

# Rethinking Kant

## Volume 7

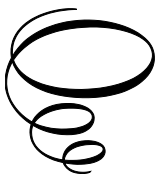


# Rethinking Kant Volume 7

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# AFFECTS, CHOICE, AND KANT'S INCORPORATION THESIS

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This paper focuses on the relation between affects and the Incorporation Thesis in Kant's practical philosophy. The Incorporation Thesis (so labeled by Henry Allison<sup>1</sup>) holds that "freedom of the power of choice has the characteristic, entirely peculiar to it, that it cannot be determined to action through any incentive *except so far as the human being has incorporated it into his maxim* (has made it into a universal rule for himself, according to which he wills to conduct himself)" (RGV 6:23–4). My target in this paper is the following view, which has recently gained prominence in Kant scholarship: according to Kant, when affects lead to action,<sup>2</sup> the relation between one's affect and one's action is one of being caused to act by one's affect in such a way that it leaves no room for choice by the agent.<sup>3</sup>

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<sup>1</sup> In his *Kant's Theory of Freedom* (1990). E.g., p. 40.

<sup>2</sup> Notice that I will not consider or discuss in this paper reason-caused affects. Reason-caused affects (notably but not exclusively enthusiasm) are affects that are caused by ideas of reason and hence grounded in higher faculties. For a discussion of reason-caused affects, see Sorensen ("Kant's Taxonomy of the Emotions"); Clewis (*The Kantian Sublime*).

<sup>3</sup> A proponent of this view is Patrick Frierson. In his early work on affects, Frierson writes that "under the influence of an affect, one does not choose in the ordinary sense. Feeling simply leads directly to action [...] The affect itself takes control." ("Kant on mental disorder. Part 2" 293). In later work, Frierson holds that "as feelings so overwhelming that one cannot properly assess their place in one's overall happiness, affects become *immediate* causes of action." ("Affects and passions" 103). According to Frierson, affects "are not 'intentional' in the *rational* sense; that is, no end has been incorporated into a maxim that provides a motive for the higher faculty of desire. Thus there is no 'choice' in these cases." ("Affects and passions" 106). In his *Kant's Will at the Crossroads*, Jens Timmermann endorses Frierson's view of how affects lead to action. Timmermann writes that "affects take us by surprise; they pre-empt rational deliberation and reflection; we lose our composure and act rashly without choosing to do so (see AP VII 252.3–6)." (*Kant's Will at the Crossroads* 139). Similarly, Martin Sticker writes "I agree with Frierson that [...]"

According to this view, acting from an affect falls outside the scope of the Incorporation Thesis, because: a) to incorporate an incentive into one's maxim requires choosing to do so; and b) acting from an affect does not involve such choice. While I see attributing *a* to Kant as unproblematic, the focus of this paper is to show why Kant should not be interpreted as holding *b*. In this paper, I argue that Kant's text supports an alternative reading of how affects lead to action. On this alternative reading I put forth, affects do not lead to action through bypassing choice entirely.<sup>4</sup> Rather, I claim that affects allow for unreflective choice by the agent. Because acting from an affect still amounts to choosing to act – though unreflectively – I claim that it should be regarded as falling within the scope of the Incorporation Thesis.

Two preliminary considerations are in order. First, Kant indicates that some affects completely prevent us from acting. Fright, surprise and joy sometimes simply paralyze us so that we cannot act. Fright, for instance, is treated by Kant as “suddenly aroused fear that disconcerts the mind” (Anth 7:255) that need not lead to action. Suppose I am paralyzed by fright upon seeing an unfamiliar and menacing face at the window. My fright led to no action, and I will not say that I chose to be affected by my fright, or consider my being paralyzed an action done on a maxim. In this paper, I set aside those cases in which affects lead to no action at all; my focus is on those cases in which affects lead to action, and my main interest is to figure out how those affects lead to action.<sup>5</sup>

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being overwhelmed by affect does not constitute acting on a maxim” (44n). Further, Marijana Vujošević holds a similar view when she writes that affects “preclude reflection and cause us to act involuntarily” (119) and “in an affective state one is incapable of calm reflection – one can neither form maxims nor determine one's choices.” (118). Finally, Jessica Tizzard holds that “Kant [...] distinguishes affects from passions insofar as the former cannot, like the latter, express itself through desires that get incorporated into maxims” (12).

<sup>4</sup> Here, I find myself in agreement with Lara Denis. In her “Kant's Cold Sage and the Sublimity of Apathy”, Denis writes that “despite some of Kant's dramatic language, we should note that affects and passions do not rob us of the ability to choose the maxim on which we act [...] Instead, the urgency and suddenness of emotional agitations make rational, practical reflection more difficult.” (51).

<sup>5</sup> Though, even affects that primarily paralyze rather than stimulate (such as shock or fright; cf. VAnth 25:591–2) can have direct implications – even if only negative – on action. See Frierson, “Affects and passions” 102. Suppose that “one sees a child fall into the water, which one could save, however, through a little assistance, but one is so shocked that one thereby cannot do anything” (VAnth 25:591). Here, one's omission to act amounts to a serious moral failure and should arguably be counted as an action.

Second, Kant's text suggests that some responses to affects are not actions at all. They are more like reflexes. No choice, reason or evaluation need be involved in them. Among others, "*shuddering* that comes over children when they listen at night to their nurses' ghost stories" (Anth 7:263) is like this, and so are "*shivering*, as if one were being doused with cold water", and "*dizziness*" (Anth 7:263). For this kind of cases, the view I am targeting might aptly describe the relation between one's affect and one's reflex: one is caused to have a certain reflex by one's affect in a way that leaves no choice by the agent. However, while this account might be apt for making sense of the affect/*reflex* relation, I argue it is not apt for making sense of how Kant describes the affect/*action* relation.

The paper is divided into two main sections. Section I contains three subsections. In section Ia, I argue that, while it is clear that Kant holds that affects are obstacles for reflection, there are reasons to doubt he holds that affects completely preclude choice. As I will show, Kant's claim that affects are obstacles to reflection does not imply that affects necessitate or cause us to act. In Ib, I argue that the reflection that affects impede amounts to the ability to meet normative standards when deliberating over a course of action. According to my reading, when one acts from affect one chooses to act without properly evaluating whether one should do so or not, and this amounts to choosing to act unreflectively. In Ic, I claim that there are two ways in which affects allow for unreflective choice. The first way is when affects allow for the kind of unreflective choice that is made for some implicit reason. The second way is when affects allow for the kind of unreflective choice that is made for an explicit reason, where this is a bad reason.

