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# hypothetical imperatives: scope and jurisdiction

## I hypothetical imperatives vs. *the* Hypothetical Imperative

The last few decades have given rise to the study of *practical reason* as a legitimate subfield of philosophy in its own right, concerned with the nature of practical rationality, its relationship to theoretical rationality, and the explanatory relationship between reasons, rationality, and agency in general. Among the most central of the topics whose blossoming study has shaped this field, is the nature and structure of *instrumental* rationality, the topic to which Kant has to date made perhaps the largest contribution, under the heading of his treatment of *hypothetical imperatives*.

After forty years, Tom Hill's 1973 article, 'The Hypothetical Imperative' remains one of the best entrees into the issues surrounding instrumental rationality, as well as the main voice of probably the most mainstream interpretation of Kant's own view of hypothetical imperatives.[1] Hill's article offered not only an interpretation of Kant's theory of hypothetical imperatives, but a general account of why, in Kant's view, demonstrating the possibility of a categorical imperative requires a synthetic argument of the kind that he proceeds to give in section 3 of the *Groundwork* and in the *Critique of Practical Reason* – showing that understanding Kant's view of hypothetical imperatives is essential for understanding the structural issues in his practical philosophy more generally.

The main theme of Hill's article is that just as Kant's moral philosophy relies on an important distinction between categorical imperatives and the Categorical Imperative, Kant's broader practical philosophy also relies on an equivalent distinction between hypothetical imperatives and the Hypothetical Imperative (hence the title).[2] For Hill's view it is important not only that there is something called 'the

[1] My own engagement with Hill's article actually led to both of my first two publications in philosophy, including both my not-so-creatively titled dissent, 'The Hypothetical Imperative?', and 'The Scope of Instrumental Reason', whose origin was as a splinter off of the other paper.

[2] Curiously, Kant actually never unambiguously refers to 'the' hypothetical imperative, in the singular, as he does to the Categorical Imperative. Hill claims otherwise, twice citing a single passage in which the term 'the hypothetical imperative' appears; unfortunately, the passage is taken out of context, and comes from the second half of a long German sentence whose first half refers alternately to 'the imperative of prudence' and 'the technical imperative', and in which the most natural reading of 'the hypothetical imperative' in the second half is as a *bound* reading, so that it refers alternately to either the imperative of prudence or the technical imperative. Nothing much should hang on this issue.

Hypothetical Imperative', but that it is itself an imperative. Whereas individual hypothetical imperatives, such as 'if you want to lose weight, then count your calories' and 'if your aim is to graduate, then you ought to attend your classes' enjoin particular, concrete, actions to agents with particular ends, according to Hill the Hypothetical Imperative says simply: 'take the necessary means to your ends'. Rather than enjoining particular concrete ends, it enjoins simply taking the necessary means to your ends, whatever those are, and rather than addressing only the people with one end or another, it addresses every rational agent as such.[3]

It will be helpful to compare imperatives, which after all for Kant are simply the expression of laws to imperfect wills which do not necessarily obey them, to more mundane laws. One important feature of laws is that they have *jurisdictions*. For example, in the state of New York, it is illegal to turn right at a red light. The jurisdiction of that law is *drivers in New York*, and what it prohibits is *turning right on red*. In general, anyone who is simultaneously a driver in New York and is turning right on red is in violation of this law, but it is important to appreciate that being a driver in New York and turning right on red make different contributions to this fact. If you are a driver in New York and you *don't* turn right on red, then you are *complying* with the law, whereas if you are a pedestrian in New York or a driver in Buenos Aires or Cairo, the law simply doesn't apply to you. The reason why drivers in Cairo who turn right on red aren't in violation of New York traffic laws is that the New York state legislature doesn't have *jurisdiction* over drivers in Cairo – not that it does have jurisdiction, but they are in compliance.

