**Kant’s Formula of Universal Law as a Test of Causality[[1]](#footnote-1)\***

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**Abstract:** Kant’s formula of universal law (FUL) is standardly understood as a test of the moral *permissibility* of an agent’s maxim: maxims which pass the test are morally neutral, and so permissible, while those which do not are morally impermissible. In contrast, I argue that the FUL tests whether a maxim is the *cause* or determining ground of an action at all. According to Kant’s general account of causality, nothing can be a cause of some effect unless there is a law-like relation between the putative cause and effect. Applied to the case of action, no maxim can be the cause of an agent’s action unless there is a law-like relation between maxims of that kind and actions of that kind. The special capacity to act according to maxims as law-like causes is what Kant calls a *will*; the basic constitutive principle of the will is a non-normative principle I call the *categorical declarative*. While the actions of a perfectly good will would be described by the categorical declarative alone, human action is determined not only by the causality of the will, but also by competing causes, namely those stemming from inclination. There is thus need for a causal *test* for putative maxims. The test contained in the FUL is meant to determine whether an action could be grounded solely on the agent’s maxim, or whether it requires a cause external to the will. This account permits one to build eventual distinctions concerning the morality of actions on prior and independent distinctions concerning their causality.

Keywords: Kant, Immanuel; Categorical Imperative; Formula of Universal Law; Normativity; Moral Reasons.

**1. Introduction**

In this essay, I am concerned to understand why Kant’s most famous version of the categorical imperative, the formula of universal law (FUL), contains its requirement that a maxim be universalized: namely, that we should be able to will that our maxim should become a universal law.[[2]](#footnote-2) I believe that the key to answering this question depends on what the test is a test *of*. It is widely assumed that the FUL is a test of moral *permissibility* and so, indirectly, of obligation.[[3]](#footnote-3) On the permissibility interpretation, if one can successfully will the maxim as a universal law, this yields the result that one’s maxim is a *morally permissible* one to act upon. By contrast, if one’s maxim yields a contradiction when it is universalized, it is deemed morally *impermissible*. Advocates of this conception of the FUL tend to affirm that positive obligations can be generated through the inversion of morally impermissible maxims.[[4]](#footnote-4)

The interpretive challenges presented by the permissibility reading of the FUL are so great on their own that it is easy to set aside an underlying puzzle that confronts it. Namely, why should the permissibility or impermissibility of a maxim depend on whether it can be universalized in the first place? This, I believe, is a common and natural reaction to Kant’s FUL, understood as a test of permissibility. And common explanations of the source of the universalization requirement do not seem to adequately address it. For example, some authors suggest that universalization is necessary as a requirement on rationality. Henry Allison appeals to a “universality of reasons” principle that suggests that a requirement of rationality is that one regard’s own reasons as “reasonable for all other agents in relevantly similar circumstances” (2011, 104).[[5]](#footnote-5) If this principle were true, the universalization test *could* show that a maxim is unreasonable. But could it also show that it is impermissible? Not unless it has already been established that everything unreasonable is impermissible. Impermissibility would not be implied directly by the failure to universalize.

Stephen Engstrom (2009) suggests, by contrast, that the universalization requirement stems from the role of maxims as instances of putative practical *knowledge*. Knowledge, says Engstrom, implies a kind of universality: what I take myself to know I also take to be knowable by anyone.[[6]](#footnote-6) Accordingly, if my maxim cannot take the form of universality, then it is not genuine practical knowledge. So far, so good. But why then is it *impermissible*? For this to follow, we must assume that what is not practical knowledge is impermissible. Maybe that argument can be made.[[7]](#footnote-7) But impermissibility is not implied *only* by the fact that the maxim cannot be universalized. It requires a further step.

To put the problem quite generally, there is no obvious *intrinsic* connection between the universalizability of a maxim and its moral permissibility.[[8]](#footnote-8) Unless such a connection is made clear, it will remain puzzling why the universalization test is fit for purpose. In what follows, I aim to show that the test serves a different function. The FUL is, in the first instance, a test of the *cause* of action, and there *is*, according to Kant, an intrinsic connection between the universalizability of a maxim and its function as a cause. As I will argue, for Kant, the requirement that causes be universalizable is fully general in its application; it applies to the cause of actions just as much as to natural effects. Though all actions have a cause, the idea is that a maxim cannot *be* the decisive cause (what Kant calls the “determining ground”) of an action unless it is universalizable. Maxims must be able to be willed as universal laws because only thus are maxims determining grounds at all.

Accordingly, the sense of “law” most relevant to the FUL is a causal one. This should not be too surprising, as Kant makes it clear that his use of “law” even in practical contexts has a causal meaning.[[9]](#footnote-9) However, perhaps because of its close association with the problem of the will’s freedom, the role of causality even in Kant’s *initial* explanations for the universality requirement (in *GMS I* and *II*) has not typically been emphasized. Being separate from the problem of freedom, the use of ‘law’ in the early presentations of the FUL may seem rather to concern a *normative* or *obligatory* law: a law commanding what should be done (cf. Schönecker & Wood 2015, 78). Accordingly, the causal sense of ‘law’ is not typically exploited to explain the source of the universalization requirement,[[10]](#footnote-10) as I attempt to do here.

The paper proceeds as follows. I first show that the requirement of lawfulness that attends the workings of causality for Kant is not restricted to the natural form of causality but is implied by any instance of a *real ground* (section 2). I then argue that Kant’s argument in *GMS* *I*, where an early version of the FUL is articulated, refers throughout to the real grounds of action (section 3). In section 4, I show that the causal structure of the will can be built up simply from the possibility of maxims being real grounds of action. The basic causal structure of the will applies not just in the human case, but also in the case of a perfectly good will. The structure of the will includes an *objective requirement* that a law pertaining to the maxim be possible, and it contains a *representational requirement* that the law be used as a premise in practical reason. Combining these two requirements leads to what I call the “categorical declarative”[[11]](#footnote-11) as a constitutive principle of the will – which thus contains the basis for the universalization requirement in the categorical imperative. Finally, (section 5) since the categorical declarative describes the causality of a will that is determined perfectly by reason, I explain why the FUL is needed to play the role of a causal *test* for beings whose actions are not determined by their maxims as mere determining grounds.

**2. Real Grounds and the Lawfulness Requirement**

My first task is to clear the way for a causal reading of the FUL by showing that it requires only a basic and somewhat indefinite conception of causality. Kant labors at great length, especially in the second *Critique*, to show that the concept of causality can be applied in the case of practical reason, even if practical reason is not a phenomenal or natural cause. Important as Kant’s efforts in this direction are, I want to show here that what is needed for the causal reading is only the claim that an agent’s reason can be the *real ground* of her action. The concept of a real ground, the genus under which causality in various senses falls, itself contains an implication of universality. That is, just like causality in its natural version, nothing is a real ground unless it falls under a universal rule or law. Thus, Kant’s argument about the will’s causality does not need to depend on any special feature of natural causality to lead to a lawfulness requirement.

Contrary to this, some suppose that Kant may not be entitled to apply the concept of a causal law to cases of supposedly non-natural or non-phenomenal causes. Johnson (2008), for example, raises this concern. While he accepts that the will is treated by Kant in causal terms, he worries that Kant cannot apply the notion of lawfulness to “non-natural” causes like the will, since the notion of law applies in the natural case. He says that Kant’s conception “still leaves unexplained why this non-natural free causation should be ordered lawfully, given it seems that it is the concept of natural causation that carries with it the idea of universally valid laws” (2008, 98). Similarly, Allison speaks of a “gross equivocation regarding the concept of law” (1986, 398) that leads Kant to treat a law of freedom along the same lines as a law connecting phenomenal causes to phenomenal effects.

We should start briefly with Kant’s view of natural or phenomenal causality (marked henceforth as ‘causality\*’). On Kant’s view, the concept of causality\* cannot be applied without supposing a sequence in time; this temporal sequence is the necessary “schema” for the application of the concept to appearances (cf. A 144/B 183). It is uncontroversial that Kant believes that the concept of causality\* is also tied to the *lawful* connection of causes\* and effects. He writes in the first *Critique*: “For this concept [i.e. cause] always requires that something *A* be of such a kind that something else *B* follows from it **necessarily** and **in accordance with an absolutely universal rule**” (A 91/B 124).