Even if one grants my account of affects where the actions they lead to involve a choice by the agent, there is still a question about whether – in choosing to act from an affect in either of the two ways I describe – one's choice would involve incorporating the affect into a maxim. This is because one might question whether, when one acts from an affect in either of the two ways I suggest, one would be acting on a maxim. In section II, I will be arguing that, in fact, one would be. In IIa, I defend the claim that acting from an affect falls within the scope of the Incorporation Thesis by showing (a) how unreflectively choosing to act from an affect, where that choice is made for some explicit bad reason, counts as acting on a maxim; and (b) how unreflectively choosing to act from an affect, where that choice is made for some implicit reason, could still count as acting on a maxim. In IIb, I defend my claim that choosing to act from an affect for some implicit reason amounts to acting on a maxim from some relevant objections.

I conclude that, if I am right that (i) acting from an affect still amounts to choosing to act, and (ii) acting from an affect can count as acting on a maxim, then acting from an affect falls within the scope of the Incorporation Thesis.

## I. Affects and Choice

This section is divided into three subsections. In Ia, I show that Kant's text supports the view that, when affects lead to action, they leave room for choice by the agent. In Ib, I turn to a closer examination of Kant's claim that affects impede reflection. In Ic, I discuss two ways in which affects can lead to action by impeding reflection.

### Ia. No Choice When Acting From Affect?

In the *Anthropology*, Kant describes affects as illnesses of the mind that, like passions, are able to shut out the sovereignty of reason: "To be subject to affects and passions is probably always an illness of the mind, because both affect and passion shut out the sovereignty of reason" (Anth 7:251).<sup>6</sup> From what Kant writes, it is clear that what makes something an affect is that it is a feeling and it impedes reflection. "It is not the intensity of a certain feeling that constitutes the affected state, but the lack of reflection in comparing this feeling with the sum of all feelings (of pleasure or displeasure)" (Anth 7:254). What is less clear, however, is what Kant means by the claim that to be in a state of affect is to lack reflection. Some scholars take the view that affects impeding reflection preclude the possibility of affects allowing for choice. As Patrick Frierson writes,

The way in which affects preclude reflection is to suspend the influence of the power of choice; that is, the higher faculty of desire. For affects with volitional importance (whether through provoking actions or paralyzing one's capacity for action), affects prompt 'actions' through bypassing choice. ("Affects and passions" 103)

Here, Frierson holds that affects suspend the influence of the power of choice, which he equates with the higher faculty of desire. For Frierson, "the

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<sup>6</sup> Notice that Kant's claim here that affects "shut out the sovereignty of reason" cannot amount to the claim that affects prevent one from having the capacity of adopting maxims. This is because in the same passage Kant claims that passions shut out the sovereignty of reason too, and "passion always presupposes a maxim on the part of the subject" (Anth 7:266).



power of choice is precisely a power of the *higher* faculty of volition” (*Kant’s Empirical Psychology* 221). Since for Frierson when one acts from affect one would “‘act’ directly from lower desires” (*Kant’s Empirical Psychology* 63), one would be prompted to action “through merely animal rather than distinctively human forms of volition” (*Kant’s Empirical Psychology* 219). For Frierson, these actions would proceed directly from “stimuli” or “impulse” (*Kant’s Empirical Psychology* 220), and are those for which the Incorporation Thesis does not hold.<sup>7</sup>

In order to evaluate Frierson’s account, we have to fully understand what Kant means by “choice” and “power of choice”. In the *Metaphysics of Morals*, Kant makes clear that the faculty of choice is the faculty of desire insofar as it operates in a context where its activity can bring about its object. He writes that the faculty of desire, “insofar as it is joined with one’s consciousness of the ability to bring about its object by one’s action is called *choice* [*Willkür*]” (MS 6:213). In his *Lectures*, Kant goes on to argue that every act of the faculty of choice – i.e., the faculty of desire – has an impelling cause, and this can be either sensitive or intellectual:

Every act of the faculty of choice has an impelling cause. The impelling causes are either sensitive or intellectual. The sensitive are stimuli <*stimuli*> or motive causes [*Bewegungsursache*], impulses. The intellectuals are motives [*Motive*] or motive grounds [*Bewegungsgrunde*] ... If the impelling causes are representations of satisfaction and dissatisfaction which depend on the manner in which we are [sensibly] affected by objects, then they are stimuli. But if the impelling causes are representations of satisfaction or dissatisfaction which depend on the manner in which we cognize the objects through concepts, through the understanding, then they are motives. (VM 28:254).

The passage makes it clear that we can distinguish between:

- a) Acts of the power of choice which are determined by sensitive impelling causes or “stimuli”. These depend on the manner in which we are

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<sup>7</sup> “Human beings can, sometimes, act purely from instinct or inclination, without incorporating such instincts or inclinations into any principle of the understanding. [Kant’s] language to describe such ‘actions’ fits the lack of true agency implied by their failure to fit Allison’s account of incorporation. He refers to them as actions proceeding from ‘stimuli’ or ‘impulse’. Most actions, even those that are not guided by morality, are free in the sense that they are associated with the higher faculty of desire, where one acts on principles or maxims, even if these maxims take the satisfaction of inclination as their end. But one can also ‘act’ directly from lower desires.” (Frierson, *Kant’s empirical psychology* 63n).

sensibly affected by objects and stem from the *sensitive* power of choice (VM 28:255) – i.e., the *lower* faculty of desire.

- b) Acts of the power of choice which are determined by intellectual impelling causes or “motives grounds”. These depend on the manner in which we cognize the object through the understanding and stem from the *intellectual* power of choice (VM 28:255) – i.e., the *higher* faculty of desire.

So far, the passage seems to be compatible with Frierson's distinction between actions that proceed directly from “stimuli” – i.e., lower desires – and actions that stem from motive grounds – i.e., higher desires.<sup>8</sup> However, the next sentence in the text rules out that affects are feelings capable of causing the agent to act by bypassing choice entirely. Indeed, here Kant holds that, when it comes to rational animals like human beings, the “stimuli” are causes that do not have necessitating power, but only impelling power. For non-rational animals, instead, these “stimuli” are causes that have necessitating power:

Stimuli <*stimuli*> are causes which impel the power of choice so far as the object affects our senses. This driving power of the power of choice can either necessitate, or by itself it can also only impel. Stimuli <*stimuli*> thus have either necessitating power <*vim necessitantem*> or impelling power <*vim impellentem*>. With all non-rational animals the stimuli <*stimuli*> have necessitating power <*vim necessitantem*>, but with human beings the stimuli <*stimuli*> do not have necessitating power <*vim necessitantem*>, but rather only impelling <*impellentem*>. (VM 28:255)

Kant concludes that, while the sensitive power of choice can either be brute or free, the human sensitive power of choice is free (so far as it is defined psychologically or practically<sup>9</sup>):

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<sup>8</sup> Frierson quotes this passage when arguing that “stimuli” or “impulse” cause action without the agent having any capacity for choice, while motive grounds motivate action through the agent's adoption of a maxim. Though, notice that the passage does not establish on its own that actions proceeding from “stimuli” are those for which the Incorporation Thesis does not hold and actions proceeding from “motive grounds” are those for which the Incorporation Thesis hold. Indeed, the next sentence after this passage makes it clear that this interpretation should be ruled out.

