetical imperative involving a natural desire. We will argue later that contrary to what Kant thinks, by his argument in GMS III, part 2 he is only able to prove (in a practical sense) freedom as rationality, but not the other kinds of freedom. We will expound this claim in our fifth comment. Freedom as rationality as viewed from the first-person perspective, to be sure, extends to any kind of deliberation, especially to instrumental reasoning.

That Kant's argument also applies to *theoretical* reasoning creates the following problem. Kant wants to give no theoretical proof for freedom, but a proof that we have to view ourselves as free. We cannot be sure that we *are* free, but we have to *look upon* us as if we were free. But what kind of standpoint is this? If you really have to consider yourself to be free, you are bound to say "I am free". You cannot say: "Maybe I am not free, but I have to view myself as free." The first part of this statement implies that you need *not* view yourself as free, and so contradicts the second. If we really follow Kant's argument, we have to take its conclusion seriously. If I am really bound to consider myself to be free in any rational deliberation, I cannot at the same time say: "But this does not show that I *am* free." The latter statement means that I entertain the possibility that I am not free, and consequently, that I do *not* necessarily view myself as free. The content of the judgment ("perhaps I am not free") contradicts its presupposition ("in making judgments I have to consider myself to be free"). The position on freedom Kant describes is dialectically instable. If we honestly mean that we have to view ourselves as free, then we really *have* to view ourselves so and say "we are free". The problem is independent of what "freedom" means. It would not arise if Kant's argument applied only to practical deliberations and not to theoretical reasoning as well. In that case I could easily say: "In practical deliberations I have to consider myself to be free, but maybe I am not free." I could say this without contradicting myself, because this judgment is a result of a *theoretical* deliberation, and so does not speak about its own presuppositions. If theoretical reasoning would not be affected by the question of freedom, I could entertain the possibility that I am not free in my theoretical as well as my practical judgments without rendering such a piece of reasoning automatically instable. But this is not the situation. Kant's argument applies to theoretical reasoning as well, and so his argument, if it is valid at all, should convince us that we are free – period.

Kant shows convincingly that any deliberation on what to do or what to believe, and consequently any action which is taken according to prior deliberation, takes place under the presupposition that it is made according to the laws of reason. If you seriously doubt that in your reasoning you follow the laws of reason, you no longer believe in its validity. It is not

that you must be *rational* for this. It is simply *not possible* to believe in a piece of reasoning and at the same time doubt its validity, and it is simply *not possible* to make a certain judgment and at the same time think it is unjustified. If one wants to be very cautious, one has to construe the mentioned presupposition negatively. Of course, a rational (in the sense of deliberating) being may never have entertained the thought that in deliberating it follows the laws of reason, so it need not be his explicit opinion that it does. That it has to be its implicit opinion at least, is very plausible, but it is not fully clear what "implicit" amounts to. Perhaps our rational being never reflects on its reasoning. So, maybe it need not believe positively (not even implicitly) that in deliberating it follows the laws of reason. But at least this much is true, that it cannot make any conflicting assumption, because that would amount to the judgment that the reasoning is invalid and the judgment emerging from it unjustified. And this much is true, that if a rational being reflects on its reflecting, it has to admit that it is committed to the assumption that in reasoning it follows the laws of reason.

So, we have to consider ourselves to be subject to the laws of reason, because otherwise we could not claim the validity of our reasoning and judging, which we inevitably do when we reason and judge. Kant's statement that "every being that cannot act otherwise than under the idea of freedom" in the indicated sense "is just because of that really free in a practical respect" (GMS, 448) does mean no more than that this being has to admit the validity of the laws of freedom (or reason) for itself. The phrase does not constitute an additional step in the argument. If Kant had given an argument that we *are* free, this would have meant that we are free theoretically, now he has given an argument to the effect that we have to consider ourselves to be free, and this means that we are free in a practical sense, since concerning the question which laws we have to accept as valid for us, everything is as it would have been had we been given a theoretical proof for freedom. The "practical respect" does not to refer to practical deliberations and actions as opposed to theoretical deliberations and beliefs, but to the kind of argument Kant has given for our freedom, an argument that is as valid for theoretical reasoning as it is for practical deliberations.