According to Hill, the significance of the Hypothetical Imperative (in the singular, with capitals) is that its jurisdiction is just as universal as the Categorical Imperative – it has jurisdiction over absolutely all rational agents, no matter what they are like. The reason this shapes Hill's broader interpretation of Kant is that this makes the Hypothetical Imperative sound an awful lot like Kant's description of categorical imperatives – which are universal laws, with jurisdiction over every rational agent, no matter what she is like. For on one highly eligible interpretation of Kant it is precisely the universal jurisdiction of categorical imperatives which makes them so hard to argue for and explain, but Hill cannot accept this interpretation, for if it were right, then hypothetical imperatives would be just as hard to argue for and explain, since they derive from the Hypothetical Imperative, which shares with categorical imperatives the feature of having universal jurisdiction.[4]

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[3] Compare also pp 51-57 of Hill and Zweig [2002], where this view is reiterated.

[4] Compare Hampton [1998], pp 165-166, who argues on just these grounds that Kant's view that hypothetical imperatives are easier to explain than categorical imperatives is incoherent (boldface added for emphasis):

> Kant's position on the nature of hypothetical imperatives must be construed (**contra his explicit wishes**) such that understanding the bindingness of a hypothetical imperative is no easier than understanding the bindingness of a categorical imperative. My interpretation cannot save Kant's belief that the former is more straightforward than the latter; **indeed, my argument is that Kant's belief is wrong**. The only way to analyze Kant's analyticity claim is to do so in a way that locates

In earlier work I argued that Hill's textual interpretation of Kant's account of hypothetical imperatives is under-motivated and fails to account for a number of interesting facts about the text, including the details of Kant's analytic argument for hypothetical imperatives, the significance of his distinction between *problematic* and *assertoric* hypothetical imperatives, and changes in his treatment over time, particularly leading up to the publication of the *Critique of Judgment*.[5] My goal here is not to rehash those arguments, but to explain why it *is* so important – not only for Kant, but for contemporary efforts to explain requirements either of rationality or of morality – what we take the underlying *jurisdiction* of those requirements to be. My main focus will be on the constraints on *any* theory that are placed by the answer we give to this question, rather than on interpretive questions about Kant, but I will try to indicate along the way why it is fruitful to understand Kant as having been motivated by precisely the issues that I will be trying to make vivid, here.

The remainder of the paper consists of 5 sections; in section 2 I'll introduce a mostly familiar dialectic framed in contemporary terms about the structure of hypothetical imperatives, framed in terms of their *scope*, and try to get clearer about how they are related to one another. One of the most important points to be made in that section is that in order for questions about scope to be interesting, it helps a great deal to impose certain constraints on the proper interpretation of the normative concept that we use to formulate them. In section 3 I'll argue that the law gives us a model for the kind of normative concept that allows the interesting scope question to be asked, and that this is because it makes room for non-vacuous distinctions in *jurisdiction*.

Then in section 4 I'll discuss the relationship of *scope* to *jurisdiction*, and lay out two broadly Kantian concerns one might have – and which I think we should have – about how to explain wide scope rational requirements with universal jurisdiction. In section 5 I'll offer a positive, Kant-inspired but not necessarily strictly Kantian picture which, by giving one interpretation of what makes narrow-scope statements of conditional requirements of rationality true, gives us a rich and satisfying alternative to the concerns raised in section 4. Finally, in section 6 I'll close by revisiting my original disagreement with Hill, and suggesting that in some (particularly important!) respects, our readings of Kant may not actually be so far apart.

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in hypothetical imperatives the same mysterious objectivity that attends the categorical imperative. Even more strikingly, I have argued that the force of hypothetical imperatives is dependent on, and *is at least in part constituted by*, the force of some antecedent categorical imperative that is in part definitive of instrumental rationality.

[5] Schroeder [2005].

## 2 instrumental rationality: some possible views

The topic of instrumental rationality explores how what we ought to do depends on our ends. It is actually plausible that there are in fact several different closely related topics which can loosely be described in these terms and have sometimes been confused[6], but glossing over complications, we may take the basic datum to be that at least in paradigmatic cases, there is something going wrong with someone who intends some end, believes that some means are necessary for that end, and has no intention whatsoever for the means.

