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Guyer, Sellars and Kant on the Dignity and Value of Freedom

Abstract: Paul Guyer is well known for defending the claim that freedom, understood as the capacity to set ends, is Kant's fundamental value. In contrast, I have developed a reading of Kant's ethics that places autonomy and community at the heart of Kant's ethics. At the heart of my account is a conception of autonomy understood as what I call the capacity for sovereignty. I argue that these two positions can be made compatible. To do this involves making a distinction between the concepts of dignity and value and arguing that although autonomy, understood as the capacity for sovereignty, is the source of the dignity of humanity, this is compatible with the claim that the ultimate value for Kant is freedom understood as the capacity to set ends. To explain how this is possible I appeal to Wilfred Sellars Kantian account of the moral point of view in *Science and Metaphysics.*

Keywords: Sellars, Guyer, humanity, freedom

Paul Guyer is well known for defending the claim that freedom, understood as the capacity to set ends, is Kant's fundamental value. In contrast, I have developed a reading of Kant's ethics that places autonomy and community at the heart of Kant's ethics.[1] At the heart of my account is a conception of autonomy understood as what I call in this paper the capacity for sovereignty. Until now I have always implicitly assumed that Guyer and I were offering alternative, competing accounts of Kant's understanding of freedom and ultimate value. In this paper, however, I will argue that these two positions can be made compatible. To do this involves making a distinction between the concepts of dignity and value and arguing that although autonomy, understood as the capacity for sovereignty, is the source of the dignity of humanity, this is compatible with the claim that the ultimate value for Kant is freedom understood as the capacity to set ends. To explain how this is possible I appeal to Wilfred Sellars Kantian account of the moral point of view in Science and Metaphysics.[2] Sellars argues that morality must be universal both in

1 See Thorpe 2010, 2011, 2013 & 2018.

2 Guyer's first full-time teaching position was at Pittsburgh (1973–1978) where he overlapped with Sellars — although according to Guyer they did not really interact philosophically. My first serious encounter with Sellars was when we read *Science and Metaphysics* in a graduate seminar

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its form and content; it must come from all and apply to all. For Sellars, volitions are universal in their form if they are the expression of we-intentions. In terms of universality in content, however, Sellars argues that the most fundamental we-intention, the one that has what he calls underived categorical validity, is some form of the utilitarian principle of the form "We intend that our welfare be maximized." With regard to the content, I believe (following Guyer) that the promotion of freedom, understood as the capacity to set and pursue ends, is a far more plausible candidate for the universal content of such an underived categorial we-intention than welfare. However, we are still left with the questions of why we should adopt the moral point of view. And here I will argue that what compels us, morally, to adopt the moral point of view is the recognition of the dignity of humanity, understood in terms of the capacity for sovereignty. It is autonomy understood as the capacity of sovereignty that is the source of our dignity, and this is what compels us to adopt the moral point of view. This is compatible, however, with Guyer's claim that what we ultimately value, from within the moral point of view is freedom, understood as a capacity to set (and pursue) ends.

This paper has five sections. In the first I briefly outline Guyer's account of the value of freedom as the capacity to set ends. In the second I explain my understanding of autonomy as the capacity for sovereignty. In the third I explain Sellars account of the moral point of view and argue that freedom understood as the capacity to set ends is a better candidate for the content of the underived categorical we-intention than (universal) welfare. I conclude the section by suggesting that a more plausible candidate for Kant's account of what has absolute value from within the moral point of view is the idea of being a member of a realm of ends. In the fourth I argue that what compels us to adopt the moral point of view is the dignity of humanity. In the final section I briefly discuss and defend the distinction between dignity and value.

1 Guyer on the Value of Freedom

Today it is common for philosophers to suggest that there is an exclusive disjunction between teleological and deontological ethical theories and to present Kantian ethics as a paradigm example of a deontological ethical theory. This way of classifying ethical theories as either deontological or teleological is relatively

at Penn that Guyer gave in the 1990s on 20th century anglophone appropriations of Kant's theoretical philosophy.

recent. The word "deontology" seems to have been coined in the early nineteenth century by Jeremy Bentham, but through much of the nineteenth century and into the early twentieth century the word deontology was just used as a highfalutin way of saying "ethical theory". In the late nineteenth century, however, many anglophone philosophers attempted to introduce ways of categorizing moral theories into broad opposing camps. And by the 1930s, many philosophers in the English-speaking world came to think that the broadest distinction was between those theories that started off with some conception of the good as the most basic moral concept, and those that rejected such a starting point and insisted that we had to start with an account of what is right that is independent of any account of what is good. And it soon became the norm to refer to those theories that started with a theory of the good as basic as 'teleological theories' and those that rejected such a starting point 'deontological theories'. Louden (1996) and Philips (2019, 10) both suggest that these terms were first used in print in the contemporary sense by C.D. Broad in 1930.[3]

