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## Kantian morality by the Freedom: the critic of critic

### Abstract

Freedom play a very important role in Kant's ethics, because the possibility of moral judgment presupposes it. Freedom is a regulator idea of reason that serves an indispensable practical function as *modus agendi* of practical reason. Without the assumption of freedom according to Kant reason cannot act. We cannot help but think of our actions as the result of an uncaused cause if we are to act at all and employ reason to accomplish ends and understand the moral world, that is the *agendi modus* of reason.

**Key words:** Kant, reason, freedom, *modus agendi*, regulator function and *modus essendi*.

### INTRODUCTION

The concept of Freedom constitutes the keystone (*Schlussstein*) of the whole system of pure reason of the speculative reason.<sup>1</sup> Such a system of concepts of pure reason is what Kant calls transcendental philosophy. Thus for Kant "freedom" constitutes the center of the new philosophy, a place it still continues to hold. The subsequent courses of transcendental idealism far from rejecting this place given by Kant to freedom did but deepen and develop it.<sup>2</sup> Since the change to *Freiheit* as fundamental in philosophical thinking occurs for the first time in the philosophy of Kant, it is as regards his concept of *Freiheit* that these problems properly arise and to which the study of his concept of *Freiheit* must provide the answer. Besides, being the first for whom *Freiheit* occupies this place in philosophy, his concept of *Freiheit* will have the marks of this transition: its newness will still be in relationship to "freedom" as it was formerly conceived and at the same time it will contain in germ the further developments it was to have in his succes-

1 Cf. I. KANT – *Kritik der praktischen Vernunft*, Preussische Wissenschaft Akademie, in: *Gesammelte Schriften*, Band V, Berlin, Verlag von G. Reimer, 1911, Vorrede, A 4.

2 Cf. I. KANT – *Kritik der reinen Vernunft*, Akademie Taschentext, Band IV, Berlin, Walter de Gruyter, 1968, B 25, A 12.

sors, and which development is largely unintelligible except it is brought back to this source from which it springs.

1 - Just as the *Critique of Pure Reason* establishes the conditions of possibility of the theoretical reason and the extend of its validity, the *Critique of Practical Reason* defines the conditions of possibility of the practical reason. The theoretical reason and the practical reason are not of course, two different ways of using one and the same reason. By the theoretical use of reason one knows *a priori* or as necessary that something, is by the practical use of reason, one knows *a priori* or as necessary that something ought to be. Because theoretical and practical reasons are different uses of the same reason, the *Critique of Practical Reason* cannot contradict the findings of the *Critique of Pure Reason*, but rather presupposes and completes them in so far as they are related to action. In this sense, the *Critique of Practical Reason* completes Kant's concept of Freedom (*Freiheit*) by proving transcendently its reality and determining exactly its positive sense. It is impossible to establish the Freedom (*Freiheit*) as psychological property found by empirically investigating the nature of the soul or by the supposed experience of human nature, because the Freedom use are dealing with is the transcendental predicate of a being that belongs to the world of sense and Freedom (*Freiheit*) can be known only *a priori*.<sup>3</sup> Yet theoretical reason as we saw cannot show the reality of Freedom (*Freiheit*), because *Freedom* is a concept of the unconditioned whose reality, therefore, cannot be empirically given or cannot be an object of experience. Therefore, can Freedom (*Freiheit*) be concluded from experience, for experience gives only the necessary laws of nature, which are the very opposite of Freedom (*Freiheit*). However, can Freedom be an object of psychological reflexion, by which man knows himself not as he is in himself, but only as he is for the inner sense which is empirical. But neither can we be immediately conscious of Freedom (*Freiheit*), because its first concept is negative.<sup>4</sup> If the reality of Freedom, *in stricto sensu*, cannot be known by itself nor by inner experience nor by being concluded from experience, and since it is antinomical for the theoretical reason, it can be known as certain only by knowing its necessary connection with something else not derived from experience that is known by itself. And Freedom is unconditioned causality, the something else with which it is necessarily connected must be *a priori*, and unconditional and can be nothing else than the unconditional law of its causality, the unconditional determination, according to which it acts. Thus it is the moral law alone which is the *ratio cognoscendi* for freedom (*Freiheit*) and hence ethics deal with the laws of freedom (*Freiheitsgesetz*).<sup>5</sup> Reason as representing the moral law, or reason as the unconditional objective determination of the Will (*Wille*) or of Freedom (*Freiheit*) is practical reason.<sup>6</sup> Just as the *Critique of Pure Reason* investigating the conditions of possibility of objective knowing, in a critique of the knowing subject as the theoretical reason, crystallized in the problem. How are the synthetic *a priori* judgments possible? Like wise the Critique of Practical