To simplify things by avoiding quantifying over ends and means, I will assume that *e* and *m* are arbitrary actions, that E*x* is the proposition that *x* intends to do *e*, M*x* the proposition that *x* intends to do *m*, and B*x* the proposition that *x* believes that *m* is a necessary means to *e*. Also for simplicity, and glossing over several complications, I will follow a common convention in deontic logic, and assume that we can represent the claim that *x* ought to do *a* as $\text{OUGHT}_x$(*x* does *a*), treating '$\text{OUGHT}_x$' as a propositional operator.[7] These simplifications make it possible to distinguish clearly between four important kinds of view from the literature about instrumental rationality, distinguished from one another by the *scope* of the 'ought':

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|---|---|
| **Narrow** | $\Box\forall x\,(E_x \& B_x \rightarrow \text{OUGHT}_x(M_x))$ |
| **Intermediate** | $\Box\forall x\,(B_x \rightarrow \text{OUGHT}_x(\sim E_x \vee M_x))$ |
| **Wide** | $\Box\forall x\,(\text{OUGHT}_x(\sim E_x \vee \sim B_x \vee M_x))$ |
| **Myth** | $\Box\forall x\,(\text{OUGHT}_x(\sim E_x) \vee \text{OUGHT}_x(\sim B_x) \vee \text{OUGHT}_x(M_x))$ |

Controlling for differences of opinion about exactly how '$\text{OUGHT}_x$' is to be understood, I've advocated a view with the structure of Narrow in Schroeder [2009], Jonathan Way has advocated an attractive view with the structure of Intermediate in Way [2010], Joseph Raz [2005] and Niko Kolodny [2008a], [2008b] have advocated views something along the lines of Myth, and Wide has been widely endorsed, including by Hill [1973], Darwall [1983], and Broome [1999], among other prominent proponents.

Proponents of Wide sometimes say that only Wide is uncontroversial, but that depends on how we interpret '$\text{OUGHT}_x$'. If we interpret '$\text{OUGHT}_x$' as meaning '*x* won't do everything that *x* rationally ought to do unless', then Wide is actually *entailed* by each of the other views. After all, if *x* won't do everything that *x* rationally ought to do unless $\sim E_x$, it is clear that *x* won't do everything that *x* rationally ought to do unless $\sim E_x \vee \sim B_x \vee M_x$. So on this reading, the first disjunct of Myth entails Wide, and similar reasoning

[6] Including by me; see Schroeder [2004].

[7] I don't believe this simplification affects anything important in this paper, but for some of the reasons why it is arguably an oversimplification, see Schroeder [2011].

goes for the other disjuncts. Similarly, if the truth of $E_x \& B_x$ guarantees that *x* won't do everything that *x* ought unless $M_x$, *x* certainly won't do everything that *x* ought unless either $M_x$ or it is not the case that $E_x \& B_x$ – so on this reading, Narrow also entails Wide – and similar reasoning goes for Intermediate. So if we interpret '$\text{OUGHT}_x$' in this way, Wide *isn't* controversial; it is just a description of the data that everyone wants to be able to explain.[8]

Now, the problem is not that we cannot formulate *some* dispute between Wide and Narrow scope views about instrumental rationality, by use of a normative concept like '*x* will not do everything that *x* rationally ought to do unless'. Using such a concept, as I've noted, all sides agree that Wide is true. But there can still be a very real debate about whether Wide is the *only* true thing to be said, at this level of generality. However, prominent objectors to the Wide scope view in the literature – including Niko Kolodny, Joseph Raz, and myself – have not presented their view as granting that Wide is true but insisting that one of the other theses is also true. On the contrary, many remarks of these critics suggest that they have been trying to argue directly against Wide. So it seems that charity requires taking them to interpret '$\text{OUGHT}_x$' as meaning something else.

