



# Kant's Demonstration of Free Will, Or, How to Do Things with Concepts

*ABSTRACT: Kant famously insists that free will is a condition of morality. The difficulty of providing a demonstration of freedom has left him vulnerable to devastating attack: critics charge that Kant's post-Groundwork justification of morality amounts to a dogmatic assertion of morality's authority. My paper rebuts this objection, showing that Kant offers a cogent demonstration of freedom. My central claim is that the demonstration must be understood in practical rather than theoretical terms. A practical demonstration of  $x$  works by bringing  $x$  into existence, and what the demonstration of freedom brings into existence is a moral will, a will regulated by the moral law and capable of acting in accordance with it. Since to act morally is to act freely, bringing a moral will into existence actualizes our capacity for freedom and demonstrates that we possess it. To confirm the viability of such a demonstration, Kant must establish that agents can regulate their wills by practical principles, and that practical judgments are efficacious of themselves (i.e., that non-Humean motivational internalism is true). Kant, I argue, is successful on both counts.*

**KEYWORDS:** history of ethics, agency, history of philosophy, Kant, metaphysics, free will, practical reasoning, responsibility

While many readers are sympathetic to the substance of Kant's moral theory, few are comfortable with his arguments that purport to establish the authority of the moral law. The sticking point—or, for those less favorably disposed to Kantian morality, the breaking point—is the prominent role played by freedom. In Kant's hands, the innocuous and commonsense view that morality has authority only for those capable of acting morally engenders a thorny philosophical problem. For Kant, only those with free will possess such a capacity, and as a result, his justification of the authority of morality requires him to establish, or demonstrate, that there is such a thing as free will. But since Kant conceives of freedom as independence from natural causality and, at the same time and for the same reason, denies the possibility of cognizing freedom, a successful demonstration must clear formidable philosophical hurdles. Not surprisingly, Kant's efforts have been subject to vigorous attack ever since they emerged in print. In what follows,

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I defend Kant against the most damning of these criticisms, which is that his post-*Groundwork* demonstration ultimately retreats to a dogmatic assertion of the authority of morality.

Before outlining my strategy, I want to lighten my load by situating Kant's demonstration of freedom within its proper dialectical context. Two points in particular alleviate some of the looming challenges. First, Kant's demonstration is not meant to repel challenges to morality issued by the hard determinist or fatalist (Sch 12–13);<sup>1</sup> Kant's intended addressee is not someone worried that determinism as a metaphysical doctrine undermines the possibility of morality (A 803–4/B 831–2; Sch 13). Kant advises those troubled by such thoughts to reread the *Critique of Pure Reason* (KpV 97), which, he contends, proves the metaphysical possibility of freedom. (Allison aptly dubs this the 'therapeutic' function of transcendental idealism [2013: 297].) Second, at least in the *Critique of Practical Reason*, Kant does not try to win over those who claim that an argument establishing the authority of morality must be based on theoretical, nonmoral premises.<sup>2</sup> The *Critique* is rather aimed at someone who acknowledges the importance of morality but worries that her undeniable *susceptibility* to sensible desire indicates a *subjection* to sensible desire that renders her incapable of acting morally. More specifically, the *Critique's* demonstration of freedom responds to worries that our wills are 'empirically conditioned' (KpV 15; see also KpV 94, G 406). An empirically conditioned will is limited to means-ends deliberation regarding ends ultimately grounded in sensible interests and to motivation by these ends. Such wills lack the capacity to act on the basis of pure practical principles, hence the worry that provokes Kant's response: if we possess empirically conditioned wills, we cannot act morally; and if we cannot act morally, moral obligation is a mere chimera (G 407).

This characterization of Kant's project has the salutary consequence of relieving him of two onerous argumentative burdens, namely, defeating the fatalist and convincing the skeptic. But his path is still daunting. A non-empirically conditioned will is on some occasions the source of its own causality, and the possibility of cognizing a will that is its own cause is excluded by the structure of human experience (KpV 29, 48): on Kant's account of theoretical cognition, our minds structure the sensible manifold by ordering it into a temporal series, an ordering that requires that all events be cognized as following from antecedent causes. Since an experience or cognition of free will is impossible, it is hard to see how a demonstration of free will could get off the ground.

The seeming impossibility of demonstrating freedom has led even friendly readers to complain that Kant fails to vindicate morality's claim to authority.

<sup>1</sup> Parenthetical citations refer to the Akademie pagination of *Kants Gesammelte Schriften*, edited by the German Academy of Sciences (Berlin: de Gruyter, 1900–). Translations are from the *Cambridge Edition of the Works of Immanuel Kant*. I employ the following abbreviations: *Anthropology from a Pragmatic Point of View* (A); *Critique of Judgment* (KU); *Critique of Practical Reason* (KpV); *Groundwork of the Metaphysics of Morals* (G); *Metaphysics of Morals* (MS); *Religion within the Boundaries of Mere Reason* (Rel); *Review of Schulz* (Sch). References to the *Critique of Pure Reason* employ the standard A/B numbering.

<sup>2</sup> While these two points of interpretation are not universally accepted, they have been gaining significant traction (Hill 1998: 250; Ameriks 2003: 258; Reath 2006: 68, 75; Kleingeld 2010: 68; Timmerman 2010: 73n; Allison 2013: 292).

With respect to the second *Critique*, the most popular (and lethal) objection is that in lieu of a demonstration of freedom that would fulfill this function, Kant retreats to a dogmatic assertion of morality's authority (Bittner 1989: 88–90; Guyer 2000: 138; Ameriks 2003: 254–55n; 2013: 171–72; Wood 2008: 135). On this view, Kant eschews any attempt to provide a knockdown proof of human freedom and opts for an unpalatable alternative, which is to trot out the 'fact of reason', hoist its flag, and hope that we salute. In Schopenhauer's memorable words, this strategy is said to rely on 'an outrageous *petitio principii*'.

