

What Is It to Incorporate an Incentive into a Maxim?

[O que é Incorporar um Motivo a uma Máxima?]

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Abstract

The Incorporation Thesis makes it clear that, according to Kant, we are not caused to act by this or that incentive, but rather we let it move us by incorporating it in our maxim. However, Kant does not provide us with a more detailed account of incorporation in which he specifies what incorporation amounts to, why it is necessary, and how it works. In this paper, I aim to lay the foundation for such an account by appealing to Kant's notion of interest. I argue that to incorporate an incentive into a maxim amounts to forming an interest on the basis of that incentive. Moreover, I argue that Kant's notion of interest allows for the idea that acting on an inclination does not necessarily involve taking that inclination as the object of one's reflection.

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In the *Religion*, Kant claims 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, AA 06: 23–4).

The claim that an incentive can determine the will to an action only insofar as it has been incorporated by the individual into his maxim has been famously dubbed by Henry Allison the “Incorporation Thesis”. The Incorporation Thesis (from here on, IT) makes it clear that Kant rejects an empiricist model of agency in which the agent is caused to act by this or that motive and, if motives are in conflict, the stronger one wins. For Kant, we act not because we are *caused* by this or that desire to act, but because we let this desire move us to act by incorporating it in our maxim.

Though in the recent scholarly literature some² have put into question the IT’s scope and significance, most contemporary Kantians agree with Allison that the IT “underlies virtually everything that Kant has to say about rational agency” (Allison, 1990, p. 40), and most believe Kant was right to hold it.³ Given this overall agreement among Kantian scholars, it is somewhat surprising that it is not fully clear what incorporation amounts to and what the IT implies more exactly.⁴ As Tamar Schapiro has pointed out, a standard way of regarding the IT is by appealing to the “practical point of view” and take it to express a requirement of rationality. According to this reading, insofar as we regard ourselves as rational agents, we cannot but take the IT to be true. As Allison writes,

I cannot conceive of myself as such an agent [who freely sets ends] without assuming that I have a certain control over my inclinations, that I am capable of deciding which of them are to be acted upon (and how) and which resisted. These are, as it were, necessary presuppositions for all who regard their reason as practical. (Allison, 1990, p. 41)

While I do not disagree with this reading, it does not provide us with an account of

² Sven Nyholm, for instance, argues that the IT’s scope does not encompass all chosen actions. He writes that the IT “is sometimes taken to imply that that Kant holds the view that all our choices involve the incorporation of certain incentives into certain maxims (cf. Allison, 1990). But this interpretation ignores the overall context in which the just-cited remark occurs. When we zoom out a little and look at the context, I think we can see that Kant does not mean to suggest that all choices are based on incentives incorporated into maxims” (Nyholm, 2017, p. 249). Another challenge to the IT has been posed by Patrick Frierson, who holds that the IT holds only for higher desires (i.e., desires stemming from the higher faculty of desire). Frierson writes that “higher desires are those for which Allison’s Incorporation Thesis holds (Allison, 1990). For Kant, human beings can sometimes act purely from instinct or inclination, without incorporating such instincts and inclinations into any principle of the understanding [...] 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, 2014, p. 63). Another challenge to the IT has been posed by Richard McCarty. He writes that “Kant’s interpreters see the incorporation requirement as telling us that whenever we act by our own free choice we ‘incorporate’ the desires or incentives on which we choose to act into maxims, making them the reasons for our actions. We therefore act on freely chosen reasons, and we are never caused to act by the strength of our desires [...] Here I shall be arguing against that Thesis as an interpretation of the text in *Religion* where Kant expressed the incorporation requirement [...] The free choice to which that requirement was meant to apply belongs to a noumenal world, and this choice makes its appearance in the phenomenal world in the form of a human being’s empirical character” (McCarty, 2008, p. 247–8).

³ Allen Wood, for instance, writes that “the Incorporation Thesis denies that desires (simply as such, even when combined with beliefs) can ever suffice to explain actions. To be a rational agent is to see oneself as standing over against one’s desires and to regard them as possible grounds for making or modifying choices.” (Wood, 1999, p. 51–53). I take Christine Korsgaard to agree with Kant’s Incorporation Thesis when she writes that “the reflective mind must endorse the desire before it can act on it, it must say to itself that the desire is a reason. As Kant puts it, we must make it our maxim to act on the desire” (Korsgaard, 1996, p. 94).

⁴ It is surprising, though, only up to a point. The reason for this is that throughout his writings, Kant never specifies what he means by incorporation. So, while the IT gives us a clear indication of the account of rational agency to which Kant is *not* committed (namely, an empiricist one in which the agent is caused to act by her motives), it leaves open to interpretation what account of rational agency it presupposes.

what incorporation amounts to and why it is something that Kant regarded as necessary to be moved to action.⁵ In this paper, I aim to provide such an account. I take as my starting point what, as Schapiro says, is uncontroversial: that the IT tells us that having an inclination is not enough to act on it. There is something that we need to do with or to that inclination, where this something is necessary in order to act on the inclination, and this is called by Kant “incorporation”. My position is that, insofar as we regard the IT as a thesis about what is necessary for a human being to make the transition from “having an inclination” to “acting on it”, this something amounts to taking an interest on the basis of one’s inclination such that one can adopt a maxim of action.

A few preliminary clarifications are in order. While the IT holds for all incentives,⁶ it has particular significance for non-moral incentives, and I will be focusing on those in this paper. (However, what I say should apply to the moral incentive too). This means that my focus will be on Kant’s notion of non-moral, empirical interest, rather than on moral, pure rational interest.⁷ Second, while the IT appears in the context of Kant’s discussion of Rigorism in the *Religion*,⁸ I will not try to explain its significance in that discussion, for this would take us too far into considering the implications of the agent incorporating both moral and non-moral incentives in her maxim, and this is not the focus of the paper.

