

# KANT'S FACT OF REASON AS SOURCE OF NORMATIVITY

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In his *Critique of Practical Reason*, Immanuel Kant shows how our moral experience—our experience of ourselves as practically constrained by the moral law—is anchored in what he calls a “fact of reason.” This fact of reason is irreducible: we cannot account for it by means of “theoretical, speculative, or empirically supported reason.”<sup>1</sup> Indeed, this is just what it means to call it a *fact*. In *The Sources of Normativity*, Christine M. Korsgaard pursues a strategy broadly similar to Kant’s, grounding our specifically moral experience in what could also be called a fact of reason. For Korsgaard, this most basic, irreducible fact of reason is just that our minds are reflective. Unlike other animals, we have the capacity to step back from all the contents of our consciousness and to call them into question. “And this sets us a problem that no other animal has. It is the problem of the normative.”<sup>2</sup> Given the fact of reflection, my desires cannot by themselves provide sufficient reason for my acting on them. Rather in stepping back from my desires, I come to view them as standing in need of justification, raising the normative question, “*Ought* I to act on this desire?” Korsgaard believes that the criterion we must apply in answering this normative question can be traced back to the fact of reason from which the question arises in the first place: “If the problem springs from reflection, then the solution must do so as well.”<sup>3</sup> Taking the fact of reflection as the guiding thread of her argument, Korsgaard concludes that obligation takes hold of us

by means of our practical identities, and ultimately by means of the practical identity human being.

In what follows I will argue that obligation cannot be accounted for in terms of practical identity, including that of human being, on the grounds that obligation is *prior to* practical identity. Specifically, I will argue that practical identity cannot account for the unconditional character of obligation, as Korsgaard believes it can. I will attempt to show that Korsgaard's failure to account for unconditional obligation has its source in her inadequate determination of the fact of reason from which the problem of normativity arises. Finally, I will argue that a conception of the fact of reason more in line with Kant's own is required to account for unconditional obligation.

Before proceeding with the argument, it will be important to clarify that I am using the term unconditional obligation in Kant's sense. Obligation, according to Kant, pertains only to beings whose faculties of desire are divided into lower and higher stems, the lower determined pathologically and the higher intelligibly. There can be no obligation for a being with a holy will, such as God, whose will would be determined entirely by the moral law, since there would be no inclination pulling his will in another direction. He would act morally correctly as a matter of course. Neither can the phenomenon of obligation arise in the consciousness of a being like my cat, whose practical relation to the world is determined wholly pathologically. Obligation is only a phenomenon for a being whose will is determined both pathologically and intelligibly, who, e.g., feels a strong inclination to steal the expensive watch that has been carelessly left unattended, but who also knows that she ought not to do it. The phenomenon of obligation, then, is inseparable from the experience of constraint.<sup>4</sup> The person who is

inclined to steal the unattended watch is capable of experiencing the obligation not to do so only because she experiences the moral law pulling in the other direction. Of course the person may not actually experience such an obligation, or may not experience it strongly enough to prevent her from stealing the watch. Nonetheless, she is susceptible in general to the influence of the moral law and to the constraint that it imposes on her inclination, and this is just why we treat her as a morally responsible being. The capacity to experience such a constraint is what makes her practical experience qualitatively different from a god's or a cat's.

The characterization of an obligation as conditional or as unconditional pertains to the kind of constraint that is involved. Obligation is conditional if the constraint against the inclinations has its source in other inclinations. If I experience a constraint against my inclination to buy a particular pair of shoes, for example, and that constraint stems from my desire to save my money in order to buy an even better pair of shoes, then my obligation not to buy the cheaper pair of shoes is only conditional; if I did not in fact have my eye on the more expensive pair of shoes, then I would not be obligated to refrain from buying the cheaper pair. I am obligated unconditionally, on the other hand, when the source of the constraint is not my other inclinations. My obligation not to defraud those with whom I do business, for example, is not conditional on my desire to maintain good business relationships. Of course maintaining good relationships is an important prudential consideration, but my moral obligation does not depend on it. I must not defraud those with whom I do business simply because to do so would be wrong. In cases of unconditional obligation, then, the moral law itself constrains my action.

