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MORAL SCEPTICISM AND AGENCY: KANT AND KORSGAARD

Robert Stern

Abstract

One argument put forward by Christine Korsgaard in favour of her constructivist appeal to the nature of agency, is that it does better than moral realism in answering moral scepticism. However, realists have replied by pressing on her the worry raised by H. A. Prichard, that any attempt to answer the moral sceptic only succeeds in basing moral actions in non-moral ends, and so it self-defeating. I spell out these issues in more detail, and suggest that both sides can learn something by seeing how the sceptical problematic arises in Kant. Doing so, I argue, shows how Korsgaard might raise the issue of scepticism against the realist whilst avoiding the Prichardian response.

This paper is about moral scepticism, but also about agents and their actions: in particular, can reflection on the nature of agency be used to address moral scepticism? Within the contemporary literature, Christine Korsgaard is well-known for arguing that it can, while her approach is widely taken to be Kantian. At the same time, one prominent criticism of her position has been that it succumbs to difficulties famously highlighted by H. A. Prichard, that all attempts to answer the sceptic who asks why they should act morally end up undermining themselves, as they only succeed in treating moral actions as a means to non-moral ends – where this may also be taken to be a Kantian worry. After showing how Korsgaard makes herself seem vulnerable to this sort of objection by the way in which she presents her sceptical target, I want to then claim that Kant himself sees the sceptical challenge in a way that avoids Prichardian difficulties. I will then close by suggesting that if we read Korsgaard along these Kantian lines, we can understand her appeal to agency in a way that also avoids becoming a self-undermining response to moral scepticism, and thus put her debate with her critics in a different light.

1. Korsgaard on moral scepticism and practical agency

Korsgaard's treatment of moral scepticism may be seen as part of a broader project in metaethics, which is to argue for constructivism and against realism, where her claim here is that the former has the advantage of being able to respond to moral scepticism in a way that the latter cannot. This scepticism comes about, she argues, when we are faced with what she calls 'the normative question', which arises when we encounter a moral demand, and find it to be problematic:

The normative question is a first-person question that arises for the moral agent who must actually do what morality says. When you want to know what a philosopher's theory of normativity is, you must place yourself in the position of an *agent* on whom morality is making a difficult claim. You then ask the philosopher: must I really do this? Why must I do this? And his answer is his answer to the normative question.¹

Korsgaard then goes on to complain that realism does not and cannot answer this question. It *does* not answer it, because all it says is that you must act in a certain way

¹ Christine M. Korsgaard, *The Sources of Normativity* [hereafter *SN*], with G. A. Cohen, Raymond Geuss, Thomas Nagel, and Bernard Williams, edited by Onora O'Neill (Cambridge: Cambridge University Press, 1996), p. 16.

because it is the morally right thing to do, but the question precisely concerns what real force that consideration should have for you.² And realism *cannot* answer the question, because on the realist account moral norms and values obtain independently of the agent, so the agent can always question their hold on him and wonder why he must act on them.³

Korsgaard argues, therefore, that we must turn from realism to a more constructivist form of metaethics, which instead of starting with reasons and then trying to show the agent why he must follow them, we start with agency and its conditions, and argue that moral norms and values can be constructed out of that in some way. Korsgaard claims that by proceeding in this manner, we can give the normative question an adequate answer, insofar as following the demands of morality and acknowledging its values can be shown to be constitutive of agency itself, so that ‘the right of these concepts to give laws to us’⁴ will have been established.

How might this strategy work? The argument has a transcendental flavour: that is, the sceptic is shown that they cannot intelligibly reject the demand that morality makes, such as that they must act on the principle of universalizability, or must value the humanity of others, or whatever, because following that principle or acknowledging that value is a necessary condition of being an agent at all;⁵ from this perspective, then, just raising the normative question successfully resolves it, as a commitment to these norms and values is already presupposed in being the kind of agent who poses it in the first place, just as a commitment to the principle of non-contradiction is necessary to the kind of mind who wonders if they should follow it.⁶ This strategy, Korsgaard thinks, will successfully answer the moral sceptic in a way that the realist does not and cannot, where this is used by her as one of the central arguments in favour of her more constructivist approach.⁷

2, Prichardian objections to Korsgaard

This, I hope, is a reasonably faithful sketch of Korsgaard’s general position and its concerns. Turning now to some assessment of it, we must therefore consider whether it succeeds in its objective of answering ‘the normative question’ and so dealing with the moral sceptic, and of showing that the realist fails to do so in a way that reveals a

² Cf. *SN*, p. 38: ‘...[a]ll [the realist] can say is that it is *true* that this is what you ought to do... But this answer appears to be off the mark. It addresses someone who has fallen into doubt about whether the action is really required by morality, not someone who has fallen into doubt about whether moral requirements really are normative’.

³ Cf. Christine M. Korsgaard, *The Constitution of Agency* [hereafter *CA*] (Cambridge: Cambridge University Press, 2008), p. 7: ‘The rationalist account...cannot explain why rational principles necessarily motivate us. So long as bindingness or normativity is conceived of as a fact external to the will, and therefore external to the person, it seems possible to conceive of a person who is indifferent to it. But this throws doubt on whether such principles can be binding after all’. Cf. also ‘The Normativity of Instrumental Reason’, reprinted in *CA*, pp. 52-3.

⁴ *SN*, p. 9.

⁵ Cf. e.g. *SN*, pp. 228-9: ‘...I need to will universally in order to see my action as something which *I do*’; and p. 232: ‘...it is the claim to universality that *gives* me a will, that makes my will distinguishable from the operations of desires and impulses in me’.

⁶ Cf. *SN*, p. 235 and *CA*, p. 7.