As I explain in Section 1, my account is motivated by Kant’s speaking of an interest as “that by which reason becomes practical, i.e., becomes a cause determining the will” (GMS, AA 04: 460n), and the special significance for rational agency that he attributes to this notion when he writes that “only of rational beings does one say that he takes an interest in something; nonrational creatures feel only sensible impulses” (GMS, AA 04: 460n). Taking an interest is what differentiates rational beings from nonrational beings, and it has to do with rational beings’ capacity of going beyond merely feeling sensible impulses. This, I argue, amounts to the capacity of representing sensible impulses by means of reason. Further, I argue that the notion of interest is able to bridge the gap between incentives and maxims in the way incorporation is supposed to do.

In Section 2, I consider how an agent can take an interest, and then explain the implications for how we should think about incorporation. I focus on Allison’s account of interest-formation, bring out a puzzle in it, and use this as a springboard to develop my view. On my view, to form an interest on the basis of some form of reflective evaluation of one’s incentive should be regarded as a normative ideal towards which a rational agent should strive. Moreover, acting on an inclination does not necessarily involve taking that inclination as the object of one’s reflection.

⁵ See also Schapiro, who writes just after quoting the above passage from Allison that “the freedom presupposed in the practical standpoint must include, in general, freedom to choose to act or to refrain from acting on our inclinations. This much strikes me as uncontroversial. But notice that it is not enough to support the Incorporation Thesis. For the Incorporation Thesis holds not only that I can decide whether or not to act on my inclinations, but also that it is necessary for me to do so if I am to act on them” (Schapiro, 2011, p. 150).

⁶ Incentives can be moral and non-moral, and they differ in fundamental ways. First, while there can be a multitude of non-moral incentives, there is only one moral incentive – the moral law. Second, as Schapiro notes, “when the moral law operates as an incentive, it does so in a unique way that is not directly analogous to the way other incentives function. The moral law only functions as an incentive insofar as it shows itself to be superior to all other incentives, striking down the pretensions of self-conceit.” (Schapiro, 2011, p. 148).

⁷ Kant distinguishes between two kinds of interest. He writes that “reason takes an immediate interest in an action only when the universal validity of the maxim of the action is a sufficient determining ground of the will. Only such an interest is pure. But if it can determine the will only by means of another object of desire or on the presupposition of a special feeling of the subject, then reason takes only a mediate interest in the action [...] this latter interest would be only empirical and not pure rational interest” (GMS, AA 04: 460n).

⁸ Rigorism is the following position: “To preclude as far as possible anything morally intermediate, either in actions (*adiaphora*) or in human characters” (RGV, AA 06: 22). As Wood points out, “Kant’s Rigorism proceeds from the thesis that ‘the moral law is itself an incentive in the judgment of reason’ to the conclusions that, first, ‘whoever makes it his maxim is morally good’ and, second, whenever an agent incorporates some other incentive into his maxim ahead of the moral law, this can be considered neither morally good nor indifferent but must be judged evil (RGV, AA 06: 24)” (Wood, 2020, p. 73).

In Section 3, I examine the relation between taking an interest and the reasons one has for adopting one's maxim. Drawing on Scanlon's account of the relation between reasons and desires, I argue that, for Kant, when we take an interest on the basis of an incentive, we represent those features of the object at stake as desirable, and by doing so we confer on them the status of being reasons for acting. Moreover, I argue that, while in certain cases incorporation requires that one judges one's incentive to provide a good or sufficient reason for acting,⁹ in other cases incorporation might only require that the features to which one's incentive points are for the agent salient reasons for acting.

Finally, in Section 4 I show how the account of incorporation I put forth can be squared with Kant's account of maxims. In particular, I argue that we shouldn't take Kant to hold that all maxims are reflectively endorsed principles of action. Rather, Kant can conceive of self-imposed rules that are adopted for reasons one hasn't reflected upon. Thinking about Kant's account of maxims as entailing this possibility amounts to thinking of the human capacity and ability for self-regulation and rational agency as multifaceted.

1. Incorporating an Incentive into a Maxim as Taking an Interest

The aim of this section is to first figure out what Kant means by taking an interest, then to show the relation this has to incentives and maxims, and finally to show that the notion of interest is able to bridge the gap between incentives and maxims in the way incorporation is supposed to do. My starting point is the *Groundwork*, where Kant writes that "an interest is that by which reason becomes practical, i.e., becomes a cause determining the will. Hence only of rational beings does one say that he takes an interest in something; nonrational creatures feel only sensible impulses" (GMS, AA 04: 460n). From this quote, it is clear that Kant attributes to the notion of interest a special role for rational agency. I take the quote to imply that, while nonrational beings "only feel sensible impulses", rational beings have to do something to or with their sensible impulses, where this amounts to taking an interest. (There is a question here as to in what exactly one takes an interest, but I will bracket it for now and come back to it later). The important point is that taking an interest is what differentiates rational beings from nonrational beings, and it has to do with rational beings' capacity of going beyond merely feeling sensible impulses. (We will need to get clear on what "going beyond" amounts to, but more on this later).

Something to notice is that, according to Kant, the concept of interest can only be applied to *finite* rational beings. This is because the concept of interest, together with that of maxim and incentive,

presuppose a limitation of the nature of a being, in that the subjective constitution of its choice does not of itself accord with the objective law of practical reason; they presuppose a need to be impelled to activity by something because an internal obstacle is opposed to it. Thus, they cannot be applied to the divine will. (KpV, AA 05: 79)

The divine will does not take interest in anything, Kant tells us, because taking an interest presupposes that one's will "is not *in itself* completely in conformity with reason (as is actually the case with human beings)" (GMS, AA 04: 413), while the divine will is such that it is infallibly determined by reason (GMS, AA 04: 412). So, taking an interest presupposes that one's will is subject to an "internal obstacle" in the subjective constitution of its choice such that the latter

⁹ See, for instance, Andrews Reath's account of the IT: "I would argue that the Incorporation Thesis implies further that a maxim is only adopted if it is regarded as a principle with justifying force that the agent endorses. It is a constitutive feature of free choice that involves regarding one's action as good at some level. If incentives become effective through the adoption of maxims, then maxims are always chosen on the supposition that they express sufficient reasons for action." (Reath, 2006, p. 19).

does not always accord with the objective laws of practical reason.