Finally, it will be important for the argument that follows to note that this constraint is given as a feeling. The feeling of constraint is essentially different from the inclinations, however. For a being whose faculty of desire is determined entirely pathologically, an inclination to do something counts immediately as a sufficient reason to do it. For beings whose wills are determined both pathologically and intelligibly, on the other hand, inclination is experienced as insufficient to determine the will. I experience my inclination to defraud my partners in business, for example, as not having the final say, as standing in need of justification. Again, this experience of the insufficiency of inclination is what makes a human being's practical experience qualitatively different from a cat's. This check that we experience on the natural tendency of our inclinations toward happiness is, according to Kant, a kind of pain, a "negative effect on feeling" which is itself a feeling.<sup>5</sup> This experience of pain, which Kant calls respect, is what makes manifest to us the moral law as the source of moral constraint. In order for an obligation to count as unconditional, then, the feeling of constraint must not come from inclination, but must rather be connected immediately with the moral law.

Although this articulation of unconditional obligation is Kant's, I believe that it captures, albeit more rigorously and in more technical language, what most of us mean by the term. We do make a distinction between beings whose faculties of desire are determined wholly pathologically and those whose faculties of desire are also determined intelligibly. Moreover, we do recognize that the phenomenon of obligation only arises for the latter, never for the former. For example, each morning I shake the canister that contains my cat's treats. When I do so, my cat knows that I am going to give her some of

the treats and so she invariably comes running toward me. She does this, obviously, because she enjoys the treats that I am about to give her. Now it would be a very strange use of language to say that my cat is *obligated* to run toward me to get her treats. When the sole motive for action is inclination, as it is for my cat, we tend not to speak of obligation. The same principle applies when I refrain from buying the less expensive shoes because of my desire to save up for the better pair. Again, it would be unusual to say that I am obligated not to buy the shoes. But even if one really did regard this as a case of obligation, one certainly would not think of it as an *unconditional* obligation. We would reserve that term for cases in which one must do the right thing just because it is the right thing. This common understanding of the term is what Kant captures in claiming that unconditional obligation involves the experience of constraint against our inclinations by the pure moral law. Thus, in arguing that Korsgaard fails to account for unconditional obligation, I do not mean to judge her argument with reference to a technical concept external to her own project, but rather with reference to what I take to be the commonly accepted meaning of the term.

### **I. Reflection as Source of the Normative Problem**

For both Kant and Korsgaard, the problem of normativity is intimately connected with the capacity for reflection. This connection is presented vividly in Kant's "Conjectures on the Beginning of Human History." Kant asks us to imagine a stage in human development at which our action in the world is governed wholly by instinct. In such a state we could know, for example, which foods to avoid simply by smelling them. Certain kinds of smells would signal to us immediately that we must not consume the foods associated with them. In this example, the sense of smell *by itself* provides

sufficient reason for avoiding the food. Without reflection, there is no gap between stimulus and response where the normative question could even arise. But our relationship to the world and to ourselves undergoes a radical and irreversible change when we discover within ourselves the capacity actively to choose our behavior. With the dawn of reflection, man “stood, as it were, on the edge of an abyss. For whereas instinct had hitherto directed him towards individual objects of his desire, an infinite range of objects now opened up, and he did not yet know how to choose between them.”<sup>6</sup> After the advent of reflection, we of course retain our ability to smell food. And this smell can still provide us with a reason to avoid the food. But with reflection this reason ceases to be sufficient by itself. We become free to ignore the data of the senses or to search beyond them for other, possibly better reasons. Having given up the immediacy and self-sufficiency of natural reasons, though, we find ourselves disoriented by the infinity of possible actions and by the infinity of possible reasons for those actions. How can we regain the practical certainty that was ours as wholly natural beings? How can we know when we have discovered a sufficient reason for action, one that would put an end to the uncertainty that necessarily accompanies the power of reflection?

For Korsgaard, as we have seen, the solutions to these problems of reflection must stem from the process of reflection itself. To reflect, as Korsgaard understands it, is to “back up” from whatever comes before our minds. The very act of backing up from our desires or impulses renders them incapable of serving as ultimate, authoritative reasons for action. We can discover authoritative reasons, and thus bring the process of reflection to a successful conclusion, only by arriving through reflection at a point from which we can no longer back up. But what is this point? It cannot, of course, be the desires or

impulses themselves, since we can obviously back up from these. Even if we choose to dig in our heels and insist that a desire or an impulse be taken as authoritative, we cannot make it so, since our having to come to such a decision about it already undermines its authority. Nor can we take the will of another, even if backed by threats, as an authoritative reason for action, since we always remain free to evaluate the quality of this person's reasons or the likely effect of his threats for ourselves. In sum, any reason that is given to us from outside our own process of reflection will be unable to bring that process to a conclusion, since reflection just is the capacity to back up from and to evaluate such givens. Only when a reason for action is given *within* and *by* the process of reflection itself are we obligated to accept it as final.

