

RESPONSIBILITY, SPONTANEITY AND LIBERTY

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ABSTRACT

Isaiah Berlin maintains that there are two distinct forms of freedom or liberty: negative and positive. Berlin's principal claim is that negative liberty does not require that the self be somehow separate from the empirical world (causally aloof, or an originator of causal chains). My principal claim is that to be an agent is to be committed to a separation of self in this sense, thus that the self for its very being requires to possess a species of positive liberty. This conception proceeds in part from Immanuel Kant's claim that there is a separation between spontaneity and receptivity. Commitment to this assertion allows there to be an understood distinction between the self as a spontaneous self-active agent that makes choices, and the self as a mere reactionary brute that does what it does by biological imperatives. In this thesis, I defend the view that negative liberty is subsumed under positive liberty: you cannot have the former without the latter. I am therefore taking a rationalist stance towards Berlin's thinking. My methodology is to bring into consideration two perspectives upon the underlying normative principles within the space of reason. The first is of Kant's understanding of the principle of responsibility and the activity of spontaneity; the second is John McDowell's understanding of that principle and activity. The key claim of this thesis is that Berlin misunderstands what it is to be a chooser. To be a chooser is to be raised under the idea that one is an efficient cause; human children are brought up being held responsible for their reasons for acting. This principle allows mere animal being to be raised into the space of reason, where we live out a second nature in terms of reason. Using their conclusions I further investigate Berlin's understanding of conceptual frameworks, taking particular interest in historic 'universal' conceptions that shape human lives. He too finds that that we are choosers is necessary for what it is to be human. I take his conclusion, and suggest that if he had had a clear understanding of the space of reason, the historic claim that we have choice would find a more solid footing in the principle of that space, in that we are responsible for our actions. I conclude that the upshot of understanding the 'I' as an originating efficient cause is that we treat ourselves as free from a universal determinism that Berlin himself disparages; and that the cost to Berlin is that all choice is necessarily the activity of a higher choosing self. It is part of a Liberal society's valuing, by their societal commitment to, the ideology of raising our children to understand themselves as choosers, that we have choice at all. This is irrespective of whether that which fetters choice is internal or external to the agent, or of whether having self-conscious itself requires such a cultural emergence of second nature.

TABLE OF CONTENTS

Responsibility, Spontaneity and Liberty.....	i
Abstract.....	iii
Preface.....	iv
Chapter Zero: Introducing the Hedgehog and the Fox.....	1
Chapter One: Responsibility.....	10
§1.1. <i>Spontaneity and responsibility</i>	10
§1.2. <i>An Introduction to the ‘space of reason’</i>	12
§1.3. <i>Language use and normative assessment</i>	16
§1.4. <i>Concept membership</i>	24
§1.5. <i>Idea membership</i>	30
Chapter Two: The Spontaneity of Agency.....	34
§2.1. <i>Introduction</i>	34
§2.2. <i>On John McDowell’s Mind and World</i>	38
§2.2.1. <i>Mind and World</i>	39
§2.2.2. <i>Nature and second nature</i>	41
§2.2.3. <i>The self-activity of sense</i>	44
§2.2.4. <i>The self-activity of the agent</i>	49
§2.2.6. <i>Bildung: Human culture as the home of reason</i>	53
§2.2.7. <i>Second nature: Spontaneity and responsibility</i>	57
§2.3. <i>Self-consciousness</i>	59
§2.4. <i>Rational vs Non-rational animals</i>	63
§2.5. <i>The Practical Idea of Freedom</i>	67
Chapter Three: Liberty.....	70
§3.1. <i>Frameworks, determinism and choice</i>	71
§3.1.1. <i>Frameworks and Categories</i>	72
§3.1.2. <i>The idea of determinism: incompatible with what it is to be human</i>	75
§3.1.3. <i>The idea of determinism: incompatible with the common language</i>	76
§3.1.4. <i>The idea of determinism: incompatible with the history of ideas</i>	79
§3.1.5. <i>Re-conceiving Berlin’s thought into the space of reason</i>	81
§3.1.6. <i>Conclusion: Responsibility as a universal framework in the history of ideas</i>	86
§3.2. <i>Overview: negative and positive liberty</i>	87
§3.2.1. <i>Negative liberty</i>	88
§3.2.2. <i>Coercion</i>	90
§3.2.3. <i>The Maginot Line of negative liberty</i>	91
§3.2.4. <i>Positive liberty</i>	93
§3.2.4.1 <i>The inversion thesis</i>	94
§3.2.4.2 <i>Moral monism</i>	95
§3.2.5. <i>The chooser as a ‘higher self’</i>	96
§3.2.6. <i>The Maginot Line of positive liberty</i>	99
Conclusion.....	102
Works Cited.....	109
APPENDIX ONE: SENSIBILITY AND THE UNDERSTANDING.....	112
APPENDIX TWO: THE UNDERSTAND AND REASON IN KANT.....	118
<i>The world of sense and the world of the understanding</i>	119
<i>The dialectic of pure reason</i>	123
<i>The antinomy of reason</i>	126
<i>Apperception</i>	128

PREFACE

The original idea for this thesis was conceived during my work on an Honours thesis project. As that project was not able to stray into the metaphysics of morals and the philosophy of mind, due in part to the supervisor's lack of knowledge of such areas, I chose to leave the idea for a later Master's thesis. The origins of the thesis questions are due to coming across an essay by Robert Brandom on Immanuel Kant. Through my studying that essay, my interest and this particular thesis idea took shape. At the time that I took on this project, I was yet to look at Immanuel Kant and John McDowell in any detail.

The original plan for the thesis was to lean heavily on Kant, and to use very much the picture that Kant provided of reason and the human agent in order to critique Berlin much as I do in the current version of this thesis using McDowell rather more than Kant. Philip Catton, near the start of my overview of research material from which I was to write a thesis proposal, gave me McDowell's *Mind and World* to read. On reading that work, I realized that McDowell's thesis also contained the conditions through which a critique of Berlin could take place. Yet I also disagreed with McDowell's removal of the thing in itself from our understanding of the world. Kant's noumena, or things-in-themselves, stand for the idea that the human mind is incapable of capturing independent reality in its full extent because we are limited to thinking that is structured by certain pure forms of intuition (space and time) that constitute our subjective nature, and certain pure forms of understanding (the categories) that we ourselves supply into thought. The forms of intuition have moreover a greater contingency to possible thinking as such than do the categories. This, I felt, more accurately captures our situation. Yet I also believe that, to take from Kant that there is no possible understanding of independent reality beyond our

constitution is a dogmatic mistake. It is true that according to Kant the kind of understanding human beings have of mind independent reality is limited to our modes of pure intuition, yet he is clear, in the concept of noumenon, that there may be other perspectives that are not open to the kinds of being that we are. I wanted to show that if we understood Kant as talking about perspectives we have of an independent reality (where appearances are just as much independent reality as things in themselves are), rather than different realms, much of the problem with his distinction would fall away.

As the first year drew on into a second, I realized I needed to make some practical choices about both the length and breadth of the thesis project. Kant, as a historic philosopher, was placed on the back-burner while I focused primarily on the contemporary view of John McDowell. I am able to say what needs to be said about agency and choice with McDowell's understanding and with it critique Berlin, and therefore place my project more in a contemporary setting. While Kant still features as an overview, I have decided not to feature him in the extensive sections written on his thought. I am myself more sympathetic to Kant's understanding of our nature and the world, as I find his conclusions less dogmatic and more humbling of the tininess of our situation with respect to how other perspectives on what reality independent from us might be. To cut it off, or suggest that human cognisers have extensive access to its form, is I think, dogmatic. Certain things ought to be left as problematic to a reason critical of itself, not half because reason itself must come to that conclusion, else it becomes dialectical.

The intention was for this thesis project to be completed within a year. This was a reasonable expectation, given that the idea for the thesis as a whole was solid and reasonably clear. Sadly, some personal factors meant that the project took longer than this intended period of time. The main cause of this has been a nearly unrelenting sinus infection. It is hard to explain

exactly how this affected my ability to focus, and think the kinds of thoughts required for this thesis topic; as I suffered through the experience, I certainly know of its deleterious effect on this project as a whole. I also have a clearer understanding of why Arthur Schopenhauer in *Counsels and Maxims* holds that aiming to not live with physical pain ought to be a goal above that of happiness itself. For no matter what one's spirit, when physical pain is in the picture, one's attention is always drawn back to awareness of what is wrong with one's physical constitution, and there in, the will drawn away from goals to which one has committed oneself.

I had further made it difficult for myself, by denying all secondary sources on Kant, bar Brandom's essay and McDowell's *Mind and World*. I also decided to not use secondary sources on *Mind and World*. This is mostly because I wanted to think through and reflect on the thoughts of those thinkers, without being forced into a perspective by the judgments of secondary thinkers. While it is to be seen whether this paid off for the project as a whole, I do believe that this has paid off for my subjective constitution, insofar as I feel a year of solid reflection has improved extensively my imagination, and with it, the beauty I am capable of feeling when I reflect on the most basic elements of the natural world. As I will carry this with me for the rest of my life, I feel extremely lucky to have had this year and some months for such a transformation. Writing a thesis in philosophy, I feel, ought to be as much about self-realization as it is about adding to the body of human knowledge.

My ability to write to the level required of a M.A. candidate was also lacking at the start of this project. And while I have gotten better with respect to this, you will find it to be a problem within this thesis. I thank Philip Catton especially for putting up with some of the sections on Kant that I wrote, sections that do not feature in the final copy.

On the subject of being thankful for this opportunity, I would like to thank my family for supporting me in this endeavour. It would have been more sensible for me to have moved into work after honours; my wish to continue they felt was less than sensible, and they may well have been right. I continued anyway, as an act of radical and possible deleterious choice, and they continued supporting me, something of which I am very thankful. I would also like to thank Philip Catton for both his support and understanding of my sometimes difficult and misconstrued questions regarding a deeply difficult subject matter. His continued support and encouragement allowed me to get through both an extensive amount of work and headaches, to achieve my ends of handing in a completed piece autonomous work. With respect to those that were capable of holding conversations relating to the subject matter, I would like to thank especially Uwe Peters. His intuitions favour exploration of a different area of philosophy, yet his understanding of the one I am engaged in, allowed for fruitful conversations. James Davis, Hao-Yen (Andrew) Shih, and Graham Jury were also supportive in often difficult conversations with counter intuitive conclusions. And have been helpful in showing me weaknesses in my discussion. I would lastly like to thank the natural history of the space of reason, which has placed the possibility of thinking these thoughts into a world for me. The hard work, thoughts and choices of our ancestors have delivered a world in which a mind can, with enough practice, learn to free itself with reason and comprehend, in part at least, the contributions of those historic actors.

CHAPTER ZERO: INTRODUCING THE HEDGEHOG AND THE FOX

This thesis primarily studies freedom. Collectively humans have (in recent centuries especially) reflected intensively about this subject. Because the questions relating to the subject matter of freedom are so numerous, and because the thinkers who seem most illuminating of it are so diverse in what they say, I have chosen to focus my investigation in the following way. I take up Isaiah Berlin and with him consider two broad and historically different ideas of freedom: positive and negative liberty. However, over against Berlin I maintain that positive liberty is necessary for the possibility of negative liberty. The point of view that I thus take up finds its source in Immanuel Kant and is reflective of John McDowell's understanding of that branch of philosophy. I conclude from it that Berlin cannot be correct to disparage positive liberty as he does; it is positive liberty alone that allows a person both to possess *experience* and to possess *choice*, each of which is necessary if the person is to possess negative freedom.

Berlin not only emphasised the conceptual differences between positive and negative liberty, but also explored the practical upshot of political emphasis upon one or the other of those ideas. Political emphasis upon negative freedom presses the questions "What am I free to do or be?" (Berlin 1958, p. 15) or "How far does government interfere with me?" (Berlin 1958, p. 14). Political emphasis upon positive freedom by contrast presses the questions: "*Who* is to say what I am to be or do?", and, "*Who* is to say what I am not to be or do?" (Berlin 1958, p. 15).

Negative freedom is a matter of absence of interference by other human beings (interference that politically would mostly be government control). Positive freedom demands by contrast that I am self-authored, or in particular, that I do what I do from knowledge that I ought

and in this way I manage to realise myself in how I act. This seems to require that I set myself above nature, above the rules and laws that govern the mechanical arena of what lies in space and time, breaking free from my situation as it is given to me to live as that which I have found myself to be *a priori*. I follow the path of reason, I have overcome physical fetters, of lust and hate, which prevent me becoming that which I really am, that which is necessary and objective, rather than contingent and subjective. “Who governs me?” (Berlin 1958, p. 14) thus becomes a deeper question than one about political fetters. It asks whether I am under the command of my individual reason; whether I act from values of my own; and whether the state adequately cultivates in the likes of people like me the rational powers for self authorship and self realisation. Fundamental to this understanding of the self, is that I am responsible for all my acts. For only by virtue of being responsible for all that I do, can I find myself set above that which fetters rather than falling habitually into vice.