To make some progress in understanding what Kant means by taking an interest, and which relation this has to incentives and maxims, we can turn to the *Critique of Practical Reason*. Here, Kant claims that the concept of interest arises from the concept of an incentive, and serves as a further ground for the concept of a maxim. Moreover, he provides us with a definition of “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*, AA 05: 79).

Kant tells us that an interest “signifies an incentive of the will insofar as it is represented by reason”. The passage lets us infer that, when we take an interest on the basis of an incentive, we represent to ourselves the incentive by means of reason – presumably forming a certain conception of it.

Since the passage makes it clear that taking an interest is dependent on having an incentive, it is helpful to understand what Kant means by “incentive”. Kant defines “incentive” as “the subjective determining ground of the will of a being whose reason does not by its nature necessarily conform with the objective law” (*KpV*, AA 05: 72), and from this it follows that “no incentive at all can be attributed to the divine will” (*KpV*, AA 05: 72). Without telling us more about what incentives are, he treats incentives – and here I will be focusing on non-moral incentives – as features of objects that make those seem desirable.¹⁰ In the *Groundwork*, for instance, Kant tells us that an incentive is “the subjective ground of desire” (*GMS*, AA 04: 427). You have an incentive when the features of some object make it attractive or appealing to you, and you have a desire to bring about that object on the basis of those features.

That this is the case can be inferred from Kant’s discussion in the Introduction to the *Metaphysics of Morals*, where he explains the faculty of desire and its connection to the faculty of feeling (of pleasure and displeasure). Here, Kant points out that desiring an object or state of affairs is always connected with a feeling of pleasure. Kant makes this point explicit as he holds that, every time we have a desire, that desire is connected with pleasure (but not vice versa): “*pleasure* or *displeasure*, susceptibility to which is called *feeling*, is always connected with desire or aversion; but the converse does not always hold, since there can be a pleasure that is not connected with any desire for an object” (*MS*, AA 06: 211).

Though scholars disagree about what specific role is to be respectively assigned to the desire and feeling that make up one’s incentive,¹¹ what is undisputed is that one’s incentive is always directed towards producing a certain object or state of affairs.¹² In the context of rational agency, when one acts from one’s incentive, the object towards which one’s incentive is directed amounts to one’s end: “an end”, Kant tells us, “is an object of the choice (of a rational being), through the representation of which choice is determined to an action to bring this object

¹⁰ “Inclinations, according to Kant, are grounded in what he calls ‘incentives,’ which are the features of the objects of those inclinations that make them seem attractive” (*Korsgaard*, 1999, p. 1).

¹¹ For instance, Grenberg holds the view that desire occurs when we feel or expect to feel pleasure in the existence of an object or state of affairs. She argues that “insofar as the representation of a feeling includes representation of the pleasure (or potential pleasure) to be taken in the existence of a particular object or state of affairs, one can be said to have a ‘desire’ for the object in question” (*Grenberg*, 2001, p. 162). Eran, instead, stresses the distinction between desire and feeling by arguing that “desires are necessarily connected with practical pleasure but differ from them in that the former are directed at producing future or past objects, which allow them to motivate action, while the latter refer to our subjective state, and so they must cause desire, which in turn may produce action” (*Eran*, 2022, p. 430).

¹² The reason for this is that Kant regards desire as directed towards bringing about a certain object or state of affairs. Indeed, he writes that “the faculty of desire is the faculty to be, by means of one’s representations, the cause of the objects of those representations” (*MS*, AA 06: 211).

about” (MS, AA 06: 381).¹³

For my purposes, it is important to make the relation between Kant’s account of interest, ends and maxims clear. The following passage from the *Metaphysics of Morals* can help us make progress on this task:

Pure practical reason is a faculty of ends generally, and for it to be indifferent to ends, that is, to take no interest in them, would therefore be a contradiction, since then it would not determine maxims for actions either (because every maxim of action contains an end) and so would not be practical reason. (MS, AA 06: 395)

Here, Kant is saying that pure practical reason cannot set ends without taking an interest in them. Moreover, he makes it clear that an agent cannot set an end without taking an interest in it in the *Critique of the Power of Judgement*, where he writes that “every end, if it is regarded as a ground of satisfaction, always brings an interest with it” (KU, AA 05: 221).¹⁴ In the above passage from the *Metaphysics of Morals*, Kant also claims that, since every maxim of action is adopted upon the setting of an end, every maxim of action contains an interest the agent takes in such an end. So, these passages establish that we cannot adopt a maxim without forming an interest in a certain end.

But can we take an interest in something without adopting a maxim? The passage quoted earlier in the *Second Critique* (KpV, AA 05: 79) doesn’t settle the question. Here, while Kant writes that the concept of a maxim is based on the concept of interest and the concept of interest is based on that of an incentive, he leaves it open to interpretation whether the concept of interest is independent from the concept of maxim.

