

THE DEDUCTION OF THE FACULTY OF FREEDOM IN THE *KRITIK DER PRAKTISCHEN VERNUNFT*

Federica Basaglia
Università degli Studi di Ferrara

With this brief analysis, I would like to show how in the second paragraph of the first chapter of the “Analytik der reinen praktischen Vernunft”, entitled: “Von dem Befugnisse der reinen Vernunft, im praktischen Gebrauche zu einer Erweiterung, die ihr im spekulativen für sich nicht möglich ist”, Kant provides, in my opinion, a deduction of the applicability of the category of causality to noumena and, more specifically, of the concept of *causa noumenon*. This deduction is the completion of the deduction, announced in the previous paragraph “Von der Deduktion der Grundsätze der reinen praktischen Vernunft”.

In order to clarify the terms of the question, we should deal first of all with the concept of deduction in Kant. According to the explanation Kant gives of the term, “deduction” indicates a legal process, which aims to solve a situation of conflict between different claims and arrogations about a certain concept or knowledge. Through a deduction, we can clarify the origin of the concept or knowledge and ascertain the legitimacy of its use.

Thus, we can list five elements, which indicates that a deduction takes place:

- the use of a legal vocabulary;
- the situation of conflict between different claims and arrogations about a concept or a knowledge;
- the aim to ascertain the legitimacy of its use;
- the clarification of the origin of the concept or knowledge;
- the declaration of the legitimacy of the concept or knowledge as conclusion of the argumentation.

Then we are going to turn to the section on the deduction of the moral principle. In this paragraph Kant announces the impossibility of the deduction of the moral principle, but affirms that a deduction of the faculty of freedom is possible. In this section, he affirms that the objective reality of freedom as supersensible causality is assured by the moral law, but he does not address the issue of the legitimacy of the use of the causality concept in the non empirical world.

Finally we are going to analyse the paragraph on the extension of pure reason in its practical use. In this section, Kant deals with the question about the legitimacy of the application of the causality concept to the noumenal world. As I intend to show, we find in this paragraph the five elements listed above, which identify the deductive proceeding. Considering this, I do think he intends here to deduce the application of the category of causality to the supersensible field.

1. The concept of “deduction” in Kant

At the beginning of the chapter of the *Kritik der reinen Vernunft*, dedicated to the deduction of the pure concepts of intellect, Kant explains very clearly what he means with the term “deduction”:

Die Rechtslehrer, wenn sie von Befugnissen und Anmaßungen reden, unterscheiden in einem Rechtshandel die Frage über das, was Rechtens ist (*quid iuris*), von der, die die Thatsache angeht (*quid facti*), und indem sie von beiden Beweis fordern, so nennen sie den erstern, der die Befugniß oder auch den Rechtsanspruch darthun soll, die Deduction¹.

Dieter Henrich² shows rightly that the term “deduction” in the eighteenth century academic language was not only used to refer to logic, but also is a legal term³, which refers to the *quaestio iuris* concerning the title of a property, whether of things or usages. The *quaestio iuris* arises at the moment of conflict of different arrogations (*Anmaßungen*) and claims (*Ansprüche*) and it

1 *KrV* B116/A 84.

2 D. HENRICH, *Die Deduktion des Sittengesetzes. Über die Gründe der Dunkelheit des letzten Abschnittes von Kants »Grundlegung zur Metaphysik der Sitten«*, in *Denken im Schatten des Nihilismus. Festschrift für Wilhelm Weischedel zum 70. Geburtstag* (edited by Alexander Schwan, Darmstadt 1975), 55-112. D. HENRICH, *Kant's Notion of a Deduction and the Methodological Background of the First Critique*, in *Kant's transcendental deductions. The three "Critiques" and the "Opus postumum"* (edited by Eckard Förster, Stanford California 1989), 29-46.

3 D. HENRICH, *Kant's Notion of a Deduction*, 31-35.

deals to trace the origin of the possession and verifies its legitimacy⁴. It is not, therefore, to examine the factual conditions, which led to the constitution of properties, but rather to examine the legal aspects, by virtue of which one could reach the possession. This examination on the possession is taken only in the condition of doubt on the legitimacy of possession itself⁵.

