

Kant on the Freedom of Instrumental Actions

For the past forty years Kant scholars have been trying to reconstruct a general philosophy of action from Kant's writings. A Kantian philosophy of action is such a problem first of all because Kant's own concept of action (*Handlung*) is so broad: For Kant almost everything that happens is an "action": people, animals and material bodies all act. The embezzlement of a bank deposit and the falling of a stone are actions for Kant. The second problem lies in Kant's tendency to discuss the *freedom* of a human action exclusively on the basis of actions with a moral dimension. Those who have learned philosophy of action from Davidson take the paradigm of a human action to be something like raising your hand – or drinking a can of paint – not telling a lie or returning a *depositum*. The paradigm of contemporary philosophy of action is a morally neutral action; and philosophers also distinguish at a rather fundamental level between animal *behavior* and intentional human *action*. Kant, on the other hand, not only includes animal behavior among the actions but also often notes the parallel between animal instinct and human instrumental action. Can there be a Kantian theory of agency that is not specifically moral agency?

Henry Allison says, Yes.

Contrary to many interpreters I shall argue that Kant is concerned there [CPR] to provide a transcendental framework for a unified theory of rational agency, one that includes but is not limited to moral agency. (Allison 1990, 29)

The difficulty of such a project is described by Roger Sullivan as follows:

So much of Kant's moral writing consists of either an analysis or a defense of our ability to reason practically that it might seem it should be an easy task to set out his more general theory of action. But Kant himself explicitly refused to offer such a theory and, in fact, held that he should not be criticized for not doing so. ... But Kant still needed to *use* a theory of human action, which he gradually developed during the course of his moral philosophy. That theory of action can be pieced together but only from remarks scattered throughout his writings, often in footnotes. (Sullivan 1989, 23)

These quotes make it clear that if we want to attribute to Kant a general theory of action, we will have to *look* for it and develop *arguments* for it that Kant himself does not present – at least not systematically.¹ In fact, I shall argue, Kant makes this task almost impossible: no even vaguely Davidsonian philosophy of action can be reconciled with Kant, in as much as he excludes morally neutral actions altogether. For Kant there are no purely prudential or instrumental human actions in our contemporary sense, much less such intentional, but unmotivated actions as raising a hand. Such "actions" would be like the falling of a stone, simply physically caused events (or at best psychologically caused actions of an *automaton spirituale*), not instances of human freedom. Although Kant does once use an example of a Davidsonian kind of free action at a very prominent place (Third Antinomy, B478), nonetheless he is not himself committed to it. Kant notes that if "I am now entirely free, and get up from my chair without the necessarily determining influence of natural causes, then ... there begins an absolutely new series..." However, the empirically experienced, but uncaused and spontaneous action of this example is part of the argument for the thesis position of the Third Antinomy – a position that is supposed to be refuted. Kant's own position is well formulated in *Religion within the Bounds of Mere Reason*:

A morally indifferent action (*adiaphoron morale*) would be one that merely follows upon the laws of nature, and hence stands in no relation at all to the moral law as law of freedom – for such an action is not a *factum*, and with respect to it neither *command*, nor *prohibition*, nor yet *permission* (*authorization* according to law), intervenes or is necessary. (6:023)

Actions that are neither commanded nor forbidden by the Moral Law are not without a moral dimension: they are not morally neutral, but rather morally *permitted*. Their performance or non-performance is governed not by the categorical imperative (that commands or forbids) but rather by some hypothetical imperative: if you want *X* (especially if *X* is happiness) then you must do/omit *Y*. Nonetheless, insofar as these actions are *permissible* in the current situation, Kant assumes that they are free – as opposed to purely physical – because (counterfactually): if the Moral Law were in fact to call for doing/omitting this particular action, we would be able to comply. We would furthermore, in that case, recognize in them the *ought* that implies *can*, and thus recognize our freedom.

¹ See also Prauss (1983, 10) and Willaschek (1992).

Thus, although our noumenal character need not be involved in [the explanation of] a given (permissible) empirical action, it could be involved if it were needed.