Intuitively, if we think of Kant’s notion of interest in light of our common usage of the term, we might conclude that interests must be independent from maxims. After all, we can be interested in something without anything stemming from such interest – not an intention, nor an action, nor the adoption of a principle of action. The upshot of this reasoning is that, if it is the case that the notion of an interest is independent from that of a maxim, then it seems implausible that the notion of an interest can bridge the gap between incentives and maxims in the way in which incorporation is supposed to. From Kant’s formulation of the IT, it is clear that incorporating an incentive always entails adopting a maxim. And if one can take an interest without adopting a maxim, then it seems that the notion of an interest cannot be used to explain what incorporation is.

I am going to argue, however, that we shouldn’t understand Kant as holding that the notion of an interest is independent from the notion of a maxim. In order to show this, I suggest that we focus on Kant’s notion of an end and on the question of whether we can set an end without adopting a maxim. Consider the following passages, the first one for the *Metaphysics of Morals* and the other two from *Metaphysik Dohna* (1792-1793):

a) an **end** is an *object* of free choice, the representation of which determines it to an action (by which the object is brought about). Every action, therefore, has its end; and since no one can have an end without himself making the object of his choice into an end, to have any end of action whatsoever is an act of *freedom* on the part of the acting subject, not an effect of *nature*. (MS, AA 06: 384-5).

b) Will is the faculty (with power of free choice) for acting with consciousness according to rules – one can also say – it is the faculty of ends. (VMet/Dohna, AA 28: 678).

c) Voluntary action [*actio voluntaria*] insofar as it comes about according to maxims (maxims [*maxime*; G: *Maximen*], principles practically subjective [...]). Involuntary

¹³ In the *Groundwork*, Kant tells us that what gives a non-moral end worth for the subject is its “relation to a specifically constituted faculty of desire on the part of the subject” (GMS, AA 04: 428).

¹⁴ See also the *Lectures on Metaphysics*, in which Kant writes that “if satisfaction is connected with my state, then I will not be indifferent to the existence of the object, i.e., I will have interest in it” (VMet/Mron, AA 29: 898).

[*involuntaria*] – not with will, not according to one’s maxims. This is a very subtle matter – as a freely acting being, a human being actually cannot do anything without the will – he acts always according to maxims even if not universally [*universaliter*]. (VMet/Dohna, AA 28: 678).

In *b*, Kant writes that the faculty for acting with consciousness according to rules is the faculty of ends. Since maxims are rules that the agent makes his principles – “the rule that the agent himself makes his principle on subjective grounds is called his maxim” (MS, AA 06: 225) – we can infer that to set ends is to act according to maxims. Moreover, in *a* Kant makes it clear that every action has its end. This means that every action presupposes a maxim. In *c*, we can find a qualification of the latter claim. Here, Kant states that an action is voluntary insofar as it comes about according to maxims. So, every *voluntary* action presupposes a maxim. We can understand what Kant means by “voluntary action” if we contrast it with “involuntary action”. An involuntary action is one that is “not with will”, whereas a voluntary action is presumably “with will”. Since in *b* Kant defines the will as the faculty of ends, we can infer that acting voluntarily is to act on the basis of an end one has freely set. From these three passages together, we can see that Kant is claiming that if an agent sets an end, then she adopts a maxim. That is, we cannot set an end without adopting a maxim.

The argument for showing that the concept of interest is dependent on the concept of maxim, then, goes as follows:

- (i) One cannot take an interest without setting an end (MS, AA 06: 395).
- (ii) One cannot set an end without adopting a maxim (MS, AA 06: 384–5; VMet/Dohna, AA 28: 678).

Thus, one cannot take an interest without adopting a maxim.

By showing that the concept of interest is dependent on the concept of maxim such that one cannot take an interest without adopting a maxim, my aim is to argue that the notion of interest is able to bridge the gap between incentives and maxims in the way incorporation is supposed to do. We have seen that, just as one cannot adopt a maxim without incorporating an incentive in it, one cannot adopt a maxim without taking an interest on the basis of one’s incentive. Moreover, just as incorporating an incentive always entails adopting a maxim, one cannot take an interest without adopting a maxim. Thus, I submit that we should take incorporation to amount to interest formation.

I have claimed that, according to Kant, taking an interest is what differentiates rational beings from nonrational beings, and it has to do with rational beings’ capacity of going beyond merely feeling sensible impulses. We can now get clear on what “going beyond” means: rational beings’ capacity of “going beyond” merely feeling sensible impulses amounts to the capacity of representing such sensible impulses by means of reason. Representing to oneself these sensible impulses is to take an interest. This opens up a question as to which kind of representation takes place when taking an interest; I will answer this question in the next section. For the remaining part of this section, I will focus on what exactly one takes an interest in.

In the *Groundwork*, Kant writes that one can take an interest either in the action or in the object of the action (insofar as it is regarded by the agent as agreeable):

The human will can *take an interest* in something without therefore *acting from interest*. The first signifies *practical* interest in the action, the second, *pathological* interest in the object of the action. The former indicates only dependence of the will upon principles of reason in themselves; the second, dependence upon principles of reason for the sake of inclination, namely where reason supplies only the practical rule as to how to remedy the need of inclination. In the first case the action interests me; in the second, the object of the action (insofar as it is agreeable to me). (GMS, AA 04: 413n)

Here, Kant makes it clear that, when “reason supplies only the practical rule as to how to remedy the need of inclination” (i.e., when considering non-moral actions), one’s interest is pathological, and one is interested in the *object* of the action (i.e., the object of one’s inclination). Moreover, taking an interest in the object of one’s action amounts to something more than just setting the end of producing or bringing about that object. It amounts to setting the end of bringing about that object *for a certain reason*, namely that “it is agreeable to me” when one’s interest is pathological.¹⁵

I will focus on the relation between one’s interest and one’s reason for acting in Section 3, but for now the important point is that we can regard the agent’s interest as the reason why she adopted a certain maxim. Here, I follow Allison in holding that “every maxim reflects an underlying interest of the agent, which provides the reason for adopting the maxim” (Allison, 1990, p. 90). If Allison is right that the agent’s interest “provides the reason for adopting the maxim”, then every maxim is adopted by the agent for a certain reason.