Thus, in terms of Kantian philosophy, according to Henrich, the deduction must be distinguished from a logical derivation. In a situation of conflict between different arrogations and claims about a certain knowledge, we have to bring this one to its origin, so that we can show its legitimate possession. The deduction is as well binding as a demonstration: once provided its deduction, this knowledge is justified and unquestionable. “To deduce”, therefore, presents itself, according to Henrich, as the central task of criticism, in fact: “Kritik” investigates the origins: once clarified its origins, the validity (*Gültigkeit*) of a knowledge is solid⁶.

This understanding of the concept of deduction guides my analysis of the two concluding paragraphs of the first chapter of the “Analytik der reinen praktischen Vernunft”, dedicated to the deduction of the moral principle and to the right (permission – *Befugnis*) of pure reason to an extension in its practical use.

2. There can be no deduction of the principle of moral law - The “fact of reason” and the “deduction of the faculty of freedom (*Vermögen der Freiheit*)”

In the remark of paragraph 7, entitled “Grundgesetz der reinen praktischen Vernunft”, Kant says for the first time that the consciousness (*Bewusstsein*) of the basic law (i. e. of the categorical imperative, the moral law) can be defined a “fact of reason”⁷. The fundamental law, according to Kant, cannot be reasoned out from antecedent data of reason, but imposes itself as syn-

4 L. W. BECK, *Kants „Kritik der praktischen Vernunft“. Ein Kommentar* (Übersetzung von Karl-Heinz Iltig, München 1995 [3. Auflage, 1. Auflage: 1960), 163.

5 D. HENRICH, *Die Deduktion des Sittengesetzes*, 78-79. «Damit ist die quaestio juris immer eine solche, die auf Rechtstitel des *Besitzes*, sei es von Sachen, von Leistungsansprüche und von Funktionen oder Privilegien geht», 78. D. HENRICH, *Kant's Notion of a Deduction*, 35.

6 D. HENRICH, *Die Deduktion des Sittengesetzes*, 78-80. The legal meaning of the term “deduction” and the legal value of “Kritik” were highlighted recently by Reinhard Brandt, who states through this procedure we reach a critical outcome against claims of validity of synthetic judgements about necessary knowledge. R. BRANDT, *Die Bestimmung des Menschen bei Kant* (Hamburg 2007), 276-277.

7 *KpV*, AA V: 32.2.

thetic a priori proposition, which cannot be based on empirical or on pure intuition (which, to Kant, is not allowed under any circumstances).

The significance of the theory of the fact of reason is explained later in more detail in the section “Von der Deduktion der Grundsätze der reinen praktischen Vernunft”. As we know, after some reflections on possible methods of deduction, Kant in this paragraph comes to the conclusion that we cannot deduce the moral law, but it remains certain as fact of the pure reason⁸.

Besides this, “the vainly sought deduction of the moral principle” seems to bring positive results.

Etwas anderes aber und ganz Widersinnisches tritt an die Stelle dieser vergeblich gesuchten Deduction des moralischen Princips, nämlich daß es umgekehrt selbst zum Princip der Deduction eines unerforschlichen Vermögens dient, welches keine Erfahrung beweisen, die speculative Vernunft aber (um unter ihren kosmologischen Ideen das Unbedingte seiner Causalität nach zu finden, damit sie sich selbst nicht widerspreche) wenigstens als möglich annehmen mußte, nämlich das der Freiheit, von der das moralische Gesetz, welches selbst keiner rechtfertigenden Gründe bedarf, nicht bloß die Möglichkeit, sondern die Wirklichkeit an Wesen beweiset, die dies Gesetz als für sie verbindend erkennen. Das moralische Gesetz ist in der That ein Gesetz der Causalität durch Freiheit und also der Möglichkeit einer übersinnlichen Natur, so wie das metaphysische Gesetz der Begebenheiten in der Sinnenwelt ein Gesetz der Causalität der sinnlichen Natur war, und jenes bestimmt also das, was speculative Philosophie unbestimmt lassen mußte, nämlich das Gesetz für eine Causalität, deren Begriff in der letzteren nur negativ war, und verschafft diesem also zuerst objective Realität.

Diese Art von Creditiv des moralischen Gesetzes, da es selbst als ein Princip der Deduction der Freiheit als einer Causalität der reinen Vernunft aufgestellt wird, ist, da die theoretische Vernunft wenigstens die Möglichkeit einer Freiheit anzunehmen genöthigt war, zu Ergänzung eines Bedürfnisses derselben statt aller Rechtfertigung *a priori* völlig hinreichend⁹.