⁷ Although his constructivism differs from Korsgaard’s, David Copp also argues that constructivism is better placed than realism to deal with sceptical issues: see ‘A Sceptical Challenge to Moral Non-Naturalism and a Defense of Constructivist Naturalism’, *Philosophical Studies*, 126 (2005), pp. 269-83.

serious weakness in the realist's position. In making this assessment of Korsgaard's case, one could of course criticize the details of Korsgaard's argument; but I want to focus instead on a broader strategic challenge to her view, which (following H. A. Prichard's celebrated article 'Does Moral Philosophy Rest on a Mistake?', and related works of his)⁸ might be called *the Prichardian challenge*.⁹

The challenge can be presented as follows: to take scepticism seriously in the way that Korsgaard does, is to assume that morality needs some extra-moral basis; however, to be moral is precisely to think the moral reasons one has to act are compelling in themselves, without any such basis for them being required by someone who is a genuine moral agent. So, the Prichardian thinks that all we can really do is remind the sceptic what his moral obligations are, and not get tempted into trying to offer further support for them in some way, as then the sceptic may end up acting morally, but will be doing so for the wrong reasons, so that we have ultimately failed in our efforts to deal with his scepticism.¹⁰ Thus, the realist will claim that the higher wisdom here is not to try to answer the sceptic, but to refuse to engage with him for these Prichardian reasons; as a result, it is argued, Korsgaard's strategy of criticizing the realist for failing to answer the 'normative question' is fatally flawed.¹¹

That this is indeed a difficulty for Korsgaard's approach may seem confirmed by passages such as the following:

I believe that the answer [to the normative question] must appeal, in a deep way, to our sense of who we are, to our sense of our identity. As I have been emphasizing, morality can ask hard things of us, sometimes that we should be prepared to sacrifice our lives in its name. This places a demanding condition on a successful answer to the normative question: it must show that sometimes doing the wrong thing is as bad or worse than death. And for most human beings on most occasions, the only thing that could be as bad or worse than death is something that for us amounts to death – not being ourselves any more... If moral claims are ever worth dying for, then violating them must be, in a similar way, worse than death. And this means that they must issue in a deep way from our sense of who we are.¹²

In the light of passages such as these, we might interpret Korsgaard as follows: Morality asks us to act against our immediate interests on many occasions, and thus the moral sceptic might well ask why he should be at all motivated to act as morality demands, and thus why he should consider morality as giving him any *reason* to act. In response, it seems, Korsgaard sets out to show that we cannot act immorally

⁸ See H. A. Prichard, *Moral Writings*, edited by Jim MacAdam (Oxford: Oxford University Press, 2002).

⁹ Korsgaard herself discusses Prichard's position in *SN*: cf. pp. 38-9, pp. 42-44, pp. 60-1.

¹⁰ Cf. John McDowell, 'Are Moral Requirements Hypothetical Imperatives?', reprinted in his *Mind, Value, and Reality* (Cambridge, Mass.: Harvard University Press, 1998), pp. 77-94, p. 86: 'The question "Why should I conform to the dictates of morality?" is most naturally understood as asking for an extra-moral motivation that will be gratified by virtuous behaviour. So understood, the question has no answer. What may happen is that someone is brought to see things as a virtuous person does, and so stops feeling the need to ask it'.

¹¹ Cf. Gerry Cohen's response to Korsgaard, where he argues that once she allows the sceptic to characterize the problem in the way she does, any prospect of answering him is lost: see *SN*, pp. 178-183.

¹² *SN*, pp. 17-18.

without undermining our agency, which the sceptic presumably wants to preserve. In the end, then, the sceptic can be brought to see that she should not ‘experience moral obligation as something alien to her innermost self or her heart’s desire’,¹³ so that a reason for the moral action can be given in terms that will convince her to be moral.

It is precisely this appeal to the apparent interest the agent has and must have in acting morally, however, that has alarmed those who follow Prichard in thinking that to link morality to our interests in this way is to distort what is required, which is that the moral agent should act morally simply because he or she sees what is asked of them. So, for example, Nagel has objected that Korsgaard’s approach is in danger of ‘cheapening the motive’ of moral action, and comes close to being an ‘egoist answer to egoism’,¹⁴ while Larmore is critical of ‘Kantians [who]...trace our moral concern for another back to what they regard as our supreme interest – namely, the affirmation of our own rational freedom. Recognizing the moral point of view for what it is really means, in contrast, learning to see the reason to do well by others as a reason that speaks for itself’.¹⁵ Similarly, Watkins and Fitzpatrick have raised the following worry from a realist perspective:

What is wrong with enslaving someone, for example, seems to be something straightforwardly and simply about her, given what she is – the dignity that belongs to her as a rational being. To cash out the wrongness of such an action and its normative force for me in a way that requires a detour through a story about what I have to do in order to exercise my will at all seems like a move in precisely the wrong direction. It does not seem true to ordinary moral experience, which certainly does not represent other people’s value and its significance for us as deriving from commitments bound up with the exercise of our own wills under certain generic constraints inherent in the nature of willing.¹⁶

Thus, from this perspective, in raising the normative question Korsgaard is in fact said to play into the hands of the sceptic, and so to make precisely the mistake Prichard accused moral philosophy in general of making.

¹³ *SN*, p. 240.

¹⁴ *SN*, p. 206. Korsgaard responds to Nagel’s worry in *SN*, pp. 246-51.

¹⁵ Charles Larmore, *The Autonomy of Morality* (Cambridge: Cambridge University Press, 2008), p. 115. Larmore is spirited in his defence of Prichard’s approach at several points in the book, and critical of what he sees as Korsgaard’s failure to take Prichard’s position sufficiently seriously: see e.g. pp. 90-1, p. 113.

