On the Concept of A Practical Deduction in Kant's Moral Philosophy

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1. This paper deals with some theoretical issues in Kant's moral philosophy that are found in sections of the *Groundwork of the Metaphysic of Morals* and the *Critique of Practical Reason*, as well as in the Third Antinomy of the *Critique of Pure Reason*. My concern here centers on Kant's views of the foundations of morality, more specifically, what I intend to investigate is the meaning of a practical deduction in Kant's system of morality. As we learn from his well-known recourse to the jargon of jurists, the question of right (*quid juris*) must be distinguished from the question of fact (*quid facti*) when attributing a right and responding to a claim, and the proof that someone is entitled to something by right is called 'deduction'. The question, for instance, whether someone possesses a piece of land must be distinguished from the question whether he or she has the right to do so. While both questions require a proof, a deduction stands as a kind of proof that is meant to establish whether someone is justified in claiming something, whether a certain claim is valid or not. We encounter of course specific sections dealing with deductions all over the critical writings, and they are all allegedly concerned, in different contexts and within their distinct problematics, with questions of right, questions of justification. It is therefore surprising that in the second *Critique*, in the section entitled 'Of the Deduction of the Principles of Pure Practical Reason' Kant presents us with a peculiar *fact of reason*, which is meant to account for the validity of the moral principle. Several questions naturally arise in a first approach to this section: Does it deal with questions of justification? If it does, what kind of proof is it, and whence the recourse to a 'fact'? If not, why is it called 'deduction'? What is the status of the peculiar 'fact' introduced here? What is it that the practical deduction is meant to prove?

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2. The concept of a deduction in relation to practical matters appears already in the *Groundwork*. Although the declared aim of this work is only "to seek out and establish the supreme principle of morality" in its pristine purity, undeterred by empirical elements or by considerations about human nature, it does deal with questions of validity and justification. Kant indeed suggests that a critique of practical reason is not here so urgently required as in the case of theoretical reason, since the evidence for moral obligation is already found in everyday moral consciousness, and human reason, in matters of morality, can accordingly "be brought to a high degree of accuracy and precision even in the most ordinary intelligence"[*GMM*, 59]. If my reading is correct, however, Kant must deal with questions of validity and justification if the general argument of this work should make sense. In other words, the so-called analytic method must be followed by a synthetic method: the original assumption that everyday moral consciousness contains the necessary condition for moral judgment and action -- namely, freedom of the will-- can only be upheld if it is possible to arrive synthetically at the same principle by investigating its sources in pure reason considered as a ground for determination of the will. Hence, a metaphysic of morals, laying down the unconditional principle for morality in the categorical imperative and putting forward its different formulations, must in its turn be grounded on a critique of pure practical reason.

Thus, Kant writes that the method adopted in the *Groundwork* is one

which will work best if we proceed analytically from common knowledge [*gemeinen Erkentnisse*] to the formulation of its supreme principle and then back again synthetically from the proof [*Prüfung*] of this principle and its sources to the common knowledge in which we find its application [*GMM*, 60; emphasis added].

Why is it then not enough to undertake the regressive, analytic method in order to establish morality? Why is it that the answer to the question about the conditions under which morality is alone possible (which is purportedly provided already by the metaphysics of morals) cannot be considered as a sufficient proof of the moral principle?

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Put bluntly, the answer to these interrogations lies in the fact that the analytic argument develops the concept of morality as it is generally accepted in order to show the necessary conditions under which such a concept is possible, and accordingly formulates those conditions as holding universally for every rational being endowed with a will; but it does not validate the universality of those conditions. Thus the metaphysics of morals shows that the concept of an absolutely good will is necessarily connected with the principle of the autonomy of the will, which, as the form of all willing, allows for the unconditional determination of the maxim of a rational being in the way of a categorical imperative. While the concept of a will, if it is to be taken as good in all respects, is necessarily bound up with autonomy, such a connection does not amount to the latter being analytically contained in the former, for there is nothing in the concept of a will which would imply its giving itself its own law universally. And this is ultimately the reason why the analytic, regressive method cannot validate the universality of the conditions for morality and is sufficiently satisfied with formulating them. For the necessary connection existing between the will and its self-determination -or autonomy- constitutes the distinguishing mark of an a priori synthetic principle, whose possibility may be analytically exhibited, but never so justified.