4) We have seen that it is freedom$_1$, freedom as rationality, that we have to ascribe to ourselves according to Kant's argument. In deliberating and judging, we have to suppose that we deliberate and judge according to the laws of reason. Any other supposition would amount to the admission that our piece of reasoning is invalid and our judgment cannot be upheld. In particular, when we reason what to do, come to a conclusion and make a corresponding decision, we have to suppose that our will is determined by the laws of reason. This kind of freedom – freedom as being subject to the laws of reason – is obviously very different from another kind of freedom we might be interested in when we are acting: freedom as a genuine, unconditioned ability to choose between various options, to will otherwise as one actually does. This would be freedom$_5$, freedom as indeterminism. In addition, the fact that "a reason […] is practical, that is, has causality with respect to its objects" (GMS, 448), i.e. freedom as spontaneity, does not imply that the being who is endowed with this kind of freedom could will and do otherwise. Quite the contrary. If in deliberating about what to do, you have to assume that you are rational, and if you additionally assume that there is only one rational thing to do, you have to conclude that there is only one action open to you. The assumption

that there is only one rational thing to do is not always accurate, of course, but according to Kant it is at least accurate in any morally relevant situation in which you have a certain obligation. So, contrary to what one might think, neither freedom as spontaneity, nor freedom as autonomy, nor freedom as rationality have anything to do with freedom as the genuine possibility to will otherwise as one actually does.

This does not mean that we always act rationally, and in particular morally, or that we have to assume that we do. We do not, but as far as we don't, we are irrational. In these cases our reason does *not* have "causality with respect to its objects", our act is instead determined by "alien causes". This happens very often, and we know this. We make mistakes in our deliberations, or we arrive at a rational judgment and nevertheless do otherwise, i.e. perform a weak-willed act because of the interference of an inclination. As Kant thinks that morality is required by reason, every immoral act is also irrational, and must therefore be a weak-willed act or due to a faulty deliberation. Provided that your practical judgment determines what you do (and if it does not, practical deliberation does not make sense), and provided that there is only one rational course of action, you *have to assume* that there is no genuine choice about what to do, that your will is predictable, that there is only one action genuinely open to you. You just have to find out which it is. You have to assume all this, because in practical deliberating and willing accordingly you have to view yourself as rational. You might be wrong, of course, and this may be obvious from the perspective of the third person but not from your own perspective at that moment. If you deliberate about what to do and arrive at a practical judgment, it is only *your* judgment if you claim validity for it, and this means that you think you have thereby found out what the reasonable thing to do is. We all know that we often act irrationally, and can judge our own past deliberations and practical judgments thus, but this means that they are no longer our judgments. We cannot take this stance towards our present and actual judgments.

Freedom as indeterminism means that you can will and do one thing, but also another thing, in an absolute or unconditioned sense. You are neither determined nor predictable in your will and your action, and afterwards it is true that you could have willed and done otherwise. This is not the kind of freedom Kant is dealing with in our passage. If you are free in the sense of rational autonomy, your will is determined by the laws of reason and you think and act under their direction and according to them. So if there is only one reasonable option, you will choose this one, you cannot will otherwise, and what you will do is entirely predictable. In particular, if there is a choice between a morally right and a morally wrong action, you will choose the former. While freedom as indeterminism is not compatible with any determination whatsoever of the will, freedom in the sense of autonomy, on the contrary, assumes that the will is determined: determined by the laws of reason. These laws are self-given laws, to be sure, but the will is nevertheless determined by them, and this excludes the performance of any action but one, at least in situations with moral obligations.

Therefore, if we take Kant's claim seriously that a lawless will would be an absurdity (GMS, 446), there is no room for freedom as indeterminism. There are two possibilities: Either you will and act according to the laws of nature (which is heteronomy), or according to the laws of reason (which is autonomy), but in either case your will is determined and your actions occur with necessity. There is no third or meta-position from which you could

deliberate and choose whether to follow your natural inclinations or your reason, because, if you really were in such a meta-position, you would be able to choose against your inclinations, i.e. your will would be free in the negative sense, and then it would, according to Kant, also be free in the positive sense, which means that you would choose according to the laws of reason. The supposed third or meta-standpoint collapses.[10] If you try to imagine it, you realize that you in fact imagine the situation of autonomy. There is no meta-choice between autonomy and heteronomy, because there is no law according to which such a meta-choice could be made. It would have to be a lawless choice and so an absurdity. It may be due to this that the concept of decision ("Entscheidung") plays no prominent role in Kant's practical philosophy. Either your will is determined by natural causes according to the laws of nature, or by rational grounds according to the laws of reason.