¹⁶ Eric Watkins and William Fitzpatrick, ‘O’Neill and Korsgaard on the Construction of Normativity’, *The Journal of Value Inquiry*, 36 (2002), pp. 349-67, p. 361. Cf. also David Enoch, ‘Agency, Shmagency: Why Normativity Won’t Come from What is Constitutive of Action’, *Philosophical Review*, 115 (2006), pp. 169-98, where I think Enoch intends to strike a Prichardian note on p. 180, where he remarks that Korsgaard will end up distorting things as she tries to use the fact that adopting certain principles and values is constitutive of agency as a way of getting the sceptic to be moral: ‘However strong or weak the reasons that apply to [the sceptic] and require that he be moral, surely they do not become stronger when he realizes that unless he complies with morality his bodily movements will not be adequately described as actions’ – where I take it that Enoch’s point is that *if* the sceptic came to think they *were* stronger on this basis, he would then see a reason to act morally, but not in a way that would make his action genuinely moral, so that Korsgaard’s strategy here is self-defeating.

3. Kant and moral scepticism: Sections I and II of the 'Groundwork'

I now want to turn to Kant, and consider how far the issues discussed above turn out to apply to him, and if therefore falls into the same Prichardian trap as Korsgaard seems to do. My strategy will be to argue that while Kant was indeed deeply concerned with a certain type of moral scepticism, this differs from the type discussed above, and so does not lead him to make the mistake of trying to deal with a question that is better left set aside. To keep the discussion within reasonable bounds, I will mainly focus on Kant's *Groundwork of the Metaphysics of Morals*. My claim will be that in the first two sections of the *Groundwork*, the issue of scepticism of any sort hardly arises at all, and that while an important sceptical threat is discussed and dealt with in the third section, this is a threat of a distinctively different kind.

In the Preface and first two sections of the *Groundwork*, it is perhaps scarcely surprising that Kant does not take up any serious sceptical challenge. For, in this part of the work, the main task Kant sets himself is to identify 'the supreme principle of morality', where he does so by taking our commonly shared moral conceptions for granted (for example, about the good will, duty, the imperatival nature of morality, and certain moral cases), and attempting to derive the Formula of Universal Law as the supreme moral principle from them by a process of analysis. In these sections, therefore, Kant seems more than happy to accept that we have a good grasp of morality without any need for philosophy, where he does not expect us to find the Formula of Universal Law to be revisionary of that grasp in any way – indeed, if it were, he would allow that it would be an objection to his claim that it constitutes the supreme principle that he is looking for here. Thus, Kant willingly accepts that in arriving at the Formula of Universal law, he is not teaching 'the moral cognition of common reason' anything new, but simply making it 'attentive to its own principles': 'there is, accordingly, no need of science and philosophy to know what one has to do in order to be honest and good, and even wise and virtuous'.¹⁷ Kant therefore seems to take for granted that our moral practices are in good order and in no need of defence or justification, and that philosophy can proceed by simply reflecting on them, to bring out the fundamental moral principle on which they rely. Given this kind of approach, it is scarcely surprising that sceptical challenges have little place.

Now, Kant is sensitive to a worry that might seem to follow: namely, that if our ordinary moral thinking really is in such good order, and if philosophy must base itself on this thinking, what is the point in engaging with the effort of doing philosophy here at all – particularly, as he admits, when our ordinary thinking is quite adept at a pretty high level of reflection on moral matters, while philosophizing might lead it astray, and so make matters worse.¹⁸ Kant thinks he has a response to this worry – but again, it is a response that so far gives no anti-sceptical role to his

¹⁷ Immanuel Kant, *Groundwork of the Metaphysics of Morals*, Akademie edition 4:404; translated by Mary J. Gregor in Immanuel Kant, *Practical Philosophy* (Cambridge: Cambridge University Press, 1996), p. 58 [hereafter *GMM*, where the Akademie reference is followed by the reference to the Gregor translation]. For similar remarks, see 4:412, p. 66, where Kant comments that 'common moral appraisal' is 'very worthy of respect'; and *Critique of Practical Reason* [hereafter *CPrR*], translated by Mary J. Gregor in *Practical Philosophy*, 5:8note, p. 153: '[W]ho would even want to introduce a new principle of all morality and, as it were, first invent it? Just as if, before him, the world had been ignorant of what duty is or in thoroughgoing error about it'.

¹⁸ Cf. *GMM* 4:404, p. 59: '...philosopher, though he cannot have any other principle that that of common understanding, can easily confuse his judgment by a mass of considerations foreign and irrelevant to the matter and deflect it from the straight course'.

philosophical project. For, the value Kant places on philosophy here is that by arriving at the supreme principle of morality, philosophy can lead us to be better moral agents by making it harder for us succumb to the ‘natural dialectic’ whereby we deceive ourselves on moral matters;¹⁹ its value does not lie in making it easier to answer those who see no reason to be moral.

It may seem, however, that Kant gets closer to addressing a genuine scepticism about morality at the start of Section II, where he raises the spectre of ‘those who ridicule all morality as the mere phantom of a human imagination overstepping itself through self-conceit’.²⁰ The sceptic Kant is considering here makes much of the frailties Kant has already noted, and who claims that we can therefore never be sure that anyone in fact acts for anything other than self-interest; they then try to bring morality into doubt by pointing to this fact. Kant may therefore seem to be getting closer here to an engagement with the moral sceptic.