In other words, if morality is something and not merely a phantom of the brain, then it must be possible for the will of a rational being to give itself its own maxims with the form of a universal law, which in the case of beings also influenced by sensuous concerns is expressed on imperatives which are categorical --that is, which command unconditional obedience.

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3 GMM, 112.
4 If there is anything analytically implied by the concept of a will, that must be only the concept of an object of volition and of the means to achieve it. And if these are made the will's determining grounds, it would then be conditioned by motives other than the mere obedience to and the reverence for the law, with the result that heteronomy, and not autonomy, will follow. See: GMM, 84, 85.
5 Kant distinguishes between the moral law proper and the categorical imperative in that the former applies universally to all rational beings, while the latter only to rational creatures, i.e., beings also influenced by sensuous motives in their actions. For the most part, however, I will ignore this distinction, since in my understanding it has little relevance in the discussion of the justification of morality.
3. The task of a deduction of the moral principle may be formulated as the requirement to prove that the will of all rational beings is connected with its own maxims in such a way that it necessarily presupposes autonomy. And, in so doing, the synthetic character of morality would also be established.

It is noteworthy that in the passage from a metaphysic of morals to a critique of practical reason in the *Groundwork* Kant would make use of the concept of freedom in order to attempt an explication and justification of the categorical imperative. Freedom, as we learn from various passages, can be understood as that property of rational beings which enables them to act independently of any alien grounds of determination. Although this definition is negative and seems not to give any content to the concept, Kant claims that it leads to a positive and meaningful one. The notion of causality entails that of a law by virtue of which something we call effect arises out of some other thing we call cause. Consequently, even if freedom is independent from the laws of nature, it cannot fall out from the spell of a law. But a law of freedom can only be furnished by freedom itself. Therefore, the positive concept of freedom may be understood as the power of giving oneself a law, that is, autonomy. In this sense, we could say that a free will and a will that is subject to the moral law are one and the same. This means that while the moral law imposes itself to the will by virtue of its rational character, it is however nothing but the absolutely universalized maxim of a will that has chosen to be good.

Hence, morality can be deduced only upon the presupposition of freedom in the positive sense. But morality, as we have seen, is expressed in the a priori synthetic principle that the absolutely good will is that in which the maxim for action may be elevated to a universal law. We have learnt from the critique of reason that for any two terms to be synthetically connected a middle term is required, which in the case of the theoretical realm is given in intuition. In the practical order, Kant claims it is freedom which must provide such an intermediary term. However, even if the passage from the negative to the positive concept of freedom runs as smoothly as Kant suggests, it is not transparent how exactly would such a concept allow for a deduction of the moral principle. Kant indeed concedes that some

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6 GMM, 97
preparation is in order for understanding "the deduction of the concept of freedom from pure practical reason, and so the possibility of a categorical imperative."[GMM, 115]

Since freedom, as an idea of pure reason, cannot be extracted from any experience nor from any consideration about human nature, it only allows to be established by an a priori proof. It must therefore be taken as pertaining to rational beings in general as a necessary presupposition for action. In other words, rational beings can only act under the idea of freedom since only this idea explains the causality of reason. Rational beings are then, "from the practical point of view- really free" [GMM, 115], and the conditions and character of their actions are specifically defined only by reason. From the theoretical point of view, however, it still remains to be seen whether freedom can be asserted in a positive way without contradiction.