Berlin states that “the ‘positive’ and ‘negative’ notions of freedom developed in divergent directions until, in the end, they come into direct conflict with each other.” (Berlin 1958 p. 16.) Key to this conflict is that, in contrast to the concept of negative liberty, which in Berlin’s view is simpler, the concept of positive liberty breaks the subject into two distinct aspects. By contrast, negative liberty demands only that an agent isn’t fettered by another agent external to the self. Yet, some difficult questions confront us when we reflect on what it is that the higher self looks like. For, what is the shape of that which I ought to become, and how do we assess that another has attained that shape?

Berlin holds that positive liberty has historically been the more dangerous form of freedom for people to obsess about politically. This may be true. Positive liberty has two major problems, to which Berlin’s essay “Two Concepts of Liberty” brings some valuable illumination.

The first of these problems according to Berlin is that searching investigation of the concept of positive liberty by no means converges to any consensus view of its nature. In particular, how the higher-self has historically been derived, and what its constituent aspects are, is considered differently by different historical luminaries. Berlin discusses the ideas, of what it is to be self-realized, of half a dozen such particular thinkers to show the diversity of their conceptions. That there is little or no consensus within the theories that they develop of positive liberty is, Berlin suggests, a signal of instability.

Difficulty in the interpretation of theory leads to a second problem regarding positive liberty. This is due to the use of this theory within the political sphere, and the consequences of that use upon individual human lives. Here the concern is not so much the history of ideas as history of ideas used for tyranny. It takes a historian of ideas like Berlin, not just a philosopher, to consider ideas broadly in connection with their social and political effects. Berlin's concern is that political uses of concepts of positive liberty seem automatically to lead to oppression. Berlin's special perspective on not only the theoretic understanding of ideas, but also the consequences of those ideas on the lives of individual agents, allows him insight into the mechanism that inverts liberty. It is the form that emphasis upon positive liberty takes within an authoritarian political structure that Berlin finds historically to be evidently deleterious to the lives of individual human beings.

I have chosen Kant to be the basis of a critique of how Berlin understands liberty. My choice of Kant stems from some work that I had done before this thesis was conceived. This work centred on an essay by Robert Brandom; in it Brandom investigates some of the ideas Kant has left us with, and he stresses the need to understand those ideas within the contemporary philosophical sphere: "So I will sketch here in very broad terms some Kantian lessons that it

seems to me most important for us to keep in mind in our own thinking about mind, meaning, and rationality” (Brandom 2005 p. 1.) Brandom thinks that Kant’s contribution has been so influential that: “I have tried to say something here about why I think Kant is and remains for philosophers what the sea was for Swinburne: the great, grey mother of us all.” (Brandom 2005 p. 16.) It is some of those ideas that I, in this thesis, bring to bear on Berlin’s philosophy.

Brandom is not the only contemporary analytic philosopher to take an interest in Kantian thought. John McDowell in his seminal work *Mind and World* brings back into view what is a deeply Kantian point: ‘Concepts without intuitions are empty, intuitions without concepts are blind’ (Kant 1997a [1787], pp. 193-194). It is in part due to this thought that McDowell claims: “One of my main aims is to suggest that Kant should still have a central place in our discussion of the way thought bears on reality.” (McDowell 1994 p. 3) It is this division between concepts and intuitions -- between spontaneity and sensibility -- that will come to be seen as the split between higher and lower self.

The split between higher and lower self, I will argue, is necessary for the possibility of not only choice, but also of the moral responsibility that Berlin himself demands must be possible. Berlin has, as is discussed, an extensive dislike of determinisms. I, through this split, show that the worry of determinism can be removed by placing self-consciousness in the “space of reason”. His assessment of the idea that we are free, which his analysis of the history of ideas finds to be a feature of all historic human society, is granted firm ground. While the question of whether we are free in a metaphysical sense is left open in part. This will feature in showing that reason must be seen to have autonomy in its own sphere, both from the perspective of the Kantian phenomenon \ noumenon distinction and McDowell’s nature \ second nature distinction.

Further, Berlin has himself already been deeply influenced by Kant's concepts: "Anglo-American philosophy and Kant formed me" he writes (Berlin 1992 p. 49). So deeply influenced by Kant is Berlin that he states that "I believe in ... Kant's idea of human personality and human freedom." (Berlin 1992 p. 71.) An understanding of the source of those concepts directly from Kant himself, and augmented by McDowell's refurbishment of those ideas, may well help to show Berlin the necessity that humans have placed in the idea of responsibility, and with it, an idea of positive liberty. Thereby I suggest that Berlin's work needs to be reconceptualized within the space of reason.

The normative principle of judgment that comes with Kant, though more carefully understood as the principle of responsibility, will be investigated in some detail within this thesis. It is in normativity that we find the need for such a division of self, and it is normativity that Kant, Hegel and Wittgenstein grappled with in coming to understand the human subject. The theme that there is a division between the faculty of thought, in so far as it is a conceptual activity, and the faculty of sensibility, in so far as it is an intuitive faculty, is far older than even those philosophers. These ideas are as old as Plato and Aristotle, and have their seat deep within the tradition of western philosophy.

Thus although a principal action of my thesis concerns Berlin, the fox, and Kantian thought, as the hedgehog, the pursuit naturally broadens into a discussion of some other significant historical and contemporary figures.

My reason for the choice of Kantian thought, outside of my own disposition as a small hedgehog, is that a current school¹ of Anglo-American contemporary analytic understanding of mind and world, has given strong grounds for his work to be of interest to current philosophy.

¹ See particularly the University of Pittsburg, where both John McDowell and Robert Brandom hold high posts.

While many investigations have been undertaken on Berlin's distinction, one that centres on normativity and a necessary division of self for the possibility of self-conscious experience and choice is not currently present in the more famous contemporary literature on Berlin. This thesis intends to fill that hole in our understanding.

A brief overview of the chapters in this thesis is as follows. The purpose of the thesis as a whole is to critique Berlin's distinction of negative and positive liberty. Yet to do that, an understanding of the human actor needs to be in place. The first two chapters comprise my exposition of what it is to be a human actor. As I have chosen to take a stance in Kant and McDowell for the source of that understanding, the first two chapters aim to bring across their understanding of agency. The key idea that I aim to expound is choice. It is an inadequate understanding an agent that possesses choice that is the source of the problem that I identify in Berlin's distinction between positive and negative liberty.

There are two particular concepts that the first two chapters focus on respectively. The first is the *idea*²(important footnote) of freedom, and the second is our capacity for spontaneity. These

² I distinguish between two uses of the term idea. Idea, non-italics, refers to the common sense meaning of the term. *Idea*, as italicized, refers to a Kantian technical term. For Kant, *Ideas* are different to normal concepts, they reach for the form of something that cannot itself ever be presented before oneself immediately: "As the understanding stands in need of categories for experience, reason contains in itself the source of ideas, by which I mean necessary concepts, whose object cannot be given in any experience."(Kant 1977 [1783], p. 70.) This means that the object that the idea denotes, for Kant, cannot be known immediately because they lack a possible intuition. The idea of freedom, for instance, is therefore not something like the concept of a desk, that we can experience. Yet that does not mean that an object corresponding to such an idea is not possible, only that we cannot have positive knowledge with respect to it:

But we would express ourselves better and with less danger of misunderstanding if we said that we can have no acquaintance with an object that corresponds to an idea, even though we can have a problematic concept of it. (Kant 1997a [1787], p. 409.)

are often equated with each other. In this thesis, I intend them to be separate. Spontaneity is a capacity, a natural ability, while the *idea* of freedom reflects an orientation to the world that is a principle we live by. Spontaneity is a subjective capacity, while the idea of freedom is intersubjective principle through which we understand the world. This is still murky, and is extensively built upon within this thesis.

The first chapter looks at making explicit what is already going on when we relate to each other as individual beings held responsible for actions and commitments. The purpose is to give an overview of the “space of reason” from within the activity to which the use of its constitutive

Where problematic means:

I call a concept problematic that contains no contradiction but that is also, as a boundary for given concepts, connected with other cognitions, the objective reality of which can in no way be cognized. (Kant, 1997a [1787], p. 362.)

Yet it is an idea under which we act, in so far as we treat it to be an aspect of a personality. In the *First Critique* the idea of freedom is left such, it is just an idea:

Although we have to say of the transcendental concepts of reason: They are only ideas, we will by no means regard them as superfluous and nugatory. For even if no object can be determined through them, they can still, in a fundamental and unnoticed way, serve the understanding as a canon for its extended and self-consistent use, through which it cognizes no more objects than it would cognize through its concepts, yet in this cognition it will be guided better and further. Not to mention the fact that perhaps the ideas make possible a transition from concepts of nature to the practical, and themselves generate support for the moral ideas and connection with the speculative cognitions of reason. (Kant, 1997a [1787], p. 403.)

In the second critique Kant finds that we know about the moral law *a priori*, and in that knowledge, we too have access to the idea *a priori* (Kant, 2006 [1788], pp. 139-140.) and:

While the idea cannot find grounds in proof, in so far as there is still no intuition to ground the idea, we do know the moral law, and in the possibility of making maxims under it as treating another as an end in themselves, are we free: In it practical reason even has the causality actually to bring forth what its concept contains; and hence of such wisdom we cannot likewise say disparagingly: It is only an idea; rather just because it is the idea of a necessary unity of all possible ends, it must serve as a rule, the original and at least limiting condition, for everything practical. (Kant 1997a [1787], p. 403.)

As Kant too wants to find an intuition corresponding to the concept of freedom and so prove its reality to us, as he cannot from the theoretic respect find an intuition, he finds that one can have an analogy (as a *symbole*) corresponding to that idea instead of an intuition. In so far as those that experience the feeling of beauty carry the *symbole* of those that are often free in their judgement with respect to the idea of freedom. (Kant 1978 [1790], pp. 221-225)

principles bind its members. That space's major principle being that it is the spontaneity of an 'I'³ (important footnote) that is responsible for judgments and activities.

In the second chapter I investigate spontaneity's relation to this *idea*. This will make the case that human agents are self-active beings; humans are beings that are capable of living under the *idea* that they are originating efficient causes. This further allows that, when regarding goals, as maxims for myself in the creation of objects, 'I' am free from the immediate determination of the demands of biological imperatives, and therefore I choose what I do or do not become (even if that choice is a deterrent of my future ends).

The first section of chapter three examines both Berlin's general disposition towards moral philosophy in his emphasis on choice and the responsibility of individuals, and his thesis that we must see ourselves as free from determinism, as reflected in certain deep-going universals in the history of ideas.

To his understanding of the necessity for choice, I suggest that if he had had access to McDowell's research project he would have had access to a more robust understanding of what it is to be a chooser. I suggest that we should reshape Berlin's perspective into the clarity of the space of reason, from the tools I have developed in the first two chapters.

The second section of chapter three takes all the considerations deployed in the first two chapters and the first section of chapter three, and with that content, critiques negative liberty. The main point will be to introduce the idea that we live under a principle: under the *idea* of

³ I need to distinguish here between my use of I and 'I'. I, without single quotation marks, denotes the deployment of judgment by the thesis author, while 'I', with the single quotation marks, denotes the judgment or actions of an author in general. I.e., 'I' denotes as much to your I as it does to any human. The 'I' is looked at in more depth, see Appendix Two: Apperception, with respect to Kant's 'I think' that is implicated in all acts of spontaneity, and indicates who is responsible for the judgment under consideration: "The subjective form of judgment is the 'I think' that can accompany all our judgments, and so, in its pure formality, is the emptiest of all representations. Thought of in terms of the normative pragmatics of judgment, it is the mark of *who* is responsible for the judgment. (A corresponding point applies to the endorsement of practical maxims.)" (Brandom, 2005 p. 6)

freedom. This principle is that 'I am' responsible for my judgments and action because 'I' could have chosen otherwise. This allows the agent choice as it is understood by common sense. In addition, the issue of responsibility demarcates us not only from other animals, but even in a way, from nature conceived as lacking meaning. This principle also introduces the necessity for a split between higher and lower self.

As noted above, positive liberty theories are seemingly unstable because there are a number of ways in which they can be conceived. As I want to protect the thought from 'inversion', I take a Maginot Line conception of positive liberty. The Maginot Line of positive liberty is that we make choices. And as the Maginot line of negative liberty already implies choosers, the Maginot Line of positive liberty lies within that of negative liberty. Mere animals must originally be trained to hold themselves and others to an ideal, that we are free from antecedent determinations, and in our commitment to that ideal we are choosers.