However, although Kant is indeed bringing in a reference to the sceptical position here, I do not believe that he is taking it seriously in its own right, or setting out to show how it can be refuted as such; rather, he is using it as a means to criticize an empirical approach to moral philosophy, which is his main target. For, Kant holds that the evidence of human moral weakness, and the consequent difficulty of finding clear examples of action done from duty and with no regard for the ‘dear self’²¹ *can only* lead to scepticism about morality *if* one takes the content of morality to be something we must leave to our experience to determine, by generating this from examples of moral behaviour; for then, of course, if we are truly unable to find any such examples, we could not conduct our investigation into morality, and we might regard all moral principles as suspect. But, of course, Kant thinks anyone who is drawn to this conclusion has simply adopted a mistaken view of the nature of our moral principles, which are known a priori rather than being based on examples – and indeed, must be if we are to treat the moral law as valid for all rational agents, and to explain how we could come up with any moral assessment of the examples of moral action in the first place.²² Far from taking scepticism here as a serious threat, therefore, Kant uses the possibly sceptical consequences of any empirical approach in ethics as a *reductio* of that position.

It would seem from the first two sections of the *Groundwork*, therefore, that there is no real evidence to suggest that Kant is seriously troubled by the sort of scepticism identified by Korsgaard. Rather than setting out to refute such scepticism, Kant merely takes the contribution of his enterprise thus far to lie in perhaps enabling us to be better moral beings, in offering us a kind of pure philosophical approach to ethics that will help us guard against sophistry and self-deception in our moral conduct, while its a priori nature can also help us argue that the lack of clear examples of moral behaviour is no threat to thinking about morality – for example, we can still

¹⁹ *GMM*, 4:405, p. 59. For further discussion of this aspect of Kant’s position, see Dieter Henrich, ‘The Concept of Moral Insight into Kant’s Doctrine of the Fact of Reason’, in Dieter Henrich, *The Unity of Reason: Essays on Kant’s Philosophy*, edited by Richard Velkley (Cambridge, Mass.: Harvard University Press, 1994), pp. 55-87, and Paul Guyer, ‘The Strategy of Kant’s *Groundwork*’, in his *Kant on Freedom, Law, and Happiness* (Cambridge: Cambridge University Press, 2000), pp. 207-31.

²⁰ *GMM*, 4:407, p. 62. Cf. David Copp, *Morality, Normativity, and Society* (Oxford: Oxford University Press, 2001), p. 5, where Copp cites this passage as evidence of Kant’s engagement with the moral sceptic.

²¹ *GMM* 4:407, p. 62.

²² *GMM* 4:408-9, pp. 62-3.

see how friends are required to be sincere with one another, even if we are not certain that anyone has managed to be motivated solely by friendship and not self-interest.²³ Much like Aristotle, therefore, Kant may be read up to this point as working within a pre-existing moral framework, rather than as trying to answer someone challenging it from the outside and asking why they should adopt it,²⁴ where this is the sort of project that can lead to the kind of problems raised by the Prichardian.

3. *Kant and moral scepticism: Section III of the 'Groundwork'*

However, it could now be said, we have so far only discussed Sections I and II of the *Groundwork*, which adopt the analytical approach of starting with our common moral cognition, and so may indeed work in this 'internal' fashion; but (the objection runs) Kant's approach is very different in Section III, with very different results. Moreover, it can be argued, this division in the structure of the *Groundwork* between the first two sections and the last corresponds to the two-fold task that Kant has set himself in the Preface, of not only searching for or identifying the supreme principle of morality (which he claims to have achieved through Sections I and II), but also *establishing* it, or making it good.²⁵ In addition, he speaks here in terms of offering a 'deduction', which as we know from the first *Critique* is something he associates with justificatory issues. And, finally, it can be pointed out that there are several points in Sections I and II where Kant raises what seem like sceptical concerns about morality and its principles, explicitly saying that he will postpone such issues until he gets to Section III: so the fact that Kant has not focused on answering the sceptic in the previous parts of the *Groundwork* can hardly be taken as evidence that he did not take the sceptic seriously, or wanted to leave sceptical worries on one side.

Now, this is all indeed true. So, Kant does indeed characterize his approach in Section III as synthetic rather than analytic; he does give the *Groundwork* a two-fold task; he does speak of offering a deduction; and he does hint at deeper sceptical worries in Section I and II that he promises to return to, where for example he speaks of taking it for granted at this stage that there are practical propositions which command categorically, without having proved that there really are any such propositions.²⁶ My suggestion now will be, however, that Kant takes this turn in Section III *not* because he is seeking to address here the sort of sceptic who sees no reason to be moral, but rather a scepticism that has a very different basis, and which can thus be addressed without leading to the kind of Prichardian concerns raised above.

To see how Kant's engagement with moral scepticism is distinctive in this way, we must appreciate the *transcendental* character of that scepticism, where this

²³ Cf. *GMM*, 4:408, p. 62.

²⁴ Cf. Aristotle, *Nicomachean Ethics* 1095b1-13. John McDowell, in particular, has emphasized how it is a mistake to see Aristotle as attempting to offer a 'grounding' for ethics: see the papers on Aristotle reprinted in his *Mind, Value, and Reality*.

²⁵ Cf. *GMM*, 4:392, p. 47: 'The present groundwork is, however, nothing more than the search for [*Aufsuchung*] and establishment [*Festsetzung*] of the *supreme principle of morality*'. Cf. also *CPrR* 5:8, p. 143, where Kant says that the *Critique* 'presupposes, indeed, the *Groundwork of the Metaphysics of Morals*, but only insofar as this constitutes preliminary acquaintance with the principle of duty and provides and justifies a determinate formula of it [*und eine bestimmte Formel derselben angibt und rechtfertigt*]'.

²⁶ See *GMM* 4:431, p. 82, and 4:425, p. 76.

involves a different *kind* of puzzlement about morality than any so far discussed.²⁷ Whereas the earlier moral sceptic may be characterized as standing ‘outside’ morality and as asking why they should enter into it at all, Kant’s sceptic is more like someone who is already inside the moral life but who nonetheless comes to find it problematic *from within*, and so questions it as a result – where they are not looking for reasons to be moral, but ways of understanding how morality is even possible. What gives rise to this transcendental doubt, Kant thinks, is the way in which morality relates to us *as human beings*, where for us it takes the form of duties that are *obligatory* or *binding* in a particular way, where it is this obligatoriness that raises worries that can lead to deep sceptical concerns about the very possibility of morality. Thus, the issue here is whether morality can be made sense of by those already living the moral life, not whether those outside that life can be persuaded into it.