The solution to the problem of normativity, according to Korsgaard, is given by practical identity. Practical identity is not something given to us from outside the process of reflection, but is rather something that can appear only within it. "When you deliberate, it is as if there were something over and above all your desires, something which is *you*, and which *chooses* which desire to act on."<sup>7</sup> In backing up from a particular content of consciousness, I am revealed to myself unavoidably as the one who must choose. I cannot help but to recognize my choices, and more fundamentally, the reasons for those choices, as expressive of the I that first becomes manifest in reflection.<sup>8</sup> The key point here is that one cannot back up any further from practical identity. I can of course back up from this or that practical identity, e.g., my identity as son or brother, university professor, or baseball fan. I can deliberate about what these identities require of me and about whether I ought to continue to act in ways that sustain them. But I cannot back up from the necessity of having a practical identity, from the necessity of

identifying my choices and their principles as my own. If I tried, I would quickly find that my act of reflection already entailed the kind of practical identity from which I had hoped to back up. Reflection thus reaches its endpoint in practical identity, and this is why Korsgaard thinks that it alone can give rise to ultimate reasons for action.

Practical identity functions as the measure for our obligations through what Korsgaard calls reflective rejection.<sup>9</sup> I experience myself as obligated when, after reflecting on a possible course of action, I conclude that the action is incompatible with the kind of person I take myself to be. For example, if I reflect on the possibility of assigning my students' grades by lot, I will find that this act is incompatible with my practical identity as a conscientious university professor. Having recognized this incompatibility, I find myself obligated *not* to assign grades by lot. Obligation, then, turns out to be a matter of what Korsgaard calls integrity. The act of reflection posits an I that must be a law to itself, i.e., that must be able to identify with the principles of its own choices. To perform actions that I cannot endorse is to fail to be a law to myself. If I identify myself, for example, with the kinds of principles appropriate to a conscientious university professor, I cannot at the same time identify with my proposed act of assigning grades by lot. Such an act would put me at odds with myself, violating the integrity that reflection seems to require of me.<sup>10</sup>

For Korsgaard, then, obligation takes its hold on us through our practical identities. She states this most explicitly when she writes that “an obligation always takes the form of a reaction against a threat of a loss of identity.”<sup>11</sup> The need to maintain the integrity of our practical identities accounts for the element of constraint that is essential to the experience of obligation. Kant's example from §4 of the *Critique of*



*Practical Reason* brings out Korsgaard's point well: if a friend has left me a large deposit of money, but has died without having left any record of it, may I simply appropriate the money?<sup>12</sup> Here there is no external constraint whatever, e.g., fear of prosecution or of being shunned by society, since *ex hypothesi* nobody but me knows about the deposit. Nonetheless, I do feel at least dimly a kind of moral constraint, which can only be internal. Korsgaard would describe this feeling of constraint as grounded in my recognition of the incompatibility of my appropriating the money with my practical identity as a faithful friend. To keep the deposit would threaten my identity, which is just to say that it would threaten *me*. To lose my identity, according to Korsgaard, "is to be for all practical purposes dead or worse than dead."<sup>13</sup> The feeling of constraint that belongs to the experience of obligation, then, has its origin in what is essentially a death threat. "When an action cannot be performed without loss of some fundamental part of one's identity, and an agent could just as well be dead, then the obligation not to do it is unconditional and complete."<sup>14</sup>