And indeed, though Wide is uncontroversial when we interpret '$\text{OUGHT}_x$' in this way, what *is* controversial is what *makes* this true. On this interpretation of Wide, for all that it says, the explanation of why *x* will not be doing everything that *x* ought unless $\sim E_x \vee \sim B_x \vee M_x$ works the same way as the explanation of why someone who ought to post a letter will not be doing everything that she ought unless she either posts it or burns it.[9] But if someone who has promised to post a letter (and hence ought to post it) burns it instead, she is either posting it or burning it, but there is nothing intuitive about the claim that she is satisfying one of her obligations.[10] Moreover, if she does post the letter, there is intuitively nothing *extra* that she does right, in virtue of the fact that she thereby either posts it or burns it. So when proponents of Wide say things like that you can satisfy the requirements of instrumental rationality just as well by giving up your ends as by going on to intend the means,[11] or that there is something *distinctive* going wrong with someone who fails to intend the believed means to her intended end,[12] it does not make sense to interpret them as meaning simply that *x* will not do everything that *x* rationally ought unless $\sim E_x \vee \sim B_x$

[8] The data is actually more complicated; I'm simplifying by ignoring what happens when, for example, you believe that the means is necessary for the end but that you will do it without intending to do so. See Setiya [2007] and Kolodny [2008a] for more discussion of these sorts of important details, over which I will proceed to gloss.
[9] This is Ross's Paradox, originally raised in the context of imperatives. See Ross [1941].
[10] Although compare Wedgwood [2007], chapter 4, on how easy it may be to satisfy *some* obligation versus how hard it is to satisfy *all* obligations.
[11] Compare Hill [1973], Broome [1999].
[12] Compare Wallace [2001].

$\vee$ $M_x$ – they must mean something stronger.[13] It is therefore this stronger thing that detractors of Wide Scope views, including Joseph Raz, Niko Kolody, and myself have meant to deny.[14]

## 3 scope in the law

This raises the question of just what this stronger interpretation of '$\text{OUGHT}_x$' is supposed to be. And for the answer to that, it is helpful to look back to the example of the law. Just as someone who intends *e*, believes that *m* is a necessary means to *e*, and does not intend *m* is not entirely as she rationally ought to be, someone who is a driver in the state of New York and turns right on red violates the New York state traffic regulations. If we let $E_x$ be the proposition that *x* is driving, $B_x$ be the proposition that *x* is in the state of New York, and $M_x$ be the proposition that *x* does not turn right on red, we can now interpret Narrow, Intermediate, Wide, and Myth as accounts of what is going on in this case. Again, if we interpret '$\text{OUGHT}_x$' as meaning '*x* will be in violation of New York state traffic regulations unless', there is nothing controversial about Wide. But again, since it is also true that you will be in violation of New York state traffic regulations unless either you are not in New York or you are not a driver or you do not turn right on red or you drive a convertible, this does not seem like a particularly interesting thing to say.

On the other hand, if we interpret '$\text{OUGHT}_x$' as 'New York state traffic regulations require *x* to', then Wide is not obviously true after all. On the contrary, Narrow and Intermediate are much more natural views. According to Narrow, New York state traffic regulations have jurisdiction over drivers in New York, and require them not to turn right on red. According to Intermediate, New York state traffic regulations have jurisdiction over everyone in New York, driver or not, and require them to not turn right on red while driving. Both of these views are plausible, because it is (relatively) easy to understand why the New York legislature has jurisdiction over people in the state of New York – particularly if they are driving. But on this interpretation, Wide says that New York state traffic regulations have jurisdiction over drivers in Buenos Aires and Cairo, and require them to either not turn right on red or else not be in New York. This claim is particularly implausible, because it is very hard to see how the New York state legislature could gave gotten jurisdiction over drivers in Cairo or Buenos Aires. The much more natural way of understanding what is going on in this case is therefore that Wide is not, in fact, true on this interpretation.

[13] For this point in connection with Wide, see van Roojen [unpublished]. Similar issues were originally introduced in the context of understanding conditional 'oughts' as oughts with material conditional complements within Standard Deontic Logic by Chisholm [1963].
[14] See particularly Raz [2005], Kolodny [2008a], [2008b], and Schroeder [2004], [2009].