One of the crucial features of Kant’s discussion of morality is the contrast he draws between us as moral beings, and the moral life of those with ‘holy wills’.²⁸ The difference, Kant argues, is that whereas for us, morality takes the form of imperatives which tell us what we *must* do, for holy wills this is not the case: for such wills, Kant claims, there is no imperatival force to morality. And because it is an essential feature of morality for us that it involves obligatoriness, Kant thinks that problematic issues are raised here that do not arise for holy wills.

The first, and perhaps most obvious, concerns freedom. For, taking the principle of ‘ought implies can’,²⁹ and allowing that morality is obligatory for us, then for morality to be anything more than a ‘chimera’,³⁰ we must have freedom. This means, therefore, that a metaphysical basis for moral scepticism can come from a position that denies that we have any such freedom. Indeed, Kant faced a concrete example of such scepticism in the figure of Johann Henrich Schulz, whose work *Attempt at an Introduction to the Doctrine of Morals* was reviewed by Kant in 1783, a couple of years prior to the publication of the *Groundwork*. In his book, Schulz had denied the existence of free will, and thus (as far as Kant was concerned, at least) adopted a ‘general fatalism which...turns all human conduct into a mere puppet show and thereby does away altogether with the concept of obligation’,³¹ and thus with all morality. Here, then, is one form of scepticism about morality that has a metaphysical basis, as a threat to the very possibility of morality.

A second metaphysical issue that arises out of the obligatory nature of morality for us as humans, concerns a puzzlement about that obligatoriness *as such*, rather any doubts one might feel about the freedom that it requires as a condition. What makes that obligatoriness problematic, Kant thinks, is the peculiar kind of *necessity* that the obligations of morality claim for themselves, where this is

²⁷ It can be hard to see what is distinctive about such puzzlement. For general accounts to make this clear that I have found helpful, see James Conant, ‘Varieties of Skepticism’, in Denis McManus (ed.), *Wittgenstein and Scepticism* (London: Routledge, 2004), pp. 97-136; and Robert Nozick, *Philosophical Explorations* (Oxford: Oxford University Press, 1981), pp. 8-11.

²⁸ See, for example, *GMM*, 4:439, p. 88.

²⁹ For further discussion of Kant’s attitude to this principle, see my paper ‘Does “Ought” Imply “Can”? And Did Kant Think It Does?’, *Utilitas*, 16 (2004), pp. 42-61.

³⁰ Cf. *GMM*, 4:445, p. 93.

³¹ Immanuel Kant, ‘Review of Schulz’s *Attempt at an Introduction to a Doctrine of Morals for all Human Beings Regardless of Different Religions*’, translated by Mary Gregor in Immanuel Kant, *Practical Philosophy* (Cambridge: Cambridge University Press, 1996), 8:13, p. 9.

problematic not because of issues to do with our motivation or clashes with other concerns, but because it is hard to see what makes a necessity of this kind possible. Just as in the theoretical case, where the problematic nature of the necessity claimed by metaphysicians for their principles can be shown through bringing out the synthetic a priori nature of such claims, where in turn that synthetic a priori is profoundly puzzling, so Kant thinks that the problematic nature of the necessity claimed by morality can be show through bringing out the synthetic a priori nature of what it says we *must* do, in the form of categorical imperatives. It is this issue, therefore, that Kant flags in Section II when he first introduces these imperatives as characteristic of morality, but where he postpones any resolution of it to Section III,³² in such a way as to put to rest any scepticism about morality based around it, from those who think that perhaps there just *are* no such imperatives of this problematic and mysterious kind, so that Kant is misguided in Section II in deriving any supreme principle of morality from reflection upon them.

In Section II, therefore, Kant sets up the transcendental or ‘how possible?’ question in the practical case, by contrasting moral imperatives which are categorical, and imperatives of skill or prudence, which are hypothetical. Both types involve a necessity for both tell us that there is something we *must* do; but in the former case, Kant thinks that the necessity is problematic in a way that in the latter case it is not. This is not because the hypothetical imperatives asks us to do something that is in line with our interests, and the categorical imperatives do not, so it is puzzling how we can be motivated to follow the categorical imperatives of morality, or what could (therefore) make such imperatives rational.³³ The difficulty Kant is interested in, I think, is deeper than this: namely, how can it be that there is anything I *must* do, how is such prescriptivity or obligatoriness possible? As Kant puts it: ‘This question does not inquire how the performance of the action that the imperative commands can be thought, but only how *the necessitation of the will*, which the imperative expresses in the problem, can be thought [or conceived, or made sense of: *gedacht*].’³⁴ Kant thinks this question can be answered easily enough in the case of hypothetical imperatives, because there is an analytic relation of containment³⁵ here: if I want to be a pianist, I must practice, because I cannot be a pianist otherwise, so I am necessarily constrained in this way, by the end I have set myself; and while Kant thinks things are a bit more complicated when it comes to imperatives of prudence, this is not because the connection is any less analytic in theory, but just because it is harder in practice to know about what the necessary means to happiness actually are.³⁶ In these cases, therefore, it is easy to see how certain actions can come to be represented as necessary for me to do. The problem, however, in the case of the necessity involved in morality, is that this necessity cannot be accounted for analytically as part of the means/end

³² Cf. *GMM*, 4:419-20, p. 72.

