Kant's *Grundlegung*: a Reply to Dieter Schönecker

JENS TIMMERMANN
University of St Andrews

Volume 12 (2007) contains a review of my little edition-*cum*-commentary of Kant's *Grundlegung* (Göttingen: Vandenhoek & Ruprecht, 2004; henceforth 'CG'). As I am familiar with the work of the reviewer, Dieter Schönecker, most of the points mentioned did not surprise me. I was, however, taken aback by the, let us say, unhelpful manner in which they were raised. Schönecker's criticisms concern largely not 'blunders', 'misinterpretations' or 'factual mistakes' (155) but – besides the occasional misunderstanding on his part – matters of philosophical disagreement that might have been of interest to readers of the *Kantian Review* if set out in an informative, civilized and disinterested fashion. In what follows, I shall try to make these disagreements explicit.[1]

I.

At 4: 400.18–19, Kant presents his definition of duty – the necessity of an action from respect for the law – as the third proposition that follows from two preceding ones. Only the second is expressly stated: the moral value of an action lies not in its intended effect but in its maxim (4: 399.35–7). The missing first proposition is commonly taken to assert that an action has moral worth if(f) it is done from duty; but this makes it difficult to see how the third proposition is supposed to be a 'consequence' of the previous two. Both Schönecker and I try to remedy the situation by offering alternative reconstructions. According to Schönecker, the first proposition is about 'the subjective motive of respect', whereas the second is about 'the objective motive, the law itself'. In conjunction they yield the definition of duty (158, cf. SW^2 60). I argue that

https://doi.org/10.1017/S1369415400001138 Published online by Cambridge University Press

the first proposition emphasizes the non-accidental nature of moral action, whereas the second leads to the formality of its principle. These points reappear as 'necessity' and 'the law' respectively in the third, which first introduces the notion of respect (CG 101, CE 39–40).

Now, on this and on other occasions it is not that my commentary fails to 'reflect recent research' (157). I just happen to disagree. I attended Schönecker's paper on the 'first proposition' at the Berlin Kant Congress, and I am well aware of similar but less detailed proposals in Freudiger's commentary and Wood's *Kant's Ethical Thought*. The sentence Schönecker summarizes (157–8), that respect is introduced only at stage three, is deliberately directed against this reading. The first proposition cannot be about respect: respect is essentially respect for the moral law; and the notion of that law is introduced obliquely, in the shape of 'the formal principle of volition' (4: 400.14), only at the very end of the second step. At the stage of the first proposition – the suicide, the misanthrope, the gout sufferer – the reader still lacks the philosophical resources even to conceive of respect. That remains true if, as we both agree, *de facto* action from duty happens for the sake of, or from the motive of respect for, the moral law. The equivalence is stated only as duty is defined.[3] At stage one, Kant simply draws attention to the fact that action from duty is such that it springs from a moral maxim non-accidentally and irrespective of inclination. Furthermore, it is a mistake to assume that 'objective and subjective determination of the will' (4: 400.31) can come apart, and then to read this expression – in reverse order – back into the two propositions (SW 64). Objective and subjective determination by the moral law are two aspects of the same process. One is impossible without the other. An action that is *bloß pflichtmäßig* accords with the law but is not determined by it (*CprV*, 5: 71.28 ff.). It is determined by *another* law, that is, a prudential regularity. Kant's formalism unravels without this assumption.

Relatedly, it is far from clear that 'never to overcharge one's customers' is the actual *maxim* of the *Groundwork*'s shopkeeper (158), which is much more plausibly construed as a principle of unfettered long-term self-interest: not to do anything that might endanger the success of his business. In conjunction with a rule of caution it prompts him to treat everyone decently. Crucially, like the dishonest depositary's maxim to increase one's wealth by all

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secure means (5: 27), this maxim fails the universalization test of the categorical imperative. Kant repeatedly – see, for example, the second proposition – insists that the maxim of an action is the *locus* of its morality. Empirically indistinguishable acts can result from subjective principles that differ in moral content. If so, the maxim of the prudent shopkeeper and his moral colleague cannot be identical. Only the latter treats his customers decently because it is commanded by the moral law. It is precisely the predictable, if accidental, conformity with moral standards that makes Kant set the case of the prudent merchant aside on his quest for an act of duty (4: 397.14–17).[4] Instead, he turns to the three well-known cases in which duty and (immediate) inclination pull in opposite directions – they make the sturdy, non-accidental character of moral principles more apparent. After all, that is what he promised in the previous paragraph (4: 397.1–10).

