

Kant's Conception of Free Will and Its Implications To Understanding Moral Culpability and Personal Autonomy

By Patrick Nogoy [DRAFT: PLEASE DO NOT CITE WITHOUT PERMISSION]

Introduction

Human beings walk under nature's deterministic influence yet, they are not merely nature's pawns because they possess the ability to implement a new set of order that can surpass nature's influence. Human beings have the freedom to exercise their will despite nature's influence. This is the enigma. A human being is a *rational* being. His reason exerts a force through its directed acts of a different order. Yet exercising human will presents intriguing issues given its fallibility. Kant is aware that human will is *arbitrium sensitivum*, a will affected by sensibilities despite being *liberum* (free). Human will takes over the role of being the source of moral, social, political, cultural, religious norms and values despite its fallibility. Fallibility finds its tension with Kant's elevation of human will since it is now conceived as the self-guiding and self-motivating rationality that strives to actualize its universal structure in its own actions, and to imprint it on the social and political environment.¹

The paper is about Kant's moral psychology, a complex analysis and philosophical reflection on the tension of human will as *arbitrium sensitivum* in acting consistently as *ratio essendi*. It explores the tension of fallibility of the human will. In Kant's notion of practical freedom he points to the dynamics of the will—*Wille* and *Willkur*—and how it creates tension between choice and culpability. This occurs specifically in the *Willkur's* function as the arbiter. I explore

¹Yirmiyahu Yovel, "Kant's Practical Reason as Will: Interest, Recognition, Judgement, and Choice," *The Review of Metaphysics* 52, no. 2, www.jstor.org/stable/20131140, accessed 6 September 2009, 267.

the impact of *Willkur's* arbitration in self-determination, especially the important call of obedience to the *Wille*. I conclude with an emphasis on the challenge for Kantian will to operate towards unity which enables the agent to be authentically autonomous.

Will and Culpability

For Kant, the will is practical reason that thrives in the condition of freedom. The will cannot be influenced by sensibilities and must be free to create an order entirely on its own. Kant's emphasis on the will extends to the will's conception of the good. The good is not happiness as for Aristotle or God as for Anselm. The good, therefore, is internal and constituted by the will itself. Kant writes:

Had one previously analyzed the practical law, he would have found, on the contrary, not that the concept of the good as an object of the moral law determines the latter and makes it possible, but rather the reverse, i.e., that the moral law is that which first defines the concept of the good—so far as it absolutely deserves this name—and makes it possible.²

It is the moral law produced by the will that determines the good. The will is an end in itself. It is autonomous. It is complete unto itself; it is its own sufficient reason. Elevating the will as the be-all and end-all carries a powerful implication on human beings. Human beings are endowed with freedom; they can be agents of actions.

Human beings as agents of action reveal the reality of culpability. Culpability is an ascription of fault, of a deviation that causes injury, a *mis*-take. The emphasis on the *mis* uncovers the standard in which one judges right from wrong. Recognition of *mis*-take is possible because of the will that can determine standards in its legislated maxims for a particular end against other laws that compete for the grounds of choice. Culpability therefore is accountability. Human be-

²Immanuel Kant, *Critique of Practical Reason*, trans. Lewis White Beck (New York: Macmillan Publishing Company, 1993), 64.

ings, whether they acknowledge their faults or not, remains accountable; actions can be readily be traced to an agent.

Culpability can never be separated from what Kant calls *imputation*, which is the judgment made by the author of an action.³ The capacity to transcend the effect of sensibilities deepens the meaning of culpability. Human beings cannot be simply excused and that includes even cases of ignorance. Though the non-excuse clause appears arresting, what underlies culpability is the reality of freedom. Human beings are culpable because they are simply free. Kant discusses the condition of freedom as the ground and condition for reason and its practical impact. The condition of freedom that Kant explores is what he calls practical freedom. He defines practical freedom as *the independence of the power of choice from the necessitation by impulses of sensibility*.⁴ Practical freedom is more than enough ground for Kant to build his moral philosophical system. Human beings' authorship of action can readily be located to the endowment of free will or practical reason. Referring to practical reason, Kant provides another definition of freedom which, in contrast to the former, is positive. The positive definition of freedom is the "ability of pure reason to be itself practical through the subjection of the maxim of every action to the condition of its qualifying as universal law."⁵ The autonomy of the will that has the ability to generate moral laws is the condition for the possibility of morality. Moral laws presented for adoption

³Immanuel Kant, *Metaphysics of Morals*, trans. and ed. by Mary J. Gregor, (Cambridge: Cambridge University Press, 1996), 6:227-6228.