At this point Kant seems to become aware of the difficulty of trying to establish morality from the positive concept of freedom. A possible objector to Kant's development might observe that even if it is accepted that from the idea of freedom necessarily arises a law for rational agency so that all maxims for action should be adopted as if they were valid also universally, and therefore as objective principles, there is nothing compelling the acceptance or enactment of the law. Kant puts it as the question "why should I subject myself to this principle simply as a rational being and in so doing also subject to it every other being endowed with reason?" [GMM, 116]. The account of the connection of the positive concept of freedom with the moral law does not yet establish anything positively, so it seems, for nothing is there said as to why should we be obliged by the moral law, why should we take an interest in it. Hence, the argument seems to be involved in a vicious circle, since the moral law is derived from freedom, while freedom itself seems to be derived from the law.

Clearly, if such vicious circle is dissolved, or if it is shown that the argument does not beg the question on freedom, a decisive task will be accomplished. Kant undertakes this task by expounding

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Footnote: At this point is unclear to me whether Kant considers that there actually is a vicious circle here, or whether the argument only gives the impression of being one, and so that its defect is only that of arising the suspicion of begging the question. The issue will of course prove relevant when in comes to the reformulation of the argument in the second Critique. See infra, p. 10.
what may be called his two-world theory, already propounded in the transcendental idealist solution to
the antinomy of freedom and natural necessity in the Critique of Pure Reason. The solution is at hand
the moment we allow for the distinction -available, however obscurely, even for the most common
understanding and without much subtle reflection- between appearances and things in themselves, with
the corresponding distinction between the 'sensible world' [Sinnenwelt] and the 'intelligible world'
[Verstandeswelt]. Thus, Kant writes:

If appearances are not taken for more than they actually are; if they are viewed not as things in themselves, but
merely as representations, connected according to empirical laws, they must themselves have grounds which are not
appearances.[CPR, A537; B565]

Although our empirical knowledge is necessarily circumscribed only to the phenomenal realm,
namely, to that which appears of objects, we can and indeed must admit that an intelligible realm lies at
its ground. Such a distinction, and we may even say, such a relation, is present in man himself as a
rational creature. On the one hand, to the extent that man knows himself only through the
determinations of his inner sense, he has a merely phenomenal existence and therefore can count
himself as belonging to the world of sense. On the other, insofar as he not only (passively) receives
representations in sensibility, and not only furnishes rules for those representations, but, by pure
spontaneity, produces ideas, man may consider himself as belonging to the intellectual world
[ intellectuelen Welt]. Hence, when we positively assert our free causality and our autonomy as rational
beings, we place ourselves on a point of view entirely distinct from that on which we represent our-
selves and our actions according to empirical determinations. Man may consider himself from two
points of view: as a citizen of the sensible world, he is at the mercy of the laws of nature, and his will in
such a realm cannot be but heteronomous; as belonging to the intelligible world, however, he relies on
a purely rational legality, and his will, far from merely enduring the laws, promulgates them through
maxims and is therefore autonomous.

If this is correct, there is no place for the belief that the moral law is used to prove freedom,
only to be in its turn proved by it. Both freedom and the moral law are equally linked to the affirmation of an intelligible world. And we can see how Kant at this point thinks the categorical imperative to be possible: if we belonged only to the intelligible world, we would always act in conformity with the principle of autonomy; were we only sensible beings, our actions would inevitably be subject to the heteronomy of natural events. Being citizens of both worlds, however, and since the intelligible world lays the ground for the sensible world, the practical necessity of the intelligible world imposes itself upon us as a duty. Thus the concept of an intelligible world provides the possibility of a synthesis between a pathologically affected will—a will influenced by sensuous motives and inclinations—and a universally law-giving [Gesetzgebend] will, just as in the theoretical field it is the intuition of objects of the sensible world which allows for a necessary connection between the subject and the predicate in synthetic a priori judgments.

4. If the argument of the *Groundwork* is successful, the question arises of why should Kant undertake a different strategy to account for morality years later in the *Critique of Practical Reason*? Kant himself notes that this *Critique* is an entirely independent work, which only presupposes what has been laid down in the *Groundwork* to the extent that it provides us with a "preliminary acquaintance" with the concept of the categorical imperative and its various formulations. Insofar as this latter task is accomplished in the second chapter of the *Groundwork*, which, as we saw, is contented with formulating the necessary conditions for morality and does not attempt a justification of the moral principle, it is apparent that Kant intends to neutralize the chapter containing the arguments for the possibility of the categorical imperative as a synthetic a priori practical principle. Still, I do not want to prejudice the issue, and that the difference between these the two texts is not only one of surface, a difference in the way the problem of the foundations of morality is set up rather than in their basic positions, will at any rate be actually shown in the examination of the relevant passages.