<sup>9</sup> Practical or psychological freedom is “the independence of the power of choice from the necessitation of stimuli <*stimulorum*>” (VM 28:267). Kant adds that “that power of choice <*arbitrium*> which is not necessitated or impelled at all by any stimuli <*stimulos*>, but rather is determined by motives, by motive grounds of the understanding, is the intellectual or transcendental power of free choice.” (VM 28:255).

[T]he human power of choice <*arbitrium humanum*> is not brute <*brutum*>, but rather free <*liberum*>. This is the power of free choice <*arbitrium liberum*>, so far as it is defined psychologically or practically. [...] The sensitive power of choice <*arbitrium sensitivum*> can indeed be free <*liberum*>, but not the brute one <*brutum*>. The sensitive power of [free] choice <*arbitrium sensitivum liberum*> is only affected or impelled by the stimuli <*stimuli*>, but the brute one <*brutum*> is necessitated. A human being thus has a power of free choice; and everything that arises from his power of choice arises from a power of *free* choice. (VM 28:255)

As Kant holds, everything that arises from a human being's power of choice – i.e., from a human being's faculty of desire – be it sensitive or intellectual, arises from a power of free choice: “The human power of choice <*arbitrium humanum*> is free <*liberum*>, be it sensitive <*sensitivum*> or intellectual <*intellectuale*>” (VM 28:255). So, human beings can be affected by all kinds of stimuli, but these stimuli do not necessitate their will:

All kinds of torment cannot compel his power of free choice; he can endure them all and still rest on his will [...] A human being thus feels a faculty in himself for not allowing himself to be compelled to do something by anything in the world. Often because of other grounds this is difficult; but it is still possible, he still has the power for it. (VM 28:255)

The meaning of the overall passage is clear: while human beings' acts of the power of choice can either stem from the sensitive or intellectual power of choice – i.e., either from the lower or the higher faculty of desire – all these acts of the power of choice always presuppose the agent's capacity to refrain from being compelled to action, even though the extent according to which one is successful in exercising this capacity may vary.

The upshot of this line of reasoning is that affects cannot preclude the capacity of free choice simply in light of their status of being feelings that stem from “stimuli” or “impulse” – i.e., from the sensitive power of choice or lower faculty of desire.<sup>10</sup> Affects may work in such a way that it would

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<sup>10</sup> In the *Metaphysics of Morals*, Kant makes it clear that maxims stem from the faculty or power of choice (*Willkür*) (MS 6:226). This is because, as Allison explains, “*Willkür* is the faculty or the power of choice, and choice, for Kant, involves not merely particular actions but also maxims” (130). Since Kant claims that maxims stem from the faculty of choice and does not specify that maxims stem from the intellectual power of choice alone, there is no reason to hold that maxims cannot stem from the sensitive power of choice. Indeed, in the *Second Critique* Kant clearly states that “all material practical rules put the determining ground of the will in the lower faculty of desire, and were there no merely formal laws of the will

be difficult for someone subject to an affect to resist its influence; however, the possibility to resist acting from that affect is always open to the agent. So, Frierson's claim that affects lack the "reflection required to be 'capable of doing otherwise' in any meaningful sense" (*Kant's Empirical Psychology* 221) seems wrong: when one is subject to an affect, one would have the capacity to refrain from acting in the way that the affect urges one to act. There is no question that refraining to act in the way one's affect urges one to act would be challenging, but Kant is clearly telling us that it is always possible. Arguably, the extent according to which one would be successful in doing so would be a matter of virtue.<sup>11</sup>

Now, the passage in the *Lectures on Metaphysics* entails a difficulty for my reading of affects. This is because Kant holds that "only in some cases does [the human being] have no power of free choice, e.g., in most tender childhood, or when he is insane, and in deep sadness, which is however also a kind of insanity" (VM 28:255). From this sentence, it seems that human beings always have the capacity for not being necessitated to action, but for few exceptions: when they are in "most tender" childhood, in cases of insanity, or in deep sadness. Setting aside the first case, insanity and deep sadness might sound close enough to something like affect, especially given Kant's characterization of affect as "illness of the mind" (Anth 7:251).

Is Kant in this passage claiming that when one is subject to an affect one has no power of free choice? The answer is no. For Kant, insanity is not an affect (i.e., a disorder of the faculty of feeling), but a "methodical" kind of derangement of the power of judgment listed among the disorders of the faculty of cognition. In insanity, "the mind is held in suspense by means of analogies that are confused with concepts of similar things, and thus the power of imagination, in a play resembling understanding, conjures up the connection of disparate things as universal, under which the representations of the universal are contained" (Anth 7:215).

What about deep sadness? While Kant holds that this is a kind of insanity, deep sadness sounds close enough to Kant's characterization of despair as "exhaustion of patience in suffering as a result of sadness" (Anth 7:258). But what makes me think that Kant is not talking about an affect when he talks about "deep sadness" is the following passage:

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sufficient to determine it, then neither could any higher faculty of desire be admitted" (KpV 5:22). Again, the upshot is clear: affects cannot preclude the capacity to adopt maxims of action simply in light of their status of being feelings that stem from the sensitive power of choice.

<sup>11</sup> Kant writes that "[r]eally learned people, and philosophers, can keep a tight rein on their affects, ... they weigh everything that they take as objectum of their considerations cold-bloodedly, that is, with calm mind" (VL 24:163).

In the case of a woman who killed a child out of despair because she had been sentenced to the penitentiary, such judge declared her insane and therefore exempt from the death penalty [...] Now this woman adopted the principle that confinement in the penitentiary is an indelible disgrace, worse than death (which is quite false), and came to the conclusion, by inference from it, that she deserved death. – As a result she was insane and, as such, exempted from the death penalty. – On the basis of this argument it might be easily possible to declare all criminals insane, people whom we should pity and cure, but not punish. (Anth 7:214n)

Here, Kant is describing a woman acting from the affect of despair and is claiming that the judge's sentencing of this woman as insane is clearly inappropriate. Indeed, Kant seems to argue that, if we were to declare insane those committing these kinds of actions – i.e., actions done from affects – and exempt them from punishment – as would be appropriate in cases of insanity – then we might as well declare all criminals insane and exempt them from punishment – a scenario Kant is clearly criticizing. So, at least in this passage Kant rejects taking despair to be the same as insanity or the same as a kind of insanity.