2. How Do We Form Interests?

In this section, my aim is to make clear how, according to Kant, one can take an interest, and then show which implications this has for how we should think about incorporation. My starting point is Allison’s account of interest formation. According to 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” (Allison, 1990, p. 89). Here, Allison seems to hold that, in order to be a minimally rational agent, one must reflect on and evaluate one’s incentive when adopting a maxim. If this is true, then it seems that, when incorporating an incentive into a maxim, one would be required to reflectively evaluate one’s incentive. In the next page, 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’; but it need not be and, in fact, usually is not made explicit” (Allison, 1990, p. 90). Here, Allison holds that, while every maxim is adopted on the basis of some interest, this interest need not be made explicit in one’s maxim; it can be implicit.

Notice that there is a question as to what is meant by the claim that one’s interest need not be made explicit in one’s maxim. Does this amount to the claim that: a) The agent who adopts a maxim is reflectively aware of her interest, but makes no explicit reference to it in her maxims; or b) The agent who adopts a maxim is reflectively unaware of her interest, and it is in this sense that her interest is implicit? Allison doesn’t seem to give us the resources for answering this question, but depending on how we answer this question, the following question can be more or less compelling: How should we reconcile the claim that one must reflect on and evaluate one’s incentive when adopting a maxim with the claim that one’s interest need not be made explicit in one’s maxim? If *a*, the question doesn’t seem compelling: the agent who adopts a maxim would reflectively evaluate her incentive so as to form an interest, she would be aware of such an interest, but any reference to her interest would be absent from her maxim. If *b*, the question is compelling: one’s evaluation of one’s incentive requires that one forms an interest in a reflective manner, and that one is aware of such an interest.

To determine how we should read Allison’s claim that one’s interest need not be made explicit in one’s maxim, as well as his claim that one needs to reflectively evaluate one’s incentive

¹⁵ Notice that Kant makes it clear that the object of one’s maxim is not the determining ground and condition of the maxim when he writes that “now it is indeed undeniable that every volition must also have an object and hence a matter; but the matter is not, just because of this, the determining ground and condition of the maxim” (KpV, AA 05: 34).

when forming an interest, we shall turn to a closer analysis of Kant's discussion of the notion of interest. As we have seen, in the second *Critique* Kant tells us that an interest consists in one's incentive insofar as it is represented by reason. 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. He 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, AA 06: 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. So, an agent having an interest represents to herself an incentive by representing a connection between pleasure and the faculty of desire, where this connection is judged by her to hold as a general rule.

Now, that the agent judges this connection to hold as a general rule might be taken to mean that having an interest involves reflectively evaluating one's incentive – i.e., one would need to reflectively evaluate the connection between pleasure and the faculty of desire, and judge it to hold as a general rule.¹⁶ This is a plausible reading of Kant's notion of an interest and how the agent takes an interest in something. However, it is not the only one allowed by the text. In fact, after Kant defines "interest" in the Introduction of the *Metaphysics of Morals* 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, AA 06: 212), he 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. He writes "so if a pleasure necessarily precedes the desire, the practical pleasure must be called an interest of inclination" (MS, AA 06: 212). I think we should take this switch to mean that Kant's conception of interest might leave open the possibility that taking an interest might be done in different ways (e.g., more or less reflectively, or even not reflectively at all).

This seems to me consistent with Kant's indication in the first *Critique* that the term "representation" [*Vorstellung*] encompasses various types of mental contents, both conscious and unconscious:

The genus is representation in general (*repraesentatio*). Subordinate to it stands representation with consciousness (*perceptio*). A perception which relates solely to the subject as the modification of its state is sensation (*sensatio*), an objective perception is knowledge (*cognitio*). This is either intuition or concept (*intuitus vel conceptus*). The former relates immediately to the object and is single, the latter refers to it mediately by means of a feature which several things may have in common. The pure concept, in so far as it has its origin in the understanding alone (not in the pure image of sensibility), is called a notion. A concept formed from notions and transcending the possibility of experience is an idea or concept of reason. (*KrV*, A 320/B 376–377/314)

Kant's indication that a representation can encompass various types of mental content should be taken as evidence that the representation of an incentive can thus be anything from a mere unconscious sensation, to a new thought, to an idea of reason.

That this is the case, moreover, can be seen from Kant's *Metaphisik Mronovius* (1782–83), in which Kant claimed that "we are conscious of the incentives or stimuli [*stimulorum*] which are clear representations. But we can also have obscure representations and stimuli [*stimuli*] for something of which we are not conscious" (*VMet/Mron*, AA 29: 879). Kant explains what he means by "obscure representation" in the following way: "obscure representations are those of which I am not immediately conscious, but nevertheless can become conscious through

¹⁶ I take Jeanine Grenberg to support this reading. She writes that "in the determination of an interest, I judge that certain feelings and desires are 'good'" (Grenberg, 2001, p. 165), where this judgment is the outcome of a reflective process of identifying and endorsing my emotional states – "I have now, through the process of identifying and endorsing my emotional responses to [the object of my desires and feelings], acquired an interest" (Grenberg, 2001, p. 165).

inference” (*VMet/Mron*, AA 29: 879). A very similar definition is given in *Anthropology Busolt* (1788-89): “Obscure representations are those of which we are conscious not immediately, but rather through their effects” (*VAnth/Busolt*, AA 25: 1439). Here, Kant considers the view of those who

dispute the existence of obscure representations and say: How can one be convinced of the existence of obscure representations if we are not conscious of them? To this one can answer: It is not necessary to be conscious through sensation, if one can come to consciousness by inference (*VAnth/Busolt*, AA 25: 1440).