Though Kant is not very explicit on what can be substituted for his variables, as Friedman notes, only *types* or kinds of thing or event can be related “universally” (1992, 163, 192 n.2).[[12]](#footnote-12) Thus, Kant accepts what we can call the lawfulness requirement on causes\*:

*Lawfulness Requirement* *on Causes\** (*LRC*): *C* is the cause\* of effect *E* only if there is a law *L* such that for any case *x* of *C*, *E* necessarily follows, or: *L*= ∀*x* □ (*Cx* → *Ex*).[[13]](#footnote-13)

Johnson’s and Allison’s concern can be stated as follows: LRC may well hold of causes\* – but Kant insists that causality\* depends on special features of its phenomenal application. Most notably, Kant insists that causality\* cannot be applied in theoretical contexts unless it is connected to the “schema” of temporal succession. Thus, perhaps the lawfulness of causality\* would not extend to cases of causality in a more general sense applicable to practical causes, where the same kind of temporal relation may not hold.

Happily, this worry is unfounded. This is because the universality and necessity in the relation of causes and effects, which is represented in the form of law, applies to causes not merely as natural or phenomenal causes\*, but as a special case of *grounds* in general, and real grounds in particular. The logical relation of ground and consequence is of course the place on Kant’s table of judgments from which the concept of causality\* is derived in transcendental logic (A 70/B 95; A 80/B 106). Accordingly, though causality\* contains more than the concept of ground, it also inherits all the properties of grounds in general. This includes the universality in the relation of ground and consequence.

Kant gives a more detailed exposition of grounds in his lectures on metaphysics.[[14]](#footnote-14) He writes: “Ground is that upon which something follows in a necessary way; or ground is that upon which something follows according to universal rules; basically it amounts to the same thing” (Ak. 28: 54). Similarly in the *Metaphysics Mrongovius* lectures: “Every ground gives a rule, therefore the connection <*nexus*> of the ground and the consequence is necessary” (Ak. 29: 808). Hence, to provide a ground of some consequence assumes a regular and necessary connection between the ground and consequence. Kant provides an amusing example in the context of his *Lectures*: “But there are cases where something is posited, and another thing is posited after, yet where one is not the ground of the other. E.g., when the stork comes, good weather follows. But to posit <*ponere*> does not mean something follows the other accidentally; for the stork could also be brought on the mail coach” (Ak. 28: 549). Here the consequence (the conclusion) seems to be that the weather will be good, inferred from the supposed ground, the coming of the stork. In the last clause, Kant presents a counterexample: the stork comes (though only on the mail coach), and (presumably) the weather is not good. The counterexample shows that the stork’s coming is not the ground of good weather, *even in the favorable case*, since the ground relation must be general. There is no ‘one-off’ grounding.[[15]](#footnote-15)

I believe Kant here assumes the following general principle:

*Lawfulness Requirement* *on Grounds* (*LRG*): *G* is the ground of consequence *C* only if there is a law *L* such that for any case *x* of *G*, *C* necessarily follows, or: *L*= ∀*x* □ (*Gx* → *Cx*).[[16]](#footnote-16)

Or, more simply:

*G* *g*→ [read: ‘is the ground of’] *C* in virtue of *L*

If this is true, we can see that LRC *derives* from LRG, since causes\* are a species of ground. There is no threat of LRC being based only on special features of causality\*.

Now this conception of a ground as implying universal rules applies both to what Kant calls *logical* grounds and to *real* grounds. A logical ground, Kant says, “is a cognition which another [cognition] follows according to a rule” (Ak. 29:808). Logical grounds, expressed by the major premise of a syllogism, are sources of inference—but not existence. What about real grounds? Kant does not give us a very useful definition. He does occasionally evince a tendency to equate real grounds and with causes (cf. Stang 2018, 94). In one place, Kant says that a real ground “is that by which something is posited or canceled according to the principle of causality” (Ak. 28: 549). Despite this verbiage, there is good reason to think that Kant wishes to treat real grounds apart from the specific features of causality\*. For example, Kant would want to leave it open that God’s creation of the world is a case of real grounding but not natural schematized causality\*.[[17]](#footnote-17)

Nevertheless, without the specific properties of causality\*, one might be concerned that there is nothing to distinguish real grounds from logical grounds. For how could a real ground that is not a phenomenal cause\* be distinguished or identified? The key to this lies not in the ground itself, but in its consequence. While Kant is often not specific about the nature of real but non-causal\* grounds,[[18]](#footnote-18) he seems to allow that real grounds are comparable to causes\* in the reality (often phenomenal reality) of their consequences or *effects*. A logical ground leads to new cognition as its consequence, but it does not otherwise make anything happen or exist. But a real ground, he says, “*is that whose consequence is a real consequence*; e.g*.,* my will is a real ground of the motion of my foot” (Ak. 28: 549, emphasis added). This example is of course particularly suggestive for our purposes. But it is not isolated in the priority it gives to the consequence in the identification of a real ground. The same pattern can be detected when Kant applies the concept of causality to the will in his moral writings. In *GMS II*, Kant motivates the “formula of the law of nature” by pointing to the relation of laws to *effects*: “Since the universality of law in accordance with which effects take place [*wonach Wirkungen geschehen*] constitutes what is properly called *nature* in the most general sense (as regards its form) – that is, the existence of things insofar as it is determined in accordance with universal laws – the universal imperative of duty can also go as follows: *act as if the maxim of your action were to become by your will a* **universal law of nature**” (*GMS* 421, underlined). This accords with his claim in the first *Critique* that an intelligible cause could still have a sensible effect. He writes there:

Accordingly, if that which must be regarded as appearance in the world of sense has in itself a faculty which is not an object of intuition through which it can be the cause of appearances, then one can consider the **causality** of this being in two aspects, as **intelligible** in its **action** as a thing in itself, and as **sensible** in the **effects** of that action as appearance in the world of sense. Of the faculty of such a subject we would accordingly form an empirical and at the same time intellectual concept of its causality, both of which apply to one and the same effect. (A 538/B 566, underlined)

Kant admits here that the normal application conditions of causality\* do not hold where the cause is not phenomenal, but he does think that the *effect* can be described in phenomenal terms. The point becomes common in the second *Critique*, when Kant adopts the language of causality yet more freely. He aims to show that reason itself “can be an immediate determining ground of the will, that is, of the causality of a rational being *with respect to the reality of objects*” (*KpV* 45, emphasis added). This suggests that even if Kant’s use of “cause” is not univocal across theoretical and practical contexts, he can unequivocally treat practical sources as “real grounds” because of the reality (even phenomenal reality) of their effects.[[19]](#footnote-19) This is no doubt why Kant also claims that the form of *lawfulness* is the same whether natural or practical causes are being considered (cf. *KpV* 70).

Thus, for the purpose of my argument, we need ascribe nothing to Kant’s practical use of causality other than what is found in the notion of a real ground. A real ground is the ground of some real consequence, which follows according to a rule or law. If that is the case, then it is no special feature of causality\* that leads to the lawfulness requirement. All that is needed to show that a law applies to the will is that it functions as a real ground.

**3. Causality in the Argument of *Groundwork I***

Once we are alert to the overlap of causes and real grounds (I will simply use the two interchangeably where ‘causes\*’ is not meant), it is easier to see the significance of causal concerns already in *GMS I*. Kant shows at the outset of the Section that an intuitively compelling conception of moral value (embodied by the figure of the “good will”) cannot be reduced to the value of the consequences or *effects* of actions: “A good will is not good because of what it effects or accomplishes, because of its fitness to attain some proposed end, but only because of its willing [*Wollen*], that is, it is good in itself and, regarded for itself” (*GMS* 394, slightly modified). If a good will is not good because of its effects, Kant reasons, it is good simply because of what it intrinsically *is.* The natural contrast suggested by the passage is that, since the value of the good will does not lie in its effects of consequences, it lies in itself as a *cause* (hence the nominalized verb “willing”). Though Kant does not say so in so many words, the remainder of *GMS I* bears out this interpretation.

The same becomes clear as Kant subsequently frames the problem of determining the nature of the good will in terms of the proxy concept of duty. He presents four examples that are meant to show that actions superficially moral in their effects (preserving one’s life, benefiting others, etc.) may have a cause other than duty, namely inclination. He thus shows that actions can be “duty-conforming” (*pflichtmäßig*) without being “from duty” (*aus Pflicht*). The causal resonance of the latter notion comes out more explicitly in the same Section:

Thus the moral worth of an action does not lie in the effect expected from it and so too does not lie in any principle of action that needs to borrow its motive from this expected effect. For, all these effects (agreeableness of one's condition, indeed even promotion of others’ happiness) could have been also brought about by other causes, so that there would have been no need, for this, of the will of a rational being, in which, however, the highest and unconditional good alone can be found. (*GMS* 401, underlined)

The passage clearly implies that the moral worth of an action resides in its *cause*, namely “the will of a rational being.”