3 Cf. I. KANT – *Kritik der praktischen Vernunft*, in: *Gesammelte Schriften*, Band V, A 168.

4 Cf. I.KANT – *K. p. V.*, Band V, A 53.

5 Cf. I.KANT – *Grundlegung zur Metaphysik der Sitten*, Band IV, Akademie Taschentext, Berlin, W. de Gruyter, BA 100.

6 Cf. I.KANT – *Schriften zur Ethik und Religionsphilosophie*, Band II, Darmstadt, W. Buchgesellschaft, 1981, pp. 74-75.

Reason investigating the conditions of possibility of “moral action” in a critique of the acting subject, formulates itself in the problem.

For the moral law or categorical imperative is a synthetic practical proposition *a priori*? However, I unite the action *a priori*, and hence necessarily but objectively with the Will, but as an action that is not contained in the concept of the Will. Hence it is an *a priori* synthesis of the ought to be action with the Will.

Mean while a synthetic proposition is possible only by both terms of the proposition being united with a third in which they are united with one another. This third is provided by the positive concept of freedom (*Freiheit*).<sup>7</sup> Thus freedom (*Freiheit*) is the condition of possibility of the *moral law*.<sup>8</sup> Also, the reality of freedom (*Freiheit*) for Kant is the “moral freedom” of the Will.

2 –The *Grundlegung zur Metaphysik der Sitten* aims the Freedom (*Freiheit*) as the autonomy of reason. And that is the very important role played by the Freedom. With this formulation, we can now accept the formulation of freedom as a *modus agendi*, and not defined as *modus essendi*. However, this is the very important foundations of the freedom by the autonomy as end and principle. The Freedom depends from the autonomy, and autonomy comes from the very meaning of Freedom according the Kant’s transcendental idealism. This positive concept of freedom (*Freiheit*) as autonomy, which merits unreserved praise from Hegel as the decisive progress in the understanding of Freedom (*Freiheit*)<sup>9</sup> is, says Kant, rich and “fruitful”.<sup>10</sup>

We want to see why Freedom (*Freiheit*) must be conceived by Kant as the autonomy of the Will and then develop the meaning implied in this concept of autonomy. The universal form of the moral law, i. e., the law in abstraction from *a priori* to all objects of the Will and purely as it can be law for every rational being, is the sole objective determination of the practical reason, i. e., of the Will as Will the principle by which the practical reason itself is practical.

This universal form delimits the objects the Will is to Will and is the reason (*Vernunft*) or sole motive for willing them. So that in all the Will’s actions its motive, the determination which it gives itself is the universal form of the law or in all its actions it is a law for itself, or it gives itself its law, which is nothing else than the autonomy of the Will. Hence, freedom (*Freiheit*) as the necessary condition of the moral law cannot be conceived otherwise than as “autonomy”. Where the moral law to be founded in a necessary object of the Will, which could only be an object of desire, whether it be happiness or anything else, i. e., were such an object of the Will to be joined to the moral law as its condition of possibility, the result would be heteronomy of the Will. For it would mean dependence on the laws of nature to follow an inclination and the Will would not give itself the law, but only a percept to follow rationally sense laws. But if it were so, the moral law could not be uncon-

7 Cf. I. KANT – *Grundlegung der Metaphysik der Sitten*, Band IV, BA 99.

8 Cf. I. KANT – *Kritik der praktischen Vernunft*, Band V, A 5.

9 Cf. G.W. F. HEGEL – *Vorlesungen über die Geschichte der Philosophie*, III, Band 20, Frankfurt-am-Main, Suhrkamp, p. 367.

10 Cf. H. G. ACTON – *Kant’s Moral Philosophy*, London, Mac- Millan, 1970, pp. 35-37.

ditionally necessary, because it would not be purely *a priori*. Hence heteronomy of the Will would render the moral law impossible. According to Kant, the moral law and the autonomy of the Will are inseparable. The opposition indicated by Kant between autonomy and heteronomy of the Will helps to elaborate the sense of autonomy. In heteronomy (other-law), the Will, it is true, determines itself, but it takes the law, the determination according to which it determines itself from what is other than the subject willing, from what is object to the subject willing, and hence from the object of desire. It is not the Will which gives itself the law, but it is the object through its relation to the Will (as object of desire) which gives the law to the Will.<sup>11</sup> Thus the Will determines itself as dependent on other than itself, on the object of desire, and hence as dependent on empirical laws. The Will as heteronomes is the Will as empirically conditioned and not the Will as Will, not the Will as practical reason.