Korsgaard supports and extends this argument about the necessity for practical identity with a transcendental argument that attempts to demonstrate the necessity of the specific practical identity human being. The first step of the argument builds on the idea, established earlier, that we must have reasons to act, that impulses and desires do not suffice to determine the wills of beings like us. Those reasons for action, because of the reflective structure of our consciousness, must refer back to practical identities such as son, brother, or university professor. But identities like these are contingent, and as such fail to put a stop to the process of reflection. Granted, for example, that I ought not to assign grades by lot given my practical identity as conscientious university professor, the

question still remains, Why ought I to have *that* identity? In order for rational action to be possible—and we know that it is—we must have practical identities. But it is still unclear which practical identities we ought to have. It is here that Korsgaard’s argument becomes transcendental: that we require reasons at all to confer value on our acts and that those reasons necessarily refer back to contingent practical identities presupposes that we are human beings and that our humanity functions as the ultimate, non-contingent practical identity grounding all the others. To be a human being just is to be the kind of being who needs reasons to act and thus who needs practical identities. Therefore, if we do in fact act for reasons, then the ultimate source for the normativity of those reasons must be our practical identity as human beings. This practical identity and the obligation to rational action that it entails are “inescapable and pervasive.”<sup>15</sup>

## **II. Evaluation of Korsgaard’s Arguments Concerning Unconditional Obligation**

I would like now to investigate more closely whether Korsgaard has successfully demonstrated the grounding of unconditional obligation in practical identity. I interpret Korsgaard as offering two different arguments for this point, which I will examine in turn. The first argument locates the constraint essential to unconditional obligation in the pain that we experience when we fail to live up to our practical identities. As we have already seen, Korsgaard argues that our failure to conform to our various practical identities entails something like death, and that the threat of this death functions as the constraint proper to obligation. But if this interpretation of the argument is correct, then the practical necessity to preserve our practical identities could only be hypothetical. A threat, whether it comes from nature, another human being, or even from within the reflective structure of our own consciousness, can never obligate us unconditionally. Our

obligation to act in accordance with our practical identities would be conditional on our wanting to avoid the pain of “death.”

Korsgaard offers a somewhat stronger version of this first argument with specific regard to the practical identity human being. The argument begins with the idea that, given the reflective structure of the human mind, I cannot help but to identify myself with the law of my own actions.<sup>16</sup> As the one who acts, and as the ultimate source for the justification of my acts, I *as human* am the source of all value.<sup>17</sup> All of this follows directly from Korsgaard’s version of the fact of reason. It follows from this same fact that if I fail to act as I ought, according to laws that express my practical identity as human, then my life will lack value. As Korsgaard herself puts it, “if you fail in all of your roles—if you live at random, without integrity or principle, then you will lose your grip on yourself as one who has any reason to live and to act at all.”<sup>18</sup> Here it is the potential meaninglessness and valuelessness of our practical lives that we feel as a constraint and that obligates us to act in ways that preserve our practical identities. This second version of the argument is stronger than the first in that the constraint has its source entirely within practical reason. While threats constrain behavior non-rationally, as evidenced by their effectiveness in altering the behavior of non-human animals, the pain of meaninglessness and valuelessness operates entirely within the sphere of rational, reflective action.<sup>19</sup> This constraint is exercised *against* reason *by* reason, and is thus ineluctable for human beings. It is this ineluctability, according to my reconstruction of the argument, that makes the obligation to act in ways that sustain our practical identities unconditional.

While the constraint experienced by the practical subject on this account would be a constraint internal to the process of reflection, it would still fail to give rise to an unconditional obligation. Indeed, Korsgaard's argument here resembles Kant's own early attempts at a deduction of morality, which can be seen in the *Lectures on Ethics* and in his handwritten literary remains.<sup>20</sup> What these various deductions have in common is an attempt to show how reason is somehow pained by its failures to live up to its own demands. Thus Kant argues in the *Lectures on Ethics* that

the understanding takes account of everything which has a bearing on its rule. It accepts all those things which conform to the rule and opposes those which conflict with it. But immoral actions conflict with the rule; they cannot be made a universal rule; the understanding is, therefore, hostile to them, as they are hostile to its principle. Thus in a sense a motive force is embedded in the understanding in virtue of its own nature.<sup>21</sup>

Likewise, "whatever causes the highest faculty to contradict itself is a natural and necessary object of displeasure."<sup>22</sup> In Korsgaard's version of the argument, the "motive force [that] is embedded in the understanding" is the displeasure of losing our practical meanings and values, which accompanies our failures to act autonomously and with integrity. But once again, this displeasure cannot function as a specifically *moral* constraint, despite its having its origin wholly within reason. Action that corresponded to the demands internal to reason would be prudential, undertaken merely in order "to remove the displeasure caused by contradiction; consistent action would not be an end in itself and affirmed for its own sake. . . . The categorical imperative would have been followed as a formula, *but not as an unconditional imperative*."<sup>23</sup>