Elsewhere, Kant uses “ground” clearly in the sense of real ground to discuss the same issue. Elaborating on the problem at hand, Kant writes in the Preface to *GMS*, “For in the case of what is to be morally good it is not enough that it *conform* with the moral law but it must also be done *for the sake of the law*; without this, that conformity is only very contingent and precarious, since a ground that is not moral will indeed now and then produce [*hervorbringen*] actions in conformity with the law, but it will also often produce actions contrary to the law” (*GMS* 390, underlined). The connection of “ground” here with *producing* actions gives it a clear causal resonance. Similarly in *GMS I* itself, the notion of ground is paired with “effect,” confirming its close relation to causality: “Only what is connected with my will merely as ground and never as effect, what does not serve my inclination but outweighs it or at least excludes it altogether from calculations in making a choice – hence the mere law for itself – can be an object of respect and so a command” (*GMS* 400, underlined). Finally, the notion of a ground is found within the very idea of a “motive” (*Bewegungsgrund*). This is not a merely linguistic connection, as Kant later defines motive as the “objective ground of volition” (*GMS* 427). Since the problem of *GMS I* can be stated precisely as a search for the ‘moral motive,’ if the latter depends on a causal notion, then it will not be surprising that Kant’s conception of causality plays an implicit role in his argument.

Thus, causality plays a role in Kant’s argument in *GMS I* precisely because Kant’s aim is to discover how the causality of a will acting from duty differs from a will whose actions lack moral worth. It is in the attempt to locate this causality that Kant will hit upon the requirement of law-conformity. This part of the argument follows the “second proposition” of *GMS* *I*,[[20]](#footnote-20) where Kant claims that an action’s moral worth “does not depend on the realization of the object of the action but merely upon the *principle of* volition in accordance with which the action is done” (*GMS* 399–400). Here is Kant’s justification of this choice:

In what, then, can this worth lie, if it is not to be in the will in relation to the hoped for effect of the action? It can lie nowhere else *than in the principle of the will* without regard for the ends that can be brought about by such an action. For, the will stands between its a priori principle, which is formal, and its a posteriori incentive, which is material, as at a crossroads; and since it must be determined by something, it must be determined by the formal principle of volution as such when an action is done from duty, where every material principle has been withdrawn from it. (*GMS* 400)

Some take Kant’s argument here to depend on an exhaustive catalogue of the sources of moral worth, so that he arrives at the need for a “formal principle” by elimination.[[21]](#footnote-21) However, there is also a plausible causal reading of the argument from elimination:[[22]](#footnote-22)

By this stage, as we have seen, it is assumed that moral worth derives from the will in some way. Kant then argues that moral worth does not derive from the will in a certain way: namely, not from the way the will is determined by its object as an incentive. This is established by the examples preceding the second proposition. Accordingly, the moral worth of actions must come through a different mode of the will’s determination. On my view, Kant offers the determination by the “formal principle” as the other possible source of the will’s *causality*: “since it must be determinedby something.” The argument from elimination does not derive from a short list of possible sources of moral worth; rather, assuming that actions from duty are possible, we arrive by elimination at their source of causality. This reading conforms to what Kant says on the following page: “Since I have deprived the will of every impulse that could arise for it from obeying some law, nothing is left but the conformity of actions as such with universal law, which alone is to serve the will as its principle” (*GMS* 402). The idea here is that the will lacks one prominent source of determination (an “impulse”), so it must have another. The elimination argument is thus, I claim, a causal one. What needs to be explained is how Kant thinks a “formal principle” is plausibly a member of the disjunction for the causal explanation of action, and why this principle implies that maxims must be willed in the form of a universal law.

**4. The Formal Principle of the Will as the Categorical Declarative**

We have established thus far that (1) Kant extends his requirement that causes be universalizable to real grounds in general, including the real grounds of action, and that (2) Kant’s explanation of “action from duty” depends on explaining how actions can be determined in a certain way, namely, in accordance with the will’s “formal principle.” It is from the latter explanation that Kant concludes (all too quickly, to be sure) that the maxims of our actions should (if they qualify as “from duty”) be willed in the form of universal laws. In this section, I will make a preliminary attempt to show why it is reasonable for Kant to think that the mere form of the will requires maxims to be universalized.

As I mentioned in the last section, in Kant’s explanation of the good will, he makes use of what he seems to regard as an illuminating proxy to investigate that concept. Instead of discussing the concept of the good will itself, he discusses “the concept of **duty**, which contains that of a good will though under certain subjective limitations and hindrances, which, however, far from concealing it and making it unrecognizable, rather bring it out by contrast and make it shine forth all the more brightly” (*GMS* 397). The use of this proxy is significant, of course, for Kant believes that duty as such, and in particular *obligation*, is not applicable to a will in general, but pertains only to those rational beings (humans) which are also affected by the counter-influences of inclination, which may lead them not to act according to reason (cf. *GMS* 412–13). Appealing to duty, rather than the good will, allows Kant to illustrate morally worthy action *in contrast* to something else, which would not be possible in the case of the perfectly good will. But the risk of using the proxy concept of duty to explain action that follows from a good will is that some of the special features of duty, rather than the general features of a good will, will be considered explanatorily relevant.

Here, I would like to reverse Kant’s strategy, considering instead the notion of a will that is not subject to outside inclinations in order to discover the “formal principle” of the will *in general* – not only of the human will. For I hope to show that we do not need to consider the human case to understand Kant’s requirement that maxims be universalized. Instead, the generic notion of acting in such a way that one’s reason is the cause of one’s action will be sufficient to explain the requirement. The requirement is thus not as such a *normative* one, but a *constitutive* one for having a will. Though my strategy differs from Kant’s own, it is consistent, I believe, with his underlying convictions. For he writes, “If there is such a law [namely a categorical imperative], then it must already be connected (completely a priori) with the concept of a will of a rational being as such” (*GMS* 426). What Kant describes as obligatory for the human case also holds *descriptively* of a perfectly good will (cf. *GMS* 414)*.* As Kant says, “this ‘ought’ is strictly speaking a ‘will’ that holds for every rational being under the condition that reason in him is practical without hindrance” (*GMS* 449). It should be possible in principle to outline the structure of a will of a rational being as such, without appealing to distinguishing factors peculiar to the human case.

I aim to develop the bare concept of a will by building it up in three stages. First, we must see that maxims can serve as *real grounds* of action. Second, that in order to be real grounds, maxims are subject to the requirement of *objective lawfulness*. Third, in order to be causes of action, maxims must also be *represented as lawful*. A being that can act with a maxim as the real ground of her actions, meeting the two conditions of objective and representational lawfulness, will satisfy in her action the causal principle I call the *categorical declarative*. This causal principle is the source of the universalization requirement in the categorical *imperative*, the FUL.

*4.1. Maxims as Real Grounds*

Kant gives us a number of rough definitions of the will in the *Groundwork*. In most instances, the requirement of acting according to *laws* is built-in to the definition. For example, he writes, “The will is thought as a capacity to determine itself to acting in conformity with the *representation* of certain laws” (*GMS* 427).[[23]](#footnote-23) Rather than treating the lawful character of the will as a given, I want to attempt to explain it by starting from a simplifying assumption. By attempting to explain what would be necessary to make the assumption true, we will arrive at a conception of the will that is recognizably Kant’s own. Our simplifying assumption is that the will is a capacity to act on a reason of a certain sort – specifically by one’s adoption of a *maxim* as the “real ground” of one’s action.[[24]](#footnote-24) Maxims clearly represent, according to Kant, the agent’s “subjective principle” for acting. I take this to imply not only that a maxim justifies an action but that it can also explain why it was performed. The maxim contains, as Kant says, the agent’s *Bewegungsgrund*, or motive. Rather than a mere action *description*, then, we may treat the adoption of a maxim as the explanatory ground or cause ofthe agent’s action.[[25]](#footnote-25) We should thus be able to locate an agent’s maxim as an answer to familiar ‘why?’ questions. Suppose I am asked, ‘Why did you go to the store today (a Tuesday)?’ I cannot just use an action description to answer such a question, i.e. ‘Because I am going to the store today.’ Rather, it might be: “I go to the store on Tuesdays to avoid the busyness of the weekends.” Similarly, to use one of Kant’s examples, we can ask the lying promiser: why did you choose to lie? And the agent’s response (if sincere) might be: ‘Because I lie in order to get a loan when I am in need’. Though an explanatory reason might partlydescribe the action, Kant insists a maxim must also refer to an end; only thus can it provide an explanation for the action (cf. *GMS* 436). In this way, a maxim should express the real ground of the action. This explanatory role of maxims corresponds to their logical role as the major premise of practical syllogisms.[[26]](#footnote-26)

If a maxim is the ground of an action, then the *action itself* is the relevant “consequence” of that ground, rather than the further, collateral consequences or the results of an action.[[27]](#footnote-27) That is to say, a maxim is meant to explain an action’s being carried out, not its success. My maxim to shop on Tuesdays to avoid busyness causes me to move and plan and orient in ways appropriate to that end. When I arrive at the store only to find my hopes have been dashed (say, because the store is closed for repairs) this does not mean that I did not act in accordance with my end. The sign of this, importantly, is that insofar as the action is carried out in accordance with my end, it is deemed *good* – which is to say, fit for its purpose (cf. *GMS* 413–14).[[28]](#footnote-28) Actions can be fit for a purpose, and so ‘good’ in this sense, without achieving that purpose. This (non-moral) sense of goodness is essential to judging whether an action has been caused in accordance with its maxim. Kant makes it clear that this is a presupposition of practical reason in any form.[[29]](#footnote-29)

I have said that regarding maxims (or their adoption) as real grounds of action is a simplifying assumption, since more must be added to explain how they are real grounds. But we can preliminarily represent the claim that some maxim *M* is the real ground of some agent’s (‘*i*’) action *A*, with the following schema:

*Grounding Maxim:* ∃*i* (*Mi* *g*→ *Ai*).