Guyer (as we shall see, like Sellars) is one of the most influential proponents of a (more) teleological reading of Kant's ethics arguing that the value of freedom plays a central, foundational role in his moral theory.[4] Now Guyer recognizes that Kant sometimes seems to give arguments that imply a purely deontological position. Thus, for example, Guyer (2000b, 132f) argues that in the *Critique of Practical Reason* (KpV, AA 05: 64) Kant suggests that because the fundamental principle of morality must be universal and necessary, if we assume (as Kant seems to do in this passage) that any determination of the good independently of the moral law could only be based on the feeling of pleasure and hence would be empirical, then

3 "I would first divide ethical theories into two classes, which I will call respectively *deontological* and *teleological*. Deontological theories hold that there are ethical propositions of the form: 'Such and such a kind of action would always be right (or wrong) in such and such circumstances, no matter what its consequences might be.'...Teleological theories hold that the rightness or wrongness of an action is always determined by its tendency to promote certain consequences which are intrinsically good or bad." (Broad, 1930, 206f)

4 I equivocate here, as it is not clear whether Guyer ultimately wants to defend a (purely) teleological interpretation of Kant or whether he wants to reject the dichotomy and suggest that there are both teleological and deontological aspects to Kant's position. Thus Guyer (2000b, 133f) argues that "In the end, however, it is probably better to say Kant's theory undercuts the traditional distinction [between teleological and deontological theories]: his final view is surely that the freedom that is intrinsically valuable is freedom that governs itself by law, or autonomy, and this conception incorporates ideas of both value and duty in itself. No end that is not licensed by the unconditional constraint of the moral law can be good, but the unconditional constraint furnished by the moral law is in turn the condition necessary to preserve and enhance the unconditional value of freedom itself."

the fundamental principle of morality must be one that cannot presuppose any conception of the good or of value.[5] Guyer argues, however, that Kant ultimately rejects the assumption that the only candidate for something that can determine the good independently of the moral law is pleasure, for he is committed to the intrinsic value of freedom. One piece of evidence that Guyer frequently cites, to support this claim, are a pair of passages from the Lectures on Ethics where Kant argues that, "if all creatures had a faculty of choice bound to sensuous desires, the world would have no value; the inner value of the world, the *summum bonum*, is the freedom to act in accordance with a faculty of choice that is not necessitated. Freedom is therefore the inner value of the world." (V-Mo/Mrong 27: 1482)[6] This passage clearly distinguishes between the purported value of pleasure and the value of freedom, and offers a potential strategy for offering a teleological reading of Kant's ethics according to which the moral law demands that we promote freedom. However, as this claim is only found in his lectures, it is not clear how much weight to put on it. And, as Rauscher (2018, 167) points out, it is quite possible that this passage is a rhetorical flourish aimed at his young students to get them to appreciate the importance of freedom, rather than a considered espousal of his basic theory. So, it is not clear how much interpretive weight this passage can support.

Guyer offers a number of arguments for the claim that the value of freedom (understood as the capacity to set ends) is prior to the moral law. I will focus on one of them.

Guyer's argument begins by noting that Kant "recognizes that rational human action must always have an end intended to be realized in nature" (2005b, 170) and he argues that this implies that Kant must be committed to the existence of a universally valid end. Thus Guyer explains that Kant's moral philosophy is

> teleological from the outset insofar as it is founded upon the argument that the adoption of any principle without an end to which adherence to this principle would be the means would be irrational; that a universally valid principle or practical law requires a universally valid end, or an end with absolute worth; that particular ends contingently suggested by inclination obviously do not have absolute worth; and that the only alternative to them is humanity itself, which must have absolute worth and must be the end advanced by adherence to the moral law. (Guyer, 2005b, 173f)

5 For an alternative reading of the passage see Thorpe (2019). Here I argue that in the passage from the *Critique of Practical Reason* under discussion Kant makes it clear that the priority of the right over the good is merely methodological.

6 The same claim is also found in the Collins version of the lectures. Rauscher (2018, 155) finds 8 citations of these passage in Guyer's published writings.

