1987

Review Of "The Will At The Crossroads: A Reconstruction Of Kant's Moral Philosophy" By J. G. Cox

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J. Gray Cox: The Will at the Crossroads. A Reconstruction of Kant's Moral Philosophy. New York: University Press of America 1984, pp. XII and 208.

Cox's novel reconstruction of Kant's moral theory may be understood as a sustained elucidation of this passage: "... the will stands, as it were, at the crossroads halfway between its *a priori* principle which is formal and its *a posteriori* incentive which is material."[1] Mainstream interpreters of Kant[2] read him as holding that human agents are not phenomenal objects but then conclude – because it seems the only alternative – that they are noumenal. Cox argues that Kant's theory requires, and his texts permit, a further alternative: "The moral agent must be supposed to be between the two realms and partaking of both at the same time if we are to suppose he is obligated to do as he ought. This is to say that he must be of a third, distinct ontological kind" (196). If Cox does not althogether succeed in establishing his interpretation, anyone already familiar with Kant's ethics will nevertheless find his forthright account worth serious study.

Four key Kantian doctrines command Cox's allegiance: that will is both (1) practical reason and (2) free; and that moral law both (3) provides an *a priori* criterion of obligation and (4) commands unqualified respect. Others, professing the same allegiance, fail to understand what Kant means (or sometimes means). In particular, Cox rejects a deeply entrenched reading, dubbed "The Constitutive/Noumenal View" [C/N], which ascribes to Kant the claims that (a) will is *pure* practical reason, (b) moral law determines the will in a *wholly* a priori way, (c) agents are *noumenal* beings, and (d) because of their membership in the phenomenal world, feelings (including the feeling of respect) can never provide morally significant motivation for right conduct. This reading, which Cox identifies with Robert Paul Wolff[3], fails primarily for philosophical, not textual, reasons: it entails the emptiness of the will; its lack of freedom; the inability of an agent, as noumenon, to be subject to imperatives; and the moral irrelevance of even the feeling of respect.

Although different mainstream scholars reject one or more core claims of C/N, none realizes that each claim mutually entails every other, so that rejection or acceptance of one logically requires the rejection (or acceptance) of the rest. Several passages lend support to the "two worlds" embraced by proponents of C/N.[4] Once commentators swallow the (specious) dualistic assumption that the non-phenomenal must be

[1] Immanuel Kant, *Foundations of the Metaphysics of Morals*, translated by Lewis White Beck (Indianapolis: Bobbs-Merrill Co., Inc., 1959), 400 (Akademie pagination).

[2] Cf. Lewis White Beck, *A Commentary on Kant's Critique of Practical Reason* (Chicago: University of Chicago Press, 1966), 26.

[3] Robert Paul Wolff, *The Autonomy of Reason* (New York: Harper & Row, 1973), 34.

[4] For instance, Lewis White Beck (tr.), *Critique of Practical Reason* (Indianapolis: Bobbs-Merrill Co., 1956), 43 (Akademie pagination), where Kant says: "The sensuous nature of rational beings in general is their existence under empirically conditioned laws, and therefore it is, from the point of view of reason, heteronomy. The supersensuous nature of the same beings, on the other hand, is their existence according to laws which are independent of all empirical conditions and which therefore belong to the autonomy of pure reason. And since the laws, according to which the existence of things depends on cognition, are practical, supersensuous nature, so far as we can form a concept of it, is nothing else than nature under the autonomy of the pure practical reason. The law of this autonomy is the moral law, and it, therefore, is the fundamental law of supersensuous nature and of a pure world of the understanding, whose counterpart must exist in the world of sense without interfering with the laws of the latter."

noumenal, the (plausible) assumption that acts of will are negatively and/or positively free, and the (sound) assumption that the will is *some kind of* practical reason, the core claims of C/N follow straightaway. If we assume that moral agents, because not phenomenal, must reside solely in a noumenal world and take the Second Analogy as proving that the phenomenal will cannot be negatively free, then it follows that the will, as practically free, must be *pure* practical reason. Or if we assume the autonomy of will, it would seem that "we can suppose a person's will to be free only if we suppose that the *a priori* moral law is a constitutive principle for it, being applied and determining the will in a wholly *a priori* way" (12). Again, it follows that the will must be *pure*, not empirical.