The project of a general Kantian theory of action must thus take the form of a general theory of morally permissible, free and intentional action. In the following remarks I want to take up a very Kantian comparison between instrumental reason and instinct to help clarify Kant's theory of free human action and to explore the consequences of this comparison for an analysis of Kant's theory of action.

Let me start with two examples that illustrate various 'actions' and their causes:

1) A purse snatcher fleeing with the loot trips over a bucket and is then bitten by a dog; the dog had been eating some garbage, but his hunting instinct overcame the immediate blandishments of the senses, and he gave chase. The thief is then arrested. His failure at his crime is due to a physical and a biological action: he is foiled by *mechanism* and *instinct*.

2) In a second case the purse-snatcher is tripped up by a window-shopping bystander and then is knocked down by a customer sitting in a street café as he stumbles past. In this second case we are dealing not just with physical/biological events but also with *free* acts of human agents: the window-shopping bystander tripped up the thief because *she thought it was the right thing to do*. The café customer pushed him down because he saw the police coming and *expected to cash in on a reward*. Thus, the bystander had a *moral* reason to act; the café customer had a *prudential* (that is, happiness-oriented or self-interested) reason to do what he did. Both are examples of what Kant calls "practical freedom": The first action was in Kant's terminology *morally practical*; the second action was *technically practical*; the first was guided by the concept of freedom (and the categorical imperative) and performed *from* duty; the second was guided by a concept of nature (and a hypothetical imperative) and was performed, it seems, merely *in accordance with* duty.

The four kinds of causality involved in the various 'actions' displayed in these two examples are explained by Kant in the Introduction to the *Critique of Judgment*, where he introduces the distinction between the morally practical and the technically practical:

The will, as the faculty of desire, is one of the many kinds of *natural causes* in the world, namely that which operates in accordance with concepts; and everything that is represented as possible (or necessary) through a will is called *practically* possible (or necessary), in distinction from the *physical* possibility or necessity of an effect to which the cause is not determined to causality through concepts (but rather, as in the case of lifeless matter, through *mechanism*, or, in the case of animals, *instinct*). – Now here it is left indeterminate with regard to the practical whether the concept that gives the rule to the causality of the will is a concept of *nature* or a concept of *freedom*. (5:172)

We see what the four forms of natural causation are: mechanism, instinct, and the will acting in two different ways – according to a moral concept or according to a technical (natural) concept. Although both kinds of agent causality involved in the second example are practical and free, they are to be taken in different senses. The freedom involved in the bystander's performing a morally good action (and in the purse snatcher's evil action) is the kind of freedom necessary for morality – and called both "practical" and "transcendental" freedom in the Third Antinomy. The freedom involved in the café customer's performing a prudential action is of course also practical, but it is as a rule called "comparative" or "psychological" freedom. In the discussion of practical freedom in the Third Antinomy (B562) Kant says that the human power of choice "is indeed an *arbitrium sensitivum*, yet not *brutum* but *liberum*." One of Kant's reflections from around 1769 clarifies the terminology: "Choice is either sensible or intellectual: the former is either free or brute."² The will as a cause of appearances in the world is either noumenal (intellectual) or phenomenal (sensible).

Kant's characterization of (non-empirical) practical freedom in the Third Antinomy as a "faculty of determining oneself from oneself, *independently* of necessitation by sensible impulses" (B562 italics added) has been viewed as in conflict with his characterization in the 'Canon' (B830/1) of an empirically experienced practical freedom, by which we *overcome* the impulses of sensibility.³ However, these two different freedoms are just the two different forms of freedom illustrated in the second purse-snatcher example. The noumenal decision by the intelligible character of the bystander to appear as an empirical character that acts out of respect for the categorical

² "Arbitrium autem est vel sensitivum vel intellectuale; illud est vel brutum vel liberum." (17:313). See also 15:470: "Freiheit ist das Vermögen, sich durchs *arbitrium intellectuale* allein zu bestimmen" (ca.1785–88). "The human power of choice (*arbitrium humanum*) is free (*liberum*), be it sensitive (*sensitivum*) or intellectual (*intellectuale*)" (28:255).