Another way of seeing the same thing, I think, is to observe that drivers in Cairo and Buenos Aires are not *complying* with New York state traffic regulations, simply because they are not in New York. In contrast, drivers in New York who don't turn right on red *are* complying with New York state traffic regulations. It is true that there are two ways to *avoid violating* New York traffic regulations – you can refrain from turning right on red, or you can leave the state. But these are not two ways of *complying* with the regulations. One is compliance, and the other is escape. The distinction between compliance and escape tracks the regulations' *jurisdiction*, because you can comply with a regulation only if you fall under its jurisdiction, and leaving the jurisdiction of the regulation is sufficient to avoid violating it.

What these remarks illustrate, I believe, is that the concept of what is required by New York traffic regulations is the right kind of concept to allow for a meaningful scope debate precisely because it allows for a non-vacuous distinction between who falls inside and outside the jurisdiction of the law. Any concept that allows, at least in principle, for a non-vacuous jurisdiction distinction enables us to have a real scope debate, because the concept of jurisdiction guarantees that no one who falls outside the jurisdiction is bound by any of its requirements. And that means that all requirements are conditional on falling under the relevant jurisdiction. So if proponents of the Wide scope view are willing to use such a law-like concept, and hold that something – a kind of means-end consistency – is required of *all* rational agents, then they are committed to a view about the jurisdiction of this requirement or its source – that it has jurisdiction over all rational agents.

What I've just been arguing, is that the dispute between advocates of Wide and its detractors is not best understood as a dispute about whether Wide is true, if interpreted in such a weak way that it follows from Narrow, Intermediate, or Myth, and moreover that understanding this dispute requires drawing an important distinction between *compliance* and *avoidance*, which tracks the important concept of *jurisdiction*. The distinction between compliance and avoidance is precisely what makes the dispute among proponents of Narrow, Intermediate, Wide, and Myth an interesting one.

## 4 the impact of jurisdiction on explanatory resources

So far I've been arguing that insofar as there is an intelligible debate about the scope of instrumental rationality, it is a debate about the scope of a concept that is *law*-like, in that it distinguishes between violation and non-compliance, and that this distinction is closely related to the concept of *jurisdiction*. The fact that law-like normative concepts are precisely of the right kind to allow for these important distinctions should encourage us, I believe, about whether these distinctions are important for Kant's own

theory of instrumental rationality. For Kant himself employed a rich terminology deeply indebted to thinking in terms of the concept of law. Imperatives are defined outright in the *Groundwork* as the expression of laws to imperfectly rational wills.

The reason why scope is closely related to jurisdiction is that a law only needs to have jurisdiction over those who satisfy its condition. Since Narrow and Intermediate only postulate laws given some substantive condition, the laws they postulate need only have narrow jurisdiction. But since Wide postulates an unconditional law, that law must have universal jurisdiction. This is precisely what makes the Wide interpretation of New York state traffic laws so implausible – for it is implausible that the New York state legislature has the authority to legislate laws with jurisdiction over drivers in Cairo or Buenos Aires.

So what about the Wide interpretation of the requirement of instrumental rationality? Is it plausible that it has universal jurisdiction over all rational agents? I have to confess that I find this idea as puzzling as I do the idea that the New York state legislature has jurisdiction over drivers in Buenos Aires. What is the source of this universal requirement supposed to be, and how does it acquire jurisdiction over every rational agent? I find it difficult to even get my head around this question.

Moreover, I think that this sort of puzzlement is distinctly Kantian. For according to Kant, rational agents are autonomous, in the sense that they act according to laws *that they set for themselves*:

> The will is therefore not merely subject to the law, but subject in such a way that it must be considered as also *giving the law to itself* and **only for this reason** as first of all subject to the law (of which it can regard itself as the author).[15]

But if hypothetical imperatives derive from a master Hypothetical Imperative with universal jurisdiction over every rational agent, then their authority seems to come from outside the agent – for it comes from whatever authority has jurisdiction over *all* rational agents. So although it is possible that this is based on a misconception on my part, such an external source of rational requirements sounds *prima facie* exactly like *heteronomy* of the will. Autonomy, in contrast, would be each agent being bound only by laws she sets for herself – that is, the idea that each agent falls only under her own jurisdiction.