Schönecker correctly observes that I do not devote much space to the issue of overdetermination, that is, action from duty with concurrent inclination (157). I explain Kant's three types of actions that coincide with duty at 4: 397.14–21 and, in a paragraph of eleven lines, discuss the warning he quotes: it is, of course (*freilich*), possible that an action occurs *with* inclination and yet *from* duty etc. (CG 96). But whereas previously a brief remark was used to indicate disagreement with recent scholarship, in this case it obviously signals agreement. I could have said more[5] but, for better or worse, decided not to in a concise 68-page commentary.

II.

Some of Schönecker's worries can easily be resolved. He is right that it is not the task of hypothetical imperatives to determine the means to a proposed end (158); that is done by empirical investigation. But I do not say that they do. To illustrate the analytic/synthetic distinction with regard to practical propositions, I argue that hypothetical imperatives specify how to realize something one *already* intends to do, whereas categorical imperatives command something *new*, that is, not previously contained in one's motivational set (CG 116–17, CE 72).

It would also, I agree, be absurd to say that Kant's analysis of practical reason is a 'version' of popular moral philosophy (156).

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But, again, I say no such thing. The purpose of 4: 412 ff. is to distinguish the pure and the empirical elements of human volition, a task to which moral philosophy before Kant was oblivious (CG 110, CE 58–9). In the course of this, Kant *alludes* to popular moral theories in the guise (*Gestalt*) of the variant formulations of the categorical imperative, which employ the language of pre-Kantian ethics. These variants, I suggest, intimate to popular ethicists that they preserve the grain of truth contained in their heteronomous moral systems. Unlike the basic formula and the concept of autonomy, they belong to the transition towards a metaphysics of morals in this sense. Of course, Schönecker himself locates the transition at one specific point in Section II (4: 426) and therefore assumes that the subsequent variants must be part of the metaphysical system proper (156, SW 97). But there is no need to do so if, the significance of 4: 426 notwithstanding, we conceive of the transition as a gradual process that starts at 4: 412 and is completed only at the end of the second section. As Section I systematically progresses towards a first formulation of the principle of morality, Section II consists of a series of steps that lead to the discovery of autonomy – which I identify as the central concept of a metaphysics of morals as envisaged in 1785. For that reason, the discipline cannot be concerned with *duty* as such, that is, with commands that necessitate a finite will, but with the moral law as autonomously legislated by rational beings.[6]

As the *Groundwork* lays bare and justifies morality as autonomy, I suggest for Kantian reasons of disciplinary tidiness that it is prefatory in character, that is, largely not itself part of the system to which it paves the way.[7] I have absolutely no intention to play down the importance of the book, as Schönecker seems to think (156–7). Quite on the contrary, I stress its radically foundational character.[8]

III.

In my commentary on the third section I distinguish two interpretations of Kant's query why I must subject myself to the moral law, and do so merely as a rational being (4: 449.11–13, see CG 141, CE 129). According to the first – normative – reading Kant is asking for a reason why a moral sceptic *should* cross the line and take up, *qua* rational being, the moral point of view. This is a version

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of 'Why be moral?', traditionally conceived. As Schönecker notes (158), I dismiss this question on Kant's behalf, partly for the reasons he suggests, partly because of Kant's extraordinary optimism: no rational being can be entirely amoral. The question does not arise. But Schönecker fails to mention, like many another constructive proposal, the other reading I offer on the very same page: why *is it the case* that the law makes justified claims on me *qua* rational being? This is the – broadly explanatory – question of a moralist worried by the lack of evidence for the authority of moral commands presented so far, that is, the question *whence* the moral law obligates, and *how* a categorical imperative is possible; in short, the problem Kant seeks to solve – as far as possible – in Section III in order to defend morality against empiricism. Whether or not we call this a variation on the theme of 'Why be moral?' is immaterial.