³ See Schönecker 2005 on the 'Canon problem'. This is not to assert that Kant *never* (inconsistently) speaks of *sensible* freedom as *independent* of impulses nor of *intelligible* freedom as *overcoming* these impulses.

imperative is *independent* of the causal determinism of the phenomenal world.⁴ On the other hand, the empirically accessible decision by the café customer (in accordance with his empirical character) to *overcome* the immediate impulses of the senses in the pursuit of his longer-range self-interest is part of the causally determined course of the phenomenal world – which could be predicted by an appropriately well-informed observer (B578). Humans apparently have the ability (*arbitrium intellectuale*) to act *independently* of the impulses of the senses as well as the ability (*arbitrium sensitivum liberum*) to counteract and *overcome* some impulses of the senses by mobilizing other impulses. Both of these abilities are called by Kant on various occasions “practical freedom.” The first practical freedom we cannot know by empirical experience because it is merely intelligible; we know it only by recognizing the *ought* that demands a *can*. The second practical freedom we know by empirical experience of our “capacity to overcome impressions on our sensible faculty of desire by representations of that which is useful or injurious even in a more remote way” (B830).

This last ability explains Kant’s common comparison of instrumental or prudential freedom with animal instinct. In the first section of the *Groundwork of the Metaphysics of Morals* Kant argues that if Nature had meant for us to be happy, it would have given us instinct instead of (instrumental) reason:

For all the actions that the creature has to perform for this purpose [happiness], and the whole rule of its conduct, would be marked out for it far more accurately by instinct, and that end would have thereby been attained much more surely than it ever can be by reason; and if reason should have been given, over and above, to this favored creature, it must have served it only to contemplate the fortunate constitution of its nature, to admire this, to delight in it, and to be grateful for it to the beneficent cause, but not to submit its faculty of desire to that weak and deceptive guidance and meddle with nature’s purpose.

The point is, that instrumental reason, as a natural cause, is less efficient than instinct in furthering our happiness. Moreover, Kant then proceeds, since morally practical reason would come along with the instrumental reason, it could even actively interfere with our happiness by making us perform actions that are good instead of prudent. But it is the parallel between prudence and instinct that is important in this context. The dog in the first example and the café customer in the second example each overcome the immediate impulses of the senses: the dog was eating garbage, the customer was drinking coffee. In the case of the dog Kant would speak of *arbitrium brutum*; in the second case he would speak of *arbitrium [sensitivum et] liberum*. However, the free choice of the café customer to intervene is still a case of mere psychological freedom and that freedom is part of the causal chain of events in the world. Kant differs from Laplace here not in his commitment to determinism, but merely in his reluctance to exclude mental causation from the world or to reduce it directly to physics. Although he is rather reticent on the nature of mind-body causal interactions and never explains how exactly the will as a natural cause actually effects actions – occasionally ironically waving his hand at a *vis locomotiva*⁵ of the soul – Kant does however include actions mediated by representations as part of the material world. However irreducible the psychological level of causation may be, the mind neither adds force or motion to the world nor subtracts it. Whatever motions the “faculty of motion” may cause, these must always be compatible with the general conservation of motion in the world system:

Neither by a miracle nor by a spiritual being can a motion be produced in the world without effecting just as much motion in the opposite direction, consequently according to laws of the action and reaction of matter, for otherwise a motion of the universe in empty space would arise. (18:320)

Thus, any possible mental causation involved in empirical freedom is in the last analysis just a part of the causal structure (mechanism) of the material world. Formulating this possibility, Kant doubles down on the comparison between instinct and instrumental action:

...it does not matter whether the causality determined in accordance with a natural law is necessary through determining grounds lying *within* the subject or *outside* him, or in the first case whether it is necessary through instinct or through determining grounds thought with reason; if ... these determining representations have the ground of their existence in time and indeed in the *antecedent state*, and this in turn in a preceding state, and so forth, then these determinations may always be internal and they may have psycho-

⁴ See also *Metaphysics of Morals* 6:313: “That which can be determined only by inclination (sensible impulse, stimulus) would be animal choice (*arbitrium brutum*). Human choice, however, is a choice that can indeed be affected but not determined by impulses, and is therefore of itself (apart from an acquired proficiency of reason) not pure but can still be determined to actions by pure will. Freedom of choice is this independence from being determined by sensible impulses; this is the negative concept of freedom.”