8 *KpV*, AA V: 46.16-47.85.

9 *KpV*, AA V: 47,86-48.6.

The moral principle cannot be deduced, it is not possible in any way to demonstrate its objective reality; but a closer look shows that it does not require any deduction to ensure its validity: it is an *a priori* fact of reason, certain and doubtless. Through the search for a deduction of moral principle we reach a very important result which opens the possibility of a deduction of the faculty of freedom: actually, the moral principle gives objective reality to the causality with freedom (*Kausalität durch Freiheit*) by showing (through its being a fact of reason) the reality —*Wirklichkeit*— of the causality with freedom in beings who know the moral law as binding themselves.

The moral law is, in fact, according to Kant, a law of causality with freedom and therefore, a law of possibility of a not empirical nature, as the metaphysical law of beings in the world of senses is a law of causality of the empirical nature. The law of causality with freedom determines, therefore, what the speculative philosophy had to leave indefinitely, that is, the law for a causality, whose concept was only negative, and the first time it gives objective reality to this law. This assures the objective reality of the faculty of freedom, as positive causality, as the expression of Kant: “Diese Art von Creditiv des moralischen Gesetzes [...] ist [...] zu Ergänzung eines Bedürfnisses derselben statt aller Rechtfertigung *a priori* völlig hinreichend” indicates¹⁰.

It is important to note that in this paragraph, while Kant uses the term “objective reality” and “deduction”, the terms of legal derivation, which identify the deductive proceedings, are completely absent. Kant makes explicit reference to the deduction of the faculty of freedom and indicates the moral principle as a principle of this deduction and despite being assured the objective reality of the possibility of freedom, the words “Anmassungen”, “anmassen”, “Befugniss” and “befugt” are not used (we find only a recurrence of the word “recht” and one of the word “Creditiv”)¹¹.

When Kant takes for certain that the objective reality of freedom as supersensible causality is assured by the moral law, in the paragraph on the deduction of moral principle, he does not mention the legality of the use of the concept of noumenale causality¹².

10 *KpV*, AA V: 48.1-6.

11 About the legal meaning of the term “Creditiv”, cfr. Jens Timmermann, *Das creditiv des moralischen Gesetzes* in “Studi Kantiani” 20/2007, 111-115.

12 The paragraph about the deduction of the principle of moral ends with the affirmation that pure practical reason must be able to provide a certain type of knowledge: the concept of causality of *noumena* cannot be used so as to know theoretically, but if causality referring to actions of the will in the sensible world is not known in any way by the pure practical reason, it cannot

3. The deduction of the application of the category of causality to not empirical objects, i. e. the legitimacy of the concept of *causa noumenon*

The paragraph “Von dem Befugnisse der reinen Vernunft, im praktischen Gebrauche zu einer Erweiterung, die ihr im spekulativen für sich nicht möglich ist” (which is the second and last paragraph of the first chapter of first book of the *Analytic*) follows the paragraph about the deduction of the principle of pure practical reason¹³.

First of all, we need to understand what the extension of pure reason in its practical use really means¹⁴:

An dem moralischen Princip haben wir ein Gesetz der Causalität aufgestellt¹⁵, welches den Bestimmungsgrund der letzteren über alle Bedingungen der Sinnenwelt wegesetzt, und den Willen, wie er als zu einer intelligibelen Welt gehörig bestimmbar sei, mithin das Subject dieses Willens (den Menschen) nicht bloß als zu einer reinen Verstandeswelt gehörig, obgleich in dieser Beziehung als uns unbekannt (wie es nach der Kritik der reinen speculativen Vernunft geschehen konnte) gedacht, sondern ihn auch in Ansehung seiner Causalität vermittelst eines Gesetzes, welches zu gar keinem Naturgesetze der Sinnenwelt gezählt werden kann, bestimmt, also unser Erkenntniß über die Grenzen der letzteren erweitert, welche Anmaßung doch die *Critic der reinen Vernunft* in aller Speculation für nichtig erklärte. Wie ist nun hier praktischer Gebrauch der reinen Vernunft mit dem theoretischen eben

really produce any action. The practical knowledge of the concept of causality of *noumena* is, therefore, necessary to the production by the pure practical reason of actions in the sensible world. *KpV*, AA V: 49.34-50.13.

13 *KpV*, AA V: 50.15.