All this is difficult to reconcile with ideas about the connection between moral responsibility and indeterminism, ideas that at least to some extent seem to be shared by Kant. Concerning this, there are obvious tensions in his philosophy. In *Religion within the Limits of Reason Alone*, for example, he says: "Was der Mensch im moralischen Sinne ist, oder werden soll, gut oder böse, dazu muss er *sich selbst* machen, oder gemacht haben. Beides muss eine Wirkung seiner freien Willkür sein; denn sonst könnte es ihm nicht zugerechnet werden, folglich er weder *moralisch* gut noch böse sein." (RGV, 44) On the other hand, he says: "Darin besteht nicht die Freiheit, dass das Gegenteil uns hätte belieben können, sondern nur, dass unser Belieben nicht passiv genötigt war." (*Nachlass*, 4226, AA XVII, 465) Or: „But freedom of choice cannot be defined – as some have tried to define it – as the ability to make a choice for or against the law (libertas indifferentiae), even though choice as a phenomenon provides frequent examples of this in experience." (MdSR, 226)[11] Shortly after this, he says "that freedom can never be located in a rational subject's being able to choose in opposition to his (lawgiving) reason, even though experience proves often enough that this happens (though we still cannot comprehend how this is possible)." (MdSR, 226)[12] The last passages are particularly important, because in it Kant admits the (incomprehensible) reality of what we call freedom as indeterminism, but he refuses to call it "freedom".

Sometimes the distinction between "Wille" (will) and "Willkür"[13] (faculty of arbitrary choice), that Kant explicitly introduces in the *Metaphysics of Morals*, is invoked to elucidate his reasoning in GMS III.[14] As Allison puts it, it is only through the distinction between Wille and Willkür that Kant can make plausible that we are affected by our inclinations, but not

[10] Cf. Timmermann (2004, 146)

[11] "Die Freiheit der Willkür aber kann nicht durch das Vermögen der Wahl, für oder wider das Gesetz zu handeln (libertas indifferentiae), definiert werden, wie es wohl einige versucht haben, obzwar die Willkür als Phänomen davon in der Erfahrung häufige Beispiele gibt." (MdSR, 226)

[12] "dass die Freiheit nimmermehr darin gesetzt werden kann, dass das vernünftige Subjekt auch eine wider seine (gesetzgebende) Vernunft streitende Wahl treffen kann, wenn gleich die Erfahrung oft genug beweist, dass es geschieht (wovon wir doch die Möglichkeit nicht begreifen können)." (MdSR, 226)

[13] As e.g. Beck (1960, 177, note 1) points out, it is very hard to find an adequate English translation for "Willkür". There exist as many different proposals as translations of Kant's works. That is why we follow Beck's solution and keep the German expression in the following. Mary Gregor's translation is "power of choice". In her glossary (Gregor, 1996, 650), she refers to the latin difference between voluntas (Wille) and arbitrium (Willkür). What is meant by "Willkür" is in our opinion most adequately described by "faculty of arbitrary choice", in order to emphasize the aspect of arbitrariness.

[14] Cf. Allison (1990, 225f.); Beck (1960, 177ff.); Wimmer (1980); Steigleder, (2002, 94 f., 109 ff.)

determined by them. The moral „ought to“ expresses that the Willkür should bring itself under the moral law given by the will in the sense of practical reason. According to Wimmer's interpretation, the will is identified with practical reason, whereas "Willkür" denotes our freedom to choose, in particular whether to follow the moral law or not. This choice has to occur in an indeterminate ("arbitrary") way. There can be no law under which it stands, because it is supposed to be a genuine choice between heteronomy and autonomy. So, Willkür would be just what *we* call freedom as indeterminism. This does not bear on *Kant's* notion of freedom, however. In the *Metaphysics of Morals*, Kant first of all speaks generally of a "faculty of desire in accordance with concepts" ("Begehrungsvermögen nach Begriffen") as a "faculty to do or to refrain from doing as one pleases" ("Vermögen, nach Belieben zu tun oder zu lassen") (MdSR, 213). In the further explanation of this "faculty of desire", he differentiates between Wille and Willkür, binding Willkür to "bring about its object by one's action" ("Hervorbringung des Objekts"), whereas he combines Wille with reason. Willkür is our ability to make choices, whereas the will is identified with practical reason insofar as it can determine the Willkür (MdSR, 213). But Kant refuses to talk about "freier Wille" in MdS: The will "cannot be called either free or unfree" (MdSR, 226). Only the Willkür can be called free, but Kant states clearly that this "freedom of choice cannot be defined – as some have tried to define it – as the ability to make a choice for or against the law" (MdSR, 226, cf. the quotations above). So, Kant is not prepared to apply the notion of freedom to an indeterministic act of choice. Instead, he distinguishes a negative and a positive notion of "freie Willkür" that is exactly analogous to the distinction between freedom in the negative and freedom in the positive sense given in GMS III, 1: "Freedom of choice is this independence from being determined by sensible impulses; this is the negative concept of freedom. The positive concept of freedom is that of the ability of pure reason to be of itself practical."[15] (MdSR, 213 f.). So, what Kant calls "freie Willkür" in the *Metaphysics of Morals* plays the same role as what he calls "free will" in GMS III, 1 and 2, and has the aspects of absence of heteronomy, autonomy, and spontaneity, but not of indeterminism. Whether one prefers to talk about "Wille" or "Willkür" – in neither case in the *Groundwork* nor in the *Metaphysics of Morals* does Kant apply the notion of freedom to a choice that is arbitrarily made. As far as his arguments on freedom are concerned, freedom as indeterminism is ruled out.