CHAPTER ONE: RESPONSIBILITY

§1.1. SPONTANEITY AND RESPONSIBILITY

Kant distinguishes between two distinct human faculties⁴ of cognition. There is sensibility and the understanding. Both of those faculties are, with respect to human cognition, required for experience. Now sensibility is the faculty through which receptivity is operative. Where receptivity is the taking in of representations that are given to us by appearances (Kant 1997a [1787] p. 193). Sensibility is a non-spontaneous faculty, ‘I’ do not have control of the content of that which is given in sensibility. This is distinct therefore from the understanding, which is a faculty of spontaneity. Spontaneity is the act of generating representations from oneself (Kant 1997a [1787], p. 193). That is, implicates the genuine activity of a productive imagination (Kant 1997b [1762-1795], p. 56-57). Thus understanding is the faculty that thinks particular intuitions and generates for those intuitions, as the understanding actively reflects on sensibility, general empirical concepts. A concept here being taken as the general of a particular representation. For instance, the object⁵ ‘desk’ covers an extensive range of intuitions one has sat before (and an infinite amount that one has not) and judged under the concept desk. Concepts are spontaneous because ‘I am’ the considered the cause of the unity (i.e., all the different forms that are considered to be desks), in a concept:

The higher faculty has spontaneity in its representations. Consequently, we view ourselves as the compelling cause for it ... The intellectual [the spontaneity of the understanding] cognitive faculty is the faculty for thinking, or for making concepts for ourselves. It represents only the object in general, without looking to the manner

⁴ There is also the faculty of reason, but I do not use that here. For a more detailed discussion, please refer to Appendix Two.

⁵ Where an ‘object’ implies the already completed synthesis between *intuition and concept*.

of its appearance [Where to appear involves the receptivity of an intuition that is yet to be judged under a concept]. (Kant 1997b [1762-1795] p. 256.) ([...] Bracketed additions by the author)

Now, ‘spontaneity’ is sometimes equated directly with freedom. This might be because the productive imagination is thought of as ‘free’ to generate general representations⁶. And while the two are closely linked, I in this thesis, am not treating them as identical notions. There is the *idea* of freedom, and there is a capacity for *spontaneity* that is raised under the *idea* of freedom. Spontaneity refers to a practical ability, while freedom refers to an *idea* that underpins the inter-subjective *activity* of spontaneity. As we do not want spontaneity to be arbitrary in its thinking (I must be able to be right or wrong about what is a desk), the thinking of sensibility by spontaneity must be policed by something. This something is the *idea* of responsibility, and is what is to be discussed in the following chapter.

To be clear on the distinction: Spontaneity is the capacity to generate ‘general’ representations that contain a manifold of possible intuitions under them, while the *idea* of freedom holds that a capacity for spontaneity is *causally free, but rationally constrained*, in her generation and use of general representations. That is, those that have an understanding and live under the *idea* of freedom are seen to be authorities, and their judgments are seen as exercises of freedom. The ontological status of spontaneity, whether spontaneity is causally free, is left open; that is, whether it can in actuality generate representations that are not determined for it by sensible reality is not yet defined. Yet, we as a species live under the reality of the *idea that spontaneity is free*, it is an ideal for us. We, as children are raised under the reality of that *idea*. And it is precisely because we are raised under that *idea* that we have *choice*.

⁶ As will later be discussed, it is *rationally* not causally constrained by intuitions found in sensibility.

The activity of spontaneity, and the policing of that activity by an *idea*, occurs within a particular domain of possibility that will later be demarcated from nature determined through science (the realm of law). That domain is called “the space of reason”:

When Kant describes the understanding as a faculty of spontaneity, that reflects his view of the relation between reason and freedom: rational necessitation is not just compatible with freedom but constitutive of it. In a slogan, the space of reason is the realm of freedom.” (McDowell 1994 p. 5.)

It was Wilfred Sellars, with whom I will not much deal, who coined the phrase ‘the space of reason’. In the first chapter I mostly follow Robert Brandom, whom I will discuss at length, and call the ‘space of reason’, ‘normative space’. For Kant, as I understand him, the ‘space of reason’ is the ‘world of the understanding’, or the ‘intelligible world’. The space of reason is again a notion that cannot be fully explicated early, and requires developments in chapter one and two for further comprehension.

§1.2. AN INTRODUCTION TO THE ‘SPACE OF REASON’

The purpose of this first chapter is to move my readers’ attention to the idea that ‘I’ have my being in a normative space of reason. Where we understand that it is ‘I’ that am responsible for making claims (i.e., the act of *asserting* as I do by this statement), and it is ‘I’ that am responsible for defending the reality of those claims with reasons. This responsibility is made out in terms of it being possible for you (as also an ‘I’) to challenge my reasons for the actions that I commit to, with respect to your understanding (so that your *role* as an authority over me subsists in a demand that you reflect whether you are satisfied by my articulated reasons). This is all possible because of something Kant made explicit about how we practice knowledge:

...the story really begins with Kant's observation that knowings and actions are to be distinguished from other things we do by the characteristic way in which we are responsible for them. The notion of discursive commitment arises in the domain of social practices when one focuses specifically on the norms that are articulated in the form of reasons. (Brandom 1994 p. 200.)

Practical examples of what I mean by the assertion based, normative, practices required of 'I' members in such a space, are exhibited in a cursory fashion throughout chapter.

The picture that I am building towards is that when we conceive the space of reason, we think of the world in terms of deployed concepts. When I look around the room, the objects in that room are the conjunction of a manifold of given intuitions, and an apperceptive unity of thought concepts to which I am committed. That conjunction *is* experience. Yet, our ability to function in the world understood as conceptual, requires that we can be right or wrong with respect to the shape of the world. The concepts through which I relate to the world, and other people, cannot be arbitrary in extension and reason for use. Therefore, while 'I' generate and deploy concepts as experiences, the correct use of those concepts is policed by our collective commitment (inter-subjective) *idea* of responsibility; Insofar that my concept use is always up for normative assessment for its reasons by another mind. The space of reason in therefore the world as understood through concepts, where the structure, the form, of that world is held in place by the *idea* of responsibility. Entrance into the world as understood through concepts requires self-consciousness, (and it is that which is a secondary discussion in §2.2.) the space of reason should ultimately be seen (when considering *Mind and World*) as the world 'I' live in (McDowell 1994, p. 125).

The topic of §§1.3-1.4 is to look at the *idea* of responsibility as underlying the form of the space of reason in terms of 'Kantgenstein': the amalgamation of Kantian idealism with Ludwig

Wittgenstein's normativity, as seen by Brandom in his paper: 'Kantian Lessons about Mind, Meaning, and Rationality'. While this thesis is not about Wittgenstein, some of the language I use is a result of what Brandom and McDowell think about Wittgenstein's conclusions. Brandom's paper also contains clues to the difference between Hegel's understanding of the grounds of responsibility (although this will be referenced to McDowell's neo-Hegelian perspective) and Kant's understanding of the ultimate grounds of responsibility.

For Kant, there are two conditions that must be met for freedom. The first is that we live under the *idea* of freedom. And the second that our spontaneity is grounded in the unconditioned, which he construes, underlies every agent. This is her unconditioned character, or noumenal self, and is the conceived ground of a particular agent's pure⁷ spontaneity: every agent is only so far as they themselves have chosen to be as per acts of spontaneity (Brandom 2005, p. 10). In essence, one's noumenal self is considered to be the source of reasons why one has done one thing rather than another. And as that noumenal self stands outside of space and time for Kant⁸, the noumenal self is not conditioned in its spontaneity, and therefore we are, from the perspective of a thing in itself, free.

The reason why *reasons* can be traced back to the 'I', rather than being the consequence of determinations in the physical goings on, is for Kant that 'I' *understand* myself as a being of intelligence [in the space of reason], yet cognize myself as a phenomenal being [in the realm of law]. As '*I am*', how 'I' understand myself rather than as 'I' cognize myself as 'I' appear, 'I' *exist* as the act of spontaneity; and hold, 'I', the act of spontaneity not the consequences of its

⁷ Pure implies that there is no admixture of empirical conditions. Here this is a reference to the pure concepts of the understanding. And, while we can only know about those concepts, transcendently, because we are members of experience, that those concepts find their grounds outside of experience in so far as they are *a priori*, allows us to consider them in relation to more than just the pure form of intuition open to us, space and time. We are granted a *problematic* understanding of a thing in itself.

⁸ See Appendix Two: Antinomy of Reason.

synthesis, responsible for action (Kant 1997a [1787] p. 260 *n*). The choices, not the consequences, are what are bearing responsibility for Kant. This is possible because the choice is conceived of as free from antecedent conditions by our living under the reality of that *idea* in the practical sphere, and because of the possibility of genuine spontaneity inhering in our noumenal character. Where the practical sphere is the area in which we work to bring to reality our conceptualized goals, through the ‘world’ we live in being populated in terms of concepts and the possible membership of concepts granted to us by our actions.

However in John McDowell’s neo-Hegelian perspective, the ground of responsibility is contained in the constitutive principles of social practices, in a culture. The *idea* that ‘I’ am responsible is bequeathed to a child when their ‘natural’ (I elaborate on the concept of ‘nature’ in §2.2.2.) capacity for spontaneity is cultivated into operating under that principle by their normal cultural practice (McDowell 1994, p. 126). Actions committed under the idea that ‘I am’ responsible for my activity are assessed as deliberate (it is our normal practice to assess the actions of another as though their ‘I’ is the source of the reason for their action), and as such are considered as acts in the space of reason. Thinking and being in this space is our “second nature”, in so far as it is the nature in which spontaneity is operative under the *idea* of freedom.

The *idea* that I am responsible for my judgments and actions cannot be retracted, first, because social forces (cultural forces) hold me to it. I am assessed as responsible for my actions by others, in sharing a world with them. I cannot stop playing that game because ‘I’ am a result of playing that game; and second, because by committing to the denial of the *idea* of responsibility, I deny my ability to commit to even the *idea* that I cannot commit. In essence, once our eyes are opened to this *idea* of reason by our spontaneity growing up under its hold

(McDowell 1994, p. 84), ‘I’ cannot close them again. This follows Brandom’s expression of Kant’s conception:

Our dignity as rational beings consists precisely in being bound only by rules we endorse, rules we have freely chosen (like Odysseus facing the Sirens) to bind ourselves with. We do not have the freedom to opt out entirely—choosing to be bound by no rules at all would be choosing to relinquish our rationality entirely. Yet if something other than our own attitudes and activities could bind us, we would not be free. Autonomy consists, as the etymology demands, in sitting up laws for ourselves. (Brandom 1994 p. 50.)

Ultimately an understanding of responsibility moves us in a direction to understand the idea of spontaneity. Spontaneity is for Kant no less defining of human life itself than it is, by further extension, defining of us as cognisers: “An animal is thus an animate matter, for life is the faculty for determining oneself from an inner principle according to the power of choice. But matter, as matter, has no inner principle of self-activity, no spontaneity to move itself...” (Kant 1997b [1762-1795] p. 86.) This is following Brandom’s suggestion that: “Positive normative freedom is the capacity to act for reasons, not in a causal sense, but in the normative sense of the ability to bind oneself by norms that make one liable to assessment as to one’s reasons.” (Brandom 2005, p. 9.)

§1.3. LANGUAGE USE AND NORMATIVE ASSESSMENT

This language (i.e., the one being read), and the vast amount of different ways to arrange its linguistic constituent pieces within language games (as evidenced by the vast number of different roles, books and general chatter, in our world today), are all dependent on the existence of the collective ability to use particular sounds and symbol strings in the same way. The pool of pieces, our vocabulary, even if only small, can construct vast sentences from those pieces:

...it can be demonstrated on more fundamental grounds by looking at the number of sentences of, say, thirty words or less that a relatively simple grammar can construct using the extremely minimal 5000-word vocabulary of Basic English.

In the later Wittgenstein, it shows up as the claim that sentences are the smallest linguistic units with which one can make a move in the language game. (Brandom 2005, p. 14 & 6.)

All sentences occur within a distinct medium whose extent is symbolic language, and is made up of particular instantiations of rules, as Brandom sees it:

Those norms, those rules, he [Kant] calls 'concepts'. In a strict sense, all a Kantian subject can do *is* apply concepts, either theoretically, in judging, or practically, in acting. Discursive, that is to say, concept-mongering creatures, are normative creatures—creatures who live, and move, and have their being in a normative space. (Brandom 2005, p. 5.)