When inserting particular maxims for *M*, I will use angled brackets (‘<…>’) to designate the fact that the maxim is some implicit or explicit representational content of an agent’s thought. This will become relevant later on.

*4.2. The Objective Lawfulness Requirement*

Before further complicating the picture of the precise way that maxims are real grounds, we can already spell out an important consequence of the view so far. Namely, if maxims are in some way real grounds of actions, and if our schema LRG above is also correct, then maxims are substitution instances of LRG; so that, at least for the will for which maxims genuinely *are* the real grounds of action,[[30]](#footnote-30) the following holds:

*Lawfulness Requirement* *on Maxims* (*LRM*): *M* is the real ground of action *A* only if there is a law *L* such that for any case *x* of *M*, *A* follows, or: *L* = ∀*x* □ (*Mx* → *Ax*).

Or again more simply:

*M* *g*→ *A* in virtue of *L*

This requirement follows not from any special feature of human action, but simply from the role of maxims as real grounds of actions. The “requirement” is not yet a normative one, saying what *ought* to be, but a constitutive one, saying what must be *if* a maxim really is a cause. Significantly, if a maxim really is a cause of action, then there is a *determinate* law that can be identified as necessary.

If gravity is the ground of one body’s attraction to another body, we assume that the same effect would occur, other things being equal, between any two bodies. There is a determinate causal law that explains the effect. Just so, if the maxim ‘I will go shopping on Tuesdays to avoid the busyness of the weekends’ is going to be the ground of some agent’s action, then there must be a determinate law-like relation between *any* agent’s having that maxim and performing the action of shopping. In both the natural and practical case, we cannot depend solely on observed regularities to determine the existence of such a law-like relation, since real-world regularities occur amidst competing causal influences. In the real natural world, there is friction, and in the real practical world, there are conflicting motives (see section 5 for more on this). In order to credit a specific cause as the cause of a given effect, abstraction is needed. We test for the law by considering whether the desired effect could obtain in cases where the cause remains constant: in our example, whether there could still be someone who shops when every other agent shops for the same reason.[[31]](#footnote-31)

Hence, if the LRM holds, it is not ambiguous *which* law is in question when an agent acts according to a maxim as the cause of action. It is precisely the determinate causal law that is required for the maxim to be the cause of a certain action at all, generated by the universalization of the relation of putative cause and its effect.[[32]](#footnote-32) It is also not ambiguous *why* a law should hold for maxims: for the explanation of action is simply being treated according to the same general pattern of causality.

However, it is now the place to begin complicating the picture a bit. For the way that maxims function as real grounds of action is in some ways not like other causes. Kant says that the causality of will is not simply a causality accordingto a law, but also according to the *representation* of a law. The difficulty here is that the representation of the law itself plays a causal role. Kant himself puzzles about this. He asks, “But what kind of law can that *be*, the *representation of which* must determine the will…?” (*GMS* 402, emphasis added). Kant seems to be implying that “law” plays two distinct though interrelated roles in the will. First, there must exist a law that determines the will’s action. Second, the will’s action must be determined by representing that law. We cannot fully understand the will’s causality until the causality of representation is factored into the account.

*4.3. The Representational Requirement*

Kant famously writes: “Everything in nature works in accordance with laws. Only a rational being has the capacity to act *in accordance with the representation* of law, that is, in accordance with principles, or has a *will.* Since *reason* is required for the derivation of actions from laws, the will is nothing other than practical reason” (*GMS* 412). Our account of the objective lawfulness of maxims in effect expresses what it would mean to act *consistently* with some causal law: namely, such an objective causal law must be possible. But the actual exercise of will, on Kant’s view, requires more than this; it requires that the action also be derived from the representation of the law: the cause of an action must rise to the level of representation.

Suppose I adopt maxim *M* for action *A*. The LRM says that *M* can only be the cause of *A* if there is some law *L* providing for this causality. But that necessary condition does not sufficiently explain how *M* really *is* the cause of *A*. What would make it the case that I actually have willed *A* from *M*, that is, that I have derived *A* in some sense from *M*? If the derivation is not to be conditional (thus requiring some further grounds), it can only be through an intermediary premise according to which *A* follows from *M*. And the causal law according to which *A* can universally follow from *M* provides me with that premise.[[33]](#footnote-33) This law must not only be objectively possible; it must provide me a premise in my practical reasoning from *M* to *A.*

Let us return to our toy example to fill this in. I have a maxim ‘I go to the store on Tuesdays to avoid the busyness of the weekends’ and my proposed action, namely, going shopping. I want not only to carry out my action but also to carry out my action *because of* – on the ground of – my maxim. Suppose I have considered that a law according to which all shoppers did indeed shop in such a way to avoid busyness is indeed possible. The objective possibility of that law does not make anything happen, however. I have willed my action on the basis of my maxim when the law in question is also represented as the ground of my action: namely (and roughly), *because* <any agent can shop to avoid busyness>, *I will shop to avoid busyness*. Somewhat paradoxically, the maxim in question becomes a cause only when it is also *represented* as a law-like cause of action.[[34]](#footnote-34)

Let us call this the

*Representational Requirement* *on Maxims* (*RRM*): *M* is the real ground of action *A* only if the law, stemming from the LRM, is represented as the ground of the action; or, for some actor *i*: ∃*i* (*Mi* *g*→ *Ai*) → (*i* holds <∀*x* □ (*Mx* → *Ax*)> → *Ai*)

Since both the LRM and the RRM must hold if a maxim is to be the real ground of an action, we can state a combined version of these constitutive principles as follows:

*Categorical Declarative* (CD): For any subject *s* which performs action *A* with maxim *M* as its ground, there is a causal law *L* such that *M* can be the universal ground of *A* (= LRM); and *s* does A because *s* treats *L* as the ground of *A* (= RRM).

The CD follows, as I have tried to show, simply from considering how it is possible for maxims to be real grounds of action, on the basis of principles that are common to real grounds in general, apart from the distinctive role of representation. The CD is thus plausibly treated as a constitutive (or “formal”) principle of the will, considered as the causality of reasons. Importantly, the CD explains the need for the universalization of maxims in the FUL, *prior* to any explicitly normative or obligatory dimension of the will. Though the obligatory dimension of human action is needed to explain the presence of the “ought” in the FUL, the CD is sufficient to explain the universalization requirement, common to any being who has a will.

Before we turn to discuss why the FUL is then needed to *test* the causality of maxims, it is worth recalling the “argument from elimination” in *GMS I*, which we discussed in section 3. The problem there was how it could be that, if an action from duty is one that is determined not by its end or incentive, it should instead be determined by the will’s “formal principle.” The preceding account has explained in outline what the formal principle of the will is, in that it explains what it means for the will to be a *sui generis* kind of cause. Since the principle of the will is just its own kind of causality, an action that is due to the will’s formal principle will be one that is caused by the representation of the relevant causal law. While working from the proxy concept of duty, Kant writes, “The third proposition, which is a consequence of the two proceeding, I would express as follows: *duty is the necessity of an action from respect for law*” (*GMS* 400).[[35]](#footnote-35) This proposition, once we factor out the special features of human action, is simply an expression of an action that is described by the CD: an action from duty (or simply: from the will itself) is an action which is the necessary consequence of the representation[[36]](#footnote-36) of its own causal law. Hence, Kant appeals to nothing other than the generic nature of will in expressing a source of causality that is suitable to describe actions from duty.

**5. The FUL as a Causal Test**

The preceding section characterized the structure of a will that acts upon its maxim as the real ground of its action. I have argued that this being would act in a way described by the CD, and that therefore the universalization requirement on the CI (in the FUL) is a principle intrinsic to the will as such. Once we see the universalization requirement as stemming from a requirement on the will’s *causality*, we are in a position to read the FUL differently than is standardly done. The direct function of the FUL is not to test the moral permissibility of maxims, but instead to test whether the maxim is, or can be, the real “determining” ground of the action.