To be sure, at least in the *Metaphysics of Morals* Kant admits the reality of what *we* call freedom as indeterminism. But, to repeat, he is not willing to address it as a kind of freedom. In addition, he says that we cannot comprehend its possibility. And rightly so, because such a choice, whether you call it free or not, runs into the very same problems as the meta-choice mentioned above. How is the choice made, how does it come about? It is clearly not simply made in a vacuum, but made according to the foregoing deliberations of the subject who has to decide. It is, after all, the subject's choice. If we try to imagine this situation we find that we imagine a subject that is either guided by his reason or by his inclinations, and so the choice is not lawless after all. It cannot be lawless, because it has to be

[15] „Die Freiheit der Willkür ist jene Unabhängigkeit ihrer Bestimmung durch sinnliche Antriebe; dies ist der negative Begriff derselben. Der positive ist: das Vermögen der reinen Vernunft, für sich selbst praktisch zu sein.“ (MdSR, 213 f.)

guided by or be due to *something*. A lawless choice is indeed incomprehensible; it would be guided by nothing at all and so amount to a random event that comes about without any explanation or justification. It is hard to see how an event of this kind could be attributed to the subject in such a way that the subject is morally responsible for it. But this is only an aside: what is important here is that when Kant applies the notion of freedom in either the *Groundwork* or the *Metaphysics of Morals*, he does not have such a lawless choice in mind.

5) Kant has proved that in deliberating we have to view ourselves as $free_1$. It is a "practical proof" that we have freedom as rationality. But is it also a proof that we have freedom in the sense of the absence of alien determining causes, freedom as spontaneity, or freedom as autonomy? These are more difficult questions. In deliberating, we may not assume anything that conflicts with the supposition that we reason according to the laws of reason. Kant believes that it would be such a conflicting assumption that the reasoning occurs according to the laws of nature. It cannot, according to him, be subject to the laws of reason *and* the laws of nature, at least not in any straightforward sense: "It would, however, be impossible to escape this contradiction if the subject who seems to himself free thought of himself *in the same sense* or *in the very same relation* when he calls himself free as when he takes himself to be subject to the law of nature with regard to the same action." (GMS, 456) This is very problematic. After all, why couldn't laws of reason and laws of nature simply operate on different levels? Why shouldn't nature have built us in such a way that we deliberate according to the laws of reason (at least sometimes)? To make a somewhat crude comparison: Clearly, an electronic (or, in Kant's time, a mechanical) calculator operates according to the laws of nature, but also according to the laws of mathematics. It is built that way. As the laws of nature and the laws of mathematics are totally different *kinds* of laws, there is no reason why they should automatically stand in conflict with each other, so that nothing could be subject to or follow both of them. They do not necessarily compete with each other. The same holds for the contrast between laws of nature and laws of reason. One undoubtedly has to assume that in one's reasoning and judgments one follows the laws of reason, but this does not automatically exclude the view that these activities are also determined by the laws of nature. This would need an additional argument that is not provided by Kant. He has not proved that we have to view ourselves as free in the negative sense.

Sometimes the contrast between being determined by nature and being determined by reason is put thus: Theoretical as well as practical judgments (and consequently rational actions) are made for *reasons*, whereas in nature there are only *causes*. The determinist, who thinks that everything he says and does is pre-determined by natural causes according to the laws of nature, views the formation of his judgments and actions as mere *events*. So, he cannot claim validity for his judgments, or rather: If he was right, he could not make any judgments at all. Thus, the determinist thesis is self-refuting. If you try to support it, you imply that all you think and say is thought and said not for reasons, but merely because certain natural causes are operating on you, and consequently you can no longer claim validity for what you say. If you do – and you must do it, if you want to engage in a discussion and