A second, related but also important question, is how bare rational agency suffices to explain why someone falls under this particular requirement. Kant explains in the *Groundwork* that the hypotheticality of hypothetical imperatives is exactly what makes them unpuzzling, and the kind of thing whose possibility can be established by analytic means. The 'objective necessity' which they present, he says, is only 'based on

[15] Kant [2002], 232 (4:431). Boldface added for emphasis; italics in original.

a presupposition' – a presupposition that is rich enough for us to know that someone who satisfies it is indeed bound by that imperative.

> By contrast, 'How is the imperative of morality possible?' is beyond all doubt the one question in need of a solution. For the moral imperative is in no way hypothetical, and consequently the objective necessity, which it affirms, cannot be supported by any presupposition, as was the case with hypothetical imperatives.[16]

I believe that the insight behind this passage is that the stronger the condition on which an imperative applies, the richer the explanatory materials that we will have, in order to explain why and how it is, that the imperative applies. What makes categorical imperatives puzzling and in need of explanation, on this view, is precisely that they are unconditioned, and so we have nothing more to work with than rational agency as such, in seeking to explain them. So Hill's Hypothetical Imperative, which unconditionally requires means-end coherence of every rational agent, should be puzzling for exactly the same reason, and I think that it is.

So I believe that there are two, distinct but closely related, puzzles about unconditional requirements like that postulated by the Wide scope view of instrumental rationality, as I've been interpreting it in this paper. The first is the puzzle of what could have jurisdiction over every rational agent, and the second is how the bare idea of rational agency as such could suffice to explain not only why an agent falls under this jurisdiction, but why the requirement is in force for her. Since I believe that these puzzles are closely related, however, I don't think it should be surprising if a single move addresses both.

## 5 autonomy of the will

Whereas it is puzzling, I think, how something could come to have jurisdiction over every rational agent, I don't think it is similarly puzzling how a rational agent could come to have jurisdiction over herself. This is not to say that there are *no* philosophical puzzles about the latter – on the contrary, if this is Kant's view, that I have authority over myself is something that I may only be able to establish through a transcendental argument – but only that the same puzzles do not arise. If an agent has jurisdiction over herself, then she can create rules or laws for herself. In the helpful terminology of Sam Shpall [forthcoming], [unpublished], she can rationally *commit* herself to acting in one way or another.[17]

[16] Kant [2002], 220 (4:419).

[17] Shpall [forthcoming] argues convincingly for the importance of our intuitive notion of commitment in considering cases like instrumental rationality and enkrasia, and in [unpublished], he develops a rich characterization of the distinctive and important features of this sense of commitment.

Because the New York state legislature has jurisdiction over drivers in the state of New York, it has the authority to require things of them. But in order to exercise this authority, it must act. If it passes legislation which says, 'drivers may not turn right on red', then drivers in New York become required not to turn right on red. And if it later passes legislation which says, 'drivers may turn right on red', then this former requirement is relaxed. Similarly, if a rational agent has jurisdiction over herself, then she has the authority to create rules for herself. But in order to exercise that authority, she must do something. So in order for an agent to have meaningful such authority over herself, there must be something that she can do to exercise it.

The virtue of the Narrow and Intermediate accounts of instrumental rationality is that they tell us exactly what a rational agent must do, in order to exert this authority over herself. On the Narrow view, what she must do to commit herself to intending *m*, is to intend *e* and believe that *m* is necessary for *e*. On the Intermediate view, what she must do to commit herself to not both intending *e* and not intending *m*, is to believe that *m* is necessary for *e*. Because each of these views makes the requirement governing an agent not only conditional, but conditional on something that agent does (in a very expansive sense of 'does' which includes belief and intention), they are very naturally construed as simply telling us what an agent must do, in order to commit herself.