The second argument that I interpret Korsgaard as making for practical identity as source of unconditional obligation locates constraint in humanity itself, and not in the

pain we experience in failing to live up to its demands. This argument begins with the *fact* of our humanity, i.e., the fact that we are reflective beings and that we therefore need reasons to act. This fact of our humanity is irreducible: according to Korsgaard, “it is simply the truth.”<sup>24</sup> Given that we are the kinds of beings that need reasons to act, and given that our identity as human functions as the ultimate ground for all such reasons, we cannot fail to take our humanity as normative. Here the unconditional character of obligation would be grounded in transcendental necessity, and not in our contingent desire to avoid the pain associated with failing to live up to our humanity. Of course that pain would still be an important part of the phenomenon of obligation. On this account, however, the pain would not function as the ground of obligation, but would rather reflect our already having taken our humanity as normative. In sum, we are not obligated by our humanity because failing to live up to its demands is painful (as Korsgaard sometimes suggests), but rather our experience of pain in failing to live up to the demands of our humanity indicates that our humanity is already the ground of obligation.

This second argument articulates the unconditional character of obligation more adequately than the first in that it establishes the possibility for a genuinely moral determination of our action, and not merely a prudential one. So, for example, even if I concluded that the happiness to be gained from defrauding the person with whom I did business would outweigh the pain of not living up to the rational standard demanded by my humanity, I would still be morally obligated not to defraud her. The experience of obligation, in other words, is not conditional on my inclinations. Rather, if I am the kind of being for whom normative questions can arise at all, then the normativity of my humanity will be inescapable. Of course it is still possible that I will succumb to the

temptation of easy money and act against my obligation. Nonetheless, because the constraint associated with the demands of my humanity is not given merely as one more inclination to be weighed against the others, I find myself constantly subject to that constraint whether I like it or not. It is this inescapability of the experience of constraint that would make the obligation unconditional.

Nonetheless, I believe that this argument still falls short of establishing the practical identity of humanity as the source of unconditional obligation. Humanity, I want to argue, cannot account for unconditional obligation because the latter is in fact the more basic phenomenon. The problem in Korsgaard's account lies in the description she gives of the origin of the normative problem. We "have the capacity to turn our attention to our own mental activities [which] is also a capacity to distance ourselves from them, and to call them into question."<sup>25</sup> Perceptions and desires thus stand in need of justification, and this introduces the problem of normativity. As we have seen, our capacity for reflection necessarily entails our accepting the practical identity human being, which in turn functions as the source of unconditional obligation. But this account posits the advent of obligation too late in the process of reflection. The experience of constraint essential to the phenomenon of obligation, I want to argue, is given already at the very beginning of reflection. It is not so much the case that I *have the capacity* to reflect on a desire that presents itself as a motive for action, or even that I *in fact do* reflect on that desire. A more adequate description of the experience would be that I *must* step back from the desire, that I *must not* accept it without reflection as sufficient to determine my action. When I encounter the valuable watch that has been left carelessly unattended, my desire to take the watch is given *immediately* as insufficient to determine

my action. The experience of constraint, then, is given right at the very beginning of reflection. Reflection and constraint are inseparable phenomena: to reflect just is to find oneself constrained to reflect well, to arrive at a conclusion that is justifiable and correct. This is just as true in the sphere of theoretical reason. When I see a sheet of water on the road ahead of me, I do not immediately believe that the water is actually there. I reflect on what I perceive and I find that my reflection is constrained from the beginning by the imperative to discover the truth of the matter.<sup>26</sup> In sum, if reflection were not oriented from the beginning by the constraint to reflect well, then it would not really be reflection at all.

If this description of reflection is correct, then the relation between unconditional obligation and humanity that Korsgaard proposes must be reversed. That is to say, it is not the case that we are obligated through our humanity, but rather we are human through our being obligated. What is most characteristic of human experience—our needing reasons to act, our not experiencing our desires immediately as our wills and our perceptions as our beliefs—is an *effect* of the constraint we experience as soon as we begin to think. My experience of my desire for the unattended watch as insufficient to determine my behavior is the experience of a constraint that weighs on my practical reason. It is in *response* to this constraint that I step back from my desire and seek to discover the genuinely best course of action. I ask myself whether I ought to act on the desire that I feel. If the answer seems to be no, then I ask myself why, according to what principle, I ought not to. Even when the answer is yes, I do not let the desire itself determine my choice, but rather I try to discover the principle according to which I am permitted to act on the desire. I then examine whether the principle I propose to apply in

this case is consistent with the principles I apply to similar cases. I attempt, in short, to order my practical life in accordance with a rational principle. It is not enough, though, to say that this is in fact what I do. Rather I do this because I *must*, because I must not let my desire be the same as my will or my perception the same as my belief. This “must” weighs on thought from the very beginning. If it did not, my practical experience would either be non-moral like a cat’s or perfectly moral like God’s.