Finally, the 'circle'. Schönecker accuses me of ignoring that, as he has argued in various places, 'Kant not only calls this a circle but also an "Erbittung des Prinzips" [. . .], a *petitio principii*' (159, e.g. SW 192). Well, I don't. Because he doesn't. Careful study of the passage at 4: 453.3–11 reveals that the two terms are used to refer to quite distinct philosophical manoeuvres. (At this point at the latest readers should reach for their copies of the *Groundwork*.) Kant says that *if*, as initially feared, the argument for the validity of the principle of morality had been unavoidably circular – which, fortunately, turned out not to be the case – our trust in it would be unfounded; we would *then* be forced to 'beg the principle', that is, the metaphysically prior idea of transcendental freedom, and assume the validity of the moral law merely on the strength of popular support.[9] Jaesche's *Logic* confirms this reading: a *circulus in probando* is a type of fallacy whereas a *petitio principii* is an incomplete argument (9: 135). Fail to eliminate the former and you will be left with the latter. I explain the passage accordingly. Moreover, there is no need to deny that Kant introduces the threat of a conventional circle in the first place (see CG 143, CE 131–2, again written with Schönecker in mind).[10] Readers of the *Groundwork* face the following well-known difficulty. We can easily identify the second half of the circle as formulated at 4: 450: the argument from freedom to morality, which can be found on the first couple of pages of Section III. It is much harder to locate the second half if it is meant to contain the reverse argument from morality to freedom. Schönecker thinks that no such argument exists and, with reference to 4: 453.9, argues that

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the 'kind of circle' (4: 450.18) is not circular but rather a *petitio*. By contrast, I suggest that the move from morality to freedom is implicit in the second subsection, 'Freedom must be presupposed as a property of the will of all rational beings' (4: 447–8). As morality applies to all rational beings (4: 437.30–31), Kant presents the worry that the assumption of freedom is derived solely from our interest in morality, that is, the very thing we need to vindicate.[11] This passage does not prove freedom; and we must not assume that the deduction comes to a premature end at this point. Schönecker deserves the credit for making this clear in his work. But he should at least, with an open mind, consider the possibility that Kant fears at this point the circle is closed.

IV.

What will the undergraduate reader make of all this? Let us not try to second-guess student reaction. I would happily, without any reservation whatsoever, recommend both the Schönecker/Wood introductory commentary and Christoph Horn's fine annotated Suhrkamp edition to an undergraduate audience, along with my little book. Like the three new translations reviewed by Francine Baker in the same issue of the *Kantian Review*, these works are sufficiently, and interestingly, different for an attentive reader to make up his or her own mind.[12]

Notes

1 A revised and augmented English version of the commentary has since been published by Cambridge University Press ('CE').

2 Schönecker's own student commentary, jointly authored with Allen Wood (Paderborn: Schöningh, 2002).

3 How can the third proposition introduce something new if it is meant to follow from the previous two (158)? I explicitly address this question by drawing attention to Kant's cautious formulation (*als Folgerung . . . würde ich so ausdrücken*, 4: 400.17–18, cf. CG 101, CE 39) before I offer my reconstruction of the argument. The third proposition is *not just* a consequence of the previous two.

4 It is true that in CG I did not discuss the nature of 'this difference' (4: 397.19), which I take to be the difference between morally valuable action from duty and any action that lacks moral worth. But I

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doubt whether this point is 'very elusive' (157); see my discussion in CE, pp. 29–30, fn. 34. CE also devotes more space to the alleged 'gap' in the derivation of the categorical imperative (p. 45, fn. 63, and 4: 420.24, *ad loc.*).

5 I do in CE (*ad loc.*, Appendices A and B); and, more extensively, in my contribution to the Cambridge 'Critical Guide' to the *Groundwork* (forthcoming).

6 More remains to be said; I make a start in CE, Appendix F.

7 Less controversially, the task of separation at 4: 412 ff. is preparatory in character; a moral metaphysics *qua* pure moral philosophy cannot concern itself with hypothetical imperatives, human moral psychology etc. In the *Groundwork*, Kant discusses such matters for purely heuristic purposes, on his way to establishing the novel discipline.

8 Also, I have no desire to deny that Section III moves towards, and in the shape of the deduction at 4: 454.6–19 (*sic!*) contains the core of, a 'Critique of Pure Practical Reason' (157).

9 The text may be corrupt. Editors have been tempted to insert 'assume' (*annehmen*, Hartenstein) or 'possess' (*besitzen*, Otto) after 'principle'; see CG 82.

10 Note that Kant's metaphorical language ('getting out', 4: 450.19, and 'escape', 4: 450.30) strongly suggests a genuine circle from freedom to the moral law and back, not just a *petitio*.

11 That is why I do not discuss spontaneity (*Selbsttätigkeit*) at length (159). All that is needed at this stage of the argument is that a rational faculty that is *selbsttätig* is free.

12 I am grateful to Howard Williams for inviting me to write this reply.

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