The plausibility of this objection can be seen by examining the orthodox interpretation of Kant's post-*Groundwork* argument for free will. Although proponents of the orthodox interpretation differ on the details (Henrich 1994a: esp. 83; Baron 1995: 43; Schönecker 2013), they agree on the basic steps:

1. Our consciousness of the authority of the moral law includes the awareness that we ought to will in accordance with the moral law.
2. Our consciousness of the moral 'ought' establishes that we *can* will in accordance with the moral law (via 'ought implies can' [KpV 47]).
3. Our consciousness of the ability to act in accordance with the moral law is a consciousness of our freedom (via the conceptual equivalence of a moral will and a free will [KpV 27–30; Rel 50]).

Now for Kant's argument to go through, the consciousness in (1) must not be mistaken or illusory and the 'ought implies can' principle invoked in (2) must be sound. But both premises leave Kant deeply vulnerable to charges of dogmatism or circularity. Since a person's ordinary moral consciousness of the authority of the moral law *for her* will be veridical only if she is free, this consciousness cannot be used to establish that freedom. Second, as I noted above, the *Critique* is targeted at those plagued by the specter of their inability to act as morality demands. Thus, (2)'s bald insistence that 'ought implies can' will not, absent additional supporting argument, vindicate morality against such doubts. Kant's critics can thus be forgiven for suspecting that his argument is propped up by 'moralistic bluster' rather than rational support (Wood 2008: 135).

I will try to put these concerns to rest by showing that Kant offers a rigorous and coherent demonstration of free will. In my view, Kant hews fairly closely to the schematization just offered, but he supplies arguments for each step that have so far gone unrecognized or unappreciated, despite their considerable merit. I will not be so ambitious as to claim that Kant's program is ultimately sound. I am content to show that if we grant the correctness of Kant's analysis of morality—if we grant that the moral law really is the fundamental principle of morality—his demonstration of free will is on much firmer footing than is usually assumed.

The central tenet of my interpretation is that Kant's demonstration is best understood in practical, rather than theoretical, terms.<sup>3</sup> In Kant's view, a *theoretical*

<sup>3</sup> Constructivists such as Korsgaard, Kleingeld, Rawls, and Reath also advance a practical interpretation of Kant's justification of morality. In their view, Kant establishes the authority of morality by showing that

demonstration of  $x$ 's existence presents  $x$  in experience (sense perception, scientific experiment, etc.) or shows that  $x$  has some necessary connection to experience. If a theoretical demonstration is successfully prosecuted, propositions regarding the existence of  $x$  merit assent by any theoretically rational being. It is for this reason that Kant tries on a theoretical demonstration of freedom before a practical one; the *Groundwork* famously argues that we earn membership in the intelligible world by dint of the fact that our theoretical cognitions are governed by pure rational principles. This membership allegedly entails that we have the capacity to *act* on the basis of pure rational principles. While the *Groundwork* does not assert that freedom can be presented in experience, the demonstration is theoretical in the following sense: the truth of the proposition that assures our seat at the noumenal table—viz., theoretical cognition necessarily employs pure rational principles—is secured by the transcendental claim that the employment of these principles is a necessary condition of experience. Since we cannot deny the reality of experience, we cannot deny either our membership in the intelligible world or our freedom.

In the second *Critique*, Kant pivots to what I call a *practical* demonstration of freedom. In a strict, first-person sense, a practical demonstration of  $x$ 's existence obtains when an agent wills  $x$  into existence. In an extended, third-person sense, a practical demonstration works by showing *how* one could will the object into existence. Kant's texts provide a demonstration in the extended sense while individual agents carry out a demonstration in the strict sense. It is important to emphasize that we do not practically demonstrate freedom by bringing a free will into existence. Kant identifies freedom with the *capacity* to regulate one's will by pure rational principles and act independently of sensible interests (KpV 47). This capacity is not itself something we can bring about; if we didn't have it, there would be nothing we could do to acquire it. What the demonstration brings into existence is a *moral* will, a will regulated by the moral law and capable of compliance with it. But since acting morally is acting freely, bringing a moral will into existence actualizes our capacity for freedom. And by actualizing our capacity for freedom, we demonstrate that we possess it. In short, the second *Critique* offers a demonstration of freedom by showing how agents can bring about the existence of a will regulated by, and capable of acting in accordance with, the moral law.

Kant's decision to abandon the *Groundwork* strategy (KpV 8, 47–48), along with all pretense to an argument grounded on theoretical premises, often meets with disapproval (see, for example, Wood 2008: 135; cf. Henrich 1994a). But interpreting Kant's demonstration of freedom and corresponding justification of morality in practical terms has several significant advantages. It provides a way around the *Groundwork*'s failed theoretical demonstration, while rebutting charges

a commitment to the moral law is implicit in the fundamental norms of practical reason. They conclude that anyone who reasons practically is free in the Kantian sense. While I have sympathy with constructivism, there are two important differences in our approach. First, constructivists shoulder an enormous argumentative burden when they claim that the moral law *really is* the fundamental norm of practical reasoning. I make no such claims, which are unnecessary in any case: Kant does not think that practical reason, minimally construed, implies a commitment to the moral law (KpV 47). Second, and more important, constructivists lack an adequate explanation of the efficacy of moral judgment, which I provide below.

of dogmatism. (To my mind, the *Groundwork* argument has at least one fatal flaw: it does not show that we can act on pure practical principles, but leaves open the possibility, discussed below, that such principles can move us to act only when they serve a sensible desire.) It also makes better sense of Kant's fact of reason doctrine, with its emphasis on the role of a deed in the demonstration of freedom. Finally, and most importantly, a practical demonstration coheres with Kant's picture of the will, specifically his conception of willing as efficacious representation, in ways that a theoretical demonstration does not. As I argue below, Kant holds that practical laws determine a will *only* when they are efficaciously and self-consciously represented by that will. As a result, the demonstration of the existence of a will determined by the moral law—a free will—*must* originally be a practical one. (Once an agent has practically demonstrated her freedom, she can provide derivative, theoretical demonstrations. But these derivative demonstrations have an epistemic dependence on her original, practical demonstration.)