### **III. Kant’s Solution: The Fact of Reason as Immediately Prescriptive**

We cannot, then, account for unconditional obligation by deriving it from a prior fact of reason. We must instead recognize that the irreducible, most fundamental fact of reason just is our being unconditionally obligated. The fact of reason, in other words, cannot take the form of a description of the functioning of human cognition, as it does for Korsgaard. The fact of reason is immediately prescriptive, given in the imperative voice. That is, to be conscious of what morality requires of us is at the same time to experience the constraint that it imposes on our practical reason.

This immediate unity of the law and the felt constraint that renders it obligatory is, I believe, the cardinal insight of Kant’s *Critique of Practical Reason*. In the second *Critique* the moral law is no longer derived from descriptions of how our faculty of reason functions, but is rather presented as “given, as an apodictically certain fact, as it were, of pure reason, a fact of which we are a priori conscious. . . .”<sup>27</sup> To say that we are a priori conscious of the moral law is not simply to say that we know the content of the law a priori. The a priori consciousness in question here is not so much a matter of knowing *about* the moral law as it is a matter of finding ourselves subjected to it always already. It is a consciousness, according to Kant, that “forces itself upon us.”<sup>28</sup> The sole



fact of reason is this ineluctable experience of the constraint of the law. Indeed, to refer to our consciousness of the moral law as a *fact* (*Faktum*) is to highlight this experience of constraint that is given immediately with the law.<sup>29</sup>

The name that Kant gives to this consciousness of the moral law and to our immediate recognition of that law as binding is respect. Respect, according to Kant, is a feeling. In Kant's metaphysics feeling names the subjective side of sensibility, orienting us not toward the objective properties of objects, but rather toward the effects of pleasure and displeasure that they produce in us. In guiding us toward objects that please us and away from objects that displease us, feelings serve our natural, non-moral desire for happiness. They provide the principle that governs the lower, sensuously-determined faculty of desire, which is just the principle of self-love.<sup>30</sup> But respect is absolutely unique, "a singular feeling that cannot be compared with any pathological feeling."<sup>31</sup> Specifically, it is unique in being a priori. Pathological feeling is empirical. I can experience the taste of wine, and the pleasure or displeasure that accompanies it, for example, only by actually tasting it. The experience of pleasure and displeasure will vary from person to person, since feeling depends on the properties of our particular organs of sense.<sup>32</sup> Because of the a posteriori and contingent nature of pathological feelings, they can only give rise to hypothetical imperatives: if I happen to take pleasure in the taste of wine, and if there is nothing in my immediate environment that promises more pleasure, then I ought to drink the wine. Respect, on the other hand, forces upon us the awareness that the principle of self-love is not—or better, *must not be*—the last word in the determination of our wills. I know from experience that money, or more specifically, the things I intend to buy with it, will bring me pleasure. And yet when I find myself in

possession of money that is not rightfully mine, which has been deposited with me by a friend who has since died and left no record, I experience a constraint. Even though spending the money would bring me pleasure, and even though I risk no punishment for doing so, still I feel that I must not. This feeling cannot belong to the lower, empirically-conditioned faculty of desire precisely because it is felt as a check on its most basic principle of self-love. The feeling of respect orients me not toward the pleasure and displeasure that accompany particular objects, but rather toward the moral law itself. Without the feeling of respect for the law, of the humiliation of my entire sensuously determined faculty of desire, I would never have conceived of a principle for the determination of my will other than the natural principle of self-love. Once I am made aware of the moral law, whose validity does not depend on what I happen to take pleasure in, I cannot help but to recognize it as obligating me a priori. In respect, then, consciousness of the moral law and the motive to obey it are given immediately together in the same experience.