This picture does away with the idea that there is some peculiar source of rational requirements which somehow has jurisdiction over every rational agent, and replaces it with the idea that each rational agent has jurisdiction over herself. In that way, it addresses the first problem which puzzled me in the last section. And it makes good on Kant's observation that was at the heart of the second problem from that section. Kant's observation, I suggested, was that conditional requirements give us richer explanatory resources in order to explain requirements, and on the picture being developed in this section, we utilize those explanatory resources by conceving of them as the things an agent must do, in order to exercise her authority over herself.

I don't know that Kant's own view is anything like this, but if it is, I suspect that it has neither the shape of Narrow nor that of the Intermediate view I've described, but rather that of an alternative, Kantian Intermediate view:

**Kantian Intermediate** $\Box\forall x\,(E_x \rightarrow \text{OUGHT}_x(\sim B_x \vee M_x))$

After all, if rational agents give themselves laws, on Kant's picture it will not be their beliefs which do so, but the exercises of their will. In willing an end, I commit myself to taking the means I believe to be

necessary to it. In ceasing to will this end, I relieve myself of that commitment. So long as I am under the commitment and fail to intend some means I believe to be necessary, I am failing to do everything to which I am committed, and hence am irrational. But that is not because there is any more general rule of rationality which explains why this is so. It is just because though my will, I have the power to rationally commit myself, and rationality is nothing more than living up to my own commitments – that is, being successfully governed by the laws that I set for myself.[18]

## 6 kantsequences

In this paper I've been trying to argue that it helps to use a law-like normative concept – one which allows for meaningful distinctions about jurisdiction – in order to get to the heart of what has been at stake in the so-called 'scope' dispute over instrumental rationality. And if this is right, then we should not be surprised, given Kant's own reliance on the concept of law, if this dispute is important for his purposes. And I've promoted two Kantian ideas as having real import for this dispute: first, that rational agents are autonomous, in the literal sense that they give themselves their own laws, and second, that the very thing that makes hypothetical imperatives easier to explain is their conditionality, since that provides us with greater explanatory materials. When we put these two Kantian ideas together, we get the view that instrumental rationality is not something that is required of us, as rational agents, but rather, simply a reflection of our capacity to require things of ourselves. It is not right – or at least not illuminating – to think of instrumental rationality, on this picture, as backed up by a law-like Hypothetical Imperative.

I have not intended the main claims of this paper to amount to interpretive claims about Kant; merely to emphasize what I take to be Kantian themes that I think are independently important in this domain. But if Kant really did accept something like the Kantian Intermediate view, holding that the will is our capacity to require things of ourselves, he certainly did not think that it gives us the authority to require just *anything* of ourselves. Just as the New York state legislature has the authority to require drivers not to turn right on red but lacks the authority to require voters to pay a poll tax, rational agents, though they have the authority to require *some* things of themselves, lack the authority to require themselves to lie, for example, or to neglect their self-development. Famously, for Kant all limits on what agents have the authority to require of themselves must come from the bare condition that all requirements must have the form of a law. So whereas Kant's account of hypothetical imperatives, on this view, reflects the authority

[18] This description matches the interpretive claims about Kant advanced in Schroeder [2005]. Compare especially the discussion of autonomy in Hill [1985], and in Hill [1989], especially pp 140-141.

that rational agents have over themselves, his account of categorical imperatives reflects the limits of that authority.

And this means, I think, that there is something worth calling the Hypothetical Imperative after all – even though I don't think it is right to think of it as an imperative. After all, at the end of 'The Hypothetical Imperative', Hill emphasizes that what is most important about the claims that he makes in the article is that it shows how the Hypothetical Imperative and the Categorical Imperative are simply two different reflections of a single capacity for practical reason, which can be 'paradoxically' summarized with the edict, 'Do what you will'. But this is exactly what I have just been arguing follows, if anything like the picture of this paper is accurate about Kant's own views. If practical reason is auto-nomous in the way I've described, then the Hypothetical Imperative is a reflection of the *auto*, and the Categorical imperative is a reflection of the *nomous*. If that is true, it is an important truth, and no paradox.[19]

[19] Special thanks to Tom Hill, Robert Johnson, Mark Timmons, Errol Lord, and Andrew Sepielli.

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