In order to explain this, we have to bring out an important element of the human will, in contrast to the will merely as such. As Kant frequently emphasizes (and is otherwise obvious), the human will is not subject only to reason as its cause. Because of this, it cannot be taken for granted that the causality of human action proceeds as described in the CD. This is true even if all human actions are *in some way* governed by maxims. Kant does typically proceed as if even bad actions are chosen in accordance with a maxim.[[37]](#footnote-37) But it does not follow from the fact that an action is chosen in accordance with a maxim that the maxim is the ground of the action as specified above. On the contrary, in actions that will be classified as lacking moral value, the ultimate ground of the action is not the maxim *per se*, but the end or incentive contained in the maxim, often according to inclination. Hence, rather than being grounded on the strength of maxim alone, much human action has the following rough structure:

Incentive *g*→ Maxim *g*→ Action

So even if the maxim is in some way causally relevant to the choice of an action, in this structure, it is not the maxim that is decisive, but rather the incentive. Because of this, I believe that Kant assumes that an action with this structure is not explained by the law governing the relation of maxims to actions (the law specified in the LRM), but rather the causal law governing the relation of incentives to actions. This law, of course, is one instance of what Kant calls “heteronomy.” This comes out quite clearly in the following passage from *GMS II*:

Wherever an object of the will has to be laid down as the basis for prescribing the rule that determines the will, there the rule is none other than heteronomy; the imperative is conditional, namely: *if* or *because* one wills this object, one ought to act in such or such a way; hence it can never command morally, that is, categorically. Whether the object determines the will by means of inclination, as in the principle of one's own happiness, or by means of reason directed to objects of our possible volition in general, as in the principle of perfection, the will never determines itself *immediately,* just by the representation of an action, but only by means of an incentive that the anticipated effect of the action has upon the will: *I ought to do something on this account, that I will something else*, and here yet another law must be put as a basis in me, the subject, in accordance with which I necessarily will this something else, which law in turn needs an imperative that would limit this maxim. … [B]ut it is *always only heteronomy* of the will; the will would not give itself the law but a foreign impulse would give the law to it by means of the subject's nature, which is attuned to be receptive to it. (*GMS* 444, underlined)

In an action performed heteronomously, the will’s own law – the one described in the CD – is no longer the basis of the action, but rather some *other* “foreign” law, outside the will.

Accordingly, whatever the role of a maxim in heteronomous action, its causality is not described by the law given in the LRM. The maxim must play some secondary causal role. Unfortunately, Kant does not use a uniform terminology to make this causal distinction, but there are patterns in his usage. He frequently puts the problem in terms of whether the maxim (or its law) is the “determining” or “immediate” ground of the will, in contrast to its being the cause only “conditionally” or “mediately,” on the basis of some other determining ground[[38]](#footnote-38) – for example, the incentive of the action. For example, in discussing the difficulty of determining the motive of action, he writes “it cannot be inferred with certainty that no covert impulse of self-love…was not actually the real determining cause of the will [*die eigentliche bestimmende Ursache des Willens*]” (*GMS* 407, underlined). And he characterizes freedom as “independence from *determining* causes of the world of sense” (*GMS* 455). Whether the maxim or law is the determining cause of the will depends on whether inclination is a *condition* on the causality of the will: “I connect the deed with the will, without a presupposed condition from any inclination, a priori and hence necessarily (though only objectively, i.e., under the idea of a reason having complete control over all subjective motives)” (*GMS* 420n, underlined). And, especially in the second *Critique*, the issue is frequently discussed in terms of the “immediacy” of the will’s causality: “In a practical law reason determines the will immediately, not by means of an intervening feeling of pleasure or displeasure, not even in this law; and that it can as pure reason be practical is what alone makes it possible for it to *be lawgiving*”(*KpV* 25, underlined).[[39]](#footnote-39) This is contrasted with a case where an incentive “precedes” the maxim’s determination: “Either a rational principle is already thought as in itself the determining ground of the will without regard to possible objects of the faculty of desire (hence through the mere lawful form of the maxim)…. Or else a determining ground of the faculty of desire precedes the maxim of the will, which presupposes an object of pleasure or displeasure and hence something that *gratifies* or *pains*” (KrV 62, underlined).

These passages constitute strong evidence that maxims can play various causal roles without being the cause of an action by being universalized as a law. Though I do not know of a passage where Kant says so in as many words, it seems plausible that the lawfulness requirement on grounds in general implicitly holds only in cases where the ground is the *determining* ground of the consequence, that is, where the ground is in fact the decisive or (under the given background conditions) sufficient ground for what happens.[[40]](#footnote-40) Hence, the CD should be slightly modified:

*Categorical Declarative* (CD): For any subject *s* which performs action *A* with maxim *M* as its **determining** ground, there is a causal law *L* such that *M* can be the universal ground of *A* (= LRM); and *s* does *A* because *s* treats *L* as the ground of *A* (= RRM).

This is not an *ad hoc* modification, since even in the study of natural causes, we do not assume that every cause that in some way *contributes* to some effect requires a law-like connection to a given effect. Our search for natural laws involves the attempt to reduce the causes in nature to those that are decisive in producing certain effects.[[41]](#footnote-41) The same is true in the search for the motive of action.[[42]](#footnote-42)

Since the human will (unlike the perfectly good will) contains a *mixture* of possible causal grounds, including both lawful principles and self-serving incentives, it is always possible to ask ourselves whether our reasons (our maxims) really are the determining grounds of our action, or whether some other condition or cause is needed to explain the action. It is to contribute to answering this question, I believe, that the “test” embodied in the FUL can be used. It does not directly test the moral permissibility of our maxims, but *whether our maxims can actually play the causal role they purport to, without some further determining ground*. Though the FUL is not sufficient to determine whether our maxims are in fact determining grounds of our will, it is sufficient to show when a given maxim *cannot* be the determining ground. Accordingly, it can yield negative causal judgments. In cases where the maxim is not universalizable, there must be some other determining ground of our action, presumably dependent on an incentive or inclination. Actions based on inclination can thus be explained by a natural law which specially affects humans, rather than by the law of the will’s own causality.

Consider the easiest of Kant’s examples, the needy loan applicant, who wants to promise to repay a loan even though he knows he cannot. On my view, the applicant must ask whether the following could be a law:

∀*x* □ (<when *x* is in need, *x* will lie in order to get a loan> → *x* applies for a loan)

We judge whether such a law is possible by asking whether the action of applying for a loan, and thus promising, could be result of the maxim universalized as a law. Namely, could everyone apply for a loan (the consequence) *on the basis* of the maxim that they will not repay when they are in need (the ground)? On my reading, Kant reasons that such a maxim could not be a determining ground of such an action, because a universal causal relation between such a maxim and such an action would make it impossible to apply for the loan in the first place. In such a situation, no one would trust a loan applicant; thus, no one would think that a dishonest promise would serve its purpose. The given maxim, as a law, undermines the goodness of applying for a loan. As Kant says, “For, the universality of a law that everyone, when he believes himself to be in need, could promise whenever he pleases with the intention of not keeping it *would make the promise and the end one might have in it itself impossible*, since no one would believe what was promised him but would laugh at all such expressions as vain pretenses” (*GMS* 422, emphasis added). As I understand this passage, it is the promise itself, represented as suitable to its end, that would not be performed in the world where the maxim was universalized.[[43]](#footnote-43) This is a causal judgment about the relation between reasons and actions, not about any contingent relation between means and ends.[[44]](#footnote-44) The negative causal judgment implies that some other causal factor must be present in the case where the loan applicant lies.

Accordingly, Kant frequently draws conclusions about the causality of the will from a failure to pass the universalization test. He writes, for example, “If we now attend to ourselves in any transgression of a duty, we find that we do not really will that our maxim should become a universal law, since that is impossible for us, but that the opposite of our maxim should instead remain a universal law, only we take the liberty of making an *exception* to it for ourselves (for just this once) to the advantage of our inclination” (*GMS* 424, underlined).[[45]](#footnote-45) In the first instance, then, the universalization test yields a conclusion about what the motive of an action could or could not be: could the motive have been based solely on the maxim as its determining ground – which must therefore take the form of law – or does the action require a further ground as its motivation? Understanding this as the most immediate consequence of the FUL is important because it suffices to explain the universalization requirement.