#### **IV. Conclusion**

Kant's fact of reason, given as the a priori feeling of respect, is the ultimate source of normativity. It is the constraint that is given at the very beginning of the process of reflection, and indeed that gives there to be reflection at all. For Korsgaard, the reflective structure of our consciousness gives rise to the problem of normativity, which is then solved by the practical identity human being. But as Kant shows in the *Critique of Practical Reason*, that reflective structure of consciousness is itself given *as commanded* in the fact of reason. Reflection is what it is only as subject to constraint. Indeed it is difficult to imagine what reflection would even look like in the absence of an

imperative, weighing on it from the beginning, to reflect rigorously, coherently, and in a law-like manner. I suspect the best model we have for imagining such an unconstrained process of reflection would be Freud's primary process, in which ideas link up according to the demands of the pleasure principle, completely unhindered by the norms of coherence characteristic of the secondary process. Of course this unconstrained linking of ideas is no kind of reflection at all. It could give rise to no specifically moral consciousness, but would rather resemble the kind of pre-moral consciousness that is characteristic of infants. Constraint, then, is a necessary condition for reflection. Thus, unless the fact of reason is given immediately in the imperative voice, as Kant argues that it is, it will be impossible to account for moral experience in general and specifically for the phenomenon of unconditional obligation.

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<sup>1</sup> Immanuel Kant, *Critique of Practical Reason*, trans. Lewis White Beck (Indianapolis: Bobbs-Merrill, 1956), 47. Hereafter *CPrR*. All page numbers for *CPrR* refer to the *Akademie* edition, given in brackets in Beck's translation.

<sup>2</sup> Christine M. Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996), 93. Hereafter *SN*.

<sup>3</sup> *Ibid.*

<sup>4</sup> Kant, *CPrR*, 32; Immanuel Kant, *Groundwork for the Metaphysics of Morals*, trans. Allen W. Wood (New Haven: Yale University Press, 2002), 57 [Ak 4:439]; Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge: Cambridge University Press, 1996), 15 [Ak 6: 222-3].

<sup>5</sup> Kant, *CPrR*, 72-3.

<sup>6</sup> Immanuel Kant, *Political Writings*, ed. Hans Reiss, trans. H.B. Nisbet (Cambridge: Cambridge University Press, 1970), 224.

<sup>7</sup> Korsgaard, *SN*, 100.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*, 102.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> Kant, *CPrR*, 27.

<sup>13</sup> Korsgaard, *SN*, 102.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*, 122.

<sup>16</sup> *Ibid.*, 103-4.

<sup>17</sup> *Ibid.*, 116, 121.

<sup>18</sup> *Ibid.*, 121.

<sup>19</sup> Cf. Jean-Luc Nancy, *A Finite Thinking*, ed. Simon Sparks (Stanford: Stanford University Press, 2003), 140-1.

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<sup>20</sup> Dieter Henrich discusses these early attempts at a deduction of morality and their connection to the fact of reason in *The Unity of Reason: Essays on Kant's Philosophy*, ed. Richard L. Velkley (Cambridge: Harvard University Press, 1994), 73-82. Hereafter *Unity of Reason*.

<sup>21</sup> Immanuel Kant, *Lectures on Ethics*, trans. Louis Infield (New York : Harper & Row, 1963), 45. Quoted, with a modified translation, in Henrich, *Unity of Reason*, 75.

<sup>22</sup> Immanuel Kant, *Kant's Gesammelte Schriften, Bd. XIX. Dritte Abtheilung: Handschriftlicher Nachlaß, Sechster Band* (Berlin: Walter de Gruyter, 1934), 179. Quoted in Henrich, *Unity of Reason*, 75.

<sup>23</sup> Henrich, *Unity of Reason*, 75-6. Emphasis added.

<sup>24</sup> Korsgaard, *SN*, 123.

<sup>25</sup> *Ibid.*, 93.

<sup>26</sup> Alphonso Lingis, *Sensation: Intelligibility in Sensibility* (Atlantic Highlands, NJ: Humanities Press, 1996), 31-2.

<sup>27</sup> Kant, *CPrR*, 47.

<sup>28</sup> *Ibid.*, 31.

<sup>29</sup> Paweł Łuków, "The Fact of Reason: Kant's Passage to Ordinary Moral Knowledge," *Kant-Studien*, 84:2 (1993), 214.

<sup>30</sup> Kant, *CPrR*, 22.

<sup>31</sup> *Ibid.*, 76.

<sup>32</sup> Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: St. Martin's Press, 1929), 73 [A 28].