The task of the critique of pure reason in its practical usage is set up as the establishing of the
possibility of practical reason itself, i.e., the possibility of determining the will by means of reason alone. In contrast to the critique of the theoretical use of reason, which was an inquiry into the conditions for the possibility of cognizing objects given in experience, a critique of the practical usage of reason is an investigation into the determining-grounds of the will as a power either of producing objects corresponding to representations, or of determining itself as the cause [Bewirkung] of those objects. At this point, then, the question that has to be decisively answered by the critical investigation is whether pure reason "is sufficient of itself to determine the will, or [whether] it is only as empirically conditioned that it can do so"[CPrR, 15]. Now if the concept of causality were to be restricted to the spatio-temporal connection existing between events, all actions, insofar as they take place in the phenomenal realm, could therefore be explained only by virtue of the mechanism of nature. The critique of theoretical reason, however, has shown that it is at least possible to assume (if not to cognize) a sort of causality that produces events (actions) from outside of the mechanically determined series of conditions --while maintaining the strict universality of the law of cause and effect in sensible nature. Such a causality is none but the causality by freedom in the transcendental sense. It is therefore possible to assume that the will may be unconditionally determined, i.e., independently of empirical conditions, and so to prevent "the empirically limited reason to be the only ground of determination of the will"[CPrR, 16].

There are several consequences of this initial set up. In the first place, the central question is put in terms of an exclusive disjunct: the will can only be determined either by reason alone, or by sensibility alone. If the latter is the case, the will chooses on maxims containing a conditional or hypothetical clause which specifies that, under such and such conditions, the agent has to undertake certain actions in order to obtain a desired goal. The will is not thereby determined as such but only insofar as it is capable of bringing about certain effects: the connection between the will and its maxim is only contingent, and cannot be presented as a ground for obligation. In the former case, however, the will's determination is immediate and self-sufficient: no further motive or reason needs to be accounted for.
for in order for the will to be necessarily linked to (the form of) a maxim, giving rise thereby to a practical necessity as the unconditional obligation to comply with the law. Kant indicates that the only possible use of practical reason is immanent -for if only within reason can the will be unconditionally determined, there is no need to step outside its sphere in order to encounter the moral law. In contrast, all motives which could be brought up in order to determine the will to action are external to pure reason, therefore transcendent, and cannot account for the categorical imperative. Put differently, if the imperative -as an objective practical proposition- provides reasons, it is then a hypothetical imperative. But it cannot thereby provide a motive for action, since it could only determine via theoretical reason the relations of means and ends, and it would then by at the service of something other than reason itself. For Kant, it is reason alone -without considerations of external ends- which must determine the will, thereby becoming practical. It is clear that this sort of determination can only be formal, since all objects of determination of the will (matter) have been definitely ruled out. Practical reason can accordingly only command universally, and its mandate may be expressed as "So act that the maxim of your will could always hold at the same time as the principle giving universal law."[CPrR, 30]

Again, as in the **Groundwork**, the concept of freedom will take preeminence. But the correlation between freedom and the moral law is seen here from a different angle, thus fundamentally changing Kant's position in relation to the possibility of accounting for the moral law. If in the **Groundwork** the moral law was extracted from man's consciousness of his belonging to an intelligible world (whose legality is defined in contrast to the sensibly determined order of things), a consciousness available through the positive idea of freedom and eliminating the suspicion of a vicious circle, in the **Critique** this positive concept of freedom is only the result of the consciousness of the moral law. Kant hints at this from the opening passages of the **Critique**:
To avoid anyone imagine that there is an inconsistency when I say that freedom is the condition of the moral law and later assert that the moral law is the only condition under which freedom can be known, I will only remind the reader that, though freedom is certainly the ratio essendi of the moral law, the latter is the ratio cognoscendi of freedom. For had not the moral law already been distinctly thought in our reason, we would never have been justified in assuming anything like freedom, even though it is not self-contradictory. But if there were no freedom, the moral law would never have been encountered in us. [CPrR, 4(n)]