Before proceeding, I want to clarify a crucial point. Pure reason is practical, Kant says, when it 'determines' a will, and he defines a free will as a will determined by pure practical reason. So one of the fundamental tasks of the second *Critique* is to show that pure practical reason determines the will (KpV 45). But Kant is less careful than he should be about distinguishing two different aspects of determination, one upstream from acts of choice and the other downstream. These must be disentangled if we are to get clear on how Kant's demonstration of the practicality of pure practical reason is meant to work.

Looking upstream from acts of willing, or choice, we find determining practical principles. For Kant, practical principles state what it would be morally or prudentially good to do, and they can be sorted into three types: specific principles of action, general principles of ends, and second-order principles stating deliberative rules. Practical principles determine a will when they perform their characteristic role in the will's practical activity, that is, when they ground judgments regarding what we are to do, the ends we ought to pursue, or the way we are to deliberate. In the first two cases, practical principles function as premises of a practical syllogism (see McCarty 2006). For example, 'treating people with respect is good' serves as a major premise, which along with a minor premise such as 'telling the truth is respectful', grounds the judgment 'telling the truth is good'. In the third case, practical principles, such as the moral law and the principle of happiness, guide deliberation about the premises employed in practical reasoning. Looking downstream, we see that determinations of choice typically result in *action* (KpV 42), namely, the action specified by the choice or practical judgment (KpV 15, 42; G 446). (I use 'choice' and 'judgment' interchangeably since judgments are expressions of choices.) It is this feature of determination that enables practical judgments to function as efficient causes of action. As a bit of shorthand, I will designate the latter as the 'efficacious' aspect of determination and the former as the 'normative' aspect (Ameriks [2003: 252–53], Henrich [1994: 94–5], and Morrisson [2008: 15–16] describe this distinction in slightly different terms). An agent normatively determines her will by a principle when she takes it to be a normative standard for deliberation, choice, or action. The efficacious aspect of determination refers to that which moves agents from choice to action.

To establish that *pure* practical reason can normatively determine the will is to establish that the will's set of practical principles includes pure practical principles and that these principles sometimes ground the will's (*Willkür*) acts of choice (MS 213). To certify that pure practical reason can efficaciously determine the will is to show that choices grounded in pure practical principles can, *of themselves and independently of sensibility*, move us to act in the way the principles specify. It is to show that pure practical reason, in the guise of pure rational principles, can be an efficient cause of our actions (KpV 48).

Kant first draws this distinction in his 1775 lectures (Kuehn 2014: 51), though at this point he still believes that efficacious determination, determination via a *principium executionis*, occurs by means of thoughts of divine reward and punishment (27: 274–75, 278). In Kant's mature moral philosophy, a will determined by pure practical reason is a will both normatively and efficaciously determined by pure practical principles. Insofar as a free will is a will with the capacity to be determined by pure practical reason, we can characterize free will as a will with the capacity to be both normatively and efficaciously determined by pure practical reason. In effect, the two aspects of determination by pure practical reason correspond to two aspects of freedom. What I call the 'legislative' aspect of freedom, or 'freedom<sub>L</sub>', is the capacity to be normatively determined by principles of pure practical reason (KpV 29). By contrast, an unfree will is normatively determined solely by empirical principles grounded on conceptions of the pleasurable or agreeable. Freedom in its 'efficacious' aspect, or 'freedom<sub>E</sub>', refers to the capacity to be moved to act by pure rational principles and the practical judgments in which they figure (G 445–47). An unfree will is moved to act by a sensible attraction to an object. *Both* aspects are necessary for freedom, and a will in which just one obtains is not free.

My interpretation of Kant's demonstration of freedom naturally divides into two sections, one focusing on freedom<sub>L</sub>, the other freedom<sub>E</sub>. In the first section, which defends an expanded version of the first premise of the orthodox argument, I argue that Kant is committed to the following claim: we actualize our capacity for freedom<sub>L</sub> by *making* the moral law the fundamental law of our will. In brief, we make the moral law the law of our will by *bringing about* the normative determination of the will by the moral law—hence the practical nature of the demonstration. We bring about the normative determination of the will by the moral law by using the moral law to regulate our choice of practical principles.

Unfortunately, Kant's account of the normative determination of the will does not by itself, nor with the assistance of the efficacy condition, explain *how* choice is efficacious. Rather, Kant's account leaves open the possibility that agents can act in virtue of their practical judgments only by means of a sensible desire that moves them to act so. If this possibility were not foreclosed, it would sabotage Kant's justificatory project. The second section of my paper illuminates how Kant wards off this danger. Eschewing the popular 'ought implies can' strategy implicit in the orthodox argument (which renders Kant's justification of morality circular or dogmatic), I show that freedom<sub>E</sub> is secured by a Kantian flavor of non-Humean motivational judgment internalism, which holds that practical judgments generate

an affective force that moves agents to act.<sup>4</sup> It turns out that the demonstrations of freedom<sub>I</sub> and freedom<sub>E</sub> are two sides of the same coin: freedom<sub>E</sub> follows from freedom<sub>I</sub>. When one actualizes freedom<sub>I</sub>, one actualizes freedom<sub>E</sub>, demonstrating one's freedom in toto and securing the authority of the moral law.

## 1. Freedom in Its Legislative Aspect

Kant's discussion of the demonstration of freedom in its legislative aspect occurs at the beginning of the second *Critique*. He starts by uncovering the a priori principle of practical reason and then explains why we have reason to think that we possess pure practical reason. After briefly sketching the first step of his argument, I will discuss the second at length, as it contains the claim crucial to my interpretation: we can *bring about* the determination of our will by pure rational principles and make the moral law the fundamental law of our will.