This distinct medium will henceforth be 'normative space'. This use of concepts, the constraining of phenomenal reality into pieces⁹ that we would each use in the same way¹⁰,

⁹ For Wittgenstein, I think, this occurred on the basis of use, in that the world is carved up into pieces that have some kind of collective use to middle distance animals like ourselves. Kant seems to suggest a connection between intuition and this division, while our concepts are based on normative considerations, that is, they are functions:

The knowledge yielded by understanding, or at least by the human understanding, must therefore be by means of concepts, and so is not intuitive, but discursive. Whereas all intuitions, as sensible, rest on affections, concepts rest on functions. (Kant 2003, p. 106.)

The content of those concepts is shaped by our intuitions of the sensible world, the world of experience. E.g., that the sun is different to the sky can only be the case because it is our empirical intuition that this is the case, this natural division leads to it gaining separate rules from the sky, and hence a separate concept. Here is the relevant quote:

Concepts are based on the spontaneity of thought, sensible intuitions on the receptivity of impressions. Now the only use which the understanding can make of these concepts is to judge by means of them. Since no representation, save when it is an intuition, is in immediate relation to an object, no concept is ever related to an object immediately, but to some other representation of it, be that other representation an intuition, or itself a concept. (Kant 2003, p. 105.)

In essence, man must exist in both phenomenological space, and normative space. If a thing lived in only one, then that thing would either be an animal behaving with no thought or be a computer moving from one function to the next without experiencing; it's their point of connection, their intersection, which brings mankind and self consciousness.

changed the way we not only saw the world (arguably we only see the world by virtue of this language, self consciousness is bound to it) but also how we Homo sapiens relate to others, for we do so in a normative space.

As entities that augment their behaviour through their commitment, in action and thought, to the conceptual content that exists within this space, we also place certain requirements on ourselves by virtue of the use of that space in itself:

What distinguishes judging and intentional doing from the activities of non-sapient creatures is not that they involve some special sort of mental processes, but that they are things knowers and agents are in a distinctive way *responsible* for. Judging and acting involve *commitments*. Responsibility, commitment, endorsement, authority—these are all *normative* notions. (Brandom 2005, p. 5.)

In essence, the use of this normative space comes with certain necessary requirements; these requirements, such as our responsibility for that which we commit ourselves to, that is, by virtue of making any statement or doing actions, are inherent in the very use of the space itself. Of primary concern is that the reason for a commitment or action is seen as *my* reason, as *my* commitment:

However *sensitive* we are in fact on any particular occasion to the normative force of reasons (that peculiar force, at once compulsory and yet not always compelling, that so fascinated and puzzled the ancient Greek philosophers), we are the kind of creatures we are—knowers and agents, creatures whose world is structured by the *commitments* we undertake—only because we are **always liable** to normative assessments of our *reasons*. [Bold and bracket added for importance] (Brandom 2005, p. 8.)

¹⁰ That is, sensory reality being carved up into pieces that have specific uses, which are relevant to our collective condition. Like chairs, tables and ice-creams.

Further, by following those concepts, by using language, we are assessed, or assess others in their use of that language, for this space to exist this is a necessary condition, as normativity is a relationship between agents:

Judging and acting, endorsing claims and maxims, committing ourselves as to what is or shall be true, is binding ourselves by norms—making ourselves subject to assessment according to rules that articulate the *contents* of those commitments.

(Brandom 2005, p. 5.)

With reference to my commitments within this thesis: I do not know if I am following a concept correctly in my deployment of Kant and McDowell's philosophical system. While I have a particular comprehension of their understanding, it is your assessment of what I believe to be the correct application of their philosophical understanding, that grounds the 'correctness' of my statements, for the force of your understanding of their thought outweighs my own. You are judging the correctness of my articulated judgements. When I place these words *as they are* within these sentences, I do so because I perceive them to have correctness in this form, their correctness to me is inherent in my belief that they are the result of the correct comprehension of their concepts.

What the assessor is to judge, what part of this document is to be assessed for 'correctness', is dependent on what *value* the assessor places on certain concepts being correctly followed¹¹, and are inherent\implicit in the particular marking schedule. E.g., you will likely not judge this document on the colour of the shirt I was wearing when I handed this document in, yet you will likely judge it on the validity of its arguments and expositions. This assumes that the reader is

¹¹ The philosophy profession is attempting to find agent whom have the ability to apply certain kinds of concepts correctly, you are trained to look for that ability. By scanning my work for the 'signs' that I have that ability, you are making a value judgment, where the rules that you judge by a marking schedule reflects those values.

playing a particular role in reading this thesis. The context under which this thesis is read can of course be varied, and as such, this is an appeal only to a particular manner of assessment.

That you understand and judge the correctness of what is written here, requires that you judge my *reasons* for writing it, for those reasons purport to be my understanding of certain concepts. Your understanding is in terms of the ‘correctness’ of the concept that caused me to produce *these* words, rather than the words themselves, which, like bricks, could just as easily have formed a different sentence, a different structure.

Whether I have applied the concept correctly, is dependent on your ability to find what you hold to be the correct concept within my apparent exposition of it. In essence, you look at the content to make sure I am bound to the correct concept, not necessarily bound to holding it as a belief, but to that concept being correctly replicated in my mind.

This first requires that you understand what concepts I am trying to bring to the fore, either through an introduction in which I name the concepts I am to be looking at, or through an investigation of the content and context of this document. Within the context of academic essays, the assessed is expected to defend their *reasons* with concepts that are referenced from the commitments made by others, found in quotes by them, forming arguments based on the conditions contained in the authority of those others, in an attempt to convince the assessor of the correctness of those reasons from the basis of other thinkers that have contributed to that subject matter.

Further, the content is deciphered by the following of the structure of language that that content is construed within, namely through my use of spelling and grammar. (It seems that wffs (Well formed formulas) also have certain bearing in our language, though as wfss, or well formed sentences. The actual content of a sentence that is not well formed in natural language

can generally still be normatively assessed, for the reason for the use of language lies under *that* language (even if the reason is in terms of other commitments) and that is part of what I am assessed on.)

By making statements, one is bound to the *reasons* of the underlying concepts that determine the content of that statement. There must though be a distinction between what one says in a literal sense, and what one means, for the *reason* that brought the content is not necessarily inherent in the linguistic content alone. For one can lie; one can be sarcastic, or use metaphors, in which case the reason behind one's language must be sought outside of the literal content of that statement.

Aesop's fable, *The boy who cried wolf*, is a good example of the disconnection of the literal content of a sentence with the force of that content, for it is the villagers' judgement on the *reason* behind the claim that there are wolves about, rather than the literal understanding of the statement itself, that dictates their belief in that content. The 'moral' of that story was: "So the Boy learned when it was too late that liars are not believed even when they tell the truth." (Aesop 1848, p. 41-42.)

For by making a statement one is also taking responsibility for the content of that statement being in line with one's reason for that particular content. By lying, one is misappropriating responsibility, hiding one's reason, and undermining the entire conceptual framework that makes language possible, which is (up to the level of ideas), being able to access and assess the *reason* an agent makes *any claim*, or commits *any action*.

In essence, the rules one follows in thought produce words whose ends are to realize that which one was thinking about when one spoke those words; the understanding of what lies behind the veil of words is what is at stake in any external assessment of one's statements or

actions¹². It should be noted that these rules cannot be explicitly stated, and must be replicated in your mind through the words I use to exemplify those concepts. Certain rules are *a priori* for Kant and therefore are constitutive of the *a priori* form of self-consciousness itself, and cannot be expressed other than as pure schemata, other rules, such as pure ideas, are so far removed from even experience that they can only ever find expression in subsuming an analogy under them.

What needs to be understood is that for the most part¹³, what people say is an application of the reasons they have for saying it, where those reasons are concepts whose rules are being followed internally in thought by the other agent, correctly or incorrectly, with reference to an assessors' judgment.

Because of a disconnection between my consciousness, and that of the perceived other, the pieces of our language themselves, in their use, may have extended meaning within the vocabulary of another. By using the word 'copper', I commit the word to having some meaning:

It is up to me which counter in the game I play, which move I make, which word I use. But it is *not* then in the same sense up to me what the significance of that counter is—what other moves it precludes or makes necessary, what I have said by using that word. (Brandom 2005, p. 13.)

For Kant this comes out as:

One person combines the representation of a certain word with one thing, another with something else; and the unity of consciousness in that which is empirical is not, with regard to that which is given, necessarily and universally valid. (Kant 1997a [1787], p. 251.)

¹² What we do assume though is that there are coherent reasons behind every-word, and it is that concept behind the words that we wish to assess. We live as though this is the case. Although we sometimes make exceptions for those that blindly violate many of the rules, and appear not to understand the reason for those rules. Such as, for instance, young children.

¹³ Schizophrenics may not have coherent reason for the words they use.

That is, by my use of the word ‘copper’ in a sentence, I have not so much said something about me, but rather something about you, for your understanding of that word, is what the word means. You assess me in light of the meaning that the word has for you, rather than me¹⁴, and judge my reason for its use as correct or incorrect, based on your understanding. Brandom exemplifies this through:

But if I claim that it is copper, it is *not* then up to me what move I have made, what else I have committed myself to by using that term. So, for instance, I have thereby committed myself to the coin melting at 1084° C, but not at 1083° C, and to its having a density of 8920 kg/m³—in the sense that if those claims are not true then neither is the one I made. (Brandom 2005 p. 13.)

...

What else one has committed to by the use of a word is contained in the assessors’ authority to the correct word use, and its correct use within a sentence: “Grasp of a concept is mastery of the use of a word.” (Brandom 2005 p. 13.)

It should be noted that context is extremely important in assessment. Thus, if one goes to a nightclub, the ‘audience’ assesses different artefacts on one’s person (that one puts there for various *reasons*), namely one’s clothes, shoes and style will come under assessment; as long as one adheres to certain standards defined by the assessors’ opinion (the fickle opinion of current fashion and taste), one’s ability to interact with that assessor will change by virtue of that assessment. This is no less true for the style used in a thesis document, although instead of it being assessed against opinion it is assessed against convention or community standard.

This too holds with employers, they too are looking for an agent’s ability to follow certain instructions, gaining that information from a CV and checking the agent’s ‘qualifications’, or via an interview. In essence, a normative assessment of an agent’s ability, their understanding of

¹⁴ This is not to say that you cannot judge that I have mistakenly used a word, by virtue of the context of its use, just that you know that I have used it incorrectly

certain concepts, is taking place to see whether that agent qualifies for that role. Thus, in different contexts, different conceptual understanding of an agent's conceptual framework — the content of their normative space — is assessed; what content is assessed is dependent on what particular concept and practical skills the assessor values in those contexts, what a particular agent has been well trained to do.

The key idea is that there is a normative relationship between concept users. The form of this relationship is between the understanding of an assessor and the assessed. This relationship requires the idea that, from the perspective of the assessed 'I am' responsible for my judgments, or from the perspective of the assessor, the 'I' related judgments (as assertions of commitments) of other are always up for normative assessment. Whether I am right about a particular judgment is dependent of the context in which the assessment occurs. The following section looks at the form of context as involving commitments that grant membership to concepts.

§1.4. CONCEPT MEMBERSHIP

Within any society there must exist two roles, the assessor and the assessed; where the assessed's expositions of reasons, their 'move', are being tested against the assessor's understanding and values (this is in the context of our subjective mode of being, which is our normal human lives). Their level of correlation, changes what action or concept the assessor applies to the assessed. If the assessor sees the assessed as having done 'right'\ 'wrong', with regard to their reason for doing, then the assessed is moved into a particular category, depending on the context of that assessment¹⁵.

¹⁵ It is not necessarily a 'pass, fail' value judgment; it could be a graded value scale or just a dispositional attitude towards the other.

Different concepts, depending on their value, have different consequences for failure\achievement in the correct following of some agents assessed action. E.g., the consequences for being assessed and judged as a murder are far more severe (In terms of what ‘I’ value) than the consequences for being assessed and judged on the incorrect use of a word.

Further, by committing to being a member of an institution, for instance a bank, certain new actions become open to an agent. For as a member of a bank, the agent has certain rights and obligations that they can now choose to commit. Brandom exemplifies this by the consequence extended to an agent for reaching a particular age:

To use an example suggested by Kant’s metaphor in “What is Enlightenment?” consider what happens when young people achieve their legal majority. Suddenly they can enter into contracts, and so legally bind themselves. Hence they can do things such as borrow money, start businesses, and take out mortgages. (Brandom 2005, p. 9.)

That is, by reaching a certain age, society extends\indoctrinates¹⁶ certain membership on that agent. And by virtue of that membership, one is given rights to commit oneself to certain activities, and one is committed to being assessed in a particular way. E.g., by becoming member of the Players’ club at the Casino, one is given the right to enter the players’ room. The bouncer at the door assesses those attempting to enter on whether they hold membership; those who do, are allowed entry, those who do not, are barred.