And Guyer believes that what Kant means by "humanity" in this context is freedom understood as the capacity to set ends. So, he concludes that the universally valid end of morality is the capacity to set ends. Now, I am convinced by Guyer's argument here that Kantian ethics requires a universally valid end and that this universally valid end cannot be happiness. Thus, like Guyer and Sellars, I am attracted to a broadly teleological interpretation of Kantian ethics. However, I am not convinced that this universally valid end must be humanity, understood in terms of the capacity to set ends. For the idea of being a member of a realm of ends seems an equally plausible candidate for such a universally valid end.[7]

To convince his readers that Kant identifies humanity with the capacity to set ends Guyer frequently appeals to a pair of passages in the *Metaphysics of Morals*. Thus he argues,

> Kant says that humanity is the feature of human beings by which they alone are capable of setting themselves ends (MS, TL, Introduction, section V, AA 06: 387), or that "The capacity to set oneself an end — any end whatsoever — is what characterizes humanity (as opposed to animality)" (section VIII, AA 06: 392). If we plug this definition into the formula of humanity from the Groundwork, we get the prescription always treat the capacity to set ends, any ends whatsoever, whether in your own person or that of any other, as an end, never merely as a means. (Guyer 2016c, 88)[8]

Now this is a perfectly plausible way of reading these texts. But it is not mandated and in general we should be cautious about plugging in a (seeming) definition from one text into a principle in another text published more than ten years previously. In addition, there are clearly passages that tell against such a reading. Thus in the *Critique of Practical Reason*, in a passage clearly linked to the discussion of the formula of humanity of the *Groundwork*, Kant argues, that,

> The moral law is holy (inviolable). A human being is indeed unholy enough but the humanity in his person must be holy to him. In the whole of creation everything one wants and over which one has any power can also be used merely as a means; a human being alone, and with him every rational creature, is an end in itself: by virtue of the autonomy of his freedom he is the subject of the moral law, which is holy. Just because of this every will, even every person's own will directed to himself, is restricted to the condition of agreement with

7 For an alternative view see Vatansever (2021) who distinguishes the end set by the moral law for individual humans from the end set for the human species.

8 In just two of volumes of collected papers, Guyer cites at least one of these passages in twelve separate papers. And there are many other citations in other volumes. So these passages are quite possibly Guyer's favorite passages in Kant's corpus. See: Guyer (2005b, 175), (2005c, 154), (2005d, 201), (2005e, 244), (2005f, 367), (2016a, 82), (2016b, 58), (2016c, 88), (2016d, 12), (2016e, 106), (2016f, 137), (2016g, 211).

> the autonomy of the rational being, that is to say, such a being is not to be subjected to any purpose that is not possible in accordance **with a law that could arise from the will of the affected subject himself**; hence this subject is to be used never merely as a means but as at the same time an end. We righty attribute this condition even to the divine will with respect to the rational beings in the world as its creatures, inasmuch as it rests on their personality, by which alone they are ends in themselves. (KpV, AA 05: 87 – bolding added)

Here Kant identifies humanity with what I call the capacity of sovereignty (the capacity to give laws). And I think that this passage has far more evidential weight for what Kant means by "humanity" than the passages Guyer quotes from the *Metaphysics of Morals*, as this passage is about why human beings are ends in themselves, while the passages from the *Metaphysics of Morals* have to do with cultivating our natural talents. And I think that there is a way of making these passages compatible. For Kant is systematically ambiguous in the way he uses the word humanity. For in some places he makes a threefold distinction between personality (autonomy, understood as what I call a capacity for sovereignty), humanity (understood as our capacity to set ends) and our animality. But in other places he uses humanity to refer to someone who has personality, humanity and animality. This is not an aberration as Kant has an annoying tendency to use the same word for the genus and one of the species falling under it.[9] So humanity in the narrow sense (as the capacity to set ends) is an aspect of humanity in the broad sense because personality presupposes the capacity to set ends.

I suggest that Guyer conflates the idea of an end-in-itself with the idea of necessarily valid end. On my reading these two notions need to be distinguished. The appeal to humanity as an end-in-itself in is not supposed to offer an account of the value of humanity as something that that is supposed to be the necessary object of moral will, but to the dignity of personality (understood as the capacity for sovereignty) that necessitates us to take the moral point of view. If this interpretation of the formula of humanity is correct, then this would leave the task of identifying the universally valid end of morality to the third formulation of the categorical imperative, where Kant introduces the idea of the realm of ends.

9 So, for example, Kant sometimes uses "Reason" or "the Understanding" as the name of the genus, of which "Reason", "Understanding" and "Judgment" are species. He sometimes uses "Concept" to refer to the genus of which "Concepts" and "Ideas" are species, etc.