Kant arrives at the a priori principle of practical reason through an analysis of the nature of practical principles and practical laws (KpV 31). Kant defines practical principles as propositions that contain a general (normative) determination of the will. Practical principles are subjective when they are valid only for particular agents, objective when they are valid for any rational agent whatsoever (KpV 19). Objective practical principles are practical *laws*. Since a priori principles of the will must be unconditionally valid, they must share the features of practical laws (KpV 20). Kant then argues that certain kinds of principles are incapable of functioning as practical laws, viz., principles whose content derives from an interest based on pleasure associated with the object contained in the principle (KpV 21, 25–27). After characterizing such principles as material principles, Kant concludes that the objectivity of practical laws must derive from their form, the form of universal lawfulness (KpV 27). To confirm the purely rational pedigree of practical laws, Kant reminds us that a principle with a lawful form necessarily issues from pure practical reason since 'the mere form of law can be represented only by reason' (KpV 28).

With this analysis in hand, Kant can identify *the* a priori principle of practical reason. Since a priori practical principles are formal, they tell us nothing about what we are to will. They tell us only *how* we are to will—we are to will in such a way that our practical judgments are ultimately governed by universal lawfulness. (As I discuss below, formal practical principles are second-order principles governing practical deliberation.) We are to will in such a way that our practical judgments have an objective, rather than merely subjective, validity. Accordingly, there is really only one a priori practical principle, the 'fundamental law of pure practical reason': 'so act that the maxim of your will could always hold at the same time as a principle in a giving of universal law' (KpV 30).

<sup>4</sup> Although Kant's internalism has received some attention (Potter 1994, 2002; McCarty 2009: xv), its significance for his justification of morality has been overlooked. Allison once thought Kant's internalism to be of interpretive importance (1989: 125), but later abandoned this view (1990, 2013).



At this stage, Kant has not yet shown that pure reason is practical for anyone. His a priori analysis of the fundamental law of pure practical reason does not secure the synthetic claim that it is the law for us; it will *not* be the law for us if we lack pure practical reason. Hence the need to verify that we do possess pure practical reason, which can be achieved by showing that principles of pure practical reason normatively determine some of our practical judgments.

I have insisted that this demonstration is necessarily a practical one. That is, the existence of a will normatively determined by pure practical principles can be demonstrated only insofar as one brings about such a will, or normatively determines one's will by pure practical principles. To see why, we need to pay special attention to Kant's understanding of will and to what it means for a will to be normatively determined by practical principles. For Kant, will is a specific kind of desire (*Begehrungsvermögen*), which is 'a being's faculty to be by means of its representations the cause of the actuality of the objects of these representations' (KpV 9n, translation altered). As a species of desire, willing is *a self-conscious representing that leads to the actualization of the object represented*. This definition enables us to state two individually necessary and jointly sufficient conditions of willing, which I will christen the 'self-consciousness condition' and the 'efficacy condition'. To see what happens when a principle normatively determines the will and why the demonstration of freedom must be practical, these two conditions must be examined in more detail.

The self-consciousness condition states that if a principle is to determine our will, we must self-consciously represent it. (Here and throughout, 'will' refers primarily to *Wille* in the broad sense, which comprises *Willkür*, the faculty of choice, and *Wille* in the narrow sense, the faculty of practical principles [MS 213].) Since will is an exercise of practical reason (G 412), the representations by which willing leads to its objects include concepts, judgments that combine concepts, and principles that render judgments valid or invalid (KpV 32; MS 213). Furthermore, as a type of *thinking*, the representational activity characteristic of willing is self-conscious (B131–32, 142). As a result, practical principles regulate our practical judgments only if the principles are self-consciously represented. The fundamental law of pure practical reason normatively determines the will only if we self-consciously represent it as so doing. By contrast, as Engstrom (2010a: 135) remarks, a theoretical law can govern the objects subject to it regardless of whether this relationship is even capable of being known by the objects in question; the laws governing Earth's orbit around the sun exist as laws even though Earth has no representation of them.

The efficacy condition states that a practical principle determines our will only if it is *efficaciously* represented, that is, represented in such a way that it at least sometimes leads to the actualization of its object. This condition marks the distinction between practical and theoretical reason. Theoretical reason is primarily employed in the service of determining the concepts of objects, but practical reason also aims at making its objects *actual* (*wirklich*) (B x; KpV 67).<sup>5</sup> While theoretical cognition of an object depends on the actuality, or existence, of its object, practical

<sup>5</sup> My discussion here is indebted to Engstrom (2002b, 2010a, 2010b).



cognition aims at bringing its object into existence. (A second distinction between theoretical and practical reason is that theoretical reason establishes what is the case, and practical reason establishes what ought to be the case [A633/B661].)

It is important to note that the efficacy condition cashes out differently for different kinds of practical principles. Some practical principles have an action as their object, e.g., 'always tell the truth'. We make these principles efficacious when we act in light of them. Other practical principles, e.g., 'health is good', have as their object a purpose or end. These principles are often too abstract to be directly efficacious. I cannot become healthy just like that, so if such a principle is to be efficacious, it must determine more specific judgments. One could, for instance, combine the principle 'health is good' with a constitutive judgment about how it is that one will become healthy (say, by exercising regularly) to form a practical syllogism. From the major and minor premises I draw the conclusion that I ought to exercise regularly. If I then act in virtue of this judgment, the principle is efficacious. Coming at this from the ground up, insofar as I aim at exercising-in-order-to-be-healthy, I turn the principle 'health is good' into a practical principle by making it operative in my will.<sup>6</sup>

A third type of principle—second-order principles that purport to govern deliberation about our more substantive practical principles—is especially important for the present discussion. For Kant, the moral law in its various formulations and the principle of happiness are the principles of this type. Neither tells us directly how to act. Rather, the moral law and the principle of happiness furnish the basic rules of two models of practical deliberation, rules that provide the criteria for the validity of substantive moral and prudential principles regarding actions and ends. (Substantive principles that fail to meet these criteria will be invalid or irrational.) The moral law tells us that a valid moral principle is one that any rational agent should adopt. The principle of happiness tells us that valid prudential principles are those that enable agents to promote their own happiness.