Membership can be roughly seen as holding a key to being able to perform certain actions and having certain actions applied to them, that non-members are barred from performing\being performed on. Whether one can choose to become a member might be defined by one’s status with respect to that club, only agents of a certain standing, or that have certain qualifying

¹⁶ This indoctrination becomes important later; as agency hinges on a particular principle one is cultivated to be a lifelong member of reason.

characteristics are eligible for some groups. For Hegel, the eligibility for membership is something that is extended to a particular agent: “It is *wholly* a shift in social status. *All* that changes is that others now *take* the individual to be able to commit himself, *hold* him responsible for what he does, *acknowledge* his authority so to bind himself.” (Brandom 2005, p. 12.)

Within the context of our society, there are rules that govern what consequences are extended to an agent that follows, or are assessed to have followed, some concept. For instance, if one is assessed as, and judged as, having committed a ‘crime’, that is, followed some concept (i.e., made it one’s maxim) that is defined as criminal by an authority that assess people on that concept, then certain consequences follow because of that commitment (i.e., breaking a social maxim overrides one’s personal maxim).

Thus, if an agent does x^{17} , then, by virtue of being assessed as having committed herself to that action, the agent is moved into category y . If an agent is assessed as being member of category y , then rules A_0 to A_n apply to that agent. E.g., with the murderer (x) above, then he by his action is moved into the category ‘murderer’ (y) by the judgment of an authoritative assessor. By being in this category, certain other consequences follow. In New Zealand, the liberty of all convicted murderers is confined by law (A_0) as they are forced to move into a prison (A_1), where they are forced to serve the judge’s¹⁸ sentence (A_2). The consequences of being in that particular category are vast. There are many different concepts that an agent can be moved into, which come with similar amounts of new concepts an agent can either choose to, or be forced to, join.

¹⁷ Commits to some action, statement; makes herself responsible for the reasons behind that action, statement.

¹⁸ The judge herself is of course also bound to only being able to sentence within a range of consequences. Those consequences are created by the legislative authority historically judged by the people, or forcefully imposed themselves, to the role of creating such laws.

Thus by committing some act, one does not necessarily have control over the consequences of what happens to one (just as, by wording out a spoken sentence one does not control what other rules are brought to the attention of the assessor). For committing a criminal act, within a system of externally applied ‘laws’ like on which our society *is* founded, one is assessed and judged and imprisoned. Just like, depending on the quality of my work, I will be subjected to certain rule defined consequences¹⁹ by you the assessor within the philosophical community, so are agents within society based on the context of the assessment.

Authority as it were, is the assessor, for to be an authority is to be seen as holding correctness. What rules an authority assesses, that is, what one is an authority on, is dependent on what club one is assessing members in, or assessing whether members are eligible to join that club.

Further, the category an agent can be moved into, by virtue of the judgment made by an assessor on the commitments made by an agent, is defined by the creators of concepts, the creator of laws, the creators of clubs and societies (and quite likely bound to certain physical and instinctual constraints²⁰; to join the Ph.D. club in physics requires a level of intellect, and interest, not open to all human beings, and to leave the ‘club’ of animal beings interested in food requires extreme dedication to errant principle or sadness). This creation is something which is started at the conception of normative space, and has since flowed from mind to mind; filling the darkness and the void with the language and institutions we live under and as today²¹.

¹⁹ Some grade range A+ to E.

²⁰ I avoid here looking into a possible physical space\normative space symbiotic relationship that might exists between our normative selves and our physical selves, if one were to be a dualist on this. This features in the discussion on McDowell. McDowell’s way of understanding that connection places mind and world together, where one is a monist with respect to our minds relation to independent reality.

²¹ Refer to the ‘Appendix One’ of a brief exposition of this point.

I want to make it clear that there are two distinct aspects to concept membership. First, there are concepts that a group authority, by the very definition of words, places on agents. These are often to do with physical characteristics definitive of aspects about the self that are outside of (for the most part at least) one's humanly choice. E.g., that one is male or female; that one is Pakeha, Asian, Maori, etc descent; that one has a biological mother; that one is in a particular location. These concepts one is made member of without one's ability to choose whether one wants to be a member of those concepts (although as all of these reference empirical conditions, 'I' taken in a transcendental view might be free from those conditions); human society places those concepts on an agent. The inalienable rights set out by the 'United Nations Declaration of Human Rights' (United Nations 1948), define what standards one should to be assessed upon, and what concepts should be open to every person, irrespective of subjective qualifying characteristics set by individuals or institutionalised institutions (outside being *human*).

Second are concepts one is able to choose to join: One can choose to be part of a religion (most anyway); one can choose to be a part of a bank; one can choose to be enrolled in a Masters programme; one can choose to bind oneself to a contract, (after society has deemed one to be of a required age) and the vast amount of other commitments one can choose to bind oneself to. Of course, that one can choose to become a member of certain clubs may still require that one qualify for such membership²².

The very idea of being 'qualified' at some role implies that one has passed a particular assessment. This does not take away from the fact that one, when assessed, must actually have the attributes or skills required of the particular role. The importance here is not a particular subjective skill or talent, rather that one is assessed with the key to passing that assessment being

²² Questions of equality and social mobility can here be of interest to philosophy.

tied to a particular model, or standard, for assessment of some attribute. In the instance suggested above, what characteristics are of value turn about skill or talent. Yet they could just as easily be race or gender. Within the current structure of most of the world at least, the entrance qualification into most things, turn about whether one can pay for such membership. Whence the qualifying characteristic is controlling, or having access to, money.

What concepts one can choose to be a member of, and what concepts society forces one to be a member of are different between societal models. More often than not, what category one is assessed and judged to be member of is dependent on what society one was born into, or what religious belief one's family members are committed to and educated you as to the reality of. Reflection on the average life seems to suggest this. This is not to say that a particular individual cannot make creative choices about their lives, rather that the choices they do make are often in line with what is expected of them by their surroundings. This is an appeal to common sense understanding of history, rather than academic evidence or historic analysis. (Although I will introduce historic evidence in §3.1)

What I hope to have shown is that our commitments, whether we are bound by society or our choice, are normative in nature. By virtue of reasons, we live in a world that is defined by concepts; through choice we are able to make ourselves members of particular categories of concepts by the following of, being seen as committing to, one concept over another. Being member of a particular category has societal defined consequences, that is, by virtue of being assessed as a member of a category certain rights or actions are applied to one by those that define the concepts that apply to members of those categories. Concept membership therefore needs to be seen in the context of the value that membership holds for an agent, and in particular, that becoming member of a concept is the consequence of judgment. This is still an

underdeveloped thought, and due to the constraint on space will be left so. Brandom's book *Making it Explicit: Reasoning, Representing, and Discursive Commitment* covers similar themes in extensive detail, and while these last two sections are not extensive reflection on that particular work, they are reflections on similar material found in his essay, 'Kantian Lessons about Mind, Meaning, and Rationality'.

§1.5. IDEA MEMBERSHIP

The previous two sections looked at what it is to already be acting under the *idea* that we have reason, and by that we are held to be responsible for our actions and commitments. This in part implied that we are always up for being normatively assessed for our reasons, and that we can choose to become member of certain concepts, depending on the context of how we are assessed by authority. In this section, I look further at the grounds for that responsibility. This involves looking at the *idea* of a human subject as a spring of causality.

Kant first needed to prove that from an epistemic point of view, it is even a possibility that our actions might be unconditioned by antecedent conditions, and therefore causally free, that is, the *reason* for the action is a reason unto itself. In Appendix Two can be found an overview of the possibility of freedom from the theoretic, epistemic, part of Kant's philosophical system, in line with Kant's above-mentioned need.

Here I look only at the necessity of thinking that the other, and the self, has a will:

I say now: every being that cannot act otherwise than under the *idea of freedom* is just because of that really free in a practical respect, that is, all laws that are inseparably bound up with freedom hold for him just as if his will had been validly pronounced free also in itself and in theoretical philosophy. (Kant 2006 [1785], p. 95.)

The idea of freedom is simply that *idea*, for without being my own causality I would not be able to attribute reasons to myself and others as if they could have used their unconditioned causality to have chosen differently:

Now, one cannot possibly think of a reason that would consciously receive direction from any quarter with respect to its judgements, since the subject would then attribute the determination of his judgment not to his reason but to an impulse. Reason must regard itself as the author of its principles independently of alien influences ... the will of such a being cannot be a will of his own except under the idea of freedom, and such a will must in a practical respect thus be attributed to every rational being. (Kant 2006 [1785], p. 96.)

It is this *idea* that places a division between the self as merely behaving, and the self as making choices, in so far as such beings are conceived as living under an idea, or what is the same thing, an acting as though they have an efficiency of cause that purports to be unconditioned by sensibility (nature):

Will is a kind of causality of living beings insofar as they are rational, and *freedom* would be that property of such causality that it can be efficient independently of alien causes *determining* it, just as *natural necessity* is the property of the causality of all non-rational beings to be determined to activity by the influence of alien causes. (Kant 2006 [1785], p. 94.)

As the exhibition of such a faculty cannot be derived from the observation of nature, in so far as judgments about nature are always had in terms of our intuition of appearances being determined by the laws of nature, which are the reflection on nature through categories. I too am an appearance to myself in inner sense, and am therefore on reflection on the appearance of myself determined by the laws of nature. We must look upon the will of a rational being not in terms of descriptive laws, but rather in terms of the '*normative*' *commitment to living under an idea*:

Being free is being able to adopt normative statuses, paradigmatically, to commit oneself, to undertake responsibilities. It is the capacity to bind oneself by conceptual norms, in judgment and action. This is exercising a certain kind of inferentially articulated authority—a kind that comes with a correlative rational responsibility to have reasons for one's endorsements. (Brandt 1994, p. 9)

Kant suggests that in a rational being's way of acting, this *idea* is already implicated in that activity²³. We are already playing the game in which those who raised us into our understanding of the world have attributed a free will to us; a culture a child is raised into is already reflective of reason. Yet we must also realise that in a certain respect, the *idea* of reason is an ideal for us. Yet it is through that ideal that we can understand the world of sense:

But because *the world of understanding contains the ground of the world of sense and so too of its laws*, and is therefore immediately lawgiving with respect to my will (which belongs wholly to the world of understanding) and must accordingly also be thought as such, it follows that I shall cognize myself as intelligence, though on the other side as a being belonging to the world of sense, as nevertheless subject to the law as subject of the world of understanding [space of reason], that is, of reason... (Kant 2006 [1785], p. 100.)

The demands of reason are that we follow the laws of what it is to be a spring of causality. Just as the realm of law is governed by, for Kant, the reflective laws imparted by the immanent principles of the categories and all the empirical laws derived through those categories reflecting on sensibility, so is the space of reason governed by the moral law. The moral law is the law of how that which is an unconditioned efficient cause, treats another unconditioned efficient cause. Thus, as we must live under the *idea* of freedom, and actively attribute other human beings efficiency of cause when we come to act towards them, we ought to act towards them in a particular way because we know to respect them *a priori* as by virtue of that *idea* of freedom in

²³ McDowell suggests that this is because we are raised by an antecedent generation that already has being rational in view, a new initiate into rationality, such as a child, is treated as a rational being, and by growing up in that understanding that rationality becomes their second nature.

the space of reason. The moral law is the law of the space of reason and is, for Kant, *just as real* as the physical laws that govern the realm of law (for Kant, nature):

Hence he has two standpoints from which he can regard himself and cognize laws for the use of his powers and consequently for all his actions; *first*, insofar as he belongs to the world of sense, under laws of nature (heteronomy) [the realm of law]; *second*, as belonging to the intelligible world [the space of reason], under laws which, being independent of nature, are not empirical but grounded merely in reason. (Kant 2006 [1785], p. 99.)

As such, 'I' cannot help but think of myself as a being that has freedom of choice; 'I' and my peers are so deeply committed to the *idea* that, when 'I' act, 'I am' in a practical sense both responsible and the reason for that action: "All human beings think of themselves as having a free will. From this come all judgements upon actions as being such that they *ought to have been done even though they were not done.*" (Kant 2006 [1785], p. 101.) And as such, 'I am' a being that lives both with the laws of nature, and lives under the law, as an efficient cause, of the space of reason. It is moral not because of a command from anything other than our own reason, and in the act of respecting that, of ourselves and others as efficient causes.

CHAPTER TWO: THE SPONTANEITY OF AGENCY

“Nature is the only artist. Each of her creations is an individual Being, each of her revelations a separate concept; yet all makes up a unity. She transforms herself eternally and has never a moment of inactivity. Her step is measured, her exceptions few, her laws are unchangeable. All men are within her, she is within all men.” -
Johann Wolfgang Goethe

§2.1. INTRODUCTION.