Kant then provides us with an example of an obscure representation: “Thus the ancient, for example, explained the shimmer of the Milky Way as a light of many stars, even though they did not know the stars in this Way due to their lack of telescopes” (*VAnth/Busolt*, AA 25: 1440). The example is illustrated in more details in *Metaphisik Mrongovius*:

When we observe it with the naked eye, we are not conscious to ourselves that the Milky Way consists in sheer small stars, but through the telescope we see that. Now we infer that since we have seen the entire Milky Way, we must also have seen all the individual stars. For were that not so, we would have seen nothing. But what we have seen we must also have represented to ourselves. Since we know nothing of these representations, they must have been obscure. (*VMet/Mron*, AA 29: 879)

Kant then infers that

These obscure representations actually exist and play a great role in human beings. If the human being became conscious all at once of all these representations, then he would be astonished by the great store of them. Yet the faculty for deriving these representations is so limited in us that they come to light only individually and on occasion. (*VAnth/Busolt*, AA 25: 1440)

It is significant that Kant thinks that we have a faculty – though we can make use of it only in a very limited way – for deriving obscure representations, for this means that he conceives of obscure representations as falling within the scope of rationality. For instance, when Kant discusses the notion of obscure representation in *Anthropology Friedländer* (1775–76), he makes clear that “all this lay in reason, only we were not aware of it” (*VAnth/Fried*, AA 25: 480). Indeed, Kant continues, “there exist sciences of the kind, and this is analytical philosophy, in which one sheds light on obscure representations by uncovering them” (*VAnth/Fried*, AA 25: 480). So, when something is represented and that representation is obscure, that something is represented by means of reason. Moreover, it is precisely because reason is that faculty through which obscure representations are possible that we can shed light on them through analytical philosophy.

Let us sum up. When Kant claims that we can have obscure representations when it comes to incentives or stimuli, we should take him to mean that we can represent incentives to ourselves in a way such that we are not conscious of these representations. This also means that Kant thinks we can become conscious of these incentives by means of inference. (I will say something more about this towards the end of Section 3, where I will discuss unreflective actions in relation to the IT). The important point is that Kant’s text gives us reasons to think that there are at least three possibilities for interpreting Allison’s claim that one’s interest need not be made explicit in one’s maxim:

- a) The agent forms an interest by reflectively evaluating her incentive such that she judges that the connection between her feelings and desires is good, she is aware of her interest, but she makes no explicit reference to it in her maxims;
- b) The agent forms an interest by representing to herself her incentive without reflectively evaluating it, she is aware of her interest, but she makes no explicit reference to it in her maxims;
- c) The agent forms an interest by representing to herself her incentive without reflectively

evaluating it, she is unaware of her interest, and it is in this sense that her interest is implicit.

Given this analysis, I want to suggest that, when Allison writes that “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” (Allison, 1990, p. 89), we shouldn’t take him to mean that, for Kant, it is only possible to form interests on the basis of some kind of reflective evaluation of one’s incentive. Rather, I would argue that to form interests on the basis of some form of reflective evaluation of one’s incentive is a normative ideal a rational agent should strive towards. That is to say, it is a distinctively Kantian normative ideal to regulate, direct and govern our specific actions and overall agency on the basis of reflective evaluation, even though we do not always meet these normative standards, and even though we should.

What does this tell us about incorporation? I would argue that incorporation can come about in at least three ways. The first case is when the agent incorporates an incentive into a maxim by reflectively evaluating that incentive. This means that she is aware that she is incorporating that incentive for a certain reason, and she reflectively evaluates that reason. This is the normatively ideal scenario in which the agent displays the proper reflective attitude towards her own agency. In the second case, the agent incorporates an incentive into a maxim while being aware that she is incorporating an incentive into a maxim for a certain reason, but this time she does not reflectively evaluate that reason. This is a scenario in which one performs a certain action without thinking much about the reasons for or against doing so (at least some cases of “one-thought-too-few” situations would fit in this scenario). Finally, we have the case in which the agent incorporates an incentive into a maxim without being aware that she is doing so for a certain reason (where this of course also entails that she does not reflectively evaluate that reason). In this latter case, the agent’s representation of her incentive amounts to an obscure representation.

3. Along Scanlon’s Lines: Incorporation and Reasons for Acting

I have argued that to incorporate an incentive into a maxim amounts to forming an interest on the basis of that incentive, and following Allison I have argued that one’s interest provides the reason for one’s adoption of the maxim. But what is the exact relation between one’s interest and one’s reason for adopting a maxim? To answer this question, recall that, for Kant, an interest is an incentive insofar as it is represented by reason (where, I have been arguing, this representation can be of different kinds). Moreover, we have seen that to have an incentive is to treat the features of some object as attractive or appealing, combined with having a desire to bring about that object on the basis of those features. I would argue, then, that we experience incentives as a sort of candidate reasons for action because experiencing an incentive entails that we experience certain features of an object that make it desirable, and we consequently desire to bring that object about. The view I am putting forth is that, when we form an interest on the basis of an incentive, we represent those features, and by doing so we confer on them (more or less implicitly) the status of being reasons for acting.

There is a question, however, as to how we experience these features as reasons for action when we represent them. To answer this question, I will appeal to T.M. Scanlon’s account of rational agency and how desires and reasons figure in it. While acknowledging that Scanlon and Kant do not share the same theoretical framework when discussing rational agency, I believe we can find some important similarities between these two authors on the basis of which we can use one to enlighten the project of the other. Indeed, according to Scanlon, just as for Kant, “we should not take ‘desires’ to be a special source of motivation, independent of our seeing things as reasons” (Scanlon, 2000, p. 40). I take this to be a way of expressing an incorporation

requirement: desires (or emotions in general) are not enough on their own to move us to act; rather, they do so not independently of our seeing things as reasons on the basis of our desires.