This important footnote makes it clear that the moral law cannot be "deduced" from the concept of freedom. In other words, that morality is no "mere phantom of the brain" cannot be proved by the assumption of freedom, since it is only because we encounter morality "in us" that the concept of freedom can be justified. Both the negative and positive senses of the concept of freedom are here at stake. The negative one, as the will's independence from empirical conditions, has been allowed as possible by the assumption of transcendental idealism in the solution to the third antinomy of pure theoretical reason. Inasmuch as no reality has been granted so far to this concept, it remains problematic. The critique of reason in its practical employment may indeed start up with the negative, problematic concept of freedom, but it may not assume the positive one: when we accept the possibility of a concept we have not thereby accepted nor established its reality. Since thus far we have only got a negative concept of freedom, and we do not have a concept of a law of a causality by freedom, there is no way we can use it to establish morality. While without freedom in this latter sense there would be no moral law (ratio essendi), we cannot know the moral law from freedom. And this ultimately the reason why no deduction of morality by freedom is possible.

5. If the moral law cannot be proven by freedom, how then can it be established, or, as Kant puts it, why is it no mere "phantom of the brain"? In the opening lines of the section entitled "Of the Deduction of the Principles of Pure Practical Reason," Kant writes:
This Analytic proves that pure reason can be practical, i.e., that of itself and independently of everything empirical it can determine the will. This it does through a fact [Faktum] wherein pure reason shows itself actually [in der Tat] to be practical. This fact is autonomy in the principle of morality by which reason determines the will to action.

It is noteworthy that nothing in the title of this section implies that a deduction of practical principles is going to be offered. And indeed we later find that there is strictly speaking no deduction of the moral law. Although these passages are not entirely straightforward, we may take them as an explanation of why there is no practical deduction, how is it however that reason shows itself to be practical, and to that extent, how is it that the moral law can be accounted for, and what consequences follow from all of it.

In an earlier passage, Kant calls the consciousness of the fundamental principle of morality a "fact of reason", since it cannot be derived from any prior data of reason, and "since it forces upon us as a synthetic proposition based on no pure or empirical intuition."[CPrR, § 7, 31]. This first mention to the notion of "fact of reason" in the Analytic already sheds some light on its role in this discussion. First, in so far as it is described as "consciousness", it is circumscribed to the 'subjective' realm, in the sense that it is a fact only available to subjects involved in moral action. Secondly, this fact is irreducible and underivable, in the sense that it is not available through any cogitation (We may take this as a direct product of the thesis that the moral law is not derivable from the concept of freedom -since this concept has not yet been determined positively.). And insofar as it is "forced upon us" it may be considered as "given". Thirdly, being a fact of reason it is not available through intuition, be it empirical, pure, or intellectual. The question remaining is of course why is it "forced upon us."

By drawing a contrast between the deduction of principles of theoretical reason and those of practical reason we may see why these cannot be subject to a deduction, and why, nevertheless, must they be validated. Kant notes in the Analytic of Principles of the first Critique that
Principles a priori are so named not merely because they contain in themselves the ground of other judgments, but also because they are not themselves grounded in higher and more universal modes of knowledge. But this characteristic does not remove them beyond the sphere of proof. [...] Such a proof is, indeed, indispensable, if the propositions are not to incur the suspicion of being merely surreptitious assertions. [A148-9, B188].