2 Autonomy as Sovereignty

In this section, I will argue that for Kant autonomy involves the capacity to give laws that bind both oneself and others. And I name this the capacity for sovereignty.[10] In Sellarsian terms we may say that such a capacity should be thought of as a capacity to form intentions that bind both ourselves and others, or, in other words, the capacity to form we-intentions. To be autonomous, in this sense is a necessary membership condition for being a citizen in a realm of ends. Thus, Kant explains that "[a] rational being belongs as a member to the realm of ends when he gives universal laws in it but is also himself subject to these laws" (GMS, AA 04: 433). And Kant also thinks autonomy, understood as the capacity to give laws for a realm of ends, is what makes such a community itself possible. Thus, he argues that,

> [I]n this way a world of rational beings (*mundus intelligibilis*) as a realm of ends is possible, through the giving of their own laws by all persons as members (GMS, AA 04: 438)

Note that here Kant identifies the notion of realm of ends with the idea of an intelligible world. And so, it is helpful to read this claim in light of Kant's claims about the idea of an intelligible world in his metaphysics lectures. Kant believes that the idea of an intelligible world is the idea of a community of individuals in interaction and thinks that it is possible to conceive of a community of individuals in interaction only if we think of the members of the community as governed by laws, and we can think of the members of a community as governed by laws only if we think of each individual member of the community as the source or giver of these laws. Kant believes that a world is essentially unified, for it is this unity that distinguishes the idea of a world from that of a mere multitude. In addition, he believes that a multitude of individual substances can only be unified or 'held together' by laws. So, the idea of a world is the idea of a multitude of individuals unified by laws. Now, if the unity of a world is to be 'intrinsic' to the world, rather than merely existing in the mind of some ideal observer observing the world — that is, if there is to be real interaction between the members of the world rather than a mere constant conjunction or harmony between the state of one substance and that of another (à la Hume or Leibniz) — then the members of the world must be responsible for the unity of the world, and Kant believes that this is possible only if each individual member of the world is the source of, or 'the giver of,' the laws that provide the world with its unity. That is, in the language of his mature

10 I'm not sure if this is the best way to name this capacity. Other possible names might be "the capacity for citizenship" or "the capacity for personality".

ethics, we can think of a community of individuals in interaction only if we think of each individual member of the community as autonomous. And to be autonomous is not merely, or even primarily, to rule oneself, but rather to be the source of the laws of a possible community, to be a co-legislator in an ideal republic. For an "I" to be autonomous in this sense is to have the capacity to become part of a "we".[11] To be a sovereign citizen is to have a certain normative authority to give (universal) laws that bind others (and ourselves), on condition that the laws given can also (potentially) be rationally endorsed by all other members of the community. In Sellarsian terms we can understand the capacity of sovereignty as the capacity to form intentions that commit both ourselves and others, which just is the capacity to form we-intentions.

3 Sellars on the Moral Point of View

Sellars argues that Kantian practical laws should be understood as what he calls categorical we-intentions.[12] This is supposed to capture Kant's thought that practical laws "are valid for the will of every rational being" (KpV, AA 05: 19). For Sellars, claims about obligations are best understood in terms of what he calls the categorical reasonableness of intentions. Thus he argues that the claim that "I ought to do A, if I am in C" is equivalent to the claim that "I shall do A, if I am in C" is categorically reasonable (Sellars, 2023a, 171), and the goal of his project is to offer an account of how an intention can be categorically reasonable. Thus he argues that "The central theme of Kant's ethical theory is, in our terminology, the

11 I think this appeal to the possibility of we-intentions, and the idea of co-sovereignty, helps explain how essentially active autonomous agents can be subject to laws that are partially given by others. Rauscher (2018) expresses a worry about how an active agent can be passive when he writes: "Reason would have to be able to intuit the independent value of humanity as and end in itself in other beings in themselves, in which **case it would have to be passive relative to the value property** and the latter would have to actively effect reason. But **there is no mechanism by which one being in itself can affect another being in itself except through intuition as appearance**, which brings back the point that there is not place in nature for an independent value property. (161 – emphasis added.) Rauscher's account would seem to imply that there can be no real interaction between essentially active intelligible agents, only some form of pre-established harmony. I suggest Kant explains the notion of intelligible interaction in terms of the idea of co-legislation in an ideal republic, where each citizen is both sovereign and subject to the law. For a fuller defense of this claim, see Thorpe (2010). In that paper, I analyze worries like Rauscher's as emerging from what I call the principle of active inherence.