Despite ample textual support, Cox argues, this cannot be the best interpretation of Kant: it is philosophically bankrupt. First, pure practical reason, outside of time and divorced from sensibility, must be vacuous. Second, taking the moral law as a constitutive principle of will means that an agent, though self-legislating, must lack negative freedom: he cannot do otherwise. Third, "If the agent is a noumenon in the purely inteligible realm, then as divorced from all sensuous conditions, he cannot be subject to any temptation. [Now] A person is subject to imperatives only insofar as reason is not the sole determinant of his will, that is, only insofar as he is subject to temptation by empirical objects of desire and aversion. [So] On the constitutive/noumenal view an agent is held to be free and thus responsible *only* insofar as he is noumenal and thus untempted and not obliged" (17). And finally, isolated from sensibility, noumenal moral agents can have no feelings, not even respect for the moral law, so C/N drains *Achtung* of its moral significance, consigning it to the dustbin of empirical psychology.

Any convincing reading must avoid these unwelcome implications. In place of C/N, Cox offers "The Regulative/Subject View" [R/S], so called because the moral law provides a *regulative*, not a constitutive, principle for determining the will and because an agent is neither noumenal nor phenomenal but a "subject": "He is a self or subject who occurs in a temporal order in which he synthesizes objects of experience but is not himself an object of experience" (20); in short, subjects are persons. Cox thus defends four theses: (i) will is *empirical* practical reason; (ii) moral agents are neither noumenal nor phenomenal, but belong to a third ontological order; (iii) moral law, though *a priori*, must be applied *a posteriori* to practical feelings; and (iv) the feeling of respect can be generated through a peculiar kind of formal causality.

Despite his opposition to Wolff's interpretation, Cox embraces his method of "reconstructing" Kant's moral philosophy, and for the same reason: though often compelling, inconsistencies allegedly abound in Kant's ethical writings. Cox's assertion that his reconstruction is both philosophically sound *and* true to Kant's texts, however, cannot be taken at face value, as he candidly declares that he will "simply set aside" passages incompatible with his reading (21). Of course, Cox cites passages throughout Kant's writings which support his interpretation, but given his belief that Kant admits of no definitive interpretation and a choice between two discordant readings, he opts for that possessing "marked philosophical merit" (xi). Readers may find a Kant who is not so much "reconstructed" as radically "reconstituted."

The C/N view rests, at least in part, on an interpretation of Kant's twin theses that reason can be practical and the identity of human will and practical reason. Taken as they stand, unfortunately, these theses generate a contradiction. For Kant generally

puts the first by saying that practical reason *determines* the will, but that necessitates the separation of practical reason from human will – an implication the identity thesis explicitly denies. Beck, whom Cox takes as a sensitive and persuasive defender of the C/N view, extricates Kant from the contradiction by construing will as consisting of two distinct elements: animal impulse (a dynamic and conative element of feeling) and human reason (cognitive yet in need of impulse to cause it to be practical). Beck's reformulation of the identity thesis, however, cannot explain how impulse can be moved by reason, or even acknowledge its voice.

Cox, too, reformulates Kant's identity thesis, though in a radically different direction. Common to both reason and sensuous desire, Cox argues, are the ways in which representations of inner sense are associated. "... the judgments it [reason] makes alter the patterns of representations first given in subjective associations. The conative and cognitive elements of will are thus related as, on the one hand, a set of patterns in which representations first occur as non-rational impulses and, on the other hand, a set of representations in which the patterns are reproduced and revised in a new order ... Impulse is not to be construed as a radically distinct element apart from reason. Rather, it is something that reason appropriates and makes its own" (75). John Dewey often argued for a similar understanding of the relationship between reason and impulse or desire, most notably in his *Human Nature and Conduct*[5]; but did Kant? Cox offers no real textual evidence that he did so, which only reinforces one's general suspicion that his interpretation, while "kantian" in spirit, does not square with Kant words or intentions.