⁴Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: St. Martin's Press, 1965), A:534-A:535.

⁵Immanuel Kant, *Metaphysics of Morals*, trans. and ed. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 6:221.

as grounds of choice. What completes the autonomy of an act is the actualization of the legislated universalized law and maxim. Yovel affirms:

In Kant's model, the rational will constitutes the good ("legislates the law"), adopts what it has constituted ("acts from the law") and thereby becomes actualized—that is, realizes pure practical rationality as end-in-itself. This is the fundamental meaning of Kantian "autonomy."⁶

The state of affairs is always the interaction of free will with sensibilities. Sensibilities and inclinations can persuade the will to not act upon its own maxim. There is always the presence of an inner battle. Moral laws must fight for their place within. Human beings as rational agents must *choose*. The act of choosing is a reality where the struggle for fidelity to universal moral laws finds its perfect manifestation. To choose is a difficult act in itself. Kant underscores the struggle in his attempt in describing the heteronomy of the will:

If the will seeks the law which is to determine it anywhere else than in the fitness of its maxims to be universal laws of its own dictation...there always results heteronomy...This relation, whether it rests on inclination or on conceptions of reason, only admits of hypothetical imperatives: I ought to do something *because I wish for something else*. On the contrary, the moral, and therefore, categorical imperative says: I ought to do so and so, even though I should not wish for anything else.⁷

The reality of heteronomy deepens the capacity *to choose otherwise* in Kant's example of a malicious lie in his *Critique of Pure Reason*. The phrase *to choose otherwise* shows how despite the limitations and challenges posed by sensibilities or other inclinations, man cannot simply be acquitted of his acts because of his inherent capacity to freely choose. Man can act as if he is devoid of freedom by simply following his inclinations, and yet this particular act of following one's inclination is an exercise of choice. However, the ambiguity of how much influence does

⁶Yovel, "Kant's Practical Reason as Will: Interest, Recognition, Judgement, and Choice," 269.

⁷Kant, *Fundamental Principles of the Metaphysics of Morals*, 57-8.

reason exert contra the influence of sensibilities and inclinations adds to the burden of being particular about the degree of culpability. To *know* the precise amount of each influence of reason and natural law interacting in a given act is tantamount to *grasping* the mechanisms reason and natural law themselves. For Kant, this is impossible. He underlines it in the *Critique of Pure Reason*:

The real morality of actions (their merit and guilt), even that of our own conduct, therefore remains entirely hidden from us. Our imputations can be referred only to the empirical character. How much of it is to be ascribed to mere nature and innocent defects of temperament, or its happy constitution this no one can discover, and hence no one can judge it with complete justice.⁸

Does the amount of influence of reason contra sensibilities and inclinations determine acquittal or culpability? Or is the mere presence of free will that enables man to choose already merits culpability? For Kant, there is no complete justice in the manner in which we can absolutely determine fairly and squarely the influence of reason and natural law in each act. Yet, the will that enables man to choose provides enough ground for morality, even to the extent of satisfying the principle of sufficient reason.

Yet a provoking question lingers given the proposition to *choose otherwise*. Where exactly is the fulcrum of culpability found? Is it in the actual exercise of choice or is it in the legislated law from the adoption of maxims? A closer examination of the will reveals the depth of culpability in the dynamics of the *Wille* and *Willkur*. The location of culpability in the dynamics of the *Wille* and *Willkur* reveals the moral tension in the will's struggle to operate as one.

***Wille* and *Willkur*: The Moral Battleground**

⁸Kant, Critique of Pure Reason, A:544 .