Now, Scanlon holds that being a rational agent “involves not only the capacity to make certain judgements and to be consistent about them, but also the ability to see certain considerations as reasons” (Scanlon, 2000, p. 40). Thus, Scanlon claims that when you have a desire to ϕ , you are having thoughts about reasons for action. For example, Scanlon would say that when you have a desire to drink, you are taking a certain consideration (e.g., that drinking would feel good) as a reason to drink:

Suppose I am thirsty. What does this involve? First, there is the unpleasant sensation of dryness in my mouth and throat. Also, there is the thought that a cool drink would relieve this sensation and, in general, feel good. I take this consideration, that drinking would feel good, to count in favor of drinking, and I am on the lookout for some cool drink. This description includes three elements: a present sensation (the dryness in my throat), the belief that some action would lead to a pleasant state in the future, and my taking this future good to be a reason for so acting. It is this future good - the pleasure to be obtained by drinking - that makes it worth my while to look for water. The present dryness in my throat, and the fact that this condition is not about to go away on its own, give me reason to believe that a drink of water in the near future will give this particular pleasure. But the motivational work seems to be done by my taking this future pleasure to count in favor of drinking. (Scanlon, 2000, p. 38)

While Scanlon sometimes writes as if he holds that taking a certain consideration as a reason for action involves judging that consideration to be a reason, at other times he characterizes desiring as “seeing” or “perceiving” as opposed to “judging” considerations to be reasons, and of desire as involving thoughts about “seeming reasons” and “perceiving reasons” rather than full blown “assessments” of reasons.¹⁷ So, there are different ways in which we can think of the object’s features that we experience as reasons: we might judge and assess them to be candidate reasons for acting, or we might merely see or perceive them as such without assessing them.

The important point for my purposes is that the thought of something as a reason can presents itself in various ways. One of them, Scanlon suggests, is the “directed-attention” way: “a person has a desire in the directed-attention sense that P if the thought of P keeps occurring to him or her in a favorable light, that is to say, if the person’s attention is directed insistently towards considerations that present themselves as counting in favor of P” (Scanlon, 2000, p. 39). For Scanlon, a person who has a desire in this sense has a tendency to perceive certain considerations as reasons for acting in a certain way: “when a person does have a desire in the directed-attention sense and acts accordingly, what supplies the motive for this action is the agent’s perception of some consideration as a reason” (Scanlon, 2000, p. 40–1).

When having a desire in the directed-attention sense, the agent would presumably think of something as a reason by having her attention insistently directed toward that something. We can imagine that in some cases one would be aware that her attention is directed in such a way. But we can also imagine that, at least in certain cases, the agent could be unaware that her attention is directed in such a way, like in the following example in Kant’s *Anthropology Friedländer* (1775–76): “If an individual reads, then the soul attends to the letters, for if it spells [the words] out, then it reads, [and] then it attends to what it reads. The individual is not conscious of all of this” (VAnth/Fried, AA 25: 479). Kant adds that, when we attend to something without being aware that we are doing so, “all this happens in the obscure representations” (VAnth/Fried, AA 25: 479).

¹⁷ For instance, in “Reasons and Passions” Scanlon discusses an example in which I desire X where “the claim that this desire has on me is not a matter of my approval or endorsement, but of the fact that it consists in something seeming to me to be a reason” (Scanlon, 2002, p. 179). See also Scanlon (2000, p. 40). This ambivalence in Scanlon’s discussion of desires and reasons has been noted by Schapiro (2021) and Gregory (2017).

Admittedly, *Anthropology Friedländer* is a rather early text, and might not reflect Kant's mature views. But that it is Kant's mature view that the thought of something as a reason can present itself without the agent being aware that she is directing her attention to certain considerations can be seen from the following passage from *Anthropology Mongrovius* (1784–85), in which Kant holds that

All attention is either positive or negative. It is positive if I direct my thoughts to something to make them clear; that is, I intensify [them] up to the consciousness of my representations; but [it is] negative if I avert my thoughts and weaken the consciousness of my representation of it. Now this latter is abstraction. (VAnth/Mron, AA 25: 1239)

Here, Kant tells us that negative attention is called “abstraction”, and such a way of attending to something consists in averting one's thoughts and weakening the consciousness of one's representation of it. A few lines later, Kant adds that “all attention and abstraction can be voluntary and involuntary. Voluntary abstraction and attention constitute the principle of self-control [...] Involuntary abstraction [...] consists of obscure representations” (VAnth/Mron, AA 25: 1239–40). Here, he tells us not only that we can attend to something involuntarily, but also that doing so amounts to having an obscure representation, that is, a representation of which we are not conscious.

What are the implications of all of this for incorporation? My analysis shows that, while in certain cases incorporation requires the agent to judge that her incentive provides a sufficient or good reason for acting, in other cases incorporation might only require that the features to which the agent's incentive points are for her salient reasons for acting. Moreover, Kant can allow for cases in which, when such features are for the agent salient reasons for acting, she is not reflectively aware of treating them as such.

We have seen that, when one has an obscure representation, Kant thinks one can become aware of such representation “by inference” (VAnth/Busolt, AA 25: 1440). I want to suggest, then, that when one is unaware that one is directing one's attention to certain features – thus being unaware of taking them to be salient reasons for acting – one can proceed by way of inference in bringing such reasons to one's awareness. Focusing on unreflective actions and the reasons the agent has to adopt a certain maxim when acting unreflectively will help with figuring out exactly which kind of inferences we should be making when reconstructing the agent's reasons.

