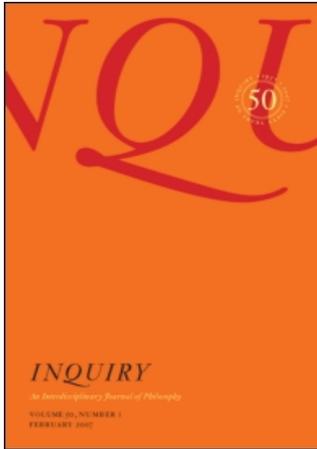


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Comments on Guyer

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ABSTRACT *Before and in the Groundwork, Kant argues as follows for the validity of the moral law: we want to be free. Following the moral law is the only way to be free. So we should follow the moral law.¹ The first premise of this syllogism is treated differently before and in the Groundwork. First Kant thought it an empirical fact that men want to be free and want it more than anything else.² Later he sought an a priori argument showing that we ought to want to be free and are right in thinking it good.³ The former justification of the moral law is superior. When we look to “salvage the normative core of Kantian moral philosophy” (Guyer 445), we should turn to it. – So far Paul Guyer.*

It is evident that Guyer fails to describe Kant’s thought in the Groundwork. It is equally clear that Kant never held the position Guyer claims he held before the Groundwork. (The quotations Guyer gives in support of his claim show this.) Therefore I shall not discuss Guyer’s interpretation of Kant. Instead I shall consider the philosophical merits of the position he ascribes to the pre-critical Kant, and which he recommends as superior. We shall see that that position makes no sense. This indirectly addresses the interpretive question, as it is a reason against ascribing it to Kant.

I.

I desire this strawberry; I desire that woman. Now, it has been established empirically that men, and thus in all likelihood I, being a man, not only desire this strawberry and that woman, but also freedom. And not only this. Men, and I, desire freedom more strongly than anything else, more strongly, for example, than any strawberry and any woman. Nilsson also desires this strawberry, and he desires Monique, his mate. Nilsson is a bonobo; he does not desire freedom, or not so strongly. Perhaps he desires it a bit, probably less than the strawberry, surely less than Monique.

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In contemporary action theory it is common to accord the concept of desire a sense that applies both to Nilsson and to me and therefore is “naturalistic”, and to distinguish me from Nilsson by a sublime object that I desire, but Nilsson does not. For example, according to David Velleman, I not only desire this strawberry and that woman, but self-knowledge. In virtue of this desire I am capable of intentional action, for intentional action is movement explained, ultimately, by this desire.⁴

This strategy fails because what distinguishes man is not an object he desires, but the different form desiring takes in him.⁵ When this possibility is not entertained, perhaps because it is felt to be out of line with “naturalism”, then an inchoate awareness of the form of desire distinctive of man may manifest itself in the deployment of a concept that signifies this form, or an aspect of it, to designate a special object of desire. So it is with Velleman who presents a desire for self-knowledge as the ultimate cause of intentional action and with Guyer’s pre-critical Kant who explains the validity of the moral law by a desire for freedom. We can bring out the mistake when we meditate on what it is that allegedly is desired, in the given case freedom.⁶ Then we see that it cannot be forced inside a power of desire we share with other animals because it *is* a different form of desire. As a preliminary step, we develop analytically the distinction of rational from sensible desire as a distinction of form.⁷

II. Rational desire

We can distinguish sensibility and reason by the logical nature of their object: sensibility delivers *singular* representations, reason is a source of *general* representations. That sensory representations are singular does not mean that they represent one thing as opposed to many; we must not invoke the category of quantity to characterize the form of sensibility. It means that the object of sensory representations is limited to a time and a place. Accordingly, a rational representation is general in that its object is not limited to a time and a place, but may be exemplified in an indefinite manifold of times and places. Kant calls a general representation a concept. Since representing something general as such is representing its logical relation to what exemplifies it, deploying a concept is bringing something under it.

We said Nilsson wants this strawberry. His desire is a singular representation. It may be that Nilsson, wanting this strawberry, exemplifies something general: his wanting it may show that he likes strawberries. But his power of desire does not provide him with *consciousness of this generality* and of the logical relation of exemplification that his desire bears to it. Kant imagines a being that has reason, i.e. the power to represent the general, but in whom it does not inform the power of desire.⁸ If Nilsson were such a being – if he were a favored Nilsson – he could think of himself, as we can

think of him, that he likes strawberries and that this shows in his wanting this strawberry. But this thought would not be an act of his power of desire.