put forward a certain thesis – you contradict yourself in an outright way.[16] This argument rests on a misleading dichotomy between reasons and causes. When the determinist argues for his thesis, he of course claims to do so for reasons. And he also claims (by his very thesis) that there are natural causes that made him have these opinions, make these statements etc. But this is no contradiction. His grasping of the reasons is the cause for what he thinks and says, this grasping in turn has other causes, and so on, arbitrarily far into the past. The determinist has to presuppose that nature has built him such that he is able to understand arguments and judge them in the right way (most of the time, at least as far as the present discussion is concerned). And he has the hope that his opponent, the indeterminist, is structered alike, is structured such that when confronted with his, the determinist's, arguments, he recognizes their validity. This expectation or hope may prove futile or not, but there is nothing in the whole szenario that would rule out the causal pre-determination of all the mental processes involved. There are obviously several preconditions that must be fulfilled before one can comprehend an argument, judge its validity etc. A certain talent is needed, a certain upbringing and education, and the like. Our understanding of arguments develops in time. It is not clear if one could in principle spell out a full causal story as to why a certain being at a certain point in time understands a certain argument, but still less is it clear why such a story should be impossible. One's grasping of certain reasons could simply be part of the course of nature.

A closer look reveals that we have to distinguish between two issues here. One is *causal determinism*: Are there sufficient causes for the fact that a certain being at a certain time makes a certain judgment? Are there full causal explanations for mental states? If that should be the case, the mental states (opinions, judgments, decisions etc.) of the being would be pre-determined by causes arbitrarily far in the past, they would in principle be predictable, and the being would not have freedom as spontaneity. Another, further issue is *naturalism*: Even if there are sufficient causes for mental states, can these causes be addressed as or somehow reduced to *natural* causes? If they could, the being would not have negative freedom. The point is trickier, because one might concede that one's grasping of a certain reason is the cause for making a certain judgment, but deny that this cause can be viewed as or be reduced to a *natural* cause that operates according to the laws of nature. We can dimly imagine a full causal story as to why someone makes a certain judgment or comprehends a certain argument. That story would be a psychological story, by and large, but it is doubtful if it could be called naturalistic, or could in principle be reduced to, or replaced by, a naturalistic one. This is because a psychological story for the most part consists of ascriptions of intentional states that have, at least *prima facie*, normative implications, whereas a naturalistic story should be purely descriptive. In our dimly imaginable causal story as to why a certain being at a certain moment has a certain insight, the relata of the causal relationship are events or states that are not obviously naturalistically acceptable. The issue draws on the concept of nature as well as on the concept of reduction and cannot be settled without addressing these.

But for Kant, these two issues are not distinguished. This is already clear from the fact that freedom in the negative sense (absence of *natural* determining causes) does imply for

[16] See, e.g., Schönecker (1999, ch. 4.2.2).

him positive freedom, i.e. spontaneity and autonomy, and consequently the absence of *any* pre-determining causes. Very clear on the whole issue is also the following passage from the *Critique of Practical Reason*: "That is to say, in the question about that freedom which must be put at the basis of all moral laws and the imputation appropriate to them, it does not matter whether the causality determined in accordance with a natural law is necessary through determining grounds lying *within* the subject or *outside* him, or in the first case whether these determining grounds are instinctive or thought by reason, if […] these determining representations have the ground of their existence in time and indeed in the *antecedent* state, and this in turn in a preceding state, and so forth, these determinations may be internal and they may have psychological instead of mechanical causality, that is, produce actions by means of representations and not by bodily movements; they are always *determining grounds* of the causality of a being in so far as its existence is determinable in time and therefore under the necessitating conditions of past time, which are thus, when the subject is to act, *no longer within his control* and which may therefore bring with them psychological freedom (if one wants to use this term for a merely internal chain of representations in the soul) but nevertheless natural necessity; and they therefore leave no *transcendental freedom* […]. Just for this reason, all necessity of events in time in accordance with the natural law of causality can be called the *mechanism* of nature, although it is not meant by this that the things which are subject to it must be really material machines. Here one looks only to the necessity of the connection of events in a time series as it develops in accordance with natural law, whether the subject in which this development takes place is called *automaton materiale*, when the machinery is driven by matter, or with Leibniz *spirituale*, when it is driven by representations; and if the freedom of our will were non other than the latter […] then it would at bottom be nothing better than the freedom of a turnspit, which, when once it is wound up, also accomplishes its movements of itself." (KpV, 96 f.)