Suppose that I find myself stopping to help someone whose car is broken on the side of the highway. Trying to identify the reason I had to act as I did, I might face some doubts. On the one hand, I might say that I stopped because I just wanted to help, and this might be taken to mean that I perceived features of that practical situation as reasons for helping – let's say, I saw the situation as one in which I could further someone's ends (and not, for example, as something humorous at which to laugh). On the other hand, I might realize that, when I helped, I was accompanied by a passenger whom I wished to impress with my humanitarian concern. So, it might be a challenge to identify for which reasons I adopted a certain maxim, or even which maxims I adopted after all.

Talbot Brewer has argued that this kind of example makes clear “that the maxims of unreflective actions cannot always be read directly from the immediate phenomenology of desires that precede and give rise to them” (Brewer, 2002, p. 558). Putting the point more broadly, the maxims of unreflective actions, and the reasons the agent has for adopting such maxims, cannot always be read from the immediate phenomenological experience of perceiving certain features of a practical situation as reasons for acting. As Brewer has suggested, what is needed to fully assess the status of unreflective actions, their maxims, and the reasons the agent has to adopt those maxims is a diachronic (self-)scrutiny. For instance, if I notice that I have consistently performed benevolent actions only when, by doing so, I stood to impress friends or acquaintances with my humanitarian concern, I might have reason to think, under

the most coherent interpretation, that my reason for acting was that I wanted to improve my social standing, and my maxim was “Help strangers who need it when I stand to improve my reputation by doing so”.

4. Only Reflectively Endorsed Maxims?

So far, I have provided an analysis of incorporation in terms of interest, and I have shown that Kant’s account of interest formation does not rule out instances in which neither reflection nor awareness that the agent is incorporating an incentive into a maxim are required for incorporation. However, I can see how this account could raise some doubts among some of Kant’s scholars who share a certain commitment.¹⁸ This commitment, which has been most recently defended by Sven Nyholm, is to conceive of maxims as reflectively endorsed rules of actions: “for principles or rules that we follow to qualify as maxims of ours, it must be that we reflectively endorse these principles or rules” (Nyholm, 2027, p. 237).

If my discussion of Kant’s notion of interest is right, then we should abandon this commitment: while for Kant many maxims are self-imposed reflectively endorsed principles, he can conceive of a self-imposed rule that we adopt for a reason we haven’t reflected upon and/or made clear to ourselves. But by looking at some of Kant’s remarks on maxims – thus, independently from what we can infer from Kant’s notion of interest – we can see that there are good reasons for thinking that Kant allows for there to be maxims that are not reflectively adopted.

First, it is important to remember Kant’s distinction between maxims, which are subjective principles of actions, and objective principles of action. The former are the principles according to which the agent actually acts; the latter those according to which she ought to act:

A *maxim* is a subjective principle of action and must be distinguished from an *objective principle* – namely, a practical law. The former contains a practical rule determined by reason in accordance with the conditions of the subject (often his ignorance or again his inclinations): it is thus a principle on which the subject *acts*. A law, on the other hand, is an objective principle valid for every rational being; and it is thus a principle on which he *ought to act*, that is, an imperative. (GMS, AA 04: 421n)

A maxim is a subjective principle of action, a principle which the subject himself makes his rule (how he wills to act). A principle of duty, on the other hand, is a principle that reason prescribes to him absolutely and so objectively (how he ought to act). (MS, AA 06: 226)

But I take the following remark found in Vigilantius’s notes on Kant’s *Metaphysics of Morals* (1793) about how maxims differ from objective principle to be particularly telling:

The maxim of an action differs, that is, from an objective principle in this, that the latter occurs only insofar as we consider the possibility of the action on certain rational grounds, whereas the former includes all subjective grounds of action whatsoever, insofar as they are taken to be real. (V-MS/Vigil, AA 27: 495)

Here, Kant tells us that objective principles are those adopted by the agent upon considering the possibility of the action on certain rational grounds. I take that considering the possibility of the action in this way amounts to engaging in some form of reflection. Thus,

¹⁸ For instance, take the account of maxims provided by Otfried Höffe according to which maxims are very general principles or “life rules” [*Lebensregeln*] that the agent adopts in light of her general outlook on her sphere of action. “Principles which have several rules under them, [and] denote the manner in which one leads his life as a whole – in relation to certain basic aspects of individual and collective life, such as being in need of help, being tired of life, or being insulted” (Höffe, 1994, p. 149). This way of thinking about maxims implies that reflective evaluation of one’s general outlook is needed for forming a maxim.

objective principles are those principles which are always reflectively endorsed. Maxims, on the other hand, are those principles that include “all subjective grounds of action whatsoever, insofar as they are taken to be real”. This strongly suggests that maxims can be either reflectively endorsed or unreflectively adopted – all that matters is that these maxims are adopted for a subjective ground that is “taken to be real”, that is, that the agent actually regards as her subjective ground.

I submit, then, that Kant can conceive of a self-imposed rule that we adopt for a reason without having reflected upon it. Moreover, thinking about Kant’s account of maxims as entailing this possibility does not amount to offering “a trivialized or watered down understanding of the idea of having certain maxims” (Nyholm, 2017, p. 242), but rather suggests that our capacity and ability for self-regulation and rational agency can be multifaceted.

Conclusion

In this paper, I have argued that to incorporate an incentive into a maxim is to make the transition from “having a desire” to “acting on it”, where this amounts to forming an interest on the basis of one’s incentive. This means that we must represent that incentive to ourselves by means of reason. Importantly, this does not require that one reflectively evaluates one’s incentive when adopting a maxim – one can represent to oneself an incentive without reflecting on whether to act from it, or even without being aware that one is representing such incentive. On the view I have proposed, incorporation can allow for different degrees and kinds of reflection depending on how the agent forms an interest on the basis of that incentive, that is, how she represents the incentive to herself. Thus, maxims can be adopted for reasons upon which one has reflected more or reflected less, or even for reasons upon which one has not reflected at all.

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