Since my aim is not to defend a view about how the FUL can be run, but rather to defend a view about its implications, a more detailed considered of the FUL test would distract from my purpose here (though it is a desideratum for future work).[[46]](#footnote-46) What I have hoped to show is only that the FUL can be interpreted as a causal test, and that it can thus be seen as directly yielding a causal conclusion. However, by emphasizing that the direct consequences of the FUL test are causal, I do not mean to deny that they are also moral. Clearly, Kant thinks that it follows from a maxim’s failure to pass the universalization test not only that it was not caused by its maxim as the determining ground, but also that it is “morally impossible”; by contrast, if a maxim passes the test, it is “morally possible” (cf. *KpV* 69–70). Above, I complained that there seems to be no intrinsic connection between a maxim’s failure to universalize and its impermissibility, but a similar moral implication might indeed follow from a further assumption. *Prima facie*, the moral implications of the FUL would seem to be tied to the ‘ought’ that is contained in it, in contrast to the CD which contains no ‘ought’. When Kant initially presents the FUL, he does not argue for the presence of the ‘ought’, but rather assumes it.[[47]](#footnote-47) His aim is only to show that this law can express the content of the morality of “common human reason,” assuming that to be morally binding. It is later in the *Groundwork* that Kant is at pains to explain why the categorical imperative contains its ‘ought’, and so why it represents an obligation for the human actor. After his explanation for what a categorical imperative *would have to be*, Kant writes, “But we have not yet advanced so far as to prove a priori that there really is such an imperative, that there is a practical law, which commands absolutely of itself and without any incentives, and that the observance of this law is a duty” (*GMS* 425). Kant clearly sees that a further argument is needed to show why the categorical imperative really is an imperative for us. While this does not rule out the implications for moral obligation that flow from the FUL, it suggests that these implications are separable from strictly its causal implications, which stem from the CD.

Moreover, it seems valuable that a separation can be made between the causal and moral implications of the universalization test, since this permits the eventual distinction between morally worthy and unworthy action to be built upon a distinction that is not yet set up in moral terms. That is, if the CD allows us to make a *causal* distinction between maxims that are and those that are not the determining grounds of action, this has the potential to give us a non-moral basis for making a moral distinction. That could be a valuable resource indeed.

Though I do not have space to consider much further the moral implications of the FUL on my reading, I do wish to address a potential objection. One might worry that, once the moral implications of the FUL are factored back in to the non-normative CD, it would amount to something basically equivalent to the traditional interpretation focused on permissibility. Kant’s test of moral causality would simply serve a second and closely related purpose of determining moral permissibility. Even if this were correct, there would still be a distinction between the two purposes, given that the judgment of permissibility would require some further assumption in addition to the judgment of causality yielded by the test. But I believe the gap between the two accounts is wider than that. As most use the term, the category of permissibility is morally neutral: it is neither wrong nor obligatory. Hence, acting on a permissible maxim does not have moral worth.[[48]](#footnote-48) However, on my view, the moral implication of a maxim’s passing the universalization test is not moral neutrality. The direct conclusion of the test is that the maxim can be the determining ground of the action, and if it is the determining ground of the action, then it has precisely the character of the good will. That implies that it is possibly the ground of a morally *worthy* action. This is quite different from the implication of mere permissibility. Suppose I adopt what seems to be a morally neutral maxim: I will take a nap in order to relax, when it does not interfere with my other prior commitments. Suppose, further, that I determine that this maxim passes the test, since it is causally possible for everyone to perform this kind of action for this reason. On the permissibility reading, we can only conclude that it is not morally wrong to nap. On the present account, given the fittingness of this maxim for universal law, if I act with that maxim as a determining ground of my action, the action *may* be (i.e., it possibly is) morally worthy, an expression of duty.[[49]](#footnote-49) Any maxim that passes the test represents a possible candidate for the ground of a morally worthy action. I think this is a good result. It shows that moral duty might be expressed by taking any causally possible maxim as a ground for action. Moral worth could be profuse, on this view, since it need not be limited to those cases where a moral obligation is present. This conflicts with accounts that assume that only moral permissibility (and negative obligation, by a further step) can be concluded from the FUL.[[50]](#footnote-50)

**6. Conclusion**

I have argued that we can understand the justification of Kant’s universalization test in the FUL by treating it as a direct test of the causality of action, rather than permissibility. Kant’s conception of morality famously concerns not simply the kind of actions we perform, but whether we perform them with a good motive. I believe the aim of the formula of universal law is to test this motive, and this means simply testing whether our proposed maxim can be such a motive – the determining ground or cause of our action. For Kant, a generic requirement for any such ground (motives included) is that they stand under laws. I have tried to articulate the structure of rational willing as a certain way of causing an action, according to which a reason not only *can be* a cause but is also represented as such. Articulating this basic structure results in a picture that mirrors Kant’s test in the formula of universal law. Since that basic structure results whether or not we assume that the will in question stands under obligations, it is the non-obligatory “categorical declarative” that provides its basis. Though Kant indeed draws implications for what we should do or not do based on the FUL, it is the causal structure of acting unconditionally for a reason that explains the universalization requirement.