Since these second-order practical principles are aimed at regulating the formation and application of our more specific practical principles, they will be efficacious when they do regulate these principles. (Principles regarding ends can also have this function; for example, I can use the principle 'health is good' to determine the validity of a more specific principle such as 'eating well is good'.) Here another distinction must be drawn. To regulate one's will by a principle in a *strong* sense is to incorporate that principle into one's character and to be disposed to apply the principle whenever it is salient. In a *weak* sense, to regulate one's will by a principle is simply to take it as a normative standard and to consider oneself accountable for violations of the standard. Good Kantian reasons favor the weaker version. In the case of moral principles, the distinction between the two senses corresponds to the distinction between autonomy and autocracy, and Kant holds that a demonstration of freedom need only establish our autonomy (Engstrom 2002a; Baxley 2003). On the weaker version, a second-order practical

<sup>6</sup> Actualizing the object of a judgment can take a number of different forms, not all of which result in concrete actions. For example, I actualize the judgment in question when I make a second-order rule not to deliberate about going to the gym on my scheduled gym days.

principle is efficacious when it functions as a normative standard for the formation and application of more specific practical principles. (The efficacy of principles of ends and actions depends on the possibility of efficacious determination, hence the necessity of a demonstration of freedom<sub>E</sub>.)

With these preliminaries on the table, I can present the main argument of this section. Kant's demonstration of freedom must show, or explain how we can show, that pure practical reason normatively determines our will. The key to the demonstration lies in the self-consciousness and efficacy conditions that, taken together, entail that the fundamental law of pure practical reason, 'so act that your maxim could always hold at the same time as a principle in a giving of universal law', normatively determines a will if and only if it is self-consciously and efficaciously represented by that will. From this it follows that the fundamental law normatively determines our will when we *do* self-consciously and efficaciously represent the fundamental law. In other words, the second *Critique* establishes that we can *bring about* the normative determination of the will by willing in accordance with the fundamental law of pure practical reason—by using it to regulate, in the weak sense just described, our specific practical principles.

Since a will possessing freedom<sub>L</sub> is one with the capacity to be normatively determined by pure practical reason, when we *do* normatively determine our will by the fundamental law of pure practical reason, we actualize freedom<sub>L</sub>. When we bring about the normative determination of the will by the moral law, we thus demonstrate that we possess freedom<sub>L</sub>. (We can, however, normatively determine our will without demonstrating freedom<sub>L</sub>. The legislation of a prudential principle is not the legislation of a law, or objective practical principle [KpV 2I, 27]. Since we demonstrate freedom<sub>L</sub> only when we normatively determine our will by laws, prudential reasoning furnishes no such a demonstration.)

This interpretation might seem to portray normative determination in a voluntaristic light at odds with the familiar role assigned to *Wille*: the *Metaphysics* states that basic practical principles are not, as it were, up for grabs, but are legislated by *Wille* in the narrow sense (MS 2I3). However, in the *Religion* Kant grants *Willkür* the power to choose the principle that stands as our fundamental law (Rel 36); here he is utterly at ease with the notion of *Willkür* deciding the law of our will (*Wille* in the broad sense). Nor is the latter view in tension with the former. The *Religion* asserts only that *Willkür* determines the *effective* law of our will, and it leaves unscathed the moral law's status as the a priori principle of willing.

Returning to the argument at hand, the fact that the demonstration of freedom<sub>L</sub> involves regulating one's will by the moral law and bringing into existence a will normatively determined by the moral law indicates that the demonstration is a practical one. Indeed, the foregoing supports a stronger interpretive claim. If a theoretical demonstration of freedom is impossible, and if we can actualize our capacity for freedom in the legislative sense only by efficaciously representing the moral law, then the demonstration of freedom *must* be a practical one. To be sure, once an agent is in possession of a practical demonstration of freedom, she gains access to derivative, theoretical demonstrations of freedom in the guise of memorial representations of her legislation, acts of self-appraisal, and so on. But these demonstrations are *derivative*. They must refer in some way to an original

practical demonstration, and they possess epistemic weight only by representing that demonstration.

Before proceeding, I want to address what might seem to be a fatal flaw in the argument on offer. One might worry that freedom is a *condition* of moral self-regulation since this regulation requires some independence from sensible interests. If so, then Kant's demonstration will turn out to beg the question, and my interpretation will exhibit the same defects as the orthodox version. To defuse this objection, I want to characterize more carefully the capacity at the heart of the matter, namely, the capacity that enables us to choose how to regulate our deliberation. Although Kant doesn't name the power in question, I will call it 'practical spontaneity'. In one sense, the spontaneity of practical reason is similar to that of theoretical reason: practical reason contributes something of its own to cognition (B 158n). Practical reason contributes practical concepts, ideas, and principles that govern practical judgments (A 68/B 93; G 452). But practical spontaneity is notably different from its theoretical sibling. A practically spontaneous being is spontaneous in that she is the source of her own causality (though not to the degree required by freedom, as I clarify below). Kant defines the will as the faculty of desire 'in accordance with concepts, insofar as the ground determining it to action lies *within itself* and not in its object' (MS 213, emphasis added). What Kant means when he says that the ground determining the will to action lies 'within itself' is that agents are in some sense self-determining; in willing, the will (*Willkür*) itself chooses what it is to do. Positively speaking, the will has the power to set its own ends, to choose the goals it will pursue (MS 381, 382, 385). Negatively speaking, acts of choice are never directly caused by sensible interests or inclinations, even those choices that incorporate actions on ends ultimately grounded in sensible interests.<sup>7</sup> (By contrast, animals are causally necessitated by their inclinations.)

Practical spontaneity is put under a spotlight in the *Religion*, where Kant memorably claims that the power of choice is such that it cannot be determined to act on an inclination '*except so far as the human being has incorporated it into his maxim*' (Rel 24). Here Kant reinforces the point just noted—neither inclinations nor the sensible interests that are based on them show up on our doorstep as reasons for action (or for adopting ends)—adding that inclinations and interests become operative in willing when an agent takes them to be reasons in virtue of a practical principle that states why the object of the interest is good (see also Allison 1990: 97–98, 207–208; Korsgaard 1996: 163–36; Reath 2010: 53).<sup>8</sup>

<sup>7</sup> Human beings are, however, capable of acting like animals. Desire's capacity to be completely receptive, or nonspontaneous, is called *Begierde* (MS 212). Desire is receptive when it is directly determined to action by a pleasurable representation of an object, such as when I reach for another bite of poutine despite deep feelings of satiety. Here my 'action' is not willed and is not an exercise of agency.