Let me conclude this section by arguing that, given Kant's characterization in his *Lectures on Metaphysics* of the human power of choice as free (be it sensitive or intellectual), affects do not necessitate or cause the agent to act. This means that, as human beings, we are never compelled to act in a certain way just because we have an affect – be it rage, fright, despair, or else – that urges us so to act. Part of our freedom as human rational beings is the ability to say “No” to any stimuli – including affects – that we have. So, when one is subject to an affect one can always exercise one's capacity for choice and, for instance, refrain to act in the way one's affect urges one to act.

This is consistent with Kant's discussion of affects. Indeed, Kant often discusses acting from an affect as something the agent does while exercising her capacity for choice. Take for instance Kant's discussion of courage as an affect (Anth 7:257). Kant discusses “whether suicide also presupposes courage”. He writes:

If it is committed merely in order not to outlive one's honor, therefore out anger, then it appears to be courage; however, if it is due to exhaustion of patience in suffering as a result of sadness, which slowly exhausts all patience, then it is an act of despair [...] The manner of execution of the suicide allows this distinction of mental state to be recognized. If the chosen means are sudden and fatal [...] then we cannot contest the courage of the person who has committed suicide. However, if the chosen means are rope that can be cut by others, or an ordinary poison that can be removed [...] then it is cowardly despair from weakness. (Anth 7:258–9)

Here, Kant writes that, if one chooses sudden and fatal means when willing to commit suicide, then we can infer one is acting from the affect of courage. If one instead chooses means that are not so effective to bring about one's suicide, then we can infer one is acting from another affect, cowardly despair. It is striking that Kant is discussing two affects in the passage, and attributes to the agent acting from them the capacity to choose the means to achieve a certain end they are willing. Kant is attributing to one acting from affect the capacity to act on maxims regulated by hypothetical imperatives. Thus, the passage makes it clear that Kant is not treating these affects as brute forces that necessitate or cause the agent to act; rather, being subject to them leaves open the possibility that the agent regulates her behavior according to rules.<sup>12</sup>

In the *Third Critique*, we can find another passage in which Kant discusses acting from an affect as something the agent does while exercising her capacity for choice. Here, Kant writes that

Every affect is blind, either in the choice of its end, or, even if this is given by reason, in its implementation; for it is that movement of the mind that makes it incapable of engaging in free consideration of principles, in order to determine itself in accordance with them (KU 5:272)

We can see that Kant talks explicitly about the capacity for choice when in a state of affect. He tells us that the blindness of affects pertains either to which ends one chooses, or how one implements the ends one has chosen. Moreover, the passage states that all affects entail choice, where this choice can be blind as in regard to its end or to the means for achieving the end. It is also important to notice that the passage says that affects make one incapable to engage in free *consideration* of principles of action, rather than in choice of principle of action. So, I would argue that Kant's text shows that affects work by restricting the considerations on which one chooses one's principle of action. That is, affects work by limiting the agent's ability to clearly see which considerations count in favor of (or against) a certain action.

In order to fully grasp how exactly affects limit the agent's ability to clearly see which considerations count in favor of (or against) a certain action, we need to figure out what Kant's claim that affects impede

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<sup>12</sup> The same can be said in the case of "a woman who killed a child out of despair" (Anth 7:214n). Kant tells us that this woman adopted a principle and came to the conclusion that a certain action was required by adopting such a principle. Again, here Kant is far from discussing affects as brute forces that cause or necessitate us to act in a certain way. Rather, he describes an agent subject to an affect who regulates her behavior according to a rule.

reflection amounts to. More specifically, we have to figure out what Kant has in mind with “reflection”, what it means that affects are obstacles to it, and which implication this has for how one can exercise one’s power of choice when in a state of affect. This is the task of the next section.

### **Ib. How Do Affects Impede Reflection?**

I turn now to a closer examination of Kant’s claim that affects impede reflection (*Überlegung*). Kant tells us that what constitutes being in a state of affect is that one lacks reflection in comparing this one affect with the sum of all other feelings of pleasure and displeasure one has: “It is not the intensity of a certain feeling that constitutes the affected state, but the lack of reflection in comparing this feeling with the sum of all feelings (of pleasure or displeasure)” (Anth 7:254). Kant’s discussion of affects in the *Anthropology* provides us with further elements for understanding what it means that being in a state of affect is to lack the comparison between this one affect and the sum of all other feelings of pleasure and displeasure one has. Kant writes that “the feeling of pleasure or displeasure in the subject’s present state that does not let him rise to reflection (the representation by means of reason as to whether he should give himself up to it or refuse it) is affect.” (Anth 7:251). Here, Kant holds that affect is feeling that does not let one rise to reflection. By reflection, he means the representation by means of reason as to whether one should give oneself up to one’s feeling or refuse it. This tells us the following: that one who is subject to an affect is impeded in the comparison between this one affect and the sum of all other feelings one has. Affects prevent one from properly answering the question “Should I give myself up to this affect? Or should I refuse to act from it?”. Thus, comparing this one affect with the sum of all other feelings one has is relevant for answering the normative question about whether one should give oneself up to one’s affect or refuse to act from it.

Kant provides the following example to illustrate this point:

The rich person, whose servant clumsily breaks a beautiful and rare crystal goblet while carrying it around, would think nothing of this accident if, at the same moment, he were to compare this loss of one pleasure with the multitude of all the pleasures that his fortunate position as a rich man offers him. However, if he now gives himself over completely to this one feeling of pain (without quickly making that calculation in thought), then it is no wonder that, as a result, he feels as if his entire happiness were lost. (Anth 7:254)

There are a few things to notice here. First, Kant describes a rich man who gives himself over completely to his feeling of pain when his servant

breaks a beautiful and rare goblet. That this man *gives himself* over to his feeling of pain, rather than being overwhelmed by this feeling, tells us that affects do not work through a complete lack of choice.<sup>13</sup> Second, Kant tells us that this rich man would probably think nothing of this accident, were he to compare the loss of this one pleasure with the multitude of all the pleasures that his fortunate position as a rich man offers him. The comparison at stake is a “quick calculation”, presumably of quantities of feeling in a pain-pleasure scale. Since Kant tells us that as a result of not making this calculation the rich man feels as if his entire happiness were lost, we can infer that what is at stake in making this calculation is his ability to properly evaluate whether he should give himself over to his feeling in light of his overall happiness.