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1. \* For feedback and discussion on earlier versions of this paper, I am grateful to Bill Bristow, Phil Mack, Jake McNulty, Michael Olson, Caleb Reidy, and to two anonymous reviewers at a different journal. The present version of the paper also benefitted greatly from comments from three anonymous reviewers for *The Philosophical Review*. [↑](#footnote-ref-1)
2. Kant’s works are cited according to the page number ofthe *Akademie Ausgabe* (Kant 1900ff. = Ak.), according to the translations from *The Cambridge Edition of the Works of Immanuel Kant*. The following abbreviations are used: *GMS* = *Groundwork for the Metaphysics of Morals* (in Ak. 4); *KpV* = *Critique of Practical Reason* (in Ak. 5). Other works are cited according to the *Akademie* volume and page number. The *Critique of Pure Reason* is cited by the standard ‘A/B’ pagination. [↑](#footnote-ref-2)
3. See, e.g., Herman 1993, 14–16; Engstrom 2009; Allison 2011; Kleingeld 2017; 2019. [↑](#footnote-ref-3)
4. Wood (e.g., 1999; 2018) denies that verdicts of impermissibility can be converted into positive duties. See Kahn 2021 for a similar recent challenge. [↑](#footnote-ref-4)
5. See Johnson 2008, 84–88, for a criticism of this assumption. [↑](#footnote-ref-5)
6. Engstrom 2009, 124–27, 158. He says that practical knowledge has a “presupposition of universality” (2009, 126). [↑](#footnote-ref-6)
7. Engstrom’s book is indeed an extended attempt to make this argument (among others). Moreover, as I indicate periodically throughout, there are a number of affinities between Engstrom’s approach and my own, not least because, for Engstrom, practical knowledge is itself a causal power (cf. his 2009, 134 ff.). However, from my point of view, Engstrom’s starting from an explication of practical knowledge leads to a more indirect explanation of the universalization requirement than the one I present below. Namely, while Engstrom develops a special account of practical knowledge, within which its causality is contained as an aspect, I begin from a general account of causality, which can subsume practical knowledge (or, simply, the will) within itself. [↑](#footnote-ref-7)
8. Such a connection can of course be found *if* one treats the universalization requirement as itself deriving from some moral or normative principle, like fairness or impartiality. E.g., “The intuitive idea behind the thought that a universality test can provide a criterion of moral acceptability may be expressed quite simply as the thought that if we are to act as morally worthy beings, we should not single ourselves out for special consideration or treatment” (O’Neill 1989, 94). However, even if this kind of account can explain the moral relevance of universalization, it does so at a significant cost: namely, it can no longer explain the standard of moral value by appealing to universalization, since it appeals to a moral value to justify universalization. A similar problem could be raised for Korsgaard’s (1996, 61) emphasis on the “legal character” of the maxim. [↑](#footnote-ref-8)
9. He writes in *GMS III*, “Since the concept of causality brings with it that of laws in accordance with which, by something that we call a cause, something else, namely an effect, must be posited, so freedom, although it is not a property of the will in accordance with natural laws, is not for that reason lawless but must instead be a causality accordance with immutable laws but of a special kind. … But the proposition, the will is in all its actions a law to itself, indicates only the principle, to act on no other maxim than that which can also have as object itself as universal law” (*GMS* 446–47). [↑](#footnote-ref-9)
10. Robert Johnson (2008) is an exception here, and though his focus is not on *GMS* *I*, I am nevertheless indebted to his essay in what follows. Stephen Engstrom also lays stress on the causal nature of the will and thus the moral law. He writes: “Since the will is a causal power, its form can be described as a *law*, and in particular as a *practical law*, in Kant’s understanding of those expressions” (2009, 134). I believe it is fair to say, however, that though Engstrom acknowledges the causal dimension of the will and likewise of the moral law, he does not exploit this to explain the universalization requirement as I do below. Wood (1999, 172–73) recognizes Kant’s apparently causal talk but says that the *laws* in question are not causal but only normative laws. [↑](#footnote-ref-10)
11. After my initial submission of this paper, I discovered that this term was also used by Stanley Cavell (1969) in “Must We Mean What We Say?” Though Cavell also uses the expression to pun on Kant, our uses of the expression otherwise differ substantially. [↑](#footnote-ref-11)
12. See also Watkins 2005, 286–91. Watkins (2005, Ch. 4) rejects the common assumption that Kant sees the generality of casual laws holding between types of event, treating Kant’s notion of “ground” as the active power of substance). I am not in a position to comment on Kant’s specific commitments on the causality of nature, though I think it likely that a full understanding of Kant’s conception of causality will have to accommodate what he says in the moral domain. It has been pointed out to me that my own view of a maxim’s causality requires a more substantial notion of causality than the Humean version Watkins challenges. If that is the case, the view here might be taken in support of Watkins. One feature of Watkins’ interpretation that is especially congenial to mine is the temporal indeterminacy of grounds, in contrast to events. That is, while event-event causation is indexed to a given time, the causality of a ground is that of an ongoing state of a substance (2005, 244). The latter is a better fit than the former for modeling a maxim’s role as the ground of action as I understand it. [↑](#footnote-ref-12)
13. This schema for laws is clearly a simplification (the same *mutatis mutandis* to others derived from it). At the least, a full statement would have to account for *ceterus paribus* clauses. I believe these clauses are, however, compatible with a law’s being necessary. For the necessity holds between the cause-types and effect-types considered as such. Yet the necessity of gravity is not undermined by the fact that friction or some other impediment can prevent its normal expression. [↑](#footnote-ref-13)
14. I am indebted here to the recent discussions of grounds in Massimi 2017 and Stang 2018. [↑](#footnote-ref-14)
15. For a positive example, see Kant’s discussion of quinine’s being the cure of fever in the *Mrongovius* lectures (Ak. 29: 808–9). [↑](#footnote-ref-15)
16. As in the case of causality (see note 12 above), this principle cannot be applied with strictness to empirical cases. In these cases, we can only look for a *rule* in virtue of which the relation of ground and consequence holds. See A 113 for the distinction of rules and laws. A rule is a ground-consequence relation that *can* be posited (defeasibly); a law is a ground-consequence relation that *must* be posited. For the most part, rules seem to be suggested by patterns of experience as rules of inference; laws are rules that are a priori. See A 159/B 198 where Kant suggests that rules discovered empirically can be treated presumptively as laws. [↑](#footnote-ref-16)
17. See Stang 2018, 94–101, for further cases of non-causal real grounds. [↑](#footnote-ref-17)
18. Note this remark from the *Mrongovius* lectures, “With many things one can see that there is a consequence, but we cannot know the ground” (Ak. 29: 808). [↑](#footnote-ref-18)
19. I cannot fill in the notion of “reality” that would make this claim true, other than to contrast it with (say) logical consequences. A further complication (see section 4.1. below, especially note 26) is that the relevant effect seems not to be the successful result of some action, but merely the action itself (which is not strictly phenomenal). [↑](#footnote-ref-19)
20. The “first proposition” is notoriously unstated or at least unmarked. [↑](#footnote-ref-20)
21. Commenting on this passage, Allison writes: “Kant makes it clear that he is adopting his usual strategy of arguing by elimination and that he bases this elimination on the results of the preceding argument. *It is assumed that there are two possible grounds for the moral worth of an action*: the objective or state of affairs at which it aims and the principle of volition underlying the choice of this objective” (2011, 126, emphasis added). Cf. Wuerth 2014, 313. As Schönecker and Wood (2015, 90–91) point out, as an exhaustive account of sources of moral worth, Kant’s list of two can easily seem artificial. [↑](#footnote-ref-21)
22. A similar argument as given below is found in *KrV* 27. There, the issue is whether the matter or form of practical principle is the determining ground of the will. No mention is made of moral worth. [↑](#footnote-ref-22)
23. Cf. also: “Only a rational being has the capacity to act *in accordance with the representation* of law, that is, in accordance with principles, or has a *will*” (*GMS* 412). He speaks of “a causality of reason that we call a will, a capacity so to act that the principle of actions conforms with the essential constitution of a rational cause, that is, with the condition of the universal validity of the maxim as a law” (*GMS* 458). [↑](#footnote-ref-23)
24. I will sometimes speak of a maxim (simpliciter), rather than the adoption of a maxim, as the ground of action; this usage should be taken as elliptical. [↑](#footnote-ref-24)
25. *Pace* Herman (1993, 11), who acknowledges that maxims are reasons but denies that they are causes. I think the broader sense of “cause” defended above should make this denial unnecessary. [↑](#footnote-ref-25)
26. On this point, see Wolff 2018, 422–24. This implies, as Wolff shows, that maxims should not be put in imperative form. [↑](#footnote-ref-26)
27. Cf., e.g., “[The categorical imperative] has to do not with the matter of the action and what is to result from it, but what the form and the principle from which the action itself follows [*woraus sie selbst folgt*]” (*GMS* 416). This shows that the *action* (though not its result) is the “consequence” (*Folgerung*) of the law. In the second *Critique*, Kant writes: “…the *determination of the will* (not the action with reference to its result) through the law alone without any other determining ground connects the concept of causality to conditions quite other than those which constitute natural connection” (*KpV* 69). The qualification “with reference to its result” is significant, since Kant need not deny that determination of the will is also a determination of action. [↑](#footnote-ref-27)
28. I take this as akin to the Anscombe-Davidson idea of acting “under a description.” The description under which a movement is an action at all is also one in which the action is regarded as worth doing to the agent. Thus, it is no specifically moral idea of goodness that is required here. Cf. also Korsgaard 2009, 10–14. [↑](#footnote-ref-28)
29. See Engstrom 2009, Ch. III, for a thorough development of this theme. See also his argument (ibid., 178–83) that the presupposition of goodness is not at odds with Kant’s claim in the *KpV* that the “concept of the good and bad must be determined, not prior to the moral law, … but (as was done here) after it and through it” (*KpV* 62–63). For Engstrom, this claim is compatible with an indeterminate concept of the good that we may have prior to a concept of the moral law, which subsequently further determines the concept of the good. [↑](#footnote-ref-29)
30. Below (section 5), we will see that this statement can be more accurately stated as about whether maxims are the real “determining” grounds of action. I will leave this qualification aside for now. [↑](#footnote-ref-30)
31. Despite my use of ‘could’, neither in the case of natural nor practical causality is the mere *possibility* of a law-like relation between cause and effect significant for its own sake. At the least, one considers possibility to ensure that the relation is not impossible. But, considered abstractly, one could credit either gravity or gravity\* (a property otherwise like gravity, but which permits telepathy between bodies) as the *possible* cause of the effect of bodily attraction. Such a possibility does not itself show that gravity\* is the cause of anything. However, testing whether a uniform law-like relation between a supposed cause and effect obtains depends on constructing a typically counterfactual (if not experimentally manipulated), *ceteris paribus* scenario (i.e., where “other things” *are* equal), given the messiness of the real world. What is relevant for determining the existence of a law-like relation is possibility (or lack of impossibility) *within* the counterfactual scenario. The hope is that the possibility of the cause-effect relation in the counterfactual scenario says something about causality (and so necessity) in an actual case. This seems to be because the counterfactual scenario shows that a cause can be determining (see section 5), independent of other factors. Thanks to an anonymous referee for flagging the role of possibility at this stage. [↑](#footnote-ref-31)