<sup>8</sup> Kant observes that if we expect our sensible interests to do our agential heavy lifting, we will typically fail to will at all (Sch 13). If I walk past my refrigerator, stop, and find myself questioning whether to grab a beer or continue to the sink to do dishes, I cannot wait for my sensible interests to reply by pushing me into action. If I do, I will simply stand there, neither enjoying the beer nor washing the dishes. This laconic argument is the most Kant offers in favor of spontaneity.

However, spontaneity is not equivalent to freedom. Kant maintains that we are practically spontaneous even when we choose to act on principles that embrace sensible interests (MS 213; A803/B831; Allison 1990: 39). When we choose to act on such principles, we are obviously not acting freely. Accordingly, nothing in our ability to bring about the normative determination of the will by the fundamental law depends on robust freedom.<sup>9</sup> All that is required is an understanding of what it means to reason in accordance with the moral law along with the generic ability to regulate our will by whichever practical principles we decide upon. The former is secured by a priori knowledge of the moral law, the latter by the spontaneity of the will. (Moral self-legislation is made even easier by the fact that Kant allows leeway in formulating the legislated principle; for example, living by the principle ‘what if everyone did that?’ counts as a legislation of the moral law (KpV 69–70).)

## 2. Freedom in Its Efficacious Aspect

To complete his demonstration of freedom, Kant must show that moral judgments can move us to act independently of sensible desire. This task is frequently overlooked by Kant’s commentators, especially those affirming an efficacy condition on willing, and it is often assumed that what I call normative determination entails efficacious determination. On this view, an agent’s decision to regulate her will by a moral principle automatically moves her to act on that principle. This dearth of attention is understandable, since Kant ultimately endorses the entailment; the *Religion* theatrically proclaims that despite our moral failings, ‘the command that we *ought* to become better human beings still resounds unabated in our souls; consequently, we must also be capable of it’ (Rel 45; see also Rel 50n; KpV 47). But Kant cannot simply assert that the right kind of motivational connection obtains. Further argument is needed due to a gap between normative and efficacious determination: Kant’s efficacy condition opens up conceptual space for a will to be normatively and not efficaciously determined by pure practical reason. Although the efficacy condition entails that willing is efficacious, it says nothing about *how* practical principles regarding actions and ends are efficacious or *how* we are moved to actualize the objects of our choices. The efficacy condition does not entail that the will can be efficaciously determined or moved to act *solely by its cognition of a maxim*. Coming at this from the other direction, the efficacy condition is, by itself, compatible with the popular Humean story, according to which one can be moved to act on her principles or maxims only if she has a sensible interest in so doing. On this view, neither pure reason nor the moral law can move us to act of themselves, and this incapacity renders Kantian morality a dead letter. So a second step is needed. If Kant’s demonstration of freedom<sub>L</sub>, and of freedom in toto, is to succeed, he must fill in the gap between normative and

<sup>9</sup>Put differently, even those who reject libertarianism can countenance practical spontaneity. Most compatibilists agree that choice is not determined by one’s strongest desire, but often (in part) by deliberation. Reasons-responsive compatibilism is especially noteworthy here.

efficacious determination in the right way (Henrich [1994b: 94–95] also emphasizes this problem, but he characterizes it in different terms).

The second *Critique* does not foreground the gap problem, though the *Groundwork* mentions it at least once (G 460). Kant identifies it most clearly in lectures from the 1770s, asserting that agents are not ‘organized’ in such a way that they are automatically moved to action by ‘objective grounds’ (27: 1429). As a result, ‘[w]hen I judge by understanding that [an] action is morally good, I am still very far from doing this action which I have so judged’ (27: 1428). Here and in other lectures, Kant toys with a theory of motivation reminiscent of Hume and the British sentimentalists (27: 1429; 25: 650; 27: 258).<sup>10</sup> Although Kant eventually discards this strategy, it is evidence that he appreciates the difficulty and importance of accounting for the efficacy of practical reason.

The next few pages will argue that Kant bridges the gap in the requisite fashion by means of a view that I call, with apologies for the prochronism, non-Humean motivational judgment internalism (I develop this account of Kant’s internalism in more detail elsewhere). Kant’s internalist claim is that if *P* judges that she ought to  $\phi$ , her judgment by itself and independently of any desire associated with the judgment generates an affective force that moves her to  $\phi$  (KpV 9n, 47; MS 211, 213, 356; Rel 50n).<sup>11</sup> Accordingly, moral judgments can, of themselves, move an agent to act in the way specified by the judgment. Thus, given internalism, the source of the efficacy of moral judgment turns out to lie within pure practical reason.

There is something surprising about Kant’s internalism. Even though he advances a staunchly cognitivist theory of rational agency, he assigns an important and ineliminable role to pleasure. Pleasure, it turns out, provides the link between cognition and action that explains how we are moved to act on both our moral and nonmoral judgments. But since the pleasure involved has its source in cognition, we need not worry that it puts Kant on treacherous Humean footing.

Kant’s most important claim in this respect is that ‘every determination of choice proceeds from the representation of a possible action to the deed through the feeling of pleasure or displeasure’ (MS 399; see also MS 211; 28:894). The pleasure in question should not be understood as occurring *upstream* from choice. Rather, it operates *downstream* from choice; the determination in question is efficacious determination. Pleasure’s essential role, in both the moral and nonmoral domains, is to enable us to *carry out* our judgments. Once choice is normatively determined, that is, once we have decided on a course of action, we take pleasure in the thought of actualizing the object of choice or performing the action. And it is this pleasure that moves us to act.