³³ This is perhaps the standard view, expressed for example by Hill when he writes: ‘...Kant held the Hypothetical Imperative to be easier to follow and to justify than the Categorical Imperative. The Categorical Imperative often demands the sacrifice of self-interest whereas the Hypothetical Imperative, typically, is in the service of long-term interest. The Hypothetical Imperative rarely calls for the sort of internal struggle that the Categorical Imperative demands’ (Thomas E. Hill, *Dignity and Practical Reason in Kant’s Moral Theory* (Ithaca: Cornell University Press, 1992), p. 32).

³⁴ *GMM*, 4:417, pp. 69-70, my emphasis.

³⁵ Cf. *GMM*, 4:417, p. 70, my emphasis: ‘...the imperative *extracts* the concept of actions necessary to this end merely from the concept of a volition of this end’.

³⁶ Cf. *GMM*, 4:417-9, pp. 69-71.

relation, because this relation makes the ‘must’ conditional on having something as an end, whereas the moral ‘must’ is unconditional and inescapable and so stronger than this,³⁷ but then, we lose the way of accounting for the ‘must’ straightforwardly in analytic terms, as there is now no end in which it can be contained as the required means. If the ‘must’ in ‘you must not tell lies’ is not to be explained analytically, therefore, we are left with the question in the moral case of explaining it some other way, which seems much more challenging, and can leave us wondering how there can be any such necessity – just as in the case of metaphysical necessity, we can be left wondering how it can be the case that every event *must* have a cause.

On this approach, therefore, there is a rather precise parallel between how Kant sees scepticism arising in the practical case, and in the theoretical one, where both hinge on the question of how necessity of a certain kind is possible. Thus, as is well known, Kant holds that Hume became a sceptic about causality because he saw on the one hand that the necessary relation between events and their causes cannot be accounted for analytically and thus thought of as akin to *logical* necessity, but on the other hand did not see how necessity could obtain otherwise, as anything other than a logical relation. Hume’s scepticism is this ‘consequent’ rather than ‘antecedent’,³⁸ based on an apparently well-founded puzzlement concerning the necessity at issue. Likewise, I would argue, Kant saw moral scepticism arising in a similar manner, based on an inability to see how there could even be such a thing as a moral ‘must’, once the peculiar nature of that ‘must’ is made clear. And, we cannot console ourselves with the thought that we don’t really need to *answer* that question in order to keep morality safe, by thinking that even if we don’t know how it is possible, we know at least that in fact agents *are* so bound, because we can see in experience that people’s behaviour is governed in this way by nothing but a sense of duty: for, Kant thinks, when it comes to it, this is never really clear, given the murky nature of what really motivates people.³⁹ Thus, while as a result of Sections I and II of the *Groundwork*, we might agree with Kant about what the supreme principle of morality is, the question still remains how the obligatory force we seem to feel in association with this principle is to be understood and explained, given that no analytic means/end account is open to us; and the worry is, that if no adequate explanation is forthcoming, we will be led to give up the notion of duty as a bad job (much as Hume came to have his sceptical doubts concerning causality), thereby bringing down the whole deontological conception of morality Kant has developed in Sections I and II, and which he thinks is the conception we all share, so that in the end, we would lose our grip on morality altogether. Thus, just as Kant raises the ‘how possible?’ question in relation to the problem of synthetic a priori knowledge in his theoretical philosophy, so too he raises it in relation to the problem of synthetic a priori practical

³⁷ Cf. GMM, 4:420, p. 72: ‘[T]he categorical imperative alone has the tenor of a practical **law**; all the others can indeed be called *principles* of the will but not laws, since what it is necessary to do merely for achieving a discretionary purpose can be regarded as in itself contingent and we can always be released from the precept if we give up the purpose; on the contrary, the unconditional command leaves the will no discretion with respect to the opposite, so that it alone brings with it that necessity which we require of a law’.

³⁸ Cf. David Hume *Enquiries Concerning Human Understanding and Concerning the Principles of Morals*, 3rd edition, edited by L. A. Selby-Bigge, revised by P. H. Nidditch (Oxford: Oxford University Press, 1975), *An Enquiry Concerning Human Understanding*, Section XII, Parts I and II, pp. 149-60.

³⁹ Cf. Kant, GMM, 4:419, pp. 71-2.

propositions in his practical philosophy, where those propositions are made synthetic because they express categorical rather than hypothetical imperatives.

Finally, Kant's conception of the obligatoriness raises a transcendental question concern our moral psychology. For, even assuming that we are free, there is a question about how our psychological structure could work in the way that seems to be required by morality, as Kant conceives it. The difficulty is in seeing how it can be that on the one hand moral action consists in following duty and not inclination, while on the other hand desire and inclination seem to be fundamental to our behaviour as agents – so the question is, how is moral action so much as possible for us? The sceptic Kant is envisaging here is looking for an explanation of how moral agency is possible at all, not a reason to be a moral agent. As Kant says, 'I am willing to admit that no interest *impels* me to [follow the principle of universalisability], for that would not give a categorical imperative; but I must still necessarily *take* an interest in it' if we are to understand how I come to act at all, where what we therefore need is 'insight into how this comes about'.⁴⁰

We have seen, therefore, that for Kant there are three important and interrelated ways in which a kind of transcendental puzzlement about morality can arise, in such a way that if left unchecked, could lead one to feel that morality is a 'chimera' for us, however unproblematic it may be for 'holy wills' who are clearly free, under no peculiar moral 'oughts', and possessed of a different moral psychology.⁴¹ And, I would claim, it is Kant's engagement with these bases for moral scepticism which form the substance of Section III of the *Groundwork*, as we can now briefly set out. In all cases, as we shall see, Kant thinks it is vital to make appeal to aspects of his transcendental idealism, as the only way to settle the puzzlement about morality as it arises in these areas.