A power of desire is the source of general representations if it is a power to act according to them. (The general representation we fancied the favored Nilsson having is not one according to which he acts.) We shall call the object of such a representation a practical law. Someone acted according to the representation of a law if we can completely explain why she acted as she did by representing her as bringing her action under the law. If her recognition that acting in such-and-such a way exemplifies the law does not figure in an account of why she acted in this way, then the representation is not an act of her power of desire. That it must provide a *complete* account is clear from examples of someone who acts in a way that satisfies the description of acts that accord with the law, but has an ulterior motive. On a given occasion, I keep my promise in order to seem just to you, so that I can strike my fatal blow later, a blow you do not expect from me. I bring my action under the concept “keeping a promise”. But I do not recognize what I do as to be done and desire it simply by bringing it under this concept. Its falling under the concept shows it to be suitable as a means to something else I desire, which on its part need not be general. If this is the only way in which general representations figure in the explanation of action, then the power of desire does not yield general representations.⁹ Let us call a power of desire that is a source of general representations practical reason, and a power of desire that delivers only singular representations appetite.

Someone acts according to a law – that is, has a power of desire that delivers general representations – if we can completely explain why she acts as she does by representing her as recognizing that acting in this way exemplifies the law. This does not mean that our explanation bears the form, “She is doing A because she realizes that she promised to do it”. We can say, “She is doing A because she promised”. This is enough because the form of the explanation, the kind of causality it represents, contains her connecting its terms in thought. This entails that she can give this explanation, if it is true, in the first person, “I am doing A because I promised”.¹⁰

Now consider the explanation as you give it: “I am doing A because...”. As you explain your action by bringing it under the law, you represent the law as the ultimate cause of your action. You represent the logical relation your action bears to the law as explanatory of it. Of course, this causality of the law includes your recognition of this logical relation. Your recognition of the logical relation of your action to the law is not, as in the case of the favored Nilsson, who muses on the laws of his appetite and thanks his creator for their wise arrangement, external to the causality that the explanation represents. But the law, not your recognition, is the cause of your action. Your recognition is the *form of the causality* of the law. If a law is such as to explain actions in this way – that is, if it is a practical law, a law according to which a subject may act – then it contains its representation by

those who act according to it. (That this holds true of the moral law is a central proposition of Kant's moral philosophy.)

We spoke from your point of view, as you say, "I am doing A because...". We said how you represent your action and its cause. But we do not contrast how it is from this point of view with how it really is. Your point of view, here, is the one provided by your representation of the law, that is, by your power of desire. Since this representation of the law and its causality is internal to the reality of the law and its causality, it reveals the truth about this law if anything does. That the representation of the law springs from the power of desire does not mean that it is not knowledge. It means that a power of rational desire (will, practical reason) is a *power of knowledge*.

We may be fearful, or hopeful, that rational desire cannot be placed in nature. According to Kant, through this power I know myself to be a noumenon. This is because a practical law completely explains actions falling under it. The synthesis subsuming actions under the law provides a complete account of what it synthesizes. No material need be given from outside the synthesis. Hence, the synthesis and the knowledge it yields do not depend on sensibility. On this ground, Kant holds that the knowledge is not of nature. However, on the same ground, he excludes that concepts of the living are deployed in the articulation of knowledge of nature. Therefore it is unclear whether the object of explanation by practical law falls outside nature when nature first and foremost is life. This is very difficult; we cannot pursue it.

III. Freedom

We have developed the concept of practical law and rational desire, and we understand its distinction from sensible desire. Now let us consider freedom. We shall see: representing someone as free is representing him as a subject of rational desire. Being free is being subject to practical laws.

Guyer describes freedom in two ways. One is: freedom is unhindered activity. Our desire to be free is a desire to maximize unhindered activity, or the possibility of unhindered activity.¹¹ If we want to maximize, we need a measure of quantity. Guyer suggests we maximize the *number* of free acts, or of acts that may be, or might have been, free.¹² This makes no sense for two reasons. First, any temporally extended action contains within itself an indefinite number of actions, its parts or phases, that are subordinated to it as means to end.¹³ Hence, if I have done something, I am no longer in a position to increase the number of acts I have performed. Secondly, someone who wants as much *X* as possible, or as many *Xs* as possible (e.g., as much money as possible, or as many sports wagons as possible), when this is his *ultimate* end, necessarily suffers from pleonexia. He will never have enough, always want more, and always be lacking. Phrases of the form "as much *X* as possible" or "as many *X* as possible" do not specify a highest

good because an ultimate end of this form precludes happiness of him who pursues it.¹⁴