<sup>10</sup>The affectivist strand of Kant interpretation favors this direction (Herrera 2000; Nauckhoff 2003; McCarty 2009; Frierson 2014).

<sup>11</sup>Most contemporary philosophers take motivational judgment internalism to stand for the much different thought that one can sincerely judge that one ought to  $\phi$  only if one is able to be moved to  $\phi$ . (Exceptions include Nagel 1970; Wallace 1990; Dancy 1993; Shafer-Landau 2003.) On this view, what one ought to do is constrained by what one has the psychological capacity to do. In its Humean flavors, this type of internalism is used to defend moral noncognitivism.

Taken in isolation, this *Metaphysics* passage might not seem to compel my interpretation. But additional support can be found in many of Kant's other remarks about pleasure and satisfaction (*Wohlgefallen*). In the second *Critique* he writes that 'pleasure is the representation of the agreement of an object or of an action with... the faculty of the causality of a representation with respect to the actuality of its object (or with respect to the determination of the powers of the subject to action in order to produce the object)' (KpV 9n, translation altered). When the faculty of causality is the will (*Willkür*), the object of pleasure is the thought of producing an object or performing an action that we have determined ourselves to produce or perform. The forward-looking thought of actualizing the object is what Kant refers to with the disjunct 'or with respect to the determination of the powers of the subject to action'. Put more simply, Kant's view is that we take pleasure in representing the actualization of our judgments—we take pleasure in the prospect of the *activity* of actualization, not just of the actualized object. When I judge that I ought to do something, I take pleasure in the thought of my efficacy, even when my goal is onerous, tedious, or painful. (To my knowledge, this view first appears in a 1782 lecture [24: 891]. The third *Critique* restates the points made in the second [KU 207, 242; KU, First Introduction 230–31].)

It should be noted that the pleasure involved in efficacious judgment is a special kind of pleasure, which the *Anthropology* labels intellectual pleasure and distinguishes from sensible pleasure (A 230; see also 29:877–78, 1013; KU 222). Sensible pleasure is produced by sensibility and is the product of contingent cultural and biological forces. The *Anthropology* curiously lacks a description of intellectual pleasure, but we can construct one by contrast with sensible pleasure: intellectual pleasure arises from the active, spontaneous judgments of practical reason. Confirmation can be found in Kant's empirical psychology lectures (28: 586; 29: 1024), where he dubs intellectual pleasure 'satisfaction' (*Wohlgefallen*) and sensible pleasure 'pleasure' or 'sense-pleasure' (*Lust*) (28: 675; 29: 890). Intellectual pleasure is nevertheless a *feeling* bearing affective force—it is just because of this that it can move us to act.<sup>12</sup> The difference between intellectual and sensible pleasure lies in the *origin* of the pleasure. If the pleasure originates in sensibility, it is sensible; if it originates in practical reason, it is intellectual.

Kant's view, then, is that when I judge that I ought to do something, I take pleasure in the thought of bringing into existence the object of my judgment and accomplishing the task I have set for myself. As Kant puts it, 'the state of mind of a will determined by something, however, is already in itself a feeling of pleasure and identical with it' (KU 222). More generally, his view is that rational agents possess a disposition to take pleasure in the thought of their rational efficacy. Although he at one point dubs this a 'peculiar' fact (28: 586), once the details are on the table, we have what sounds like a fairly intuitive psychological and phenomenological story, so long as we accept Kant's conception of the will as fundamentally geared toward bringing its objects into existence. It is natural to think that a being who, by her very nature, strives for efficacy (KpV 9n), and strives for efficacy through

<sup>12</sup> Zuckert's (2002) claim that pleasure has intentional content fits nicely with my emphasis on intellectual pleasure, but her account need not be presupposed for my interpretation to succeed.

her practical judgments, will feel pleasure at the thought of realizing that efficacy and bringing into existence the object of her judgments. (Kant goes so far as to say that even God acts by means of anticipatory satisfaction [28: 1061–62].<sup>13</sup>) It is this intellectual pleasure that brings an agent to try to execute whatever project she has in mind.<sup>14</sup> And since this pleasure is generated by cognitive acts of choice, it is just the kind of feeling required by Kant's non-Humean motivational internalism.

With this point in hand, Kant's conception of rational agency can be schematized as follows:

Time<sub>1</sub>: Choice of maxim *M* on principle *P*

Time<sub>1 or 2</sub>: Cognition of salience of maxim *M* → Intellectual pleasure →  
Attempt to act in the way specified by *M*

The connection between internalism and freedom<sub>E</sub> should now be clear. Given Kant's internalism, whenever an agent makes a practical judgment, her judgment generates an affective force that enables her to act in the way specified by her judgment. As a result, the normative determination of the will by maxim *M* entails efficacious determination by *M*. No sensible interest is needed to explain action. The upshot is that whenever an agent makes a *moral* judgment, she generates an affective force that, independently of sensibility, moves her to pursue the moral action specified in the judgment. In so doing, she actualizes freedom in its efficacious aspect.

### 3. Conclusion

It is now time to pull together the various strands of the paper and run through Kant's argument in its entirety. According to Kant, we make the moral law the law of our will and actualize freedom<sub>L</sub> by regulating our will by the moral law. When this regulation involves making a moral choice, as it sometimes must, we generate a feeling that moves us to act in accordance with our moral judgments. As a result, we *can* do what the moral law says to do. When we make the moral law the law of our will, we thereby actualize the capacity to be moved to act by moral considerations and to act independently of all of our sensible inclinations and interests. Since actualizing freedom<sub>L</sub> entails actualizing freedom<sub>E</sub>, when we make the moral law the law of our will, we demonstrate freedom in toto.

The *Critique's* demonstration is a *practical* one in the sense that it provides instructions for bringing about a will determined by pure practical reason and actualizing freedom. If a reader follows these instructions—that is, if she regulates her will by the moral law—*she* practically demonstrates freedom, in the strict sense,

<sup>13</sup> I discovered this view in Kain's piece on divine freedom (Kain, forthcoming).