As is well known, Kant's response to the worry about freedom is to use his transcendental idealism to distinguish between appearances and things-in-themselves, and thus between a causally ordered realm of nature and a non-causal realm, in which the freedom of the moral subject can be preserved. This allows Kant to show how the freedom required to make sense of morality might be possible, while arguing that the fact we feel under moral obligations gives us a practical ground on which to think it is actual, though this can never be established as certain in a theoretical manner as all such knowledge concerning things-in-themselves is denied us.⁴²

⁴⁰ Kant, *GMM*, 4:449, p. 96.

⁴¹ Jens Timmermann has also emphasized how it is the issue of *explanation* that is at the centre of Kant's engagement with scepticism, rather than the challenge raised by the sceptic who is looking for reasons to be moral. Cf. Jens Timmermann, *Kant's 'Groundwork of the Metaphysics of Morals': A Commentary* (Cambridge: Cambridge University Press, 2007), pp. 129-30, where Timmermann characterizes the question Kant is addressing as one raised by 'that of a morally decent person whose trust in the supreme authority of ethical commands is challenged by the elusiveness of their source as well as the obvious threat of natural determinism', rather than that raised by 'a radical moral sceptic who, say in the face of robust self-regarding interest, asks for a *normative* reason why he should take up the moral point of view at all'.

⁴² Cf. Kant, *GMM*, 4:450-3, pp. 98-100. Although I cannot go into the details here, this is one place where Kant's strategy changes somewhat between the *Groundwork* and the *Critique of Practical Reason*, where I would argue that in the former Kant uses an appeal to transcendental idealism to argue for the division between appearances and things-in-themselves on which his argument for freedom there is presented as depending, whereas in the latter Kant thinks he can place enough weight on an appeal to our moral commitments, and can argue from there to our freedom – a strategy that Kant worried in the *Groundwork*

Kant can also use the dualistic picture of the subject that comes with transcendental idealism to help him explain the peculiar obligatoriness of morality, and so resolve the question of how categorical imperatives are possible. As we have already mentioned, this question only arises from a human perspective, as it is a feature of how morality presents itself to *us*, not to holy wills. Kant then uses this very fact to provide himself with a solution to the puzzle: for, just as it is *because* we have desires and inclinations that morality involves imperatives for us, so he argues that this division within the self *explains* that very obligatoriness, in so far as it is a kind of projection of the fact that the subject's desires set themselves *against* the moral course of action, and so make the latter seem to us to be something to which we are obliged, in a way that does not and cannot happen for the holy will. At the same time, transcendental idealism gives us a framework in which this dualistic picture of the self, and how it operates, in such as away as to make the moral 'ought' explicable:

And so categorical imperatives are possible by this: that the idea of freedom makes me a member of an intelligible world and consequently, if I were only this, all my actions *would* always be in conformity with the autonomy of the will; but since at the same time I intuit myself as a member of the world of sense, they *ought* to be in conformity with it; and this *categorical* ought represents a synthetic proposition a priori, since to my will affected by sensible desires there is added the idea of the same will but belonging to the world of the understanding – a will pure and practical of itself, which contains the supreme condition, in accordance with reason, of the former will.⁴³

This, then, is Kant's distinctive answer to the question of obligatoriness that has shaped the debate in the history of ethics between natural law theorists and voluntarists. Kant can be seen as steering a path between both traditions: like the natural law theorists, he treats the rightness of morality in a realist manner, but like the voluntarists he treats the *obligatoriness* of what is right as arising out of the nature of our will with its dualistic structure; and on the other hand, the will that makes morality obligatory is ours and not an external source of reward or punishment like God, while what is thereby made obligatory is fixed by what is right, so that this voluntarism is constrained and does not go all the way down to the content of the moral law itself. In a slogan, therefore, we might say that Kant combined anti-realism about obligatoriness, with realism about that which is obligatory and thus with realism about the right.⁴⁴ Once again, therefore, Kant can claim to have offered an answer to someone who questions morality because they just do not see how it can get to have its peculiarly imperatival nature.

Finally, we can also see how Kant uses the framework he has established in Section III of the *Groundwork* to resolve the third source of moral scepticism, which questions the intelligibility of the kind of psychological account that seems required for moral action to be possible. Here, Kant's strategy is to admit that there is indeed

might be question begging (cf. *GMM*, 4:450, pp. 97-8), but which in the second *Critique* he thinks is adequate for what is required (where for our purposes, it is again notable that it would clearly *not* be adequate against a sceptic who just did not recognize any moral commitments as valid in the first place).

⁴³ Kant, *GMM*, 4:454, pp. 100-101.

⁴⁴ For further discussion of these issues, see my paper 'Kant, Moral Obligation, and the Holy Will', in Sorin Baiasu and Mark Timmons (eds), *Kant's Practical Philosophy* (Oxford: Oxford University Press, 2011).

something fundamentally puzzling here, but in a way that we should not feel pushed into anything like moral scepticism: for the puzzlement is in an area where we have good reason to acknowledge that we can only have a limited understanding of such matters, so the fact that we find the issue hard to grasp should not be taken as any reason to doubt the possibility of the phenomenon in question. The difficulty arises, Kant thinks, because on the one hand morality requires that we act out of duty and not inclination, while on the other hand as human agents we are caused to act through our feelings, so that the thought of something as a duty or what is right for us to do must bring about such feelings of pleasure in us; but we then become puzzled about this, because the causal relation here is highly problematic and mysterious-seeming, because what brings about the feeling of pleasure is not anything empirical, so we assume that it could only come about if our action is directed at our happiness, but where this would render true moral action impossible on the account we have given of what this must involve. But, Kant argues, rather than becoming dubious about the possibility of moral action on this score, we should recognize that the problem just reflects our general lack of understanding of the relation between the phenomenal and noumenal realms, so that while no positive solution to the puzzle can be given, there is no reason to jump to a purely hedonistic model of human action, as here we have a ‘blind spot’ that leaves room for the account we need in order to allow for the possibility of the kind of picture of action as involving duty and not inclination that is implied by morality.⁴⁵