As autonomous self-ruling, the Will not only determines itself, but in determining itself it is independent of everything other than itself. It does not take its determination from any where else but from itself. However, the determination it takes from itself is the universal law as the form of whatever is object for it. It gives itself the law, it legislates for itself. The Will as giving itself its law is reason in its practical use or practical reason. The law, therefore, in autonomy does not destroy, but on the contrary constitutes the Freedom of the Will; because the Will is the faculty of determining itself to action according to the representation of certain laws, and the law represented can come only from man's freedom (*Freiheit*), so that the law springs from his own Will. Whatever, says Kant does not come from man himself and his Freedom (*Freiheit*) can give no substitute for morality.<sup>12</sup> Arbitrariness, therefore, lawlessness would be irrational and could not be Freedom for Kant. Arbitrariness is determining oneself according to the representation of the whim of the moment. Meanwhile, arbitrariness expresses the Will as empirically conditioned, as submitting itself to empirical conditions, as alienating its freedom (*Freiheit*). If the determination of the Will comes fully from within independently of all outside influence, it comes solely from practical reason. It is true, that acting morally man obeys the law but he obeys it not as imposed on his Will, but as what he himself, as reason in opposition to the inclination of his sensibility, imposes on himself. And hence his obeying is the consciousness of the free submission of his Will to the law.<sup>13</sup> That law less freedom (*Freiheit*) would be contradictory, a no-thing, as Kant says, follows from the consideration of freedom as action or causality. But the necessary connection of a result with its condition is a law. Hence causality without law is impossibility and therefore freedom (*Freiheit*) without law is contradictory. And freedom's law would be contradictory where was it not "autonomous". Freedom (*Freiheit*) therefore as "autonomy" is inseparable from the necessity which law denotes. Autonomy is a synthesis of necessity and Freedom. Since the Will or "practical reason" is autonomous, its Freedom is absolute spon-

11 Cf. M. LEGGAM – *La philosophie morale de Kant*, Paris, Editions du Seuil, 2001, 242-244.

12 Cf. I.KANT – *Die Religion innerhalb der blossen Vernunft*, Band III, Akademie Taschentext, Berlin, Walter de Gruyter, 1968, 16-76; G. M. S., AK, BA 73.

13 Cf. O. HÖFFE – *Introduction a la Philosophie Pratique de Kant*, tradução do alemão, Albeuve, Castella, 1985, 135.

taneity, an absolute beginning, determining itself to act from itself alone.<sup>14</sup> And since freedom (*Freiheit*) is self-determination by representing to itself its own law, it is the conscious beginning of action as fully from itself and thus as inalienably its own, for which it alone is fully responsible and merits in its own eyes praise or blame. Thus practical reason constitutes itself its own court to which it is responsible. Again, the freedom (*Freiheit*) of practical reason, because it is unconditional causality, is the activity of man in so far as he is in himself, or man as he is in himself is autonomous or is practical reason. It is man as he is himself who gives himself the law. He is the *autôs* (proper) in autonomy, and the *nomôs* is his own reason in its universality, or his own intelligible being as it is universally. The *nomôs* is the law of his being as he is in himself. Because autonomy is freedom (*Freiheit*) willing itself in its universality and thus determining what is good for man, his good is good not from a particular point of view, but universally from every point of view, i. e., his good is good not in opposition to others but as the same for all. But all that man wills and only what he wills according to practical reason, all that he wills autonomously is objectively good. For the moral law is the principle of the Will's autonomy, and the moral law determines what is objectively good. Besides, since autonomy is the pure active self-identity of man as he is in himself, willing himself, he himself in his totality is present to himself in his free willing, is present as giving to himself the sense of his whole life, the sense his life as a whole ought to have. And this sense is morality.<sup>15</sup>

Were freedom (*Freiheit*) interpreted not as autonomy but merely as freedom (*Freiheit*) of indifference, i. e., freedom (*Freiheit*) in relation to what I can judge as not necessarily connected with good *in genere*, freedom would not be serious nor decisive. Because it would be freedom in relation to something I can be without. Real freedom is to give meaning to my life as a whole, i. e., to give it its true meaning, the meaning I ought to give it. Real freedom is moral freedom, that ethically defines your *modus agendi* of practical reason. Finally, because the autonomy of the Will is the condition of possibility of the moral law and of the *modus agendi* of Freedom (*Freiheit*), it is the supreme condition of possibility of practical reason; and because autonomy is intelligible being as such willing itself, the self-willing of practical reason is the supreme condition of possibility of practical reason or practical is possible only as reason willing itself. On the other hand, the supreme condition of possibility of theoretical reason is the transcendental apperception, the transcendental unity of self-consciousness. However, theoretical and practical reasons are for Kant but two usages of the same reason. He should therefore conclude that reason itself is possible only as self-willing self-consciousness or as autonomous self-consciousness. He did not go so far but remained in the opposition of theoretical and practical reason, and left it as the task for his successors to overcome this opposition by developing reason as autonomous self-consciousness.<sup>16</sup> According to the *Grundlegung der Metaphysik der Sitten*, the freedom (*Freiheit*) is autonomy, and autonomy is freedom. Kant explains the transcendental formula-