If knowledge is to have objective reality, that is, to relate to an object, and is to acquire meaning and significance in respect to it, the object must be capable of being in some manner given. Otherwise the concepts are empty. [A155, B194]

The notion of 'deduction' is used by Kant as a general term for a procedure whereby the objective reality of a cognition is justified. It aims to answer to the question with what right do we attribute objective reality to a certain concept. In the case of principles, the question is rather whether we have the right to assert such a priori principles as laying the ground for other judgments (be they theoretical or moral). In the case of concepts, the deduction starts up with the premise that we are in possession of certain concepts and the question is whether we can legitimately attribute objective content to them. The end-result of these proofs is the same, in so far as both concepts and principles should then be regarded as not being mere figments of the brain or arbitrarily assumed. Now the theoretical deduction of the a priori principles of the understanding presupposes that the categories (as pure concepts of the understanding which constitute the a priori conditions of the possibility of objects of experience, namely appearances) have in their turn already been deduced -that is, that their reality as objects of possible experience has been established. The question with the principles of pure understanding was whether and why we have the right to assume them as a priori laws for the possibility of experience, that is: why are we justified in the assertion that only under these principles can anything be determined in specific temporal relations (of permanence, causality and simultaneity) and as an object of possible experience under the categories. Now this was possible, and the proof could proceed successfully in the case of theoretical reason, because it was concerned with the possibility of cognizing properties of objects which are given to reason from sensibility, and therefore empirically. This recourse is lacking in the case of the moral principle, since "it concerns knowledge in
so far as it can itself become the ground of the existence of objects, and in so far as reason, by virtue of 
this same knowledge, has causality in a rational being, that is, in so far as it can be considered as a 
faculty immediately determining the Will." [CPrR, 48]

Kant notes that the situation arrived at here is quite peculiar. There can be no procedure for 
justifying the moral principle, since any insight into its possibility as a synthetic a priori proposition is 
not available as it was with the justification of theoretical principles. Yet it should not be just arbitrarily 
assumed and its objective reality must be ascertained. Here then reason is alone and can only count on 
itself for the required task. Nevertheless, if the Analytic is correct in showing that the moral law is 
entirely a priori and that it contains nothing derived from empirical principles, it also shows how is it 
that reason alone has all the requirements to account for it. In this context, the notion of "fact of reason" 
can be understood then as reason's self-sufficiency in determining the will to action. This is what was 
meant by Kant when he said that the Analytic has shown by fact that pure reason is practical.

Furthermore, such fact points to the idea of supersensible nature, a nature whose legality (in 
contradistinction to the mechanical legality of sensible nature) is given by reason itself, and is therefore 
the law of its autonomy. This law of the autonomy of reason is identical with the moral law. Although 
all actions remain within the realm of sensible nature --and are explicable from natural laws-- they are 
nonetheless formally determined through a will that is free. The moral law may accordingly be 
regarded as given, not as an empirical fact, but as "the sole fact of pure reason, which by it proclaims 
itself as originating law."[CPrR, 31-32.]

It is upon this recognition of the moral law as a fact of reason, that it is finally possible to 
establish the actuality of freedom, and so of giving objective reality to a concept that the theoretical 
critique had rendered only problematic. Into the void idea of an unconditional causality, the moral law 
introduces the notion of a will that takes as its principle the form of an universal legislation. Although it 
does not increase our knowledge of supersensible nature, the moral law provides it with a positive 
practical determination.
6. In the sense in which morality is presented to the agent as a categorical, unconditional demand, morality for Kant may be considered as having no foundations. If 'having foundations for morality' is taken as 'having reasons for being moral', since none but pure (non-empirical) rational grounds may be accepted as determining the moral agent to action, to say that one should have a reason for being moral is absurd. Acting rationally means precisely that the agent accepts nothing but the moral law as a determination of her maxim: practical reason and morality arrive at the same place. No reasons can be given to act morally, because whatever reasons we could furnish would already presuppose morality, and if they do not presuppose it, they cannot be counted as reasons for being moral. Morality is the product of reason alone in its self-sufficiency, and once the purely rational point of view is admitted, no further reason can be given for being moral. The whole of Kant's moral philosophy could be accordingly summarized in the formula: no morality outside rationality, no rational agency outside morality.

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