Kant's precision in his definitions is manifested in the difference he makes between choice and will. Choice or *Willkur* is the faculty of desire joined with one's consciousness of the ability to bring about its object by one's action while the same faculty whose inner determining ground, hence even what pleases it, lies within the subject's reason is called the will or *Wille*.⁹ A closer analysis reveals a tension with the given definitions since choice appears to be another variant of the will itself. Even Kant tends to be ambiguous in his definitions; commentaries even considered choice and will as dual conceptions of will. Yet Kant tries to flesh out the seeming separation of conceptions with clear distinctions of one will by relegating each to its particular function. Lewis White Beck notes:

It thus appears that we now have two concept of will, totally different from each other. The one, which called *Willkur* in the *Metaphysics of Morals*, we may refer to as an *executive faculty*. The other, which is pure practical reason, is *Wille* in the strict sense, and may be called the *legislative faculty*. "From *Wille* there arise laws; from *Willkur*, maxims." *Willkur* is obliged to execute that which pure practical reason in its real use makes law. Thus, in the final analysis, there are not two distinct wills or two different faculties related only in an external or coercive manner.¹⁰

From the will, there arises a moral tension. The legislative *Wille* is responsible for the adoption of maxims that are used to create moral laws which the *Willkur* can choose to actualize. *Wille*, also known as pure practical reason, issues the categorical imperatives in the purity of freedom it enjoys. Yet the tension lies in the *Willkur* for it is also enjoys a freedom to actualize the laws of the *Wille* or to forego it for the laws of sensibilities. For human beings as *arbitrium sensitivum*, morality finds its battleground in the will; the burden lies in the power of the *Willkur*

⁹Kant, *Metaphysics of Morals*, 6:213-6:214.

¹⁰Lewis White Beck, "Kant's Two Conceptions of the Will in Their Political Context," in *Kant and Political Philosophy, The Contemporary Legacy*, ed. Ronald Beiner and William James Booth (London: Yale University Press, 1993), 41.

to adhere to the laws of the *Wille* since the *Willkur* produces the motivation for action. Whatever laws the *Willkur* adopts becomes the ground of the act. The reality of choice is depicted in the unraveling of *Willkur*'s function. The issuance of categorical imperative, though it is compelling, does not include an automatic execution. Freedom abounds in the will especially in execution; and this commands a challenge. Kant notes,

Laws proceed from the will, *maxims* from choice. In man, the latter is a free choice; the will, which is directed to nothing beyond the law itself, cannot be called either free or unfree, since it is not directed to actions but immediately to giving laws for the maxims of actions (and is, therefore, practical reason itself). Hence, the will directs with absolute necessity and is itself *subject to* no necessitation. Only *choice* can therefore be called *free*.¹¹

The challenge is more pronounced given the deepened sense of freedom that the human will enjoys. It can choose to not follow its legislated maxims. Culpability, therefore, elicits a heightened sense of responsibility to carry out the universalized legislated maxims. With every act of adoption and execution of laws, the will more becomes itself. The constancy in the unity of operation of the will determines the being's *personality*, which is to be *ratio essendi* or a rational being.

Is it only the *Willkur* that carries culpability's burden? At first glance, the *Wille* enjoys the freedom to adopt any maxims and legislate them as laws. There is a possibility of a corrupted will through the legislation of adopted corrupted maxims into laws. However, Kant guarantees the purity of the *Wille* given the formal structure of the categorical imperatives it issues. Categorical imperatives are produced out of self-legislated but universalized maxims. The universality test determines which maxims are morally permissible and impermissible. Further, the second criterion is intimately connected to the universality test since the self-legislated and universalized

¹¹Kant, *Metaphysics of Morals*, 6:226.

maxims should treat human beings as end in themselves and not as means. This further contextualizes the universality test in the realm of humanity's preservation and good. Thus, the universality principle distinguishes itself from other arguments of the same type like bandwagon argument. Yovel asserts,

Universality is the signature of reason and recognition of other persons' humanity is the mark of moral interest. In conflating the two, Kant seeks to express the good will as rational (that is self-universalizing) will and the moral interest an inherent "interest of reason"...Because this interest implies a universally-oriented recognition and disposition, universalization becomes morally significant and a guide of moral intentions.¹²

Beck adds,

Maxims are chosen because they conform to the law of pure practical reason, that is, to the law that the maxims of a rational being are to be universally valid and that the actions of a moral being ought to be based on maxims chosen because they are valid for all rational beings.¹³

Thus, the *Wille* maintains the identity of a pure and good will, which Kant emphasizes in his moral philosophical system. Universalization and legislation of evil negates the will itself and thus is a contradiction. The universality principle must not be separated from the human interest in defining Kant's rationality. The fulcrum of culpability indeed lies in the *Willkur's* carrying out, which is a free act.