The very existence of the space of reason is yet to be resolved in philosophy. One camp takes the *idea* to be necessary for the very possibility of meaning and principled action, to deny its reality is much the same as denying the reality of physics. The camp opposed sees it as a misunderstanding of nature, a return to vague metaphysics and confusion, only a stance in a all embracing nature conceived of as ultimately meaningless can we understand ourselves without confusion. This is principally a debate between the finding of scientific laws and the seemingly *sui generis* laws of freedom. Key to this debate is whether the law-like determinations found in the laws of nature, so conceived, binds even over the ethical life; or whether ethical life stands somehow free from the law-like determinations of science, so that normativity stands in its own space. To recap the distinction between the two: ‘the realm of law’ is that in which the principle of scientific laws hold rigorously; the space of reason, whose founding principle is that of freedom, is conceived as *sui generis* to the realm of law²⁴. The space of reason, so conceived, operates under different laws to that of the realm of law, and it is those different laws (the laws of reason as *principles*, which cannot themselves be found in the realm of law) that are important

²⁴ One can think of it as a complete space in and of itself. In the same way that many in the current intellectual climate think the realm of law is the only possible environment.

for present purposes. This debate, about whether the ‘I’ truly owns its actions causally, or, antithetically, whether the causality of human behaviour is entirely absorbed into the wide natural order of causation, will, it seems, forever rage. Within the circles of those that grant there to be a space of reason however, there is also still disagreement about what its form must take and what the *source* of that *idea* is. In this thesis I shall not much discuss, insofar as I do not defend the coming elucidation, the former debate — which I assume is won by those who defend the reality of the space of reasons.

The exposition of that space follows the line of John McDowell’s *Mind and World*. McDowell remarks in the preface, that: “...one way I would like to conceive this work is as a prolegomenon to a reading of the *Phenomenology*” (McDowell 1994, p. ix), and so features largely as an analytic neo-Hegelian perspective of the space of reason. Brandom’s work also includes a useful understanding of the difference between Kant and Hegel’s perspective regarding responsibility; I further bring in this perspective when dealing with McDowell’s conception of ‘second nature’.

I also look at Kant’s understanding of that space, yet place that understanding in Appendix Two. In it I lean heavily on pure Kant, in so far as my source is the *Critique of Pure Reason*; the *Critique of Practical Reason*; and, *The Prolegomenon for any Future Metaphysics*.

The purpose of this thesis chapter is to bring into view an understanding of McDowell’s thoughts on agency. This requires coming to terms with Kant’s statement: ‘concepts without intuitions are empty, intuitions without concepts are blind’. Understanding of this claim allows the gulf between the self as a rational self-active agent, and the self as a mere reactionary brute, to be bridged. Yet that bridge is not a construction, it is the mere making explicit of what is

already in play with respect to experience. However, as the statement is still extensively murky. I will specifically look at McDowell's re-orientation of the understanding of *spontaneity*.

The area of philosophy that contains both Kant and McDowell has deep roots, and while there are many differences between their positions on the nature of the space of reason, there is some disagreement about the nature of spontaneity. The manner in which each deals with reason, and in particular the principles of its possibility, places them in a division that stems from the philosophies of Plato and Aristotle. For Plato, as for Kant, reason acts through ideas. Ideas are pure²⁵ rules that are themselves not grounded in anything empirical, they instead regulate the form of our empirical understanding as ideals for it. These rules cannot be learnt from understanding the laws of physics, chemistry, or descriptive animal behaviour, because the source and the grounds for the implementation of those rules lie in a different perspective to our empirical understanding. And while this is not *per se* to hark back to the ideal in a 'world of forms' (Kant suggests that Plato built many speculative metaphysical castles in the air (Kant 1997a [1787], p. 140)), it does suggest that there is a perspective on what it is to be a self-conscious being that is not open to ways of being that are not self-conscious in just the way that agents are: "Everything in nature works in accordance with laws. Only a rational being has the capacity to act *in accordance with the representation* of laws, 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." (Kant 1996 [1785], p. 66)

This perspective is anchored in the 'supersensible'²⁶, and is therefore construed as non-naturalistic, even if the non-naturalism is only ever considered in an agnostic way. Kant's

²⁵ Pure here means that there is nothing *a posteriori* in its form and/or content.

²⁶ The supersensible is that which lies outside the reach of our mode of sensibility. It is because our animal constitution is limited to the form of intuitions given to the kind of being that we are, but that may not be the

principal claim with regard to the *ideas* of Freedom (that the self is an efficient cause, spontaneity in action), God (that the empirical world is a unity, and has a creative cause) and Immortality (that the self is continuous beyond the endurance of bodily life), is that it would be dogmatic to judge one way or another with regard to the reality of their thesis or antithesis. Critical reason can go so far as to identify the fallacies in thinking those *ideas* as more than *really* regulative of experience, reason cannot reach out to quash the occurrence of those *ideas* in our thinking, as to think is interdependent on faith in the principle of those fallacies. Kant realizes that because the ground of spontaneity is beyond the reach of determinate knowledge, claiming that spontaneity is caused by appearances rather than things in themselves is not justified; experience is the synthetic result of the conjunction of pure concepts and intuition, where the choices made, as that synthesis, features only as reasons for the particular objects in experience.

McDowell on the other hand takes a more Aristotelian context to understanding the space of reason. Human beings are rational animals; animals that have a deliberative faculty not open to mere brutes. For Aristotle this is the faculty of rational *phantasia*²⁷, which is trained to deliberate about ‘for the sake of’ relations. For McDowell children are born with a conceptually similar ‘natural capacity’ for spontaneity which is as yet undeveloped. The development of this faculty occurs through being educated into the consciousness of an already up and running culture, in which cultivation of this capacity is a historic aspect of its normal practice.

Unlike Kant’s perspective where those principles are anchored outside a particular culture in the *unconditioned a priori* form of the pure understanding, McDowell suggests that those

only possible mode of intuition, that we can talk about ‘the supersensible’ as a negative proposition. It is a concept that fills a synthetic A priori ‘possibility’.

²⁷ Loosely *imagination*. (Lorenz 2006, p. 119).

ideas are contained within cultural practice. The form of the space of reason is contained in certain principles of action, of those principles, that my rational capacity is cultivated into the *idea* that I am held to be responsible for my judgments\actions, is primary. This *idea* is implicit even in the idea of cultivating practical intellect by teachers, in so far as teaching implies a relation between an assessor and the assessed, and that the student is capable of understanding, by choice, the correct application of the lesson (i.e., even these words are choices I make).

The *ideas* of reason are naturalized in so far as we do not need to reach to the supersensible to ground ideas, *ideas* feature as *principles of the culture* we are assessed as being member of. Yet as ‘I am’ only in so far as ‘I’ act out of the rules that *constitute* the culture in which ‘I am’ as fact responsible for my acts, reason only goes up to the boundaries of culture for the source of its regulative principles and not into the supersensible realm. It is McDowell’s further suggestion that the cultural form is contained within the concepts of a public language, in so far as the language contains both the rules and the pieces of all that ‘I’ could mean, while the space of reason contains the rules and commitments of what ‘I’ do mean in my actions.

§2.2. ON JOHN MCDOWELL’S *MIND AND WORLD*

The following section is going to focus heavily on McDowell’s break with contemporary philosophy. The purpose of this section is to explicate two aspects of McDowell’s thought on what it is to be an agent.

First, that we may understand the space of reason is *sui generis* to the realm of law. This requires a re-orientation of the idea of what it is for a capacity to be ‘natural’. In essence, it moves to deny that we must *start* in the realm of law, and from that realm reduce the space of reason into it by constructing it out of aspects of that realm. This is a major shift in perspective, it

asks that we understand the world in terms of the independent *reality* of both spontaneity and the realm of law and do so in such a way that we keep the term ‘natural’ between them. And, that as long as we do not commit to either being the starting point, we can avoid the idealism which occurs when spontaneity is not constrained by an independent world, and materialism if we disenchant normativity by assuming that the independent world is in the form of the realm of law.

Second, I discuss how spontaneity can be kept in the picture of human consciousness. That discussion involves connecting two ways in which freedom is exercised in human life. There is the spontaneity of the understanding with regard to that active thinking of sensible representations. And there is freedom with respect to capacity to act out our ends. Acting, rather than behaving, implies that a bodily action, our labour, is already had out in terms of spontaneity. I look at all this in an overview here, before I turn to it in further details in following sections.

§2.2.1. MIND AND WORLD

There are two pictures of the current trend relating to the ‘task of philosophy’ that McDowell is disagreeing with in *Mind and World*. The first is that picture that starts with the mind, and with it consciousness, already in view, and from that mind attempt to justify an independent world that is outside it. The second is the idea that we start with the world conceived as the realm of law, and then attempt out of our understanding of that world to *construct* what it is to have a ‘mind’, the normative space of reason, in terms of the matter of that world. The latter of these perspectives is the project of modern philosophy, and is what McDowell describes broadly as ‘Bald Naturalism’. That kind of naturalism came about when science became authoritative. Science brought with it a strict idea of what it is for something to be natural. To be natural under that view is to be governed by scientific laws, that is, to have a home in the realm

of law. Human beings, as animals, are natural things. To conceive animals as anything else would be to conceive her as supernatural; so when we talk about reason and meaning there is an implicit problem with those concepts being *sui generis* to the realm of law. This is because the layout of the realm of law is lethal to meaning. An aspect of science is that the laws found in nature are not dependent on reasons that imply a purpose for events within its sphere. Nature is disenchanted. Thus, when we try to bring into nature the space of reason, a space that has at its basis the *idea* of freedom (being responsible for the reasons that I did so and so), this space becomes impossible so conceived. A way to get around this is to reduce that space to a kind of illusion for those that experience it *like* there is meaning. This illusion persists because we 'behave' as though it is the case that we are free, yet in reality (where reality is only the realm of law) everything must be in term of alien laws and there is no self-activity. The very idea of agency is lost within this conception of what it is to be natural:

Just as the exclusion of spontaneity from sentient nature obliterates anything we can recognize as empirical content, so here the withdrawal of spontaneity from active nature eliminates any authentic understanding of bodily action. (McDowell 1994, p. 91)

And:

...[the idea] of bald naturalism that would opt out of this area of philosophy altogether, by denying that the spontaneity of the understanding is *sui generis* in the way suggested by the link to the idea of freedom. (McDowell 1994, p. 67)

Now McDowell and Kant think that this picture is intolerable. This picture of the world, while liberating in a certain respect, also stands in opposition to something that seems fundamental to what it is to be human. Part of the reason for that particular picture is that it makes what seems like an impossible task, that is, to explain the possibility of the space of reason (and importantly its underlying *idea* of freedom) without lapsing into supernaturalism,

easy. The Myth of the Given, which involves certain attempts to introduce spontaneity, and with it meaning, into the world has certain pitfalls that make its conclusions seem worse than even the idea of reducing experience into the realm of law.

McDowell thinks to introduce a way out of the problems with a different way to understand the role of spontaneity. He introduces Kant as the original champion of this idea, but suggests that the conceptual framework (transcendental idealism) through which he introduces the idea lapses into 'rampant platonism' (begs a supernatural cause); and, while it contains the groundwork for the possibility of freedom, Kant does not fully satisfy the conditions required for the idea to take a shape that can give '...philosophy rest' (even if he came close).

McDowell therefore turns to Hegel, later Wittgenstein and Aristotle for a picture of the world that allows the deepest questions in philosophy, the dualism between subject and object; between mind and world; and between freedom and determinism. Key to his understanding is the role receptivity and spontaneity play in experience. I will discuss those in a section following the one below. The next section focus on part of McDowell's general framework for the re-conception of the field of philosophy, this has to do with the meaning of the word 'natural'.

§2.2.2. NATURE AND SECOND NATURE

The major part of his thesis in mind and world is to reclaim the word 'natural' from the ardent of 'scientism' (This is only one possible position, but as Berlin too argues against it, I note it here as a particular). Scientism, broadly, takes the view that the science tell us about what it is to be human, and that when we reflect about our nature the final port of call for the cause of action is some alien scientific law or, for instance, *The Selfish Gene*. Scientism is a possible position of those that are committed to the idea that 'bald naturalism' is the only way to protect

independent reality from the supernatural. McDowell thinks that that position is more an ideological rather than ontological position:

The problem posed by the contrast between the space of reasons and the realm of law, in the context of a naturalism that conceives nature as the realm of law, is not ontological but ideological. (McDowell 1994, p. 78 *n*)

The problem for the ardent of that position is that underlying it is hostility to genuine normativity, there are under this position no rules only ‘mere happenings’, as responsibility itself is an empty notion:

The bodily goings-on themselves are events in nature; in the context of a disenchanted naturalism, combined with a conviction that the conceptual is *sui generis*, that means that they cannot be imbued with intentionality. They are actualizations of natural powers, and for that reason they can figure in this style of thinking only as mere happenings. (McDowell 1994, p. 90)

Yet our conception of the world does not have to be this way, that conception of reality that takes meaning out of the picture of human action is, as suggested above, an ideological position of those that take up the seemingly ‘un-problematic’ position in the realm of law, so as to cut off the area of philosophy that they see as inherently metaphysical and dependent on supernatural schemes.