14 Cf. I.KANT – *K. p. V.*, A 84; *Idem- K. r. V.*, B 474 ; A 446.

15 Cf. I.KANT – *Kritik der Urteilskraft*, Akademie Preussische Wissenschaft, Band VI, Berlin, Walter de Gruyter, 1968, B 381.

16 Cf. I.KANT – *Kritik der Urteilskraft*, B 396; A 392.

tion of freedom by the *a priori* sense of autonomy. There is, however, the possibility to define the freedom as *modus agendi* of practical reason, that is forever a “real freedom” as a complement and foundation of practical and transcendental freedom, according to the critique from Allison.<sup>17</sup>

However, the autonomy of the Will which is the condition of possibility of the moral law implies for Kant that man is an end in himself. But does not this render end and hence teleology the condition of possibility of the moral law, a position Kant constantly rejected as contradictory. It would be contradictory according to Kant to seek to found moral obligation (*Verbindlichkeit*) in the tendency to an end, since the end of a tendency is as such empirically conditioned but moral obligation is the unconditional ought, the ought without condition. To seek to bound the ought without condition in the conditioned is to seek a contradiction. On the other hand, the Will is the faculty of ends: it moves itself or determines itself to action by the representation of the end. That which distinguishes rational nature from all else is that it itself sets itself the end. Nothing can be end for it which it does not itself set as end: it is the exercise of its autonomy by freedom, as a *modus agendi* according the very real freedom. But if the Will is good by the end intended and the Will is unconditionally or simply good by conformity to the unconditional ought of the categorical imperative independently of and in precision from every subjective end, from every object proposed end of willing, an end which is not subjective and relative but objective and absolute. An end of willing, which is not an end to be effected and which is objective and absolute, is a subsisting end, or a being which exists as end in itself for every act of willing in every one who wills.<sup>18</sup> But subsisting end in every act of willing is the supreme condition conditioning and limiting the willing of every end to be effected or of every means by everyone who wills, in such a way that one must never act against it as end and hence in every action by everyone whatsoever ought never to be treated merely as a means, but must at all times and in every act of willing be regarded and valued as an end. Man, therefore, as subject of the moral law, humanity in him according to Kant, is holy, because the moral law is holy, and therefore inviolable. All rights of man are expressions of him as end in himself. Therefore, man is subject of the moral law as giving to himself the moral law as universal form of free willing of every rational being, and he is subject of the moral law only as autonomous.<sup>19</sup> Hence it is as autonomous that man is end in himself. All his rights therefore express the inviolability and absolute value of his autonomy.<sup>20</sup> Since man thinks himself as autonomous, and end in himself precisely as subject of the universal moral law, he must think himself as member of a world of ends in themselves.<sup>21</sup> The universal law as which is the law he gives himself, and so he must at the same time think every other subject of the moral law as autonomous, and end in himself and recognize and respect the same inviolability and dignity in every human being.

17 Cf. J. SCUMUCKER – *Die Ursprünge der Ethik Kants*, Meisenheim, Verlag A. Hain, 1961, 382-406.

18 Cf. I.KANT – *Grundlegung der Metaphysik der Sitten*, AK, BA 66.

19 Cf. I.KANT – *G. M. S.*, BA 83.

20 Cf. I.KANT – *G. M. S.*, BA 65.

21 Cf. I.KANT – *G. M. S.*, BA 74 sq.

## CONCLUSION

According to Kant, the morality is the way of understanding the freedom (*Freiheit*) as autonomy follows inevitably from the deficiencies of the critique of pure reason. As a result of the Critique of Pure Reason the real is in function of the self-thinking subject only through the synthetic judgment *a priori*. As a consequence of this, the real in relation to the self-thinking subject is the phenomenal :it is not the real as it is in itself, but only as it appears to the senses.<sup>22</sup> The pure determination of the Will's autonomy, the form of the moral law must prescind from love just as it prescinds from all object of desire. Hence the oft noted cold rigorism of Kant's ethics, where duty is purely for duty's sake. By reason of the determination of the Will's autonomy being the categorical imperative in abstraction from all content, the good itself can be interpreted by Kant only as the perpetual ought to be or the good itself can be only as an ought to be and in this sense is not. Thus the union between being, and good falls apart. Because the real in function of the self-thinking subject is only the phenomenal, our knowing for Kant cannot attain what is true, or cannot attain the truth. The Will's autonomy cannot therefore be determined by the knowledge of the truth or its autonomy abstracts from the knowledge of the truth.