12 For an excellent overview of Sellars' ethics see Koon (2018).

reasonableness of intentions. In what sense or senses, if any, can intentions be said to be reasonable, i.e. have a claim on the assent of a rational being?" (Sellars, 2023a, 168).

In this section I will briefly explain Sellar's position without attempting to justify each of his claims. His account can be broken down into five distinct claims.

(1) Sellars argues, contra Kant, that moral obligations should be understood in terms of intentions, not imperatives. I think his arguments for this are plausible, for the practice of commanding presupposes a background of obligations. Merely telling someone to do something, even oneself, does not in and of itself create an obligation. So we cannot cash out obligations in terms of tellings. Thus Sellars explains that "although commands, like promises, presuppose principles of obligation, surely, it will be said, simple imperatives do not. Telling someone to do something does not as such appear to create an obligation on his part to do it." (Sellars, 2023b, 373). And "deciding what to do is no more telling ourselves what to do than deciding what is the case is telling ourselves what is the case" (Sellars, 2023a, 148). Giving a command, like making a promise, is a performative, while forming an intention is not. And "whereas promising is a performative which binds the speaker, issuing a command binds the person to whom it is issued. Thus, issuing a command within the limits of one's authority "creates" a presumptive prima-facie obligation to do the action commanded on the part of the person wo whom it is addressed [...]. [T]he claim which commands have on our obedience is but a special case of the claim which our obligations have upon us. Obeying a command, like keeping a promise, is a special case of doing one's duty — though to characterize any particular obeying or promise-keeping as a doing of one's duty is, of course, a defeasible matter." (Sellars 2023b, 372). Hence, we cannot ground our duties, in general, on the idea of a command as determining which commands entail obligations entails the existence of some obligation to obey certain commands.

(2) There are rational relations between intentions, mirroring (theoretical) relations between the contents of our intentions. Thus, Sellars argues,

> An ideally rational being would intend the implications of his intentions, just as he would believe the implications of his beliefs. [...] If 'P' implies 'Q', then it is unreasonable to believe that P is the case without believing that Q is the case. (Though, as noted above, in point of fact one may well believe the former without believing the latter.) Similarly if 'It shall be the case that P' implies 'It shall be the case that Q' [i]t is unreasonable to intend that P be the case without intending that Q be the case. (Though, again, in point of fact one may very well intend the former without intending the latter and may even intend that the latter not be the case.) (Sellars, 2023a, 145)

Thus, if I intend to make dinner tonight but there is no food in the fridge so the only way I can make dinner is if I go shopping, then insofar as I am (ideally) ra-

tional I intend to go shopping. This account is meant to explain how one intention can be reasonable relative to another intention, and so explains the "hypothetical" (or as Sellars prefers "relative") reasonableness of intentions. His goal, however, is to show how some intentions can be categorically reasonable, and he thinks that this involves finding a non-derivatively categorically reasonable intention. Thus, Sellars explains:

> It has been easy to assume that relative and categorical reasonableness are incompatible: that an intention can have one or the other, but not both. This assumption is simply false. […] Implication preserves truth in theoretical arguments. We should explore the possibility that it preserves categorical reasonableness in practical arguments. If so, then, an intention can be categorically reasonable, and yet derivative from another intention — provided, of course, that the latter in turn is categorically reasonable. // Categorical reasonableness must not be confused with intrinsic reasonableness. The confusion between these two has been even more damaging to Kant exegesis than the tendency to suppose that a categorically reasonable intention cannot be conditional in its logical form. On the other hand, even if categorical reasonableness is not the same as intrinsic reasonableness, we are faced with the fact that if there are to be derivative categorically reasonable intentions there must be one or more intentions whose categorical reasonableness is non-derivative or intrinsic. (Sellars, 2023a, 173)

The main task of the final section of *Science and Metaphysics* is to explain the possibility of such a non-derivatively categorical intention.

(3) Sellars distinguishes between "intentions that something be the case" and "intentions to do" (Sellars, 2023a, 174) and this distinction is supposed to ground the distinction between what he calls ought-to-be's and ought-to-do's. And he argues that morality needs to be grounded in an intention that something be the case rather than an intention to do, thus ultimately grounding ought-to-do's in an ought-to-be. It is this prioritizing of an ought-to-be that makes Sellars' Kant interpretation, like Guyer's, essentially teleological. Now, of course intentions to do can be derived from intentions that something be the case. For example, if "I intend that it be the case that p" and the only way it can become the case that p is if I do q, then insofar as I am ideally rational, "I intend to do q."