However, Cox does offer a convincing defense of his interpretation of will as *empirical* practical reason, showing how the conative element is initially given to consciousness as a mere subjective conjunction of representations and then transformed into elements of rational judgments. One merit of his interpretation should not be slighted; namely, his insistence that when Kant says that "will is nothing else than practical reason"[6], he means that the power of will is the power of synthesis or judgment. He argues, compellingly I believe, that practical judgments are like cognitive judgments in that both refer represensations to objects; they differ, however, in that the objects of cognitive judgments are *given* to us through representations, while the task of practical judgments is to make objects *real*. Cognitive judgments fail because our representations do not correspond to judged objects; practical judgements, on the other hand, fail for precisely the opposite reason. This difference in status of the object of judgment must be traced to a difference in the nature of the representations synthesized which, in the case of practical reason, involves what Cox calls "practical feelings": "... they express no charcteristic of any actual object but only the preference of the subject for the occurrence of that object. Through practical feelings, no object is given for experience" (103). Crucially, these feelings, unlike (say) the representation of a falling stone, are *thoroughly revisable*, according to rules, moral and otherwise. Thus, one's inclination for unhealthy foods may be revised in line with a commitment to guard against disease such that one actually loses one's desire for them.

[5] John Dewey, *Human Nature and Conduct* (New York: Henry Holt and Company, 1922). See also John Dewey, *Theory of Valuation. International Encyclopedia of Unified Science*, Vol. II, No. 4 (Chicago, University of Chicago Press, 1939).

[6] Kant, *Foundations*, 412.

Here we find the heart of Cox's distinctive defense of the will as empirical reason: "The practical judgments of empirical reason take the form of teleological or purposive intentions to bring about the occurrence of some means, in some circumstances, for the realization of some end. These judgments incorporate dynamic and sensuous impulses of desire by synthesizing them. The judgments further serve to cause the occurrence of the means and end intended by a mode of efficient causality which is selectively employed. Thus practical judgments or "maxims" ... are the efficient causes of the actions they intend" (70). Unless sensuous impulses were thoroughly revisable, reason could not synthesize them; because reason can do so and because impulse, desire, and inclination provide at least part of the matter of judgments, practical reason must be empirical.

This leads Cox to the moral law and its proper interpretation. Here he finds himself on firmer ground, and provides the reader with (i) an account of the meaning of "ought", (ii) an answer as to why the moral law is categorically regulative and ought to be obeyed, and (iii) an interpretation of the categorical imperative.

Relying on a passage in the Second Critique[7], Cox argues that to say that I ought to do X means that I can, need not, but would do X were I fully rational. It follows, of course, that if Kant can show that a fully rational being would adopt the moral law as categorically regulative, then anyone and everyone ought to do so. But why is the moral law categorically regulative? In cognitive judgments, the object supplies a standard of correctness. Inclinations and the practical feelings on which they rest, however, are inherently non-cognitive, non-representational. Consequently, objects supply no standard of correctness. To avoid subjectivism, or even modified relativism, Kant must provide us with a standard of correctness. This he does by requiring that our judgments be related to one another in a certain way. As Cox puts it: "Thus the Idea or system (the *a priori* conception of a unified, coherent, consistent totality) supplies the only criterion of correctness in practical judgments. And this simply means that the moral law is categorically regulative of practical judgments" (109).