However, though Kant uses one aspect of his transcendental idealism here to try to convince us that we must simply accept that the mechanisms of moral action will always remain mysterious to us in this way, he also uses another aspect of that idealism to explain why it is we feel such admiration for our capacity for moral agency, which again otherwise might seem mysterious in a way that could lead us to question the value we place upon that agency. The worry, then, is this:

[I]f someone asked us why the universal validity of our maxims as a law must be the limiting conditions of our actions, and on what we base the worth we assign to this way of acting – a worth so great that there can be no higher interest anywhere – and asked us how it happens that a human being believes that only through this does he feel his personal worth, in comparison with which that of an agreeable or disagreeable condition is to be held as nothing, we could give him no satisfactory answer.⁴⁶

Here, it may seem, Kant comes closer than at any point so far in trying to answer the non-transcendental sceptic, who asks why they should ignore what is ‘agreeable or disagreeable’ to then in favour of acting morally, and thus questions the ‘validity and practical necessity of subjecting oneself’ to the moral principle.⁴⁷ However, even here, I would argue, the dialectic is importantly different, as Kant is considering someone who already *does* value their status as a moral being above what is ‘agreeable and disagreeable’ to them in this way, and who is just wondering ‘how it

⁴⁵ Cf. Kant, *GMM*, 4:460, p. 106. Kant continues in a similar vein in the following paragraphs, concluding that given the limitations of our intellects, ‘we do not indeed comprehend the practical unconditional necessity of the moral imperative, but we nevertheless comprehend its *incomprehensibility*; and this is all that can fairly be required of a philosophy that strives in its principles to the very boundary of human reason’ (4:462, p. 108).

⁴⁶ Kant, *GMM*, 4:449-50, p. 97.

⁴⁷ Kant, *GMM*, 4:449, p. 97.

happens' that this is the case – how can the value of being a moral agent be accounted for if *not* in the way in which it furthers my interest?

Now, Kant also uses his transcendental idealism and its dualistic conception of the self to provide an answer to this question, by arguing that the moral self is the *authentic* self, by virtue of its status as a member of the 'intelligible world'; it must thus be given higher value in our eyes, in a way that enables our respect for ourselves and others to be explained, as well as the 'contempt' and 'abhorrence' we feel for ourselves when we fall short.⁴⁸ As Kant famously argues, even the most 'hardened scoundrel' is sensitive to this distinction, and therefore wishes that he could be moral even if he can't quite manage it.⁴⁹ Kant thus offers an explanation for the admiration we feel for moral agency, and why we value it so highly, thus dispelling the apparent mystery here; but this is a value that will only be apparent to the agent who (even if a hardened scoundrel) has some sensitivity to the moral life, not to the agent who is asking to be brought into that life from the perspective of the egoist or amoralist.

It is not my purpose here to defend in detail the various answers Kant gives to the transcendental sceptic, who raises these 'how possible?' questions against morality, and to ask in particular whether Kant's appeal to the framework of his transcendental idealism actually settles these questions in the way he would like; all I have tried to argue for is the distinctive nature of such questions within Kant's philosophy. And as a result, I would also argue, Kant's position is free of the dangers highlighted by Prichard and others, where it was claimed that the attempt to supply the sceptic with reasons to act ethically has the cost of seeming to distort the very moral phenomena that we are seeking to defend, and so of feeding the sceptical flames; for, nothing in the kind of scepticism that Kant takes seriously is likely to result in his response to that scepticism becoming self-defeating in this manner.

4. Kant and Korsgaard

We began this paper by considering Korsgaard's constructivist criticism of realism, that it could not offer an adequate response to moral scepticism; and we also began by considering the realist's Prichardian reply, namely that no such response is needed, as to offer one is to seek to give morality a non-moral grounding, in a way that immediately leads us astray. We also saw how Korsgaard might be read as falling into this Prichardian trap.

Following our discussion of Kant, however it should be clear that this dialectic is too simple: for the example of Kant shows how sceptical problems can arise in a way that do not succumb to Prichardian concerns, as these arise from *within* morality. When it comes to Korsgaard, therefore, this opens up a way of reading her 'normative question' in a *transcendental* manner – that is, concerning doubts about morality raised by the need to understand how the moral demand is *possible*, how it can be adequately *explained*, where it is in offering a response to this question that the appeal to the conditions of agency may be said to lie. Understood in this way, Korsgaard could claim to be addressing a form of moral scepticism on the one hand, while avoiding the Prichardian challenge on the other, much as (we have argued) Kant himself manages to do.

Now, there is no space to explore this possibility as an interpretation of Korsgaard in any detail here; the aim has simply been to open it up as a model, by drawing the comparison with Kant. Moreover, it also remains to be seen whether,

⁴⁸ Cf. Kant, *GMM*, 4:426, p. 77.

⁴⁹ See Kant, *GMM*, 4:454-5, p. 101.

even understood in this manner, Korsgaard is right to think that constructivism is in a better position to resolve the ‘normative question’ than the realist: for, of course, the constructivist’s transcendental puzzlement has to be properly motivated, and it may be that the realist can claim that some of the puzzlement here is not, but can easily be set aside as spurious. This, again, cannot be considered fully here. It is to be hoped, however, that by considering the interpretation we have offered of Kant, we have also shed light on a strategy Korsgaard can also adopt in answering her Prichardian critics concerning the ‘normative question’ and thus how her appeal to agency might come to answer it – that is, by treating it as a *transcendental* question, of the sort that might lead to moral scepticism even in the best of us, if it cannot be resolved.⁵⁰

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