That the rich man fails to properly compare this affect to the sum of all other feelings he has, I would argue, means that he fails to properly evaluate whether he should give himself up to his affect or refuse to act from it in light of his overall happiness.<sup>14</sup> Say he gives himself up to his affect and yells at his servant in anger, then goes to his room – neglecting other more important business – to weep over the loss of his goblet. By failing to compare his affect with the sum of all his other feelings, the rich man would be impeded in properly answering the question “How should this one feeling of pain influence my action in light of my overall happiness?”. If he were to properly compare his affect to the sum of all of his other feelings, then he would be able to properly evaluate that he should not have allowed his affect to influence his action as it did, i.e., he should not have given himself up to his affect.

I have argued that for Kant affects impede reflection by impeding one who is subject to an affect to properly evaluate whether one should give

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<sup>13</sup> Commentators of this passage have been too quick in dismissing this point. Melissa Merritt, for instance, writes that “Kant already says too much when he claims that his unreflective rich man ‘gives himself over completely to this one feeling of pain’ (Anth 7:254). For [...] affect [...] should not leave the rich man the resources to *give himself* over in one way or another at all: rather, it must be that he *so finds himself*.” (20). If there is an interpretation of the passage that avoids attributing an inconsistency to Kant, though, then we should prefer it.

<sup>14</sup> It is important to notice that, according to Kant, passions work in a similar way when it comes to impeding reflection. Indeed, Kant claims that passions preclude one from properly comparing this one passion to all of one's other inclinations when evaluating how it should influence one's choice in light of one's overall happiness. “Inclination that prevents reason from comparing it with the sum of all inclinations in respect to a certain choice is passion” (Anth 7:265), where the idea “that all inclinations unite in one sum” (GMS 4:399, cf. “the sum of all inclinations”, GMS 4:394) is happiness.



himself up to this affect – and allow it to influence one’s actions – or refuse it. Affects impede reflection in this way by impeding the agent in properly making the comparison on which one could ground one’s evaluation. From what Kant writes, then, the reflection that affects impede amounts to the ability to meet normative standards when deliberating over a course of action.<sup>15</sup>

To sum up: Kant’s claim that affects impede reflection does not imply that, when one is in a state of affect, one is caused to act by one’s affect in such a way that no room for choice is left by the agent, for Kant holds that no stimuli can necessitate a human being to act – not even affects. However, affects are capable of influencing our choices of action because they work by urging us to act without carefully and due-diligently evaluating our choices of action. When affects lead us to act, then, they get in the way of making a choice of action that a thoughtful agent would consider adequate.

Let me conclude this section by arguing that, when Kant writes that “in affect, the person cannot carry out a rational choice” (VAnth 25:212), we should take Kant to mean the following: when one is subject to an affect and chooses to act in a certain way, affects get in the way of meeting some normative standards of rationality, where these standards could be either prudential, or moral. What the text establishes is that one in a state of affect cannot carry out either a morally sound choice or a prudentially sound choice. But while the agent in a state of affect cannot make a sound choice, it is clear that she could still be able to make a choice that is neither morally nor prudentially sound.

### **Ic. Affects and Unreflective Choice: Two Ways in which One Can Choose to Act Unreflectively from Affect.**

So far, I have argued that, when affects lead to action, they do so by allowing for choice. Affects allow for choice while impeding one’s ability to make either a morally or prudentially sound choice when in a state of affect. For Kant’s claim that affects impede reflection amounts to the claim that affects impede proper reflective evaluation when in a state of affect.

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<sup>15</sup> This characterization of reflection (*Überlegung*) as the ability to meet normative standards when deliberating fits well with Kant’s definition of *Überlegung*. Kant writes: “*Überlegung heisst: etwas mit den Gesetzen des Verstandes und der Vernunft vergleichen*” (Refl. 2519, 16:403). Here, Kant holds that reflection would amount to the comparison of something (e.g., a proposed course of action) with the laws of the understanding and reason. In the context of practical deliberation, comparing a proposed course of action with the laws of understanding and reason amounts to engaging in evaluative deliberation.

The task of this section is to show that there are two possible ways in which one can choose to act unreflectively when in a state of affect. I will argue that, when one chooses to act unreflectively from affect, one can make such a choice on the basis of some explicit bad reason, or on the basis of some implicit reason.

We have seen that, when Kant writes that “it is not the intensity of a certain feeling that constitutes the affected state, but the lack of reflection in comparing this feeling with the sum of all feelings (of pleasure and displeasure)” (Anth 7:254), Kant understands reflection in terms of comparison: one fails to compare one's affect with the sum of all other feelings one has in light of a normative standard. Notice that the passage leaves open two possible ways in which one can fail to compare one's affect with the sum of one's feelings, thus failing to meet some normative standards: 1) one fails in such a comparison because one does not engage in any explicit comparison in the first place; or 2) one fails in such a comparison because, while engaging in an explicit comparison, one does not make a sound comparison.

I would claim that, when one does not engage in any explicit comparison in the first place (1), one would choose to act from one's affect without figuring out an explicit reason for doing so. Choosing to act from an affect for no explicit reason at all is failing to engage in any explicit comparison in the first place: one would not explicitly evaluate the reasons in favor or against acting from that affect, simply because one would not take anything to be an explicit reason at all. I would claim that, when one does not make a sound comparison (2), one would unreflectively choose to act from one's affect without engaging in the proper comparison of the explicit reasons one would take to be for and against going with that affect.

I am suggesting that affects limit the agent's ability to comply with normative standards in her choice of action in either of two distinct ways: either the agent chooses to act unreflectively for some explicit (bad) reason, without considering other (better) reasons, or the agent chooses to act unreflectively for some implicit reason. I will now discuss these two ways in which affects can lead to action in more detail.

Let us focus on the first way in which affects can lead to action. This is when one chooses to act from an affect for some explicit bad reason. Kant suggests that affect can preclude the sound evaluation of one's explicit reason for acting in his goblet example. In the goblet example, Kant holds that affect impedes the rich man's reflection in the sense that it impedes the sound comparison of the reasons he explicitly takes to give himself over to his affect with the reasons against doing so. Were he to soundly compare such reasons, he should realize that they are *bad* reasons. Granted, it is

somewhat odd that Kant indicates that the relevant question – “How does this one feeling of pain influence my overall happiness?” – should be answered by the rich man in light of taking into account “the multitude of all the pleasure that his fortunate position as a rich man offers him”. For, something like this would be also apt (if not more apt, and probably less odd): “My servant works so hard and generally does a really good job, and anyone can break something...I really should not have acted as I did”. But my point is that, in evaluating how one’s affect influences one’s overall happiness, the rich men’s reflective failure consists in his not taking in considerations the reasons against going with his affect and the proper normative weight that such reasons should be given. When affects impede reflection in this way, one would unreflectively choose to act for bad reasons.