Now because Sellars thinks that an ought-to-be grounds all of our ought-to-do's, our non-derivatively categorical intention should be thought of as the expression of an intention that something be the case. And given that expressions of ought-to-be's are the expression of what we value,[13] the content of a non-derivatively categorical

13 Sellars (2023a) explains that expressions of individual valuing can be expressed by sentences with the form "I would that…", whereas expressions of valuing from what he calls "the moral point of view" (179) have the form "We would that…" And "to value from a moral point of view is

intention should be thought of as what Guyer, following Kant, calls a universally valid end. Guyer should be sympathetic to this aspect of Sellars' position as it expresses a fundamentally teleological interpretation of Kantian ethics as it places the question of what we value prior to the question of what we ought to do, and as such, for Sellars, claims about what we ought to do are ultimately derivative from claims about what we value.

(4) Sellars thinks that a central aspect of morality is its intersubjective validity, and he thinks this is only possible if moral intentions are ultimately rooted in we-intentions. Sellars argues that a defining aspect of obligations is that one person's claims about obligations can contradict another's, whereas expressions of (individual) intentions can only conflict with one another but cannot logically exclude one another. Thus, Sellars argues that "one person can contradict another person's ought, whereas shalls [intentions] conflict but do not contradict." (Sellars, 2023b, 406). Another way of putting this is "that ought, unlike shall [intend], has a proper negative" (Sellars, 2023b, 406). That is, if Peter thinks that "Martin ought to give all his money to charity", and Martin thinks that "Martin ought not to give all his money to charity", only one of them can be right; the truth of an ought claim logically excludes the truth of its negation. The logic of (individual) intentions is quite different; such claims do not really have external negations. The truth of "Peter intends that Martin give all his money to charity" does not entail the falsity of "Martin does not intend to give all his money to charity".[14] So any attempt to ground obligations in intentions has to explain how expressions of intentions can logically exclude one another. And Sellars' answer is that although the expressions of individual intentions do not have this feature the expressions of we-intentions do. Thus, if Martin claims that "We intend to give all our money to charity" and Peter claims that "We do not intend to give all of our money to charity" only one of them can be right. Thus, Sellars (2023a) argues that, "[t]wo people can affirm the same proposition in a strong sense of 'same'. But as far as the intentions we have so far considered are concerned [i.e. individual intentions], intentions can at best be parallel. They are irreducibly egocentric. … (176). But this is not the case with "statements in the first-person plural [which] have the interesting properties that

to value as a member of the relevant community, which as far as the present argument is concerned, I shall assume to be mankind generally." (Sellars, 2020a, 179.) So the content of an non-derivatively categorical we-intention expresses what we ultimately value from within the moral point of view.

14 One crucial feature of Sellars' account is that we can have intentions concerning not just ourselves but about others too. If Peter intends that it be the case that Martin gives all his money to charity, in so far as he is rational, he will form the intention to do what he can to *persuade* Martin to give all his money to charity.

(a) they express the speakers' intention, yet (b) the intentions expressed are in the strongest sense the same." (177).[15] Such we-intentions have an "intersubjective form" (177). Therefore, Sellars concludes that insofar as we understand ought claims in terms of the expression of intentions, the only candidate for a non-derivatively categorical intention will be some sort of we-intention as only we-intentions have the necessarily intersubjective form.

(5) Having examined the form of any non-derivatively categorical intention Sellars (2023a) next turns to its content. And he unconvincingly argues that the content must involve the maximization of welfare. Thus, he argues,

> the intention "It shall-we be the case that our welfare is maximized" does seem to have an authority which is more than a mere matter of its being generally accepted. It is a conceptual fact that people constitute a community, a we, by virtue of thinking of each other as one of us, and by willing the common good not under the species of benevolence — but by willing it as one of us, or from a moral point of view. (181)[16]

And he concludes by explaining that if his argument is correct, then "ethical statements are universal in three dimensions, (a) in their content… (b) in their subjective form (their logical intersubjectivity) We would that… (c) in their objectivity (in that there is, in principle, a decision procedure with respect to specific ethical statements)" (181f).[17]

Now, although, I am very sympathetic to Sellars' account of the (necessarily) intersubjective form of moral claims, I think there are good reasons for a Kantian to reject the idea that the underived categorical we-intention should be thought of as involving the commitment to maximizing welfare. For Kant, such a commitment is just not formal enough. And, as Kant argues, the idea of happiness is "an

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15 Sellars (2023b) expresses a similar point, arguing, "we must distinguish between two shalls, one corresponding to 'We intend… ' and one to 'I, for myself, intend…'. Let us represent them, respectively, as 'shallw' and 'shallI'. *I suggest that ought, as an expression of intention, is a special case of shallw*. There are, in this case, two dimensions to the universality of moral principles as universal intentions: (1) the formal universality, or universality of application which can be represented by the formula, 'All of us shall do A in C'; (2) the universality of the intending itself, which can be represented by modifying the above formula to read, 'All of us shallw do A in C.'" (412).