14 According to Giovanni B. Sala, the extension of pure reason in its practical use means the application of the category of causality to noumena; this application refers to the knowledge of the postulates of practical reason; G. B. SALA, „*Kants Kritik der praktischen Vernunft*“. *Ein Kommentar* (Darmstadt 2004), 130-136. For Sergio Landucci, the extension is represented by the knowledge of the moral law; S. LANDUCCI, *La “Critica della ragion pratica” di Kant. Introduzione alla lettura* (Roma 2001, III edizione, I edizione: 1993), 89-91. Filippo Gonnelli points out that for Kant the application of the category of causality to noumena represents the extension of reason. This extension consists in giving the category of causality objective practical reality; F. GONNELLI, *Guida alla lettura della “Critica della ragion pratica” di Kant* (Bari 1999), 105.

15 *KpV*, AA V: 50.18-31.

derselben in Ansehung der Grenzbestimmung ihres Vermögens zu vereinigen?¹⁶

“An dem Prinzip moralischen haben wir ein Gesetz der Kausalität aufgestellt”, a law of causality, the determining principle (*Bestimmungsgrund*) of which is not given in the sensible world. The moral principle (*Prinzip*) determines the will in relation to its own causality through a law, which is not a natural one, “also” unser Erkenntniß¹⁷ über die Grenzen der letzteren [Sinnenwelt, F. B.] erweitert”. Thus, the extension consists doubtless, according to Kants words, in having set a law as principle of morality, which is a law of causality of the determination of the human will, different from the natural law of causality.

Furthermore, this extension of knowledge is a claim —*Anmaßung*— of reason, which in the speculative (theoretical) use of pure reason was declared (by the *Kritik der reinen Vernunft*) as not legitimate. Thus, a situation of doubt relating to a claim of legitimacy of knowledge takes place.

The problem dealt in the paragraph is very clearly formulated. It speaks about the reconciliation of the practical use of pure reason with its theoretical use¹⁸.

In other words:

Aber wie wird es mit der Anwendung dieser Kategorie der Causalität (und so auch aller übrigen; denn ohne sie läßt sich kein Erkenntniß des Existirenden zu Stande bringen) auf Dinge, die nicht Gegenstände möglicher Erfahrung sind, sondern über dieser ihre Grenze hinaus liegen?¹⁹

Kant refers to his *Kritik der reinen Vernunft*, where he deduced the objective reality of the concepts of intellect only in regard to objects of experience. He explains that through this deduction, he showed that the concept of causality implies the necessity of the connection cause-effect and that the possibility of the category of cause arises from the pure intellect without the intervention of any empirical sources. Thus, the demonstration of the possibility of thinking objects (*Objekts*), without determining them *a priori*, gives

16 This is, in my opinion, the knowledge, which Kant refers in the last lines of the preceding paragraph: “Die Causalität in Ansehung der Handlungen des Willens in der sie Sinnenwelt muß sie [reine praktische Vernunft, F. B.] auf bestimmte Weise erkennen, denn sonst könnte praktische Vernunft wirklich keine That hervorbringen”. *KpV*, AA V: 49.34-37.

17 *KpV*, AA V: 50,31.

18 *KpV*, AA V: 54.3-6.

19 *KpV*, AA V: 54.13-15.

them a place in pure intellect, from which they are applicable to objects in general (*Objekte überhaupt*), whether sensitive or not. What is missing in relation to the objects treated in the second *Critique*, compared to those of the first *Critique*, is the condition of the application of the categories, and mainly of that of causality²⁰. In case of the theoretical knowledge of phenomena this condition is the intuition, which is not possible in the relation to noumena. Yet, continues Kant, it is no theoretical intention in order to know objects, but a practical intention that makes necessary the application of the category of causality to supersensible objects.

Kant's argumentation could be schematized as follows²¹:

The objective reality of a pure will is given in the moral law through an a priori fact of reason;

- the concept of will contains the concept of causality;
- the concept of a pure will is the concept of a causality with freedom (*Kausalität durch Freiheit*); this causality in the pure practical law *a priori* justifies completely (only with regard to the practical use of reason) the objective reality of the concept of a causality of freedom;
- the concept of a being, which has a free will, is the concept of a *causa noumenon*;
- the concept of *causa noumenon* does not contradict itself. This is assured by the deduction of the categories of intellect (where it is assured that the concept of cause has objective reality also regarding to objects in general);
- therefore, by the not theoretical use of reason it is possible to apply the concept of cause to things as pure intellectual beings;
- as this application of the concept of cause cannot be related to any intuition, the concept of not empirical cause is empty, though possible and thinkable;
- through the concept of *causa noumenon* we do not claim to know theoretically the constitution (*Beschaffenheit*) of a being, which has a pure will, but we simply indicate it;