Let us now focus on the second way in which affects can lead to action. This is when one chooses to act from an affect for some implicit reason. With this, I have in mind the following kind of agency: Take the affect of furious rage and the situation in which, acting from this affect, one thinks “I am so angry” and flings a book at you. Flinging the book at you, one did not take one’s anger to be a reason for acting; one’s thought process has not been, e.g., “I will fling a book at you, because I didn’t like what you said”. One simply decided to go with the furious, impetuous rage one was feeling, without reflecting on that feeling so as to take it to be an explicit reason for acting. It is rather fitting in this situation to say that one acted for no explicit reason at all: from one’s perspective, one did not engage in any practical reasoning in which one figured out a consideration that counted in favor of flinging the book; one just felt like doing it – one had this strong, quick feeling for doing it.

In this case, rage worked by impeding one to explicitly articulate any reason one could have had. Upon reflection, when rage subsides, one might be able to articulate that one did what one did because of an explicit reason (e.g., that you made a disrespectful remark); but in the moment of action, one chose to act without explicitly articulating the reasons one could have taken in favor of acting. Thus, some reconstruction of one’s reasoning would accurately or fairly represent what may have been only implicit in the agent’s consideration. Indeed, when acting from affect in this way one would be acting for some implicit reason. These would be reasons one did not articulate such that they explicitly figured in one’s practical reasoning.

To sum up: I have argued that affects limit the agent’s ability to comply with normative standards in her choice of action in either of two distinct ways: either the agent chooses to act unreflectively for some explicit bad reason, without considering other better reasons, or the agent chooses to act

unreflectively for some implicit reason she hasn't fully articulated.

## II. Choosing to Act from an Affect as Acting on a Maxim

This section is divided into two subsections. In IIa, I argue that when one chooses to act from an affect in either of the two ways I have suggested (i.e., either for implicit reasons, or for bad reasons), one would be acting on a maxim. In IIb, I defend my claim that choosing to act from an affect for implicit reasons amounts to acting on a maxim from three relevant objections.

### IIa. Unreflective Choice and Maxims

So far, I have argued that affects allow for unreflective choice by the agent, where such an unreflective choice can be carried out either for some implicit reason, or for some explicit bad reason. As I will claim, if affects allow for unreflective choice by the agent, then we need not think that acting from an affect falls outside the scope of the Incorporation Thesis. To fully defend my suggestion, I must show that choosing to act from an affect amounts to acting on a maxim.

It is easy to see how choosing to act from an affect for some bad reason falls within the scope of the Incorporation Thesis: choosing to act from an affect for some explicit reason, even though this would be a bad reason one has not properly assessed, is certainly compatible with acting on a maxim. One would adopt a (bad) maxim on the basis of one's (bad) reasons for acting. In the scenario in which one flings a book at somebody because they answered disrespectfully, for instance, we could imagine that one's (bad) maxim was "When you feel disrespected, allow yourself to respond in a fierce way".

It is less clear how choosing to act from an affect for some implicit reason could count as acting on a maxim. Can choosing to act from an affect for some implicit reason count as acting upon the adoption of a maxim? It can, I would argue, if a) we take seriously Kant's claim that we always act on maxims; and b) if we consider that Kant did not mean a single thing with "maxim", instead employing this term for a variety of purposes.

That we act on maxims every time we act on an incentive is clearly expressed by the Incorporation Thesis: whenever one acts on an incentive<sup>16</sup>,

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<sup>16</sup> Kant defines "incentive" as follows: "by *incentive* (*elater animi*) is understood the subjective determining ground of the will of a being whose reason does not by its nature necessarily conform with the objective law" (KpV 5:72).

one “incorporates” it into a maxim. And, for Kant, we *always* act on incentives: “Should I desire neither according to understanding nor to sensibility, then I would want that which displeases me, I would act without incentive and cause, and that is impossible” (VM 29:900). So, since agents always act on incentives, and whenever they act on incentives, they incorporate them into maxims, agents always act on maxims. Kant’s claim that we always act on maxims should not be taken as the same as the claim that we always act on some explicit reason, though; indeed, we sometimes act for no explicit reason at all. My point is that Kant’s claim that we always act on maxims leaves open the possibility that maxim-governed action need not be action governed by explicit reasons.

Moreover, recent work in Kant scholarship has shown that Kant did not mean a single thing with “maxim” and rather used the term in different ways for several purposes. Jens Timmermann indicates that Kant employs the term “maxim” in three different senses. First, there is what Timmermann calls a maxim in the “thin” sense. Thin maxims are, as Timmermann writes, “the specific first-order principle of volition and consequently action, variously described in the *Groundwork* as ‘the subjective principle of willing’ (IV:400), ‘the subjective principle of action’, or ‘the principle on which a person acts’ (IV:420 n).” (“Kant’s Puzzling Ethics of Maxims” 40). Maxims of this sort, importantly, lack normativity and are not prescriptive principles: they can only be descriptive of the agent’s intentions. Thin maxims describe what one intends to do rather than prescribe courses of action.

Second, there is what Timmermann calls a “higher-order” maxim. A higher-order maxim is a “higher-order subjective principle of volition and action, the principle on which maxims of the first kind are chosen.” (“Kant’s Puzzling Ethics of Maxims” 40). A maxim of this type is still, at a higher level, expressive of one’s actual will; however, according to Timmermann higher-order maxims have the role of influencing the choice of first-order maxims on which we directly act.

Finally, there is what Timmermann calls a maxim in the “thick” sense. A thick maxim is a “higher-order subjective principle that is particularly characteristic or vigorous.” (“Kant’s Puzzling Ethics of Maxims” 41). According to Timmermann, this is a “principle” of action in a more elevated sense of the word, a kind of “life rule”. The maxim referred to in the example of the deposit that Kant describes in the *Second Critique*: “I have made it my maxim to increase my wealth by all secure means” (KpV 5:27), which seems to rest on some kind of resolution, would fit in this category.

Here, I will not be concerned with defending Timmermann’s taxonomy of maxims, which has been generally accepted by Kant scholars and has not

been seriously challenged.<sup>17</sup> My aim is simply to suggest that acting from an affect for implicit reasons fits within that taxonomy. While not all thin maxims must be maxims adopted upon one's choice to act from an affect, I am claiming that choosing to act from an affect for some implicit reason should be regarded as acting on a thin maxim. By arguing that acting from an affect for some implicit reason amounts to acting on a thin maxim, I am claiming that such a maxim would entail an intention grounded on some implicit reason, rather than an intention grounded on some explicit reason (e.g., "I will fling a book at you because you were disrespectful").