Culpability is breaks open the reality of the will's struggle to realize itself by choosing its own self-legislated universalized maxims. The moral battleground that occurs in the backdrop of freedom is also the will's quest of self-becoming. The more the will chooses to not follow itself, the more it fragments its *rational personality*. Human beings *become* culpable when they choose

¹²Yovel, "Kant's Practical Reason as Will: Interest, Recognition, Judgement, and Choice," 279.

¹³ Beck, "Kant's Two Conceptions of the Will in Their Political Context," 42.

to submit the call of the *Wille* to the laws presented by sensibilities or other heteronomous motivations. Yovel agrees:

Human beings can only deny the call of the good—of their own rational self (*Wille*)—by having their will as choice (*Willkur*) resolve to subordinate the call of reason to the rival call of inclinations, while incurring implicit shame and guilt.¹⁴

The *less* in Kant's definition of culpability comes as a refusal to do the good. *Willkur*, by consistently choosing rival inclinations and sensibilities, creates a disposition that can turn into a personality contrary to his *rational personality* that can dominate the nature of the human being. Rational personality can only be achieved in the will's unity of operations. Human beings as *arbitrium sensitivum* are placed in the battleground of realizing *ratio essendi* through execution of moral laws coming from the *Wille*. Culpability unveils the deeper struggle of the will to operate as one, for an autonomous human being to become an autonomous *rational* being.

Choice: Responsibility of Self-Determination and Obedience

The unexplainable human fallibility happens when man chooses to be *brutum* in its *liberum*. The one will, operating in dual functions, is always battleground. Pure practical reason, which is the source of categorical imperatives, faces competition with the maxims suggested by natural inclinations or heteronomous sources. The actual carrying out in the event of choice must choose only one ground from two competing motivations. *Willkur* acts as the final arbiter. To be an arbiter is not an easy task. The task becomes complicated not only because of competing motivations but also with given constraints and contexts—physiological, cultural, and social, among others. Another important factor to consider is human being's becoming. However it is not the purpose

¹⁴Ibid., 282.

of the paper to delve to each of these. Suffice to enumerate these examples as an aid to paint the enormous task that the *Willkur* assumes given its identity as an arbiter.

Human beings achieve true autonomy and rationality through a free and consistent carrying out of the *Wille's* self-legislated and universal maxims. The ordeal of an ethics of autonomy is unveiled in the dynamics of the legislative and executive functions of the will. Living out an ethics of autonomy involves a burden of making free choices. It is not a war between free and unfree choices. Deep within is the competition of maxims from practical reason vis-à-vis inclinations and sensibilities in the condition of total freedom. The burden of freedom is the ordeal to choose the good; to choose *rationality* as an end-in-itself.

To actualize rational self-determination, it is necessary for the will to act as one. The choice cannot hold without a ground while the legislated law remains a wish if not carried out. Though both can pose as modalities of self-determination, a closer analysis reveals the inadequacies of the *Wille* and *Willkur* to stand independent of each other. Yovel notes:

Kant rejects the exclusive nature of each claim and makes *Wille* and *Willkur* mutually necessary, while maintaining the *Wille's* normative priority (since the *Wille* sets the coherent conditions for *Willkur's* claim to work)...Kant links *Willkur* and *Wille* through the notion of freedom as self-determination and the need to perform it coherently, by using self-universalization (autonomy) to constitute the very self that is supposed to determine itself. *Willkur* attains its coherent actuality by choosing *Wille* as its genuine self.¹⁵

The will must act as one; this is the fulcrum of culpability. The will's ability to coherently act is achieved through the execution of its universalized legislated laws. Yet, it is proven in experience that man can disobey laws he even legislates. The struggle for the will that is unveiled by the reality of culpability lies in the moral battle of the *Willkur* to choose *Wille* as its genuine

¹⁵Ibid., 290, 293.