16 And he makes a similar claim that the content must be understood by appeal to "the general welfare" in Sellars, 2023b, 414.

17 This claim that ethical statements must be universal in both their form and content is a descendent of Rousseau's account of the distinction between a law and a decree, with the argument that laws must be general in (at least) two senses: they must come from all and apply to all. Thus, Rousseau (2002) explains that [w]hen I say that the object of the laws is always general, I mean that the law considers subjects collectively, and actions as abstract, never a man as an individual nor a particular action." (179)

ideal of the imagination, which rests on merely empirical grounds" (GMS, AA 04: 418) not an idea of reason, and so the idea of maximizing it is incoherent. And as Guyer argues:

> Even though happiness seems to be a general concept and all agents appear to agree in striving for it, in fact each agent's conception of happiness is nothing but the conception of the satisfaction of all of her various individual desires, and because of the natural conflicts of desires there are inevitably conflicts within any one individual's conception of happiness as well as among several individuals' conceptions of happiness. Such conflicts prevent the general idea of happiness from serving as a universal and necessary goal and source of practical law. (2000b, 134)

If we want to include some basic value within our most fundamental law, then freedom seems a far more plausible candidate than happiness. Thus, to Guyerize Sellars, we might think that the best candidate for the underived categorical we-intention would be:

(A) We-intend that it be the case that the freedom of each of us (individually) be promoted.

Although another plausible Kantian contender for the content of such an underivatively categorical we-intention involves the idea of a realm of ends. And I think this involves the idea that both the form and the content of such an intention must be expressed in the nominative first person plural; the content must involve a reference to 'we' and not just to 'us'. Thus, as an alternative formulation I suggest:

(B) We-intend that it be the case that we only intend what each of us can intend.

I think this formulation better captures Kant's claim that the moral law be nothing more than "the mere form of a universal law giving" (KpV, AA 05: 27). In addition, it brings the "we" as a collective agent into the content of the moral law rather than just leaving it as part of the form. As such, this formulation stresses the importance of laws in the content of Kant's fundamental principle, for laws must come from all, and so a principle that demands lawlikeness as part of its content has to include some reference to "we" in its content, and not just "us". In addition, this formulation entails a commitment to publicizabiliy and transparency in a way that a commitment to promote overall freedom does not; perhaps the best ways of promoting the freedom of each of us may involve some deception and sometimes interacting with others according to principles that one cannot share with them. I think (B) can also be expressed as:

(C) We-intend that it be the case that we constitute a realm of ends (governed by laws that each of us can endorse).

And such an account of the (universal) content of the moral principle does have an object (or end), namely the idea of a realm of ends, so satisfying Guyer's constraint that all willing (hence all intentions) must have an object, and that our fundamental moral principle must have a universally valid end.

4 How and Why to Take the Moral Point of View

Sellars' account raises two questions: Firstly, how is it possible to take the moral point of view? And secondly, what necessitates us to take this point of view? And my answer to both these questions is that we have and can recognize in others the capacity for autonomy, as the capacity for sovereignty. The first question is answered by the existence of the capacity for sovereignty, the second by the dignity of this capacity.

Let me start by answering the "how" question first. The possibility of taking the moral point of view presupposes a capacity to form-we intentions. And this requires that each potential member of the "we" has the capacity to form we-intentions. But this just is the capacity of autonomy understood as the capacity for sovereignty, as I have defined it, as the capacity to form intentions that bind both myself and others.