<sup>14</sup> My picture leaves open the possibility of nonmoral motivational overdetermination. In the case of action deriving from sensible interests, we often experience an additional pleasure, viz., pleasure at the thought of the object represented in the interest.



by actualizing it.<sup>15</sup> In so doing, her idea of freedom ‘also actually produces the deed that accords with it’ (Sch 13). We can at last appreciate the full significance of Kant’s famous gallows example, which concerns a man ordered on pains of execution to give false testimony against his prince’s political enemy. The man knows he ought to tell the truth and then judges that he can do so despite the fatal outcome; he judges that pure practical reason can be an efficient cause of his action. Kant declares that the man ‘*rightly concludes*’ (Rel 50n) that ‘he can do [what morality commands] because he is aware that he ought to do it’ (KpV 320). Clearly, the gallows passage illustrates a first-person, practical demonstration of freedom. More important, it invites readers, especially those who doubt their moral capacities, to undertake the demonstration and make it their own. Kant’s contention is that if they do so, they will show themselves to be free.

A more formal rendition of my interpretation reveals its structural parallels to the orthodox approach:

1. Our legislation of the moral law makes the moral law the fundamental law of our will (via the self-consciousness and efficacy conditions).
2. When the moral law is the fundamental law of our will, we sometimes judge that we ought to act morally in some respect (via the efficacy condition applied to second-order principles).
3. Our awareness of the moral ‘ought’ generates an ability to act in accordance with the moral law in that respect (via motivational internalism).
4. When we legislate the moral law, we actualize our capacity for freedom.

However, it must be emphasized that my attention to the self-consciousness and efficacy conditions as well as to Kant’s non-Humean motivational internalism supplies Kant with the tools needed to repel the charges of dogmatism and circularity that haunt the first two premises of the orthodox view.<sup>16</sup> As such, on my interpretation, Kant’s demonstration can more readily achieve its fundamental aim: instilling confidence in those who acknowledge the importance of morality but worry that their sensible desires render them incapable of moral action. Kant’s prospects in this regard are enhanced by a second consideration: it is not terribly difficult to determine one’s will by the moral law normatively and efficaciously. This fact provides rational grounds for believing that our attempts at actualizing freedom will be successful and that we do therefore possess the requisite capacity. To be sure, as cognitively limited beings subject to psychological self-deception, we

<sup>15</sup> Ware’s [2014] recent paper also emphasizes the first-personal character of Kant’s demonstration, though our accounts differ quite significantly in their particulars.

<sup>16</sup> My conclusion also tames Kant’s assertion that the consciousness of the authority of the moral law is ‘identical with’ consciousness of our freedom (KpV 42; see also KpV 46, 177). Taken literally, Kant’s claim is worrisome because it suggests that morality is justified in light of an intellectual intuition of freedom, which is obviously irreconcilable with the critical philosophy.

lack absolute certainty that we have legislated the moral law (G 407; KpV 47). But since Kant's argument establishes that the legislation of the moral law is within reach of any agent who acknowledges the importance of morality, such agents have good reason to believe that they are free and that their consciousness of the authority of the moral law is not illusory.

I will conclude with three points of clarification. First, one might wonder what I make of Korsgaard's rather similar claim that 'by acting morally, we can make ourselves free' (Korsgaard 1996: 176). I agree with a slightly weakened formulation: we make ourselves free in the sense that we demonstrate our freedom by actualizing it. But I disagree with Korsgaard's underlying argument, which relies heavily on Kantian respect. In Korsgaard's eyes, respect is supposed to explain the normative and efficacious determination of the will by pure practical reason. But respect cannot fill this explanatory role, since respect *presupposes* the fact that the will can be so determined. Furthermore, Kant says that while respect 'indirectly' determines the will (KpV 79), we are free only when the moral law *immediately* determines the will, i.e., when the moral law regulates a moral judgment, which in turn generates a moral motive. And it must be the case that respect only indirectly determines the will, because if it directly determined the will, or was the ground of the determination of the will by the moral law, Kant's moral theory would collapse into the moral sense theory he so strongly opposes. The same issue affects Franks's (2005: 295ff.) 'performative' interpretation of Kant's demonstration of freedom, which locates the demonstration in the production of the feeling of respect.

Second, it might seem surprising that I have said nothing about respect. I demur in part because Kant employs the concept in sundry ways, discussion of which would take us too far afield, and in part because respect, in its core sense as the affective impact of the recognition of the authority of the moral law, plays little role in the demonstration of freedom. As I noted above, respect *presupposes* the immediate determination of the will by the moral law, and it is the latter that must be established by the demonstration. Put differently, respect is a derivative feature of Kant's vindication of the possibility of moral motivation: the demonstration of freedom establishes our ability to act on moral principles, while respect is what enables us to cultivate virtue and make a *habit* of acting morally (KpV 75, 79; see also Engstrom [2010c]).

Finally, Kant insists that pure reason can be proved to be 'actually practical' through a fact, which he dubs the 'fact of reason' (KpV 42). Although Kant is not completely consistent in his characterization of the fact of reason, most readers agree that it refers to the consciousness of the authority of the moral law (Allison 1990: 230, 233; Rawls 2000: 260; Sussman 2008: 66; Timmerman 2010: 83). My interpretation is on all fours with this view, but I would stress that, connotations of 'fact' (*Factum*) aside, the consciousness of the authority of the moral law is not a theoretical cognition of a property (viz., 'subject to the authority of the moral law') ascribable to a rational agent, much less *knowledge* that an agent has this property. As Kant puts it, 'in order to avoid misinterpretation in regarding this law as *given*, it must be noted carefully that it is not an empirical fact' (KpV 31; cf. KpV 48). From what has been said so far, it should be evident that the consciousness

Kant dubs the fact of reason is the self-consciousness that corresponds to the act of making the moral law the law of one's will; it is the self-conscious representational component involved in actualizing one's freedom. It is for this reason that Kant can insist that pure reason proves itself to be practical through a consciousness that is also a deed (KpV 3).

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