### **IIb. Defending the Claim that Acting from an Affect for Implicit Reasons Amounts to Acting on a Maxim**

Some Kant scholars might worry that Kant's text does not clearly establish that acting from an affect for some implicit reason amounts to acting on a maxim. In this section, I consider three important objections to this claim. If successful, these objections would show that Kant's account of maxims rules out that one can adopt a maxim for some implicit reason. They are the following: (1) maxims are always grounded on the agent's interest, and the agent's interest is the explicit reason she takes for adopting her maxim; therefore, maxims are always grounded on some explicit reason; (2) maxims must have a degree of generality and to have such a degree of generality maxims must entail some explicit reason for acting; therefore, maxims must be grounded on explicit reasons; (3) all maxims entail an end and for one to adopt a maxim is to treat one's end as an explicit reason for acting; therefore, all maxims must entail explicit reasons. In replying to these objections, I aim to show that Kant's account of maxims can entail maxims that are adopted by the agent for some implicit reason.

Let us start with the first objection. According to this objection, when an agent adopts a maxim, she does so on the basis of her underlying interest, where such an interest provides the agent with a reason for acting. This is Allison's view. Allison writes that "every maxim reflects an underlying interest of the agent, which provides the reason for adopting the maxim. Consequently, a reference to this interest is implicit in every maxim, constituting, as it were, part of its 'deep structure'" (90). If, as Allison holds, every maxim is grounded on an interest of the agent and such an interest provides the agent with a reason for acting, then every maxim adopted by an agent entails a reason for acting. That this reason must be explicit in the

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<sup>17</sup> See, for instance, O'Neill ("Autonomy"); Sensen ("Kant on Human Dignity"); Kahn ("Obligatory Actions, Obligatory Maxims").

agent's practical reasoning seems to be implied by the following remark. For Allison, "a minimally rational agent is one who forms interests on the basis of some kind of reflective evaluation of inclination and adopts policies on the basis of these interests. Such policies are termed maxims" (89). Importantly, Allison claims that to adopt maxims on the basis of some reflective evaluation of one's incentive, i.e., on the basis of some considered, explicit reasons, is what it takes to be a minimally rational agent. If true, this position would rule out that, when one acts from an affect for some implicit reason, one could act on a maxim.

In order to evaluate Allison's claim, we need to keep in mind that Kant emphasizes and explains the relation between maxim and interest in the *Critique of Practical Reason*, where he writes that the concept of a maxim rests on that of an interest:

From the concept of an incentive arises that of an interest, which can never be attributed to any being unless it has reason and which signifies an incentive of the will insofar as it is represented by reason ... On the concept of an interest is based that of a maxim. (KpV 5:79).

Here, Kant writes that the concept of interest is grounded on the concept of an incentive. How does the concept of incentive ground the concept of interest? An interest, Kant writes, consists in that incentive insofar as it is represented by reason. But Kant does not make any claim about which kind of representation is at stake when an incentive is represented by reason to form an interest. There is no suggestion that the representation at stake need involve a reflective evaluation of one's incentive. So far as this piece of textual evidence goes, when an agent's incentive is represented by reason to form an interest, the representation at stake could amount to a representation which does not entail any reflection or evaluation. If this is correct, there could be maxims that do not entail considerations based on the agent's reflective evaluation of her incentives, that is, there could be maxims that do not entail explicit reasons.

In the Introduction of the *Metaphysics of Morals*, Kant provides us with some more elements for understanding how an agent having an interest represents to herself an incentive. Here, Kant describes "interest" as a "connection of pleasure with the faculty of desire that the understanding judges to hold as a general rule (though only for the subject)." (MS 6:212). Here, Kant writes that interest is a connection of pleasure with the faculty of desire; this connection, Kant adds, is judged by the understanding to hold as a general rule. If we combine what Kant writes in the *Second Critique* with what Kant writes here, it seems that an interest is an incentive represented by reason, that is, it involves a representation of the connection

between pleasure and the faculty of desire. That the agent judges this connection to hold as a general rule seems promising for the claim that taking an interest would need to imply some form of reflective evaluation of one's incentive. One would need to reflectively evaluate the connection between pleasure and the faculty of desire, and judge it to hold as a general rule.

But this is not what the passage must imply. In fact, a few lines later in the Introduction of the *Metaphysics of Morals*, Kant goes on to identify an "interest of inclination" with pleasure itself, and not, as he initially suggested, with the combination of pleasure with the faculty of desire which is judged by the understanding to hold as a general rule.<sup>18</sup> He writes "so if a pleasure necessarily precedes the desire, the practical pleasure must be called an interest of inclination." (MS 6:212). Engstrom explains Kant's passage in the following way: in the case of a sensuous desire, when one can notice by means of her understanding a connection between one's experience of pleasure for an object and the desire for it, the pleasure must itself be represented through a concept and the pleasure will count as an interest.<sup>19</sup> My point is that the representation at stake in such a process need

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<sup>18</sup> Kant's discussion of the notion of "interest of inclination" must be distinguished from his discussion of the notion of "interest of reason". In the *Metaphysics of Morals*, Kant introduces the notion of interest of reason in contrast with the notion of interest of inclination: "But if a pleasure can only follow upon an antecedent determination of the faculty of desire it is an intellectual pleasure, and the interest in the object must be called an interest of reason; for if the interest were based on the senses and not on pure rational principles alone, sensation would then have to have pleasure connected with it and in this way be able to determine the faculty of desire." (MS 6:212-213). Moreover, Kant indicates that these two notions of interest cannot be treated as the same, since "where a merely pure interest of reason must be assumed no interest of inclination can be substituted for it." (MS 6:213). The important thing to notice about Kant's characterization of an interest of inclination is that it is the sensible feeling of pleasure towards an object that is responsible for the subject being interested in it and desiring to bring it about. The same does happen in the case of an interest of reason. Indeed, Kant tells us that an interest of reason is based on pure practical principles alone. Thus, no sensible feeling of pleasure could be responsible for the subject being interested in an object or state of affairs. Notice that my discussion in this section of the paper is limited to the notion of interest of inclination.

<sup>19</sup> "Once an inclination is in place, as one term in a stable, homeostatic connection between the pleasing experience of some object and the faculty of desire, an animal may, if it has understanding, notice this general connection and represent it conceptually, through a rule, in which, on account of the rule's generality, the pleasure must itself be represented through a *concept* of the object the representation



not imply reflective evaluation of one's incentive, but it might just amount to a representation of pleasure through a concept. Such a representation would require awareness, but need not require reflection or evaluation. So far as this piece of textual evidence goes, the possibility that a maxim might be grounded on an interest which does not entail some kind of reflective evaluation is open. If this is correct, then adopting a maxim need not entail adopting some explicit reasons for acting.