Hence autonomy for Kant is necessarily abstract and without content, as abstracted from knowing it is blind and inexplicable or inconceivable, and can provide only postulates for knowing. This autonomy is nothing else than the self-certainty of willing in abstraction from truth: it separates certainty from truth. Hence abstract autonomy corresponds to the spirit of Kant's time. But it does not correspond to the modern world as it is in its truth.<sup>23</sup> Kant arrives, as we have seen, at this notion of the abstract autonomy of Freedom with all its consequences as direct result of the Critique of Pure Reason. Freedom as abstract autonomy therefore expresses the unbridgeable hiatus between reason as knowing and reason as acting, between the self-conscious subject and the self-willing subject, and thus between the true and the good.<sup>24</sup> The autonomy to Kant is defining as "freedom", and "freedom is autonomy.

But this position is untenable, not only because it destroys the unity of reason which Kant himself affirms so strongly but also and more radically because it is excluded by the very exigency of the modern world it seeks to meet. If for the modern world the real is real in function of the conscious self-willing subject, the real can be real in relationship to the self-willing subject only in so far as and because it is in relations with to the self-thinking subject, only in so far therefore as the real in relation to self-thinking is the real in relation to self-real in relation to self-thinking is the real in relation to self-willing, only in so far as there is no hiatus between the self-conscious and the self-willing subject. Kant's argument for the moral law

22 Cf. S. LANDUCCI – *Sull' Etica di Kant*, Milano, Guerini, 1994, 242-256.

23 Cf. H. RÖTTGES – "Kants Auflösung der Freiheitsantinomie", in: *Kant-Studien*, 65/1 ( New York,1974), pp. 33-39.

24 Cf. A. CORTINA – "El legado poético de Kant: La huella de Kant en nuestra ética política", in: *I. Kant nos 200 anos da sua morte*, Lisboa, Universidade Católica Portuguesa, 2006, pp.24-26.

is complex and difficult to interpret. The argument he presents in the *Groundwork* was obviously unsatisfying to him by the time he wrote the *Kritik der praktischen Vernunft* three years later. Insofar as it involves speculative issues about transcendental freedom, this argument also lies outside the intended scope of this book. It makes no pretense of being a close reading of any single text but tries instead to call attention to the elements of Kant's argument in the *Groundwork*, that seem most characteristic of his thinking throughout the critical period and also have the greatest lasting interest for moral philosophy. I will focus attention chiefly on what Allison has called the preparatory argument of Section three of *Groundwork*. The basis of Kant's deduction of the moral law is what Allison calls the reciprocity thesis. The reciprocity is a mutual entailment between the following two propositions: For short, we will refer to the reciprocity thesis as *Freedom* (F)  $\leftrightarrow$  *Morality* (M). The reciprocity between F and M is especially emphasized in the *Kritik der praktischen Vernunft*.<sup>25</sup> Where Kant seems to have abandoned the hope of deriving the moral law from the practical postulate of freedom. In the *Grundlegung*, on the other hand, the emphasis is on the inference from freedom of Will as a presupposition of the practical standpoint to the validity of the moral law.

In this respect, the argument as I present it will be closer to the procedure of the *Grundlegung*, since it will attempt to ground the moral law on  $F \rightarrow M$ , and on F as an indispensable presupposition of all rational judgment. I propose a new philosophical formulation to the sense of freedom as *modus agendi*, that she defines a very important reality to the moral situation as a complementary:  $F \equiv M$ . If and so the freedom, than I have the morality as *modus agendi*.<sup>26</sup> Kant distinguishes several senses of freedom. But, transcendental freedom is the capacity of a cause to produce a state spontaneously or from itself (*von selbst*). A transcendently free cause is a first cause, one that can be effective independently of any prior cause. This is distinguished from "practical freedom", which we attribute to ourselves as agents. Kant's metaphysical contention is that the will can be practically free only if it is transcendently free, and transcendental freedom could exist only in a noumenal world, not in the empirical world. Naturally the Freedom is the foundation of Kantian morality, and the Kantian morality requires the Freedom.

25 Cf. I. KANT – *Kritik der praktischen Vernunft*, AK, V, A 28-29.

26 Cf. A. W. WOOD – *Kant's Ethical Thought*, Cambridge, At the University Press, 1999, 172-173.