So, even if the "determining grounds are […] thought by reason", as is the case when a subject is built by nature so as to comprehend certain arguments, the subject is not free in the negative sense, because his thoughts are part of a causal chain. How the links of the chain look like does not matter for Kant: When the chain is there, the subject is determined by the laws of nature. For Kant, the relation of cause to effect constitutes a natural necessity in any case, and consequently there is no place in his conception for a causal pre-determination that is not naturalistic. The causal pre-determination as such essentially reduces a being to the status of a turnspit: like the turnspit, it is a mere *automaton*. But Kant's argument in our passage does only give us freedom as rationality. It is not shown, although intended by Kant, that the being cannot at the same time view itself as being subject to the laws of nature, or that the being has to look upon itself as spontaneous. There is no successful argument in GMS III as to why rationality should be incompatible with either determinism or naturalism. Kant himself concedes, in the passage quoted above, that determining grounds can drive a subject through representations thought by reason, and we have no reason to think that this is not our situation. We are given no reason to think that we are no *automata spirituale*. Kant's true motive to discard this possibility is that he thinks it excludes moral responsibility. And in the *Critique of Practical Reason* he indeed argues from the reality of the moral law to the reality of transcendental freedom (which is the same as freedom as spontaneity). But in the

Groundwork he wants to have it the other way round: He wants to prove the moral law as binding for our wills by establishing transcendental freedom, at least in a practical sense. But this kind of freedom does not come out of his argument. At the end we will discuss in how far or in what sense the argument is nevertheless successful.

Kant repeatedly emphasizes that every action may on the one hand be viewed as an event determined by the laws of nature, as a link in a causal chain, and on the other hand as spontaneously caused by the agent (Prol, § 53; GMS, 455 ff.; KpV, 94 ff.; KrV, A 538 ff., B 566 ff.). Both perspectives seem indispensable to him, the former to guarantee the unity of appearances, the latter as a necessary condition for moral responsibility. He claims that these perspectives and the corresponding assertions can be reconciled: The former concerns the phenomenal, the latter the noumenal world. So he is a compatibilist in a certain sense. But his brand of compatibilism requires the distinction between phenomenal and noumenal world, and he leaves no doubt that there is no simpler or more down-to-earth solution to be had. He is an incompatibilist insofar as he is convinced that the reconciliation of the two perspectives – an agent standing under the laws of nature, on the one hand, and being free, on the other hand – requires such extreme means. They certainly are extreme: an action may be viewed as a natural event and is as such fully determined by events arbitrarily in the far past, according to the laws of nature. It could thus in principle have been predicted with complete certainty at any particular time prior to its occurrence. The very same event, however, viewed as an action, is spontaneously caused by an agent who thereby starts a new causal chain, and this is supposed to be no contradiction, because the latter is due to the agent as a thing in itself and somehow takes place outside of space and time.

This is hardly credible – first of all, the action, the decision to act, and the foregoing deliberations of the agent that certainly somehow influence his decision, occupy a certain stretch in time. Second, the notion of causation presupposes that of time, so causal relations can only exist within the (spatio-)temporal world, and not between the noumenal and the phenomenal world. Third, if the action, viewed as a natural event, is in fact determined by the laws of nature, it would take place independently of what the noumenal self of the actor did. "If by 'freedom' we mean noumenal causation and assert that we know no noumena, then there is no justifiable way, in the study of phenomena, to decide that it is permissible in application to some but not others of them to use the concept of freedom. The uniformity of human actions is, in principle, as great as that of the solar system; there is no reason to regard statements about the freedom of the former as having any empirical consequences. If the possession of noumenal freedom makes a difference to the uniformity of nature, then there is no uniformity; if it does not, to call it 'freedom' is a vain pretension." (Beck, 1960, 192) Or, as it is described by Bennett, analyzing the compatibilism Kant introduces in the *Critique of Pure Reason*: "Kant wants the so-called causality of freedom to be a 'power of originating a series of events' (B 582). That requires that freedom leave its mark on the world of events, making a difference to what occurs in that world, and that in turn implies that natural causality cannot entirely determine which events occur. We repeatedly find Kant trying to have it both ways: freedom affects the world of events, and yet what happens in that world is just what would have happened if there had been only natural causality." (Bennett, 1974, 200)