32. This helps to solve a notorious difficulty in interpreting Kant’s initial argument for the FUL. Namely, when Kant discusses the formal principle of the will, he immediately speaks of “law” or “the law” generically, without specifying *which* law he is referring to. Some authors treat this generic law as a reference to some (or even any) imperatival or commanding law. When the identity of this law is left open in this way, there is room for a famous objection, according to which Kant’s procedure does not exclude demanding that an agent’s maxim conform to intuitively immoral universal laws (cf., e.g., Wood 1999, 48, 78–82). Since I am arguing that the identity of the law in question is fixed by the causal relation between maxims and actions, that objection does not arise for my view. [↑](#footnote-ref-32)
33. Since the practical premise is a causal law, it is fitting that Kant can endorse the Aristotelian view that actions, rather than propositions, are the result of practical (syllogistic) reasoning. See Wolff 2018, 420 ff. See Johnson 2008, 93–95, for examples of causal premises playing a similar role in reasoning. [↑](#footnote-ref-33)
34. This role for representations in the carrying out of a maxim is analogous to the way that Searle (1983) conceives the causality of intentions. For example, in the simple case of raising one’s arm intentionally, Searle says the content of the intention should be represented: “that I perform the action of raising my arm by way of carrying out *this intention*” (1983, 85). Searle thus calls the structure of intentional action “causally self-referential.” The intention causes the action only by also representing itself as a cause. The key difference between Searle’s account and Kant’s is that Searle rejects the lawfulness requirement on causality. Thus, he would not be led to the requirement that our reasons for actions are universalizable. [↑](#footnote-ref-34)
35. A full interpretation of this proposition would require explaining how it is a “consequence” of the second proposition and the notoriously unnamed first proposition. Cf. Allison 2011, 121–35, for a thorough discussion. [↑](#footnote-ref-35)
36. It is to be expected that “respect” must be replaced by the more generic notion of representation when we move from the human case of the will to the will in general. For respect is the mode representation takes on the human case, and which is peculiar to it: “Respect is properly the representation of a worth that infringes upon my self-love” (*GMS* 401n). [↑](#footnote-ref-36)
37. I am persuaded by a recent work by Nyholm (2017) and Viljanen (2020) that not every action must have a maxim, but I do not need to appeal to actions without maxims for my present argument. It should be noted that one common motivation for thinking all actions *must* have maxims is that it is thought only thus could an impermissible action be shown to be impermissible. Since I am arguing that the FUL does not aim at judgments of (im)permissibility, this reason to accept the so-called “incorporation thesis” falls away. [↑](#footnote-ref-37)
38. Kant discusses such distinctions in the *Volckmann* metaphysics lectures: “Grounds are divided: [first] into mediate grounds, which are the ground of ground of something, i.e., A is the ground of B, and [B] is the ground of C, and so A is the ground of a ground and is called the mediate ground. And [secondly] into immediate [grounds], which have no intermediate ground at all” (Ak. 28: 409). [↑](#footnote-ref-38)
39. And: “But the same law is yet objectively – that is, in the representation of pure reason – an immediate determining ground of the will” (*KpV* 79). [↑](#footnote-ref-39)
40. Even though Kant also sometimes refers to the ground as needing to be “sufficient,” this seems to be less than accurate without the qualification I provided. The maxim may be sufficient as the motivation of an action, but it can be the ground of an action only when a number of other necessary conditions of action are met (in the human case, for example, having a body, desiring one’s good, etc.). Hence, it seems wrong to say that a maxim can be a sufficient ground of an action, without significant qualification. Kant makes a similar point already in his 1755 *New Elucidation* (cf. Ak. 1: 393). [↑](#footnote-ref-40)
41. Incidentally, this comports well with Kant’s own views on the natural sciences: “[A]ll natural philosophy consists, rather, in the reduction of given, apparently different forces to a smaller number of forces and powers that explains the actions of the former, although this reduction proceeds only up to fundamental forces, beyond which our reason cannot go. And so metaphysical investigation behind that which lies at the basis of the empirical concept of matter is useful only for the purpose of guiding natural philosophy, so far as this is ever possible, to explore the dynamical grounds of explanation [*Erklärungsgründe*]. For these alone permit the hope of determinate laws, and thus a true rational coherence of explanations” (Ak. 4:534). [↑](#footnote-ref-41)
42. One could object that this interpretation makes the FUL too close to the formula of the law of nature (FLN), which says that we should act as if our maxim could become a law of nature. Some scholars (e.g., Wood 2018, 30) see these two formulations as being quite different. Contrarily, I think Kant slides seamlessly from the FUL to the FLN. He motivates the FLN by observing that “the universality of law in accordance with which effects take place” is what is called nature (*GMS* 421). This move only works, I believe, if the law described in FUL is itself the same kind of law, though determining actions themselves as “effects” (cf. A 538/B 566). It is true that if one treats FUL as a direct test of whether a maxim is morally permissible, it will then seem to be a leap to treat it as a test of causality in the FLN. But on the view I have described, the FUL is from the beginning treated as a test of the causality of action. It is thus not at all surprising that the FLN is a near-equivalent expression of it. Since the present view accommodates Kant’s intended unity of the two formulations, this is to be welcomed. [↑](#footnote-ref-42)
43. The account here agrees substantially with the one that Engstrom (2009, 196–209) offers, though he also adds important detail concerning the joint contractual presuppositions of promising. However, much of what Engstrom construes as a requirement of practical knowledge (and the joint practical cognition that he sees as required for promising), I would simply transpose into a requirement for the action’s being caused by a maxim as its determining ground. The potential disagreement between Engstrom and I (as far as I can tell) lies not so much in our understanding of the workings of the FUL test, but in what is primary in explaining the reason for the test. Engstrom seems to see the causality of the will as downstream of it as a unique form of practical knowledge, whereas I see the cognitive role of the will as downstream of its causality. This difference may not much affect the final results of our readings. But the advantage of my account, I believe, is that it offers a significantly simpler explanation of the universalization requirement than Engstrom’s cognition-centered approach. [↑](#footnote-ref-43)
44. Despite some similarities with Korsgaard’s account of the test, my account differs from her “practical” interpretation of the test. On her view, we use the universalization test to judge whether it would be possible to achieve our end or goal in a world where the maxim is universalized (1996, 92). The contradiction exists between the agent’s own goal and its practical achievability in the universalized case. This requires us to know the conditions of the causal efficacy of our *means* to achieving our ends. Korsgaard writes, “For instance, in the false promising case, the difficulty is that the man’s end – *getting the money* – cannot be achieved by this means – making a false promise – in the world of the universalized maxim. The *efficacy of the false promise* *as a means of securing money* depends on the fact that not everyone uses promises this way” (1996, 92, emphasis added). Of course, if one can’t make a promise to get the loan, neither can one get the loot. But Kant’s use of universalization does not test whether the desiredcollateral effect of the action would be produced, which requires knowledge of *natural* causal relations, but whether the action, represented as suitable for its purpose, could even get off the ground. [↑](#footnote-ref-44)
45. See also: “Now everyone knows very well that if he permits himself to deceive secretly it does not follow that everyone else does so … accordingly, this comparison of the maxim of his actions with a universal law of nature is also not the determining ground of his will” (*KpV* 69, underlined). We can see here that the test yields a conclusion about *actual* causality or determining grounds. [↑](#footnote-ref-45)
46. For recent discussion of how to make the universalization test work, see (e.g.) Kleingeld 2017; 2019; Rivera-Castro 2014; Bojanowski 2018. Though I expect a fully worked-out causal reading of the FUL would diverge in interesting ways from each of these proposals, it need not be incompatible with them in every respect. One desideratum from my account of the universalization test would be an explanation of the distinction between “contradictions in conception” and “contradictions in the will” to explain the difference between narrow and wide duties. Unfortunately, I do not have space to pursue this issue in the present paper, though I believe the distinction between the objective and representational requirement on maxims will be a significant resource on this topic. [↑](#footnote-ref-46)
47. This is sometimes seen as a gap in Kant’s argument already in *GMS I*, since Kant does indeed move from a descriptive account of the good will as such to a prescriptive principle. But this seems to ignore that the dialectical context does not require Kant to argue that acting as the good will acts is a duty; that is provisionally assumed as part of the “*analysand*” of common human reason. See Allison 2011, 138–40, for discussion. [↑](#footnote-ref-47)
48. Cf. Herman 1993, 16 including notes. [↑](#footnote-ref-48)
49. I cannot say that it *is* a morally worthy action, first, because it may be that I have deceived myself about my true motive here, and, second, whether it is in fact morally worthy may depend on other possibilities: have I, in deciding to relax, neglected some other consideration that is more important? We never know if we really do act in a morally worthy way, for these and other reasons (cf. *GMS* 407). The FUL thus is not sufficient to yield verdicts of actual moral worth. [↑](#footnote-ref-49)
50. This is not to deny that Kant uses “permission” (*Erlaubnis*) and its cognates, indeed as one of the modalities of practical reason (cf. *KpV* 66). But I think we should understand that concept in terms of what he calls “moral possibility” (cf. *KpV* 69–70; Ak. 6: 221) rather than a more contemporary understanding of permissibility as moral neutrality. One difficult passage for my view is Kant’s discussion of permission in the Introduction of the *Metaphysics of Morals*. He writes there, “An action that is neither commanded nor prohibited is merely *permitted*, since there is no law limiting one’s freedom (one’s authorization) with regard to it and so too no duty” (Ak. 6: 223). There are a few questions to be raised about this. First, Kant himself immediately questions whether there are such actions (or the associated laws), so this definition might be empty. Second, the reference to “authorization” and limits to freedom suggests that this description of permission applies mainly to the legal sphere (*The Doctrine of Right*) rather than the moral sphere (*The Doctrine of Virtue*). See the discussion in Ak. 8: 347n. [↑](#footnote-ref-50)