It is, as is defended later in §3.1., an ideology precisely because the opposite occurs to what it intends to do, while it attempts to reduce the space of reason into facts about nature conceived as the realm of law, it does so *within* the space of reason. Thus, it transforms the space of reason, a space that is malleable to conceptual frameworks, into a attributing to human beings a ‘nature’ alien to its own *sui generis* internal structure.

McDowell is also wary of the threat of idealism. The idea that spontaneity structures the whole of experience, and that the realm of law must somehow factor into ‘spontaneity at large’. This is the other side of the see-saw, and represents the pitfall of spontaneity losing traction on an independent reality that must also have room in it for the realm of law. Traction is lost because it seems that freedom is able to define the content of the realm of law, and as such, stands in direct opposition of the idea of the realm of law’s independence from mind. The reduction of the realm of law into spontaneity is lethal to the idea of reality bearing physical laws on our constitution: “Of course it had better not be that our being in charge of our lives marks a transcendence of biology; that looks like a version of the rampant platonist fantasy. But we do not fall into rampant platonism if we say the shape of our lives is no longer determined by immediate biological forces.” (McDowell 1994, p. 115)

As the two extremes are intolerable and lead us into a world that stands in opposition to how we find ourselves unproblematically – the predicates of genuine ‘responsibility’ on which society is founded, and the empirical science that holds a world independent of minds – a reconciliation needs to take place. Mind and world need to be brought together in such a way that both the spontaneity necessary for meaning, responsibility and normativity; and the disenchanting realm of law necessary for empirical science can be seen as aspects of nature.

To resolve this issue, McDowell brings in Aristotle’s conception of a ‘second nature’ as a means to extend what is natural to also encompass the space of reason (McDowell 1994, pp. 78-86). McDowell suggests that the idea that the realm of law is what it is to be natural is a mistake. To conceive independent reality as the kind of intelligibility that is attributed to the realm of law, is, as suggested above, an overzealous charge of those that fear metaphysics or lack knowledge of that area of human understanding. We can allow the possibility that word nature (and what is

meant by that kind of thinking) has an extended meaning. So that we encompass in what it means to be 'nature' both the idea of a conceptual sphere in which spontaneity operates in a *sui generis* way, and to the way in which science conceives the world; as such, spontaneity and receptivity are both possible in an extended 'nature'. The realm of law is our nature just as much as the space of reason is our second nature. The question that needs to be resolved now is how spontaneity and receptivity can be spliced together in such a way that the realm of law and the space of reason can both be part of *independent reality* (where independent reality is the word that 'nature' is attributed to, rather than just spontaneity or the realm of law). Making sure that there is no meaning 'in the movements of the planets', yet also, that when I utter these words, or commit to a master's programme, I am acting with reason and meaning having made a genuine choice.

§2.2.3. THE SELF-ACTIVITY OF SENSE

The deep going question is how can we resolve spontaneity and sensibility in such a way that both the agent, as the spontaneity of their second nature, and the sensibility of that agent as nature, can be conjoined. The picture needs to function in such a way that the agent is exercising conceptual capacities, but also in such a way that those conceptual capacities do not run rampant to the degree that independent reality is completely factored into idealism. Independent reality, it seems, needs to exercise control over spontaneity. Yet as soon as we introduce the idea that independent reality exercises or controls spontaneity, that the agent is free is lost. As we do not want to lose the idea that agency *exercises* thinking in reality, McDowell turns to Kant's 'concepts without intuitions are empty, intuitions without concepts are blind'.

The underlying problem McDowell aims to resolve, in the first three lectures in *Mind and World*, concerns how we might coherently make out that conceptual capacities are *sui generis* to

the realm of law, but also in such a way that actual *matter* is caught in the a ‘net of concepts’.

The fundamentals of this problem lie deep in philosophy. The thought of idealism, where the world is structured completely by the mental, is intolerable to the realm of law. The realm of law regards everything in terms of matter, and as such, this matter is unproblematically taken to be the bedrock of existence. This is the first part of the move the Bald Naturalist takes, the second is to suggest that concepts are, ultimately, in some way in terms of a non-conceptual matter. This is the reduction of reason and spontaneity into matter. What McDowell wants to recapture is the idea that concepts are just as much a part of the world as matter is, that is, the world is already itself conceptual (hence this chapter’s Goethe epigram). What the capacity for spontaneity adds, is an ability to think the world. That is, an ability to actively think the concepts which appear too *as* independent reality. Intuitions therefore, are already in terms of conceptual content, intuitions become immediate objects on the act of spontaneity reflecting on the world with reason; yet as this all happens immediately with respect to the spontaneity itself, that act *is experience*.

Experience, therefore, is already saddled with conceptual content. McDowell wants to disarm the Myth of the Given by the realization that experience is not extra-conceptual. The picture of the final justification for a judgment being the ability to ‘point to something outside the conceptual’ is a mistake. We have rational justification for our judgments because the experiences of which we make those judgments is already in terms of concepts. The idea that we ‘see’ matter, and somehow transform that matter into concepts is therefore a mistake.

This though lets the second move required to protect spontaneity from the realm of law, take effect. What is needed is an understanding of spontaneity that makes it *sui generis* to the realm of law, in the sense that the laws that define the space of reason are both, just as *real* as those that govern the realm of law, and that that law can bear on independent nature. What needs

to be the case though, is that what connects judgment and concept that lie in independent reality, cannot be causal. Spontaneity must define a rational not causal constraint on what I think of as spontaneity in action. If the constraint were causal, then the realm of law would be affecting spontaneity, rather than the picture required, in which spontaneity by its own activity is constrained by how *it* actively thinks sensibility.

The picture I am moving the reader to see is one in which the conceptual realm, and the causal realm have an asymmetry to each other. Yet, that they are not in fact different ‘places’. The asymmetry is only apparent when we reflect on the difference between those who can actively think concepts inhering in sensibility as structured by second nature, and those that lack spontaneity (or do not have it trained by reason) with which to understand independent reality. Those that have their eyes open to reason, and with it an understanding of the world as it is ‘*that it is so and so*’, and those that lack the capacity to think the world. This is of course not to make value judgments about those things that lack conceptual capacities quite like ‘rational animal’ conceptual powers which we attribute to human agents.

McDowell wants to make sure that we understand that there is no outer boundary to the conceptual, all of independent reality falls under thinkable content. In Appendix Two, on Kant, I will disagree with this point. Thinkable reality is tied to sensibility, where sensible reality already contains conceptual content. Yet, as we have a particular kind of sensibility, attuned to actively think reality in a particular way, there is an ‘outer’ boundary to the thinkable. Yet it is not the one McDowell thinks it is, the outer boundary is one of ability, not possibility. We here reintroduce the concept of ‘noumenon’ but in such a way that the noumenon only represents a negative idea of what lies outside the scope of *our particular mode of sensibility*. This reality is not as McDowell suggests ‘...because the radical mind-independence of the supersensible comes

to seem exemplary of what any genuine mind-independence would be...’ (McDowell 1994, p. 96), it is simply a different perspective on how the world is. A perspective not open to us, but possible within the scope of what spontaneity *could* think. The categories which constitute the form of an object can extend out of the domain of just our particular mode of sensibility. The reason that we call ‘noumena’ a ‘thing in itself’ is because we have the idea of thing-hood in the *a priori* form of the pure categories as an object in general. Yet, as there are no *intuitions* for the understanding to latch onto, noumena must be an empty concept. Our constitution, our two modes of sensibility, lacks that mode of being given representations of possible things in themselves, resulting in the simple fact that *we* as a human, *cannot think it* into an actual object for us. That is to say, there *might* be concepts (things in themselves) that our spontaneity cannot reach because we are limited to only active reflection only on our mode of sensibility²⁸. The thing in itself is therefore also thinkable content, just not thinkable to us. It represents a conceptual perspective on independent reality not open to the spaced and timed constitution of human animals.

The purpose of this section has been to introduce the idea that independent reality already has conceptual content. We are not given non-conceptual content that factors into the space of reason by virtue of some forceful process from outside our own activity, like pointing to some non-conceptual given part of the world that impedes and naming it. As conceptual capacities float free from determination by the impacts of sensible representations inhering in independent reality, we can say that the space of reason is in terms of rational justifications rather than causal determinations. McDowell agrees in part with Donald Davidson’s attempt to get out of the myth of the given. Davidson agrees with McDowell to the extent that he thinks independent reality

²⁸ Which is experience.

already has conceptual content, yet he also thinks that the impinging upon us of independent reality is causal. Sensibility causally determines spontaneity to think so and so by independent reality, thus conceptual content is forced into place by that reality. The freedom of spontaneity can thereafter go to work on that conceptual content to bring it into a coherent system under the constitutive idea of rationality. Yet, this again reduces spontaneity to an internal item whose function it is to bring coherence to reality so given. And it is not the picture that McDowell wants, in which spontaneity actuates sensibility itself. In thinking the world I am making a choice, the world is not causally forced on me. Sensibility does not force spontaneity in action, it *passively* receives conceptual content. Spontaneity is thereafter free to the extent that its thinking of independent reality is self activated, in it actively reflecting on sensibility and its passive representations. Yet, its freedom is not unbounded because what 'I' (as that spontaneity) finds its self thinking, when 'I' choose to do so, is the world as it is so given (See Appendix One for details). 'I' am so well trained in my reflection on sensibility that 'I' no longer notice that 'I' am actively reflecting; that we think we get 'information' from the senses directly, rather than by active reflection on sensibility is, Kant notes, a fallacy of subreption (Kant 1997b [1762-1795], p. 51).

The last paragraph may again makes it sound like the world is affecting our capacity for spontaneity in a way that takes spontaneity's self-activity away from it. McDowell brings in the picture of that:

The fact that experience is passive, a matter of receptivity in operation, should assure us that we have all the external constraint we could reasonably want. The constraint comes from outside *thinking*, but not from outside what is *thinkable*. When we trace justification back, the last thing we come to is still a thinkable content... (McDowell 1994, p. 28)

to deal with this. Conceptual capacities are ‘passively drawn into co-operation’ with intuitions. When intuitions are given, to the extent that sensibility is active, conceptual capacities reach out, actively, *and that is experience*. I am directing those capacities, in so far as it is me that is thinking the already abundant conceptual content of independent reality to be so and so. And unless I am misled, which happens every now and again, I really am thinking the independent reality as it is. Being misled is, Kant thinks, mistake in judgment not in how independent reality is as given, as Kant suggests: “Still less may we take appearance and illusion for one and the same. For truth and illusion are not in the objects, insofar as it is intuited but in the judgment about it insofar as it is thought. Thus it is correct to say that the senses do not err; yet not because they always judge correctly, but because they do not judge at all.” (Kant, 1997a [1787], p. 384.)²⁹ This is also in line with what Wittgenstein points out: “When we say, and *mean*, that such-and-such is the case, we—and our meaning—do not stop anywhere short of the fact; but we mean: this—is—so.” (McDowell 1994, p. 27.)

§2.2.4. THE SELF-ACTIVITY OF THE AGENT

In the previous overview I looked at the passivity of the active thinking of conceptual content that impinge on sensibility. It was shown to be possible for the space of reason itself to be rationally, rather than causally, constrained. The constraints in question are such that spontaneity is free to move within its own sphere, but that that sphere included sensibility as such, implying that spontaneity is not free to be arbitrary in the content of what is conditioning our thinking. As I am actively reflecting on the world, as it is independent of my mind, spontaneity is not locked into idealism; independent reality can rationally constrain my understanding without determining it causally. This allowed freedom and the realm of law to coexist, when we consider them in separate relations to an independent nature that does not value

²⁹ And the same point from a different source: “We note accordingly the proposition: the senses do not deceive <*sensus non fallunt*>. This happens not because they judge correctly, but rather because do not judge at all...” (Kant 1997b [1762-1795], p. 53)),

the reality (ideologically) of one kind of intelligibility of that reality (the space of reason) over the intelligible reality (realm of law) of the other. In this section, I will look at the possibility of self-activity directed not towards the senses but towards the bringing to reality possible concepts within the world through the self-activity of natural bodily powers. The idea is the same as with respect to sensibility, spontaneity is able to activate bodily powers which are already in terms of the conceptual.