The moral law, then, requires that one's intentions (or "maxims") be made systematically coherent. But will not this lead to separate sets of such maxims for each person, sets which may conflict inter-personally? Cox's interpretation of the moral law leads him to think not. According to Cox, Kant's notion of contradiction has two parts, one relating to "unthinkability" and another relating to "unwillability." Maxims violating the first stricture fail because, though thinkable as subjective maxims, they are not thinkable as objective laws that everyone would follow. To put his point in a slightly different way, maxims which might be thinkable in a mechanistic order might not be thinkable in a teleological order of nature when willed universally. Rather than push aside Kant's teleological commitments, as other commentators often do, Cox makes them central to his interpretation.[8]

Unwillable maxims always concern imperfect duties, and they fail because they conflict with other maxims. In particular, because dutiful action is an end in itself, one must choose moral maxims for the sake of the Idea of moral system itself: "Since the lawfulness of actions must be adopted as an obligatory end, the means to that end, i. e., the cultivation of my powers of thought, will, self-knowledge, and worldly wisdom – is

[7] *Critique of Practical Reason*, tr. L. W. Beck, 20.

[8] Cf. H. J. Paton, *The Categorical Imperative*, Third Edition (London: Hutchinson, 1958), 44.

obligatory. In turn, the means to such cultivation is likewise obligatory and in this respect, then, my perfection of my powers is an obligatory end" (129). This Kant himself argues in *The Metaphysics of Morals*[9], when he says: "It is one's duty to push the cultivation of his will up to the purest virtuous disposition, in which the law is at the same time the incentive of one's actions which are in accordance with duty, and is obeyed from duty" (387). The latter stricture has important implications, for it means that no set of correct maxims can be derived from the categorical imperative in an *a priori* or axiomatic fashion; the categorical imperative is *regulative*, not constitutive, of our wills. Consequently, it must always remain problematic. Like regulative reason generally, it sets before us a task, not an accomplishment.

The moral law, Cox argues, provides the *a priori* structure of empirical practical reason. It thus requires freedom. But if we suppose the freedom of the moral subject, does it not follow that he must be noumenal, not phenomenal? Certainly this conclusion has been adopted by defenders of the C/N view. Cox disagrees: "Kant ... attempted to work out a notion of human agency in which it is understood as being related both to the realm of the noumenal and the phenomenal and yet still being itself of a third distinct kind" (173). Yet how can will be both pure and empirical? Its purity, Cox explains, derives from its determination always to will rightly, not from its isolation from sensibility: "[The will] cannot determine itself entirely apart from sensuous impulses because without the latter there is no material for synthesis and thus no activity of the human will. However, the *rules* according to which sensuous impulses are combined can be determined by the human will and in legislating these entirely in accordance with a principle derived from itself, the human will can achieve an autonomy of self-legislation" (180). Self-legislation, however, cannot occur for a phenomenal self – nor for a noumenal self. Commentators, Cox declares, rightly note that the phenomenal is the realm of objects, but wrongly infer that the noumenal is the realm of the subject's activity in which synthesis through judgments occurs. In fact, however, judgments are not of objects, but are activities: "The point is that judgments occur in neither the phenomenal or noumenal realm, they are neither things in appearance nor things in themselves because they are not things at all. They are not objects but activities of the subject" (190).

The moral agent, therefore, finds himself as neither phenomenal nor noumenal object; rather, he is a *subject* who synthesizes through acts of judgment. If the will did not partake of the *a priori* character of a noumenal will, it would not stand under the moral law and have it be categorically regulative; if it did not partake of the empirical character of an animal will, it would lack all sensuous impulse and the moral law constitutive of it would compel it to act morally. In so far as the will expresses the subject, then, the will stands at the crossroads. So the will belongs to a third ontological kind, a kind, Cox confesses, only hinted at by Kant.

Cox's overall interpretation of Kant, his "re-constructed" Kant, has much to recommend it. Yet it would have been far better, I think, to have written a different book, a book taking Kant as its inspiration but not as its text. For in the end, Cox's interpretation strays too far from textual evidence. Despite its considerable merit as a re-working of Kant's thought and despite specific interpretations of Kant's often obscure or seemingly inconsistent remarks, its distortions undermine its credibility as an interpretation.[10]

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[9] Immanuel Kant, *The Metaphysics of Morals*, Part II, translated by James W. Ellington (Indianapolis: Hackett Publishing Company, 1983), 387.