But inconceivable or not, the demanding kind of resolution to this complex of problems proposed by Kant is certainly not required by the kind of freedom that is proved in our passage. To repeat, we can view ourselves as being completely determined by the laws of nature and nevertheless claim validity for our reasoning and judgments and rationality for our actions, i.e. freedom in the sense of rationality. We just have to assume that nature has created us as at least partially rational beings, in such a way that when we are confronted with or consider an argument we most of the time correctly assess its validity or invalidity. This thought should not be too alien to Kant. After all, he considers and rejects the possibility that nature has endowed man with reason only to secure his happiness (GMS, 395), and states that in fact nature has given reason to man for the purpose of producing a good will: "[…] then, where nature has everywhere else gone to work purposively in distributing its capacities, the true vocation of reason must be to produce a will that is good […]" (GMS, 396).[17] If nature had built us such that we follow the laws of reason when we deliberate, these laws would, in a sense, be no self-given laws. Instead, they would be imposed on us by nature, a situation which could be called heteronomy. In addition, we would not be the origin of causal chains, so we would not have freedom in the sense of spontaneity. This is the situation that Kant polemically describes as the "freedom of a turnspit" in KpV, 97. It is clear that Kant's talk about autonomy, self-given laws, causality of practical reason with respect to its objects etc. is meant to exclude determination by natural causes according to the laws of nature. But his argument in our passage does not show that we have to view ourselves as free or autonomous in *this* sense. That our reasoning is subject to the laws of reason does not imply that there is not also an explanation of it in terms of laws of nature. Why should there be any necessary conflict? We have to assume that in our actual deliberation we follow the laws of reason. We don't have to assume anything whatsoever about why we follow them, or whether there are other laws to which we are at the same time also subject. Furthermore, we do not have to presuppose that we are the origins of causal chains. The causal chain that leads to the action may begin arbitrarily far in the past and run through our practical deliberations that are embedded as links within it. So, freedom_1 (rationality), which is in fact proved by Kant, does neither imply freedom_2 (negative freedom) nor freedom_3 (spontaneity). The latter kind of freedom is, according to Kant, required to secure moral responsibility, but it is not established by his argument in GMS III, 2.

Our diagnosis may be corroborated by looking at Kant's *Schulz-Review* he published two years before the *Groundwork*. Johann Heinrich Schulz had written an "Attempt at an Introduction to a Doctrine of Morals", in which he advocates the complete causal pre-determination of all human actions. Kant calls this a "general fatalism" that "turns all human conduct into a mere puppet show" and has the consequence that "what is left us is only to await and observe what sort of decisions God will effect in us by means of natural causes, but not what we can and ought to do *of ourselves*, as authors." (AA VIII, 13) This, Kant claims, is a self-refuting thesis, as: "Although he [Schulz] would not himself admit it, he has assumed in the depths of his soul that understanding is able to determine his judgment in accordance with objective grounds that are always valid and is not subject to the mechanism of merely

[17] Cf. the teleological arguments in *Toward Perpetual Peace*.

subjectively determining causes, which could subsequently change; hence he always admits freedom to think, without which there is no reason." (AA VIII, 14) Again, this line of argument is only convincing if one already presupposes what Kant purports to establish by it. The idea that if we were causally pre-determined, we could only "await and observe what sort of decisions are effected in us by natural causes" simply *assumes* that our (practical) deliberations that lead to our decisions are no part of the course of nature. The idea that if Schulz "is able to determine his judgment in accordance with objective grounds", he cannot at the same time be "subject to the mechanism of merely subjectively determining causes", simply *assumes* incompatibilism instead of justifying it. He who argues has to presuppose "freedom to think" in the sense of "determination of his judgment in accordance with objective grounds" – this much is clear. But Schulz need not at all deny that, he just has to say that his judgment is also determined by natural causes according to the laws of nature, because nature has created himself as a (partially, at least as far as the present argument is concerned) rational being, as a (partially) rational *automaton spirituale*, if one wants to put it that way. That "subjectively determining causes could subsequently change", whereas "objective grounds are always valid", is besides the point. We know very well that we are not always in the state of mind to judge the validity of arguments correctly, e.g. when we are tired or drunk or distracted, when we were children or when we become feeble-minded in old age. We *know* that the "subjectively determining causes" that make us grasp the "objective grounds that are always valid" can and will subsequently change. So, again, the "freedom to think" that we have to claim for ourselves when we deliberate does only amount to freedom as rationality, but does not imply negative freedom or freedom as spontaneity.

The case of freedom$_4$ (autonomy) is most difficult to judge. In a weak sense, it is implied by Kant's argument. In deliberating and judging, we not only have to assume that we follow whatever laws of reason there are, but also approve of our being subject to them. We could not wish to violate them while deliberating, because this would render our conclusions unjustified. In this sense the laws of reason are self-given. They need not be self-given in the sense of literally being chosen by ourselves, but we can certainly think of them as self-given. Upon reflection we realize that if we had the choice we would (have to) impose these laws on ourselves, or negatively, that we could not wish to get rid of them. But this sense of autonomy does not imply freedom$_2$ or freedom$_3$. We can further clarify this weak meaning of "autonomy" if we ask why the laws of nature are "alien laws". Insofar as we are subject to them, we have, of course, not actually chosen to be so. But as we have seen, this may also be the case with the laws of reason. The crucial difference is that we are not bound to approve of our being subject to the laws of nature. In deliberating, we need not *identify* with nature and her laws, but we have to identify with reason and its laws. It is this point that is successfully made by Kant's argument.