self. Man is caught in between, in the tension of *arbitrium sensitivum*, whereby his will does not ipso facto coherently operate. Beck, quoting Kant, claims,

Man is the only being in the world that can get entangled in these paradoxes, with all the horror they bring and all the heroism they demand...Man alone can issue, recognize, obey, disobey (and not merely illustrate or fail to illustrate) laws. If he were a beast, he could neither create nor obey laws; were he a god, he could create them without having to obey; were he a slave, he would have to obey but could not create laws. But the human being is, for good or evil, neither beast nor slave nor God.¹⁶

The responsibility of self-determination is unpacked in the dynamics of will. Responsibility is a task that has a challenging scope of not only finding maxims to universalize and fit into humanity as interest but also in ably actualizing those maxims at all costs. The presence of constraints is alluded to by Beck when he mentioned about *horror* and *heroism*. For better or worse, the human being as *arbitrium sensitivum* is the platform where the individual begins his journey of self-becoming in rationality actualized in choice. Choice carries not only consequences but also the realization of his rational personality that must be re-won over and over again in the struggle of his will to operate as one.

The interaction of human beings in daily life is a rich mine for maxims that can be universalized into practical laws. Kant made morality encompassing, creating an environment of plenitude and nuances, for a variety of acts to be maxims that can aid man to his self-becoming through self-determination. In the wake of plenitude and variety, morality's strength of force is tested; man has the ability to not choose the self-legislated moral law as ground for action. The plenitude and variety of available acts for maxims can easily be misused, misconstrued, and mis-

¹⁶Immanuel Kant, *Metaphysics of Morals*, (Academy Edition), 6:241; quoted in Lewis White Beck, "Kant's Two Conceptions of the Will in Their Political Context," in *Kant and Political Philosophy, The Contemporary Legacy*, ed. Ronald Beiner and William James Booth (London: Yale University Press, 1993), 46.

interpreted. Yet the formal structure of the *Wille* functions as the sifting instruments in for the will to legislate as laws. Maxims for self-determination has evolved into a complicated and dynamic endeavor. Yet, the complication offers a lot of room for creative challenges especially for legislated practical laws. However, in the end, culpability lies in a matter of obedience to the self-legislated universal law.

Culpability can be seen as a case of obedience or disobedience to the practical law. Kant is clear in his criterion for a morally genuine maxim and that is a maxim that rests on exclusive interest in obedience to the law.¹⁷ Obedience appears as an integral responsibility of each human being in trying to exhibit rationality. For Kant, obedience is a matter of choice. Though practical law exerts a force that reckons with heteronomous laws of sensibilities and inclinations, it does not clip the freedom of the *Willkur* to choose. The environment of freedom elevates the choice of obedience to a more real and noble endeavor. Choosing to exercise obedience is not equivalent to coercion or duress. Exercising obedience is a free act.

Choosing to submit the will to moral law is a noble task. Yet the submission, though an ordeal, is actually a realization of rational personality. Self-determination is not an arbitrary journey but rather an ongoing endeavor grounded on obedience to practical law in the condition of freedom. The more one chooses to obey the practical laws legislated by the *Wille*, the more one becomes a rational and moral being.

Obedience to the self-legislated universal law is elevated out of the prejudice of duress or even of the blind kind given the freedom of choice. Obedience finds its true worth in the free exercise of the will to choose to submit itself to moral laws it legislated. Obedience to moral law

¹⁷Ibid., 83.

brings about self-actualization; it guarantees the becoming of human beings as rational beings. Further, obedience highlights the rational being's identity as lawmakers but subjects and not sovereigns of the legislated laws. The moral law is the standard *par excellence* and obedience to it elevates human being's worth as rational beings. Kant argues,

Duty and obligation are the only names which we must give to our relation to the moral law. We are indeed legislative members of a moral realm which is possible through freedom and which is presented to us as an object of respect by practical reason; yet we are at the same time subjects in it, not sovereigns and to mistake our inferior position as creatures and to deny, from self-conceit, respect to the holy law is, in spirit, a defection from it even if its letter be fulfilled.¹⁸