The "why" question seems to be more difficult, what Sellars would call a 64,000$ question. For why should we take the moral point of view, and include all human beings within it? Sellars (2023a, 184f) attempts to answer this question, but does not even convince himself. From my perspective there is a sense in which it is very easy to answer this question. To be autonomous just is (from one perspective) to have a certain type of normative power; the power to demand of others that they take the moral point of view and include us with within the domain of their "we". And if asked why we should assume that others are autonomous in this sense, I think we can argue that it should be regarded as something like a postulate of practical reason; morality only makes sense in so far as we take others to have such a normative power and that we have the capacity to recognize which bits of the phenomenal world have this power.[18]

18 For a fuller defense of this appeal to a postulate of practical reason here, see Thorpe (2018).

What it is to be "human" in the moral sense is (by definition) to have the normative power to demand to be included within the scope of the we; it is just analytic that all human beings should be included within the scope of the we of any non-derivatively categorical we-intention. On this account the difficult question is not why all "humans" should be included in the scope of the moral "we", but are there any "humans" and this sense, and if so, how can we recognize them. To which my answer is that in so far as we are committed to morality, we have to pre-suppose that there are "humans" in the morally relevant sense and that we have a reliable capacity to recognize them.[19]

5 The Dignity and Value of Humanity

The argument I have given so far presupposes a distinction between dignity and value. Values are ends to be effected; to value something is to make it an object of one's faculty of desire (or will); To possess dignity, on the other had is to possess a certain type of normative status or power — a being with dignity demands respect. However, the fact that humanity demands respect is compatible with claiming that it is also something of value to be cultivated.

Kant's claim that human beings are ends-in-themselves is to be understood in terms of us possessing a certain type of normative status rather than having unconditional value. In this I agree with Bader (forthcoming) who argues that we need to distinguish between "the axiological property of something that is unconditionally good from the deontological status that something has that possesses dignity" (3)[20] and he argues that "value bearers are ends to be effected [...] yet humanity is a self-standing end" (2) and that "the absolute worth (or dignity) of humanity cannot be a type of unconditional goodness" (3). When Kant claims that humanity is an end-in-itself, Kant is not claiming that humanity is to be understood as unconditionally good, or following Guyer, a universally valid or necessary end. Instead, as Bader argues, dignity plays a "crucial role in Kants ethics by determining the domain over which maxims have to be universalizable" (2). I agree with this as far as it goes. But I think that the dignity of humanity does not merely fix the scope of the moral law — although it does do this. Rather it must be

19 For a reading which argues that it is a moral responsibility to presuppose that each moral agent is a co-contributor to all our "we-intentions" with respect to the highest good see Tilev (2022), esp. section 4.

20 Although, I do see why we need to call this status "deontological".

understood as a normative power, as a capacity to (normatively) demand to be included in the scope of the moral law, to be included as one of us, who are able to form-we intentions.

I think I disagree with Bader, however, on two points. Firstly, I am more sympathetic to teleological readings of Kant and the fact that humanity (understood in one way) has dignity is compatible with the claim that humanity (perhaps in another sense) has value. Thus, I think that, for Kant, human beings have dignity as beings with the capacity for sovereignty and hence demand to be included within the scope of the moral law. But this claim is compatible with Guyer's claim that human beings [also] have unconditional value as beings with the capacity to set (and pursue) ends, and that the promotion of this capacity is a universally valid end. We just shouldn't confuse the notion of being an end-in-itself with that of being a universally valid end.

Secondly, I agree with Bader that humanity is the ground of obligation and sets the scope of the domain of universalization, but not merely because if no humans existed the domain would be empty. We should think of humanity not merely as a moral predisposition, but also as a normative power. There are various ways to think about this power. We can think of it as the capacity to interact with others on the basis of mutual respect. Following the psychologist Gibson, we can think of being human in this sense in terms of possessing a particular social affordance.[21] Or we can think of it as the power to give law that can bind both oneself and others. Or we can think of it as a capacity to form we-intentions. Either way, being human involves the capacity to make moral demands on others and to be able to recognize such demands from others, and as such we should think of humanity in this sense as a normative power. Being human entails the capacity to recognize humanity and recognizing humanity involves recognizing a (potential) source of obligation. So having dignity is not merely having a certain normative status.

6 Conclusion

I have argued that we can make claims about the value of freedom and the dignity of autonomy compatible by suggesting that we can understand the value of freedom as central to the content of the moral point of view, whereas the dignity of

21 See Thorpe (2018) for an account of how we can understand humanity as a capacity for sovereignty in broadly naturalistic terms as a social affordance.

autonomy is what necessitates us to take the moral point of view. However, claiming the two positions are compatible does not entail that we should combine them, for perhaps there is a more plausible Kantian account of the content of an underived categorical we-intention. And I have suggested that Kant regards the idea of a realm of ends as a universally valid end and this is a more plausible Kantian candidate for the content of an underived categorically valid we-intention than either the idea of freedom understood at the capacity to set ends (as Guyer suggests) or universal welfare (as Sellar suggests).

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