⁵ See *Kritik der Urteilskraft* §88 (5:457). Afterword to Soemmerring (12:31).

logical instead of mechanical causality, that is, produce actions by means of representations and not by bodily movements... (5:96)

It does not matter whether the actions of a person are determined by external (physical) causes or internal causes, nor does it matter whether the internal causes involve instinct or instrumental reason: In each of these cases the later state is causally determined by the antecedent state. Instinct and instrumental reason are equally part of the mechanism of nature. If the freedom expressed in instrumental reason were all we had, we would only have the *freedom of a turnspit*.

Just for this reason, all necessity of events in time in accordance with the natural law of causality can be called the *mechanism* of nature, although it is not meant by this that the things which are subject to it must be really material *machines*. Here one looks only to the necessity of the connection of events in a time series as it develops in accordance with natural law, whether the subject in which this development takes place is called *automaton materiale*, when the machinery is driven by matter, or with Leibniz *spirituale*, when it is driven by representations; and if the freedom of our will were none other than the latter (say, psychological and comparative but not also transcendental, i.e., absolute), then it would at bottom be nothing better than the freedom of a turnspit, which, when once it is wound up, also accomplishes its movements of itself. “ (5:97)

What are the results of this comparison of freedom and instinct for Kant’s theory of human action? Instrumental actions are part of the causal nexus of the material world; they are caused by physical and psychological events and are entirely predictable. Moral actions as appearances are also part of the causal nexus of the material world; they too are caused by physical and psychological events. But these also have a noumenal “cause” (adherence to the Moral Law) that distinguishes them as free and gives them a moral status (commanded or forbidden). The empirical character that causes them in time is the appearance (“effect”) of an intelligible character that is not in time. How can prudential or instrumental actions be conceived as free? They can of course be free in the *automaton-spirituale* sense of being accompanied by the empirical experience of one’s ability to overcome sensible impulses in the service of other, more important sensible impulses: The café customer gave up his cappuccino for the chance at a reward.

But according to Kant such actions can also be free in the transcendental sense. In the case of the café customer both his drinking coffee and his knocking down the purse-snatcher were also free in the more demanding sense: The first was a permissible action – neither commanded nor forbidden by the categorical imperative; the second was commanded even though it was carried out only *in accordance with* the categorical imperative. The “permissible” action of drinking coffee at a café was free (although no categorical imperative was involved) insofar as it *could* have been interrupted (or deliberately continued) had the categorical imperative demanded this. This is perhaps easier to acknowledge with the bystander who first tripped up the purse-snatcher: This bystander’s (permitted) window shopping was transcendently free insofar as she was able in principle to interrupt (omit) it when the situation so changed that the categorical imperative commanded that she do something. And she did in fact interrupt her window shopping.

Bibliography

- Allison, Henry (1990) *Kant’s Theory of Freedom*, Cambridge: Cambridge University Press.
- Davidson, Donald (1980) *Essays on Actions and Events*, Oxford: Clarendon Press.
- Kant, Immanuel (1900 –) *Gesammelte Schriften*, Königlich Preußische Akademie der Wissenschaften, Berlin: G. Reimer/De Gruyter.
- Kant, Immanuel (1992–2012) *The Cambridge Edition of the Works of Immanuel Kant*, Cambridge: Cambridge University Press.
- Prauss, Gerold (1983) *Kant über Freiheit als Autonomie*, Frankfurt: Klostermann.
- Schönecker, Dieter (2005) *Kants Begriff transzendentaler und praktischer Freiheit, Kantstudien Ergänzungshefte 149*, Berlin: De Gruyter.
- Sullivan, Roger (1989) *Kant’s Moral Theory*, Cambridge: Cambridge University Press.
- Willaschek, Marcus (1992) *Praktische Vernunft. Handlungstheorie und Moralbegründung bei Kant*, Stuttgart: Metzler.