One might agree with this and nevertheless object to the characterization of the laws of nature as "alien". Insofar as we are deliberating beings, we have to identify with reason and its laws – this we can concede. But are we not also sensible beings? And insofar as we are such beings, don't we have to view ourselves as part of nature and identify with *her* laws? Doesn't Kant beg the question if he calls the laws of nature "alien" and the laws of reason

"self-given"? Why are we entitled to prefer the view of ourselves as rational beings to the view of ourselves as sensible beings? These questions point to the reason why Kant has not reached his goal within the text passage under discussion, even if his argument here were to be completely successful. They are answered in the further parts of Section III by an appeal to the distinction between phenomenal and noumenal world, by attributing the laws of nature to the former and the laws of reason to the latter, and by claiming priority of the latter because "the world of understanding contains the ground of the world of sense" (GMS, 453), and therefore, "what belongs to mere appearance is necessarily subordinated by reason to the constitution of the thing in itself" (GMS, 461).

Perhaps there is a more straightforward argument as to why the view of ourselves as rational beings can claim priority over the view of ourselves as sensible beings. We have to admit this order, because to deny or to question it would mean to make a consideration, and insofar we do so, we have to identify with reason and its laws. If we claimed priority for the sensible-being-view, we would argue with reason against reason, and thus contradict ourselves. This would be a kind of transcendental argument that did not draw on the distinction between noumenal and phenomenal world. It would be worth trying, and one could almost expect Kant to make such a move after his argumentation in the passage under discussion. But he does not, maybe because the success of the idea is doubtful: One would have to supply an argument why, when we engage in deliberation and consequently accept our being subject to the laws of reason, our reasoning could not lead to the result that there are other laws that could claim priority – at least most of the time, namely as soon as this very deliberation is over. Reason, it seems, might very well lead to the result that it is sometimes (or often, or nearly always) better not to be reasonable, the only necessary exception being the deliberation by which this very result is established. Maybe this reply can be successfully countered, but anyway, Kant does not take this line of reasoning.

To conclude: If one starts with the notion of negative freedom ($freedom_2$), as Kant does, freedom as spontaneity and freedom as autonomy in a strong sense ($freedom_3$ and $freedom_4$) follow from this, provided that one follows Kant that the absence of alien determining causes implies the absence of any causal pre-determination whatsoever, and provided that the whole idea of spontaneous self-determination according to self-given laws is a conceivable one. If we further notice that in deliberating we have to view ourselves as reasonable, we realize that freedom as autonomy implies freedom as rationality. The self-given laws must be the laws of reason, and so we also have $freedom_1$. So, if Kant had given us an argument that we have to view ourselves as $free_2$, his line of reasoning would have been successful. But he did not do this. His argument shows that we have to view ourselves as $free_1$, but from this the other kinds of freedom do *not* follow. Certainly it does not follow that we are $free_2$ or $free_3$. It does follow that we are $free_4$, in a sense, but this sense of autonomy is a weak one that does neither imply that we can start causal chains by ourselves, nor that we are not completely determined by natural causes according to the laws of nature. As it does not imply freedom as spontaneity, it is not enough to secure our moral responsibility according to Kant. If autonomy amounts to the simple claim that in theoretical and practical deliberations we have to accept and approve of the laws of reason and assume that we are

guided by them, we could be free positively without being free negatively. This sounds paradoxical, and so confirms again that Kant had more in mind than this kind of autonomy.

But all this does not mean that Kant's argument in GMS III, 2 is a complete failure. To be sure, we have to view ourselves as being subject to the laws of reason. In deliberating, we have to presuppose that we follow them, and upon reflection, we have to approve of this situation. Insofar they are self-given. We not only have to assume that we are subject to the laws of reason, but we have to endorse them reflectively. This is a weak sense of autonomy, but it constitutes a view we necessarily take of ourselves and our relation to reason, and thus, if we accept the connection between autonomy and the moral law that is established in GMS III, 1, Kant has shown successfully that we have to view ourselves as being subject to the moral law. We have to accept the moral law as a law for our wills. But in this line of reasoning, freedom as the absence of natural determination or as spontaneity or as autonomy in a strong sense plays no role.

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Ge	*Gemeinspruch*, AA, VIII
GMS	*Grundlegung zur Metaphysik der Sitten*, AA, IV
KdU	*Kritik der Urteilskraft*, AA, V
KpV	*Kritik der praktischen Vernunft*, AA, V
KrV	*Kritik der reinen Vernunft*, AA, III, IV
MdSR	*Metaphysik der Sitten – Rechtslehre*, AA, VI
Prol	*Prolegomena*, AA, IV
RGV	*Die Religion innerhalb der Grenzen der bloßen Vernunft*, AA, VI

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