Guyer also describes wanting freedom as wanting not to be dominated by one's inclinations, but to be governed by oneself.¹⁵ This contrast may be legitimate, but it requires explanation. "Inclination" nominalizes verbal phrases of which "I" may be the grammatical subject. (That there is hunger "in me" means that I am hungry.) It is not immediately apparent how words of so different a grammar can signify alternative principles of action. We understand the contrast if we can specify a form of action explanation that, first, is different from explanation by inclination – then one will not be governed by inclination when one's actions are explained in this manner – that, secondly, is higher in the sense that it is presupposed by explanations by inclination – then someone subject to this form of explanation need not be dominated by inclinations even when she acts on account of an inclination – and that, thirdly, is constitutive of the first person thought of the subject – this will explain why, being subject to this form of explanation, *I* dominate my actions: only in virtue of their being the kind of thing to receive an explanation of this form do I conceive of *myself* as their subject.¹⁶ We shall see that action explanation by a practical law satisfies the first and the second requirement. We shall not be able to treat the third.¹⁷

Consider an explanation that gives an inclination, an act of sensible desire, as the cause of my action: "I ate the apple because I was hungry". The inclination explains why I did what I did. But this need not mean that I am dominated by it. For, although I ate the apple because I was hungry, I need not have eaten the apple. *I could have done otherwise*.

However, unless we accord "could" a special sense, this formula does not say that I am not dominated by inclinations. For I could have done otherwise if there could have been a more violent inclination, on which then I would have acted.

Perhaps appetite does not govern me if I could have done otherwise in the sense that I would have, had I *chosen* to? That this does not help is apparent when we ask why I would have chosen to do otherwise. What explains why I did something explains why I chose to do it. I chose to eat the apple because I was hungry. I need not have chosen it; I could have chosen not to eat it. But now we must ask again after the sense of "could" that makes this formula say that I am not dominated by inclination.

Perhaps I am free when *nothing* determines my choice? (We might add, as if we knew what that meant, that nothing *causally* determines my choice.) I ate the apple because I was hungry. But hunger did not settle whether I would eat the apple. That was left open, not only by my being hungry. It was left open by everything. This entails that to trace an action to my power of choice is to declare it random and arbitrary and unintelligible. Then this power is no power and does not constitute me as a subject of action, but renders me an "Unding", a non-thing.¹⁸

It is not the case that I am not dominated by inclination, if my action or my choice could have been determined by a different inclination. Nor am I free if my action, or my choice, is determined by nothing at all. In “I could have done otherwise”, “could” must represent, not a possibility, as on the first interpretation, but a *power*. The second interpretation wants to make it refer to a power, but fails because it describes not a power, but non-power. Here is a third interpretation: I am free if my choice, or my action, can be determined by a different kind of thing from an inclination: if it can be determined by a practical law. Then I have a power of rational desire.

It is clear that I am not dominated by inclination when I act according to a law. For then the law completely explains my action. If an inclination enters into the account of my action, then it does not enter as its ultimate cause. (It may enter as itself explained by the law according to which I act, as respect for the law does according to Kant.) Furthermore, if I have a power to act according to a law, and ate the apple because I was hungry, I could have done otherwise. I could have refrained from eating the apple, if eating it had been bad, *where the measure of badness is a practical law*. Hence, if I have a power of rational desire, “I ate the apple because I was hungry” need not represent me as dominated by desire.¹⁹ In this way the power of rational desire is contained in, and thus presupposed by, the explanation of its subject’s actions by inclination.²⁰

Kant holds that the power to act according to a practical law *is* the power to act according to the moral law: *the form of the power*, which we designate by calling it a power of rational desire, *defines its law*. Then being free is being under the moral law. Showing that we are free is showing that we are under the moral law, and vice versa. Perhaps this is not right. Our considerations are independent of this further claim about the will. They articulate a conception of rational desire Kant shares with, for example, Aristotle, Thomas, and Hegel, who do not identify the form of the power with its law.

Guyer attributes to the pre-critical Kant the view that being free in the sense of not being dominated by inclination is something men want, and want very very much. This view makes no sense (which proves that Kant never held it). For, the wanting in question would have to be an act either of a power of sensible desire or of a power of rational desire. It cannot be the former because freedom is something general and therefore no object of sensible desire. It equally cannot be an object of a power of desire that is a source of general representations, a power to act according to a law. For, an act of this power is an act of freedom. The power of rational desire is the reality of freedom and therefore does not relate to it too as something desired.