I will now consider another objection to my claim that, when one acts from an affect for some implicit reason, one acts on a maxim. The objection goes as follows: Maxims are supposed to determine how we act on the basis of a practical rule, and the form of a practical rule is supposed to be "When in S-type situation, perform A-type actions" (Allison 90); it is in light of having such a form that maxims are regarded as principles having some degree of generality. But this is not the form of "I will fling a book at you". According to this criticism, the latter could not be regarded as a maxim because it does not have any degree of generality. Nonetheless, a maxim of this sort might still be regarded as a principle of action entailing some degree of generality in at least two important ways: (a) it could have a future orienting role such that, when I adopt "I will fling a book at you", I am setting up a rule for myself on the basis of which I can orient my future practical thinking when it comes to the kind of feeling and action my maxim is about; and (b) it could be considered a maxim that, upon the agent's reflection, has the potential to become a maxim entailing an explicit reason for acting.

As to *a*, this is what I have in mind more specifically. When one adopts "I will fling a book at you", this maxim might have a future-orienting role in the sense that one can make it a habit to express rage by flinging a book at you. When it comes to this kind of affect my behavior can be guided by the habitual adoption of that thin maxim. My account, then, is not threatened by what Korsgaard has called "the argument against particularistic willing" (Korsgaard 72). Particularistic willing "would be a matter of willing a maxim for exactly this occasion without taking it to have any other implications of any kind for any other occasion." (Korsgaard 75). According to Korsgaard, this kind of willing is impossible for Kant since on Kant's account of rational agency we form specific intentions in the light of maxims that, however specific they are, are taken to be general policies for dealing with the specifics described in the maxims.<sup>20</sup> I would claim that

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of whose existence it accompanies: in such a case, the pleasure will count as an interest." (Engstrom 41)

<sup>20</sup> See Korsgaard (*Self-constitution* 75).

adopting a thin maxim of the sort I have described from affect does not amount to particularistic willing. This is because the future-orienting role of a thin maxim grounded on affect would entail a degree of generality such that this maxim will guide my future behavior when it comes to practical situations in which the specifics described in the maxim apply.

As to *b*, that the agent can reflect on her affect on a second moment, evaluating it in relation to the sum of her other feelings, when the impetuosity and rash of such an affect is gone, is clearly suggested by Kant when he writes that the reflection that affects impede is reflection *on the spot*, as in the goblet example. Similarly, upon reflection one might come up with an explicit reason why one flung a book at you even though such a reason did not figure explicitly in one's thinking process. Suppose one steps back and reminds oneself of one's commitment to treat people fairly. After reflecting, one may say "It is so bad you did what you did. How dare you!", or "I do not usually get so infuriated. The fact that I am now is a good indication that you did something wrong". These are considerations that one might explicitly take to count in favor of acting. Importantly, these reasons did not figure in one's practical thinking – they were implicit in one's practical thinking – but they can be made explicit upon reflection for justifying why one acted as one did.

Notice that my characterization of maxims that do not entail an explicit reason for acting fits Allison's account of maxims as hierarchically arranged principles. According to Allison, Kant's claim in the *Religion* that the ground for the adoption of a maxim must be sought always again in a maxim (RGV 6:21n) means that "one might think of maxims [...] as arranged hierarchically, with the more general embedded in the more specific, like genera in species." (93). Thin maxims of the kind I suggest would be at the bottom of the hierarchy.

To be clear, it is also worth pointing out that maxims of the kind I suggest are the kind of maxims that should not be tested by the CI procedure. Maxims that should be tested by the CI procedure are maxims that entail explicit reasons for acting. My suggestion is in line with Herman's view that we need to rethink the very idea that the role of the CI procedure is to provide a method for the moral assessment of agents' actual maxims.<sup>21</sup> Herman's idea is that the CI procedure should test "generic maxims", maxims of the form "to do x type of action for y type of reason".

The third objection to the claim that when one acts from an affect for some implicit reason, one acts on a maxim runs as follows. One might argue that every maxim that an agent adopts is done to achieve a chosen end and

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<sup>21</sup> See Herman (*The Practice of Moral Judgment* 143).

to achieve that end is always explicitly taken by the agent to be a reason to act. According to this criticism, the form of a maxim should be “When in S-type situation, perform A-type actions to achieve end E”. I would respond to this objection by pointing out that Kant allows one’s end to be explicit or implicit in one’s maxim. One example of a maxim in which the agent’s end is made explicit is Kant’s notorious formulation of the suicide maxim: “From self-love I make it my principle to shorten my life when its longer duration threatens more troubles than it promises agreeableness.” (GMS 4:422). Here, the maxim is quite explicit in the sense that it specifies not only a particular course of action in a particular type of situation, but also that the agent’s end is to act from self-love. This is to be contrasted with the false-promising example: “When I believe myself to be in need of money, I shall borrow money and promise to repay it, even though I know this will never happen.” (GMS 4:422). As Allison puts it, “the latter maxim is quite explicit in the sense that it specifies a particular course of action in a particular type of situation, but there is no mention of the end or interest.” (90).

I would argue that when the agent’s end is explicit in one’s maxim, she should be regarded as taking that end to be an explicit reason for acting. But when the agent’s end is not explicit in one’s maxim, then I would argue that we need not think that the agent takes that end to be an explicit reason for acting. That there is an end to the agent’s maxim tells us that there is some reason for choosing that end, but it does not tell us that the agent has explicitly taken those reasons to be her reasons. It doesn’t tell us that those reasons explicitly figured in her practical thinking as her reasons for acting. Indeed, it doesn’t tell us that those reasons were explicitly articulated by the agent in her process of practical thinking. If this is correct, the claim that when one acts from an affect for no explicit reason at all, one still acts on a maxim stands against the objection presented.

If I am right that (i) acting from an affect still amounts to choosing to act and (ii) acting from an affect can count as acting on a maxim, then acting from an affect falls within the scope of the Incorporation Thesis. Against Frierson’s claim that “affects ... bypass any need to be incorporated into maxims” (“Affects and passions” 105), I would argue that affects cannot determine actions unless they have been incorporated by the agent into a maxim of action.

## **Conclusion**

I have argued that actions that are motivated by affects fall within the scope of the Incorporation Thesis. Despite affects having been treated in

Kant scholarship as strong feelings that lead to action by entirely precluding the capacity for choice by the agent, Kant's text supports an alternative reading of how affects lead to action. On the account I have proposed, affects do not cause us to act in a way that leaves no room for choice by the agent; rather, affects influence our choices of action because they urge us to act without carefully and due-diligently evaluating the reasons for and against making such choices, and this amounts to acting unreflectively. Moreover, I have argued that unreflectively choosing to act from affect either for implicit reasons or for bad reasons amounts to acting on a maxim.

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