20 I refers mainly to the passage KpV, AA V: 55.11-56.11, where we find, in my opinion, the core of the argumentation.

21 KpV, AA V: 48.17-50.13.

- through the concept of *causa noumenon* we simply connect the concept of causality with that of freedom and with the moral law as the fundamental principle (*Bestimmungsgrund*) of the latter;
- the not empirical origin of the concept of causality gives us the right to do this, under the condition to use it only in relation to the moral law (which determines its concept of the reality of the facts). In other words, we have the right to apply the concept of cause to a being, which has pure will, exclusively by the practical use of pure reason.

The issue of enlargement of the application field of the category of causality is already treated by Kant in the paragraph about the deduction of moral principle (which precedes this one on the extension of pure reason in its practical use)²². Although the objective reality of causality of freedom was assured, Kant considers the possibility of the extension of this concept in order to the practical purpose without any reference to the legitimacy of this operation.

Summing up, we find in this paragraph all the elements, that indicate the proceeding of a deduction.

- Although we do not find in this paragraph the word “deduction” or the verb “to deduce”, the vocabulary used by Kant in this paragraph refers

22 Cfr. R. J. BENTON, *Kant's second Critique and the problem of transcendental argument* (The Hague 1977), 61-67. Benton points out that this section deals with the question about the deduction of freedom. For Benton means transcendental deduction the justification of a priori syntheses, which refer to the relation between distinct faculties; “[...] To justify a relation between distinct faculties on a *a priori* grounds means to show by the analysis of concepts that the functioning of one faculty is compatible with the functioning of the other faculty” (62). In the case of the “Analytik der reinen praktischen Vernunft” the a priori synthetic relation between reason and will needs a justification (63). According to Benton, the conclusion of the paragraph about the deduction of the principles of moral is that there can be no deduction from a theoretical point of view, either of the moral law or of freedom; actually, this paragraph shows that we need a practical point of view in order to provide a deduction. “But even though the deduction cannot be carried through from a theoretical viewpoint [...], we do need to be able to show that the concept of free causality is at least not a theoretically *impossible* concept. This point does not really require an elaborate demonstration, since it is a conclusion drawn from earlier arguments [...]. The section following the Deduction in the second Critique adds one further link in this argument: There Kant claims that the deduction in the first Critique not only justified the categories (and among them the category of causality) for knowledge of objects of experience, but also justified their objective reality [...] for objects (Objekte) *in general* [...]” (64). According to Benton’s interpretation, the justification of the objective reality of freedom requires that the validity of the practical point of view is ensured. So, since the deduction fails theoretically, we need to change the framework within which the question is raised, i. e. to change faculty that determines knowledge (65). “The completion of the deduction, then, is accomplished by a switch to a practical point of view” (66).

(clearly already in the title) to the legal framework, in which a deduction takes place, as search of the origin of knowledge in order to be able to show its legitimacy. Actually, in this paragraph “Anmaßungen” and “anmaßen” are used twice; “Befugniss” and “befugt” four times, “Recht” and “Rechte” three times.

- At the beginning of the paragraph Kant describes the situation of conflict between the different claims of practical and theoretical reason concerning the field of application of the causality concept.
- The proof of the authorization (Befugnis) to the enlargement of the application field of the category of causality is the specific theme of this paragraph.
- Kant’s argumentation clarifies the origin of the concept of causality by showing it in the pure intellect.
- The argumentation ends with the affirmation of the right to apply the category of causality to a non empirical object.

Concluding, for the above mentioned reasons, I do think that Kant intends not only to show the objective reality of freedom, based on the law as fact of reason, but also to ensure the title of legitimate and indisputable knowledge to the concept of freedom as not empirical causality. In other words, he wants to show that pure practical reason extends legitimately the field of application of the category of causality beyond the one of the phenomena. The proceeding through which he does it is a process of deduction, which is completed in the paragraph on the extension of pure reason²³.

* Part I of this paper explored the charge of an illicit inference in moving from fact to value, and was presented at a conference of the Notre Dame Center for Ethics and Culture (University of Notre Dame) in Fall, 2006.