And is not greater freedom achieved through obedience to self-legislated universal law? Ironically, the free act of exercising obedience brings about greater freedom since the *Willkur* can only be spontaneous if it follows the *Wille*¹⁹, if the *Willkur* chooses to actualize the moral laws generated from pure practical reason. A shaking paradox is revealed here. A rational being is a free being whose freedom is more pronounced and expanded in the will's unity of legislative and executive functions. Freedom is expanded in every exercise of respect for moral law given the consistency of rational personality. For Kant, rationality and freedom are intimately linked. Choosing heteronomous laws prevents the consistency of rational personality; it makes the human being unfree since the exercise of freedom rests solely on the execution of self-legislated universalized laws. Culpability carries the benefit of greater freedom if the *Willkur* chooses to be spontaneous by obeying the *Wille*. Self-determination, through a conscious and free submission to moral law, finds its highest value in freedom. Man has to exercise fidelity to his rational personality for only in actualizing his rational personality will he experience greater freedom and

¹⁸ Kant, Critique of Practical Reason, 86.

¹⁹Beck, "Kant's Two Conceptions of the Will in Their Political Context," 42.

autonomy. For man, fidelity to rational personality occurs in the *Willkur's* arbitration—to consistently submit to the *Wille* than to rival inclinations. Beck notes,

It is possible for him to see that the will as “creator of law” was an idealization of the spontaneous *Willkur*. . . Rational personality as initiator of the laws is a being that is ipso facto an ought for partially rationally beings. Or put another way, the duty which we are conscious as constraining the actions of our *Willkur* is a product of law on impulse; the law would be a law that *Willkur* would obey spontaneously if *Willkur* did not have an impulsive element and did not to some extent lack rationality.²⁰

Conclusion: The Struggle of the Human Will for Unity

Choice is not only a word that exposes accountability in freedom. Unlocking choice in Kantian moral philosophy reveals a doorway to the will's dynamics. *Wille* and *Willkur*, as legislative and executive functions, play a crucial role in determining the identity of a choice. *Wille* provides the unconditional categorical imperatives yet the *Willkur* can refuse them to be grounds of its choices. Actualizing ethics involves the burden of choosing in the condition of freedom, enabling accountability for each act and choice made.

The identity of a rational choice lies in the unity of functions—*Wille* and *Willkur*. The state of freedom provides a creative tension especially in the function of the *Willkur* to choose the *Wille* over the competing and equally forcible sensibilities and inclinations. Freedom comes with responsibility. Though Kant proposes the formal structure of the categorical imperative, the human being is still free to refuse it and embrace other grounds for its acts. Despite the respect and power of moral law that preserves rationality, human beings still choose to be irrational.

The esteem and respect for moral law is much pronounced in Kantian moral philosophy. Moral laws are produced as categorical imperatives from the structure of self-legislated universalized maxims that are intimately linked with treating human beings as ends. The formal struc-

²⁰Ibid., 43.

ture ensures the purity of moral laws produced by the *Wille* as they compete with other grounds or heteronomous laws. The final arbiter, *Willkur*, incurs the culpability of choosing the grounds for its choice and act. Culpability finds its ground on the *Willkur* execution. Good and evil are matters of free choice.

Responsibility arises from the freedom of self-determination. Kant opened a horizon that encompasses a variety of acts that can qualify into universal laws. Ethics became dynamic and evolving adding more weight to the responsibility of self-determination. Creativity has its challenges and corresponding opportunities towards the realization of *ratio essendi*. Yet the important call is obedience, which lies in the freedom that Kant accords to the *Willkur* in choosing the *Wille* over its competitors. Culpability finds its rearticulation in the free choice of the will to submit itself to moral law—an expression of obedience. The tension between the *Wille* and *Willkur* is a matter of obedience. And, ironically, greater freedom and autonomy is achieved through obedience. Man becomes an autonomous rational being through free submission to moral law.

Kant puts prime importance in reason which is the be-all and end-all of choices and destiny. He precisely laid out the will that generates accountability of actions. The will is reasonable not only with the laws it legislates but more so in its actualization of these legislated moral laws. To act from reason, by reason, and for reason emphasizes the identity of the human being as free and rational, despite being affected sensibilities. Choice has never been so crucial for it spells the difference between rationality and irrationality, heaven and hell, and good and evil. Man, through his will, erects himself as the author of his own destiny.

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