Notes

1. “Adherence to the moral law is the only rational way to secure and realize freedom” (445). “... freedom is the value that is realized by adherence to the moral law ...” (455).

2. "It seems to be just an empirically discoverable fact about human nature that we value freedom" (447).
3. "Kant seems to want to... provide a non-naturalistic argument... for the absolute value of freedom" (452).
4. Velleman, David (2000) *The Possibility of Practical Reason* (Oxford: Oxford University Press).
5. This does not rule out that, but explains why there are objects that only men desire: objects that are such as to be desired in this different form. It also leaves open the possibility that a form of desiring defines the ultimate object of desire of that form, which according to Kant is true of the form of desire he calls will or practical reason.
6. I argue that self-knowledge is a formal character of intentional action in Sebastian Rödl (2007) *Self-Consciousness* (Cambridge Mass.: Harvard University Press) chapter 2.
7. I deploy "power of desire" to mean *Begehrungsvermögen* or *orexis*. These words leave it open whether the power they signify is sensible or rational. Compare *Metaphysik der Sitten*, pp. 211–214.
8. *Grundlegung zur Metaphysik der Sitten*, p. 395.
9. According to Guyer, Kant seeks the validity of the moral law in the fact that following it maximizes freedom. If this were the ground of its validity, then it would rest on an ulterior motive and not be a practical law. It seems Guyer does not possess the idea of a practical law.
10. For further elaboration see my *Self-Consciousness*.
11. "His central ideas are... that we enjoy unhindered activity... and... that reason provides us with the means to minimize conflicts within our own activity... thereby allowing each of us to maximize our activity" (447–8).
12. "The idea seems to be that while any free act considered in isolation would be accompanied with a feeling of satisfaction in being alive and active, that feeling can be maximized in a manifold of actions... only by the use of... the rule to choose only those actions that leave open maximal opportunities for further free actions" (449).
13. Cf. Michael Thompson (2008, forthcoming) "Naïve Action Theory" in: *Life and Action* (Harvard University Press).
14. Guyer first says that, in counterdistinction to the empiricists, Kant does not think happiness the highest value but freedom. Later Guyer explains that we want freedom because free acts afford us pleasure, which suggests that maximizing freedom is good because it is the way to maximize pleasure. But then Kant thinks the ultimate end is to maximize pleasure, adding a claim about what affords us most pleasure.
15. "Kant explicitly asserts the value of controlling rather than being controlled by one's own inclinations" (446). "... the supreme dignity of self-determination rather than determination by inclination..." (452).
16. "Conceive" here is to be understood to create an intensional context.
17. But see my *Self-Consciousness*, chapter 2.1.
18. *Grundlegung zur Metaphysik der Sitten*, p. 446.
19. How do I know that I have this power? I know it from thinking that I should not have eaten the apple, had it been bad. For, my thought that I should do A because a practical law requires it is an act of the same power I exercise when I am doing A because the law requires it. Thinking I should not have eaten the apple, I show that I have this power in the sense that my thought manifests the power. (On the unity of thinking one should do something and doing it, see my *Self-Consciousness*, chapter 2.2.)
20. Thus we avoid an absurd view that may otherwise seem inescapable. It may be thought that I am free only when I act according to a law. Then "I am eating the apple because I am hungry" shows me to be dominated by inclination if it represents me as acting on account of my hunger, and to be free only if it contains an implicit reference to a law "Eat when you are hungry" (or something like that), so that "I am hungry" does not

give the cause, but shows that my action falls under the law, which is the cause. (“I am hungry” then is like “He needs it”, when I explain that I give it to him because he needs it, giving to the needy.) This cannot be right. “I am eating because I should eat when I am hungry and I am hungry” is not the thought of a free man, but of someone trying to cope with an eating disorder. Freedom is not alienation from one’s appetitive nature. And we do not need to think it is because it is wrong that I am free only when I act according to a law. “He ate the apple because he was hungry” represents a different causality when said of me and when said of Nilsson. In my case, its truth is compatible with the truth of “He would not have eaten the apple, had eating it been bad”, where the measure of “bad” is a practical law. As the source of the measure is the power of rational desire, this means that the causality of appetite is mediated by this power. Thus the explanation can be true and complete without representing me as dominated by inclination.