One of the problems with the realm of law being the bedrock of agency is that it forces what it is to be an agent into a picture in which actions are not genuinely 'my own'. Underlying the way of thinking about the world that holds agents to be mere animals in 'nature' conceived as the realm of law, is that all actions within that realm are determined by conditions that are not reflective of spontaneity. Kant sums this up well when he reflects on this problem and freedom:

Now, since time past is no longer within my control, every action that I perform must be necessary by determining grounds that are not within my control, that is, I am never free at the point of time in which I act. Indeed, even if I assume that my whole existence is independent from any alien cause (such as God), so that the determining grounds of my causality and ever my whole existence is not outside me, this would not in the least transform that natural necessity into freedom. For, at every point of time I stand under the necessity of being determined to action by *that which is not within my control*, and the series of events infinite a parte priori which I can only continue in accordance with a predetermined order would never being of itself: it would a continuous natural chain, and therefore my causality would never be freedom. (Kant 2006 [1788], p. 216)

The underlying problem of this view is again the understanding of nature as the realm of law. What this perspective leads us to believe is that whatever experience is, at its heart, I am not the reason for it. Bodily actions are, within that perspective disenchanting of meaning:

This withdrawal of agency from nature, at any rate from the ordinary nature in which the movements of our bodies occur, strains our hold on the idea that natural powers that are actualized in the movements of our bodies are powers that belong to us as agents. (McDowell 1994, p. 91)

In essence, there is no ‘director’ of my, considering as an embodied animal, actions or movements, the keys being pressed to produce these words are not my spontaneity in action. This is not to deny that spontaneity, or something very much like it, is not part of the *cause* of these words, rather that when it comes right down to it, the start of the universe is just as much the cause as the actions themselves.

Actions and the movement of my limbs are alien to agency conceived as spontaneity. I am, under this kind of conception a point of view. My life is for that which experiences it, much like a movie or a rollercoaster ride. I have no actual control over any events that occur to that which is generating that perspective, the laws that define the movements of that perspective (and the perspective itself) lie outside of ‘control’, being just representative of the natural universe in terms of alien laws. While the rollercoaster ride is bound to be interesting, in so far as I have no foreknowledge with respect to how it will turn out, the idea that I have a hand in how it turns out is flawed. It is driven by a combination of genes, memes and physical laws. Reason, morality, even such ideas as utilitarianism are not meaningful to any extent outside of possible drives to reshape the realm of law under those ideas. Yet again, the mode in which those ideas are instantiated is not choice.³⁰

³⁰ McDowell discusses this problem in some detail here: (McDowell, 1994 p. 90-91) that discussion is strikingly similar to the picture Kant discusses here: (Kant, 2006 [1788] p. 216-217) which directly relate to the above. In essence, the realm of law is inherently dangerous to the idea of agency that has that that agency is anything more than a ‘perspective’. The intuition of those that have deep commitments to science this is unproblematically so, yet they are often unreflective about the consequences of that view on the social realm.

Kant has a way out of this, although it requires that he reach into the noumenal realm, McDowell too can see a way clear of the problem of agency and independent reality. Yet again this requires us to first of all, ditch the idea that for something to be natural we must turn to the realm of law, and second, that spontaneity is not passive with respect to the natural power of moving limbs. The movement of limbs is already spontaneity is action: “In particular, I think the way certain bodily goings-on *are* our spontaneity in action, not just effect of it, is central to a proper understanding of the self as a bodily presence in the world...” (McDowell 1994, p. 91 *n.*)

The idea runs along similar lines as that which suggests that spontaneity is already active in the possibility of experience. Once the idea that ‘nature’ as the realm of law is out of the picture of what independent reality is like, and the possibility that spontaneity can structure natural powers as such, including here not only the power of sensibility but also of certain bodily powers which we have been trained in the reflective use of, the suggestion that choice is implicated in our movements no longer looks alien to the kind of possibility open to rational animals. The idea (at best) that only non-rational desires can control our behaviour is extended to include that spontaneity itself, with its control of that which is already in terms of conceptual capacities, is able to activate our body to the extent that I, as spontaneity, am an embodied natural entity; and that I, as not just a geometric perspective, but as a rational animal have chosen (as a commitment in the space of reason) to type these words. Again, this harks back to the shape of independent reality not conceived as the shape of the realm of law, once we have a grip on that idea, the possibility of the world already being in terms of conceptual content, and that spontaneity can act through that form, is free to be our second nature. (For a more in depth discussion on §§2.2.4-2.2.5 please see Appendix One.)

§2.2.6. BILDUNG: HUMAN CULTURE AS THE HOME OF REASON

McDowell's purpose is to take Kant's transcendental picture, and naturalize it. He finds Kant's insistence that the self must be broken up between a noumenal and phenomenal self to be a mistaken way to secure spontaneity, and with it thinking, from the dangers of naturalism within the realm of law. Kant, he thinks, is forced to anchor the *ideas* of reason in a supersensible realm. The layout of the noumenal realm (to the extent that this can be understood) stands outside the realm of law and is therefore free from the danger of being reduced to relations of cause and effect under which independent reality, as the realm of appearances, is fixed to evolve. Thus allows Kant the *possibility* of pure spontaneity, as predicated on our knowledge of cause *a priori*, which has historically been touted as necessary for any genuine possibility of moral responsibility:

One feature of the "morality system" is an appearance that one could be genuinely responsible only for exercises of a completely unconditioned freedom. That can help explain why Kant is prone to suppose genuine spontaneity would have to be wholly unconstrained. (McDowell 1994, p. 96.)

Yet a direct consequence of the *idea* of pure spontaneity is that it seems to make the structure of the space of reason somehow extra-natural. It makes it seem like it is the introduction of a supernatural component into an animal being. A soul or spirit that human life supports, yet brute life lacks.

McDowell, instead of founding the space of reason in some supersensible realm that exists outside the empirical world, founds the space of reason in a new medium opened to human animals by their natural capacity for spontaneity. This new medium is culture, and is the place McDowell anchors the *ideas* of reason. Spontaneity is already a natural aspect of the world, it

just needs to be actuated in such a way, through culture, that 'I' as the choices, as spontaneity, can understand myself.

Now McDowell's major claim is that cultural practice is *a priori* to individual children, in so far as when they are educated, they are being educated into a practice that was already up and running before they themselves came to experience. Culture holds as a constitutive principle over those upon whom it binds (i.e., those that are judged as being able to function in that culture³¹). The principle is that children are taught to understand the world through the *idea* that they are responsible (i.e., as discussed in chapter one); the force of that responsibility is there before the actual child is at all able to experience:

Such initiation is a normal part of what it is for a human being to come to maturity, and that is why, although the structure of the space of reason is alien to the layout of nature conceived as the realm of law, it does not take on the remoteness from the human that rampant platonism envisages. If we generalize the way Aristotle conceives the moulding of ethical character, we arrive at the notion of having one's eyes opened to reasons at large by acquiring second nature. I cannot think of a good short English expression for this, but it is what figures in German philosophy as *Bildung*. (McDowell 1994, p. 84.)

Bildung, or more precisely, the already up and running space of reason, is the storehouse of tradition and rational relations through which a child is taught to understand the world.

This allows for a picture that McDowell thinks can be read into Aristotle if he is considered outside of the much later 'distorting' development of science, which attempts to construct much of experience in the realm of law (McDowell 1994, p. 109).

We need to recapture the Aristotelian idea that a normal mature human being is a rational animal, but without losing the Kantian idea that rationality operates freely in its own sphere. The Kantian idea is reflected in the contrast between the organization

³¹ This proposition has much danger for abuse.

of the space of reasons and the structure of the realm of natural law. (McDowell 1994, p. 85.)

For McDowell, spontaneity is not from some supernatural influence nor is it beyond what is possible within nature. Humanity comprises ways of acting (and potentially ways of authoring) that — within a society that understands reason as the highest authority— are opened up to Homo sapiens; opened in the sense that while spontaneity was always an aspect of ‘nature’, it has only in us found the conditions required for it to become a mind. In order to be human we must be taught to live as humans and think as humans. (The teaching must, however, not condition overly definitely *how* we live or *what* we think, lest the result in fact be gross societal instability.)³² We are beings that have been endowed with the natural power to think critically about what happens to us in our lives. Through being able to understanding why things happen, we structure each individual judgment made throughout our lives in line with ends that are our own, or follow from the dictates of reason to which we are attuned in making judgments in general:

We cannot credit appreciation of them [the autonomous demands of ethics] to human nature as it figures in a naturalism of disenchanted nature, because disenchanted nature does not embrace the space of reasons. But human beings are intelligibly initiated into this stretch of the space of reason by ethical upbringing, which instills the appropriate shape into their lives. The resulting habits of thought and action are second nature. (McDowell 1994, p. 84.)

³² This is what Berlin worries about in reference to the historical consequences of such authorities, musing: “Dangerous, because when ideas are neglected by those who ought to attend to them - that is to say, those who have been trained to think critically about ideas - they sometimes acquire an unchecked momentum and an irresistible power over multitudes of men that may grow too violent to be affected by rational criticism. Over a hundred years ago, the German poet Heine warned the French not to underestimate the power of ideas: philosophical concepts nurtured in the stillness of a professor’s study could destroy a civilization. He spoke of Kant’s *Critique of Pure Reason* as the sword with which German deism had been decapitated, and described the works of Rousseau as the blood-stained weapon which, in the hands of Robespierre, had destroyed the old regime;” (Berlin 1958 p. 4.)

Those *ideas* do not arise pure and spontaneously from some super-rational idea of rationality itself which is *a priori* for Kant, and makes experience possible *a priori*, but rather are found through being cultivated to reflect (a naturally occurring aspect that human children are cultivated into practicing) on experience in which there is already a rational order laid out by our culture (i.e., because we are a reflective animal we got to be where we are now, doing³³ philosophy). Not of course in there being a particular meaning to events within independent reality, but rather that the events are subjugated to being conceptually systematized and determined by the real laws under which objects outside us behave, yet also by the laws of reason through which spontaneity acts. We are creatures that have our eyes opened to the world, a world in terms of conceptual capacities.

The systematic structure of independent reality becomes understood through individuals being brought into a society that acts under the idea of a naturalized spontaneity. We understand the self and the world as one system, yet as the *idea* of responsibility is part of the world, understanding oneself, and acting in independent reality, also as free from determination by the realm of law. And as such individuals are able to, out of their understanding, order their lives in terms of the reason that are their own:

³³ Most importantly, generating knowledge that has some use in being taught to students. What the use of philosophy is for generating the necessities of human life is of course questionable, as it is hard to see value in something that does not itself produce clear cut reasons for fulfilling animal nature. As philosophy helps develop a second nature, there is where its value would lie, yet how developed does second nature really need to be? Why not just leave it at a certain level of development, a level of development achieved by day to day life in general society, so that humanity lives a generally comfortable and happy life; and scrap anything that delves into the heart of understanding the space of reason? Or maybe both, philosophy is a separate community that one must earn membership to while membership to general society is guaranteed. This would certainly protect it from inversion, if some are confined to a way of thinking whose method is protected within a university system, and only certain agents are given access to that knowledge. As I agree with the principle of quietism, the best philosophy can itself do is show individuals the way the world is structured, and help them, as Berlin suggests: 'not operate wildly in the dark'. Such a process does though overthrow, for those that understand the lesson, the yoke of prejudice and bigotry towards the reason of the other.

The idea is that the dictates of reason are there anyway, whether or not one's eyes are opened to them; that is what happens in a proper upbringing. We need not try to understand the thought that the dictates of reason are objects of an enlightened awareness, except from within the way of thinking such an upbringing initiates one into: a way of thinking that constitutes a standpoint from which those dictates are already in view. (McDowell 1994, pp. 91-92.)

§2.2.7. SECOND NATURE: SPONTANEITY AND RESPONSIBILITY

In essence, McDowell has in mind the security of both nature and its immutable laws and meaning. He hopes to bridge the gap between *Homo sapiens* as acting in determined system and humanity as beings that author their lives with meaning; the two he suggests are not incompatible, as long as we come to understand *Homo sapiens* living in a world that is not necessarily defined by the blind following of stimulus response. Spontaneity and the *ideas* of reason are just as much an aspect of independent reality.

McDowell wishes to answer in such a way that meaning is kept as a genuine aspect of human life, but also in such a way that the real world (i.e., independent reality, as intuitions) forms the crux in which we find the pieces with which to do all the actions that it is possible to mean.

Second nature simply insists that it is 'I' (spontaneity) that determines the choices 'I' make. The *idea* that 'I' am responsible is the way in which a genuine aspect of our imagination is cultivated. This suggests that 'I am' a *normative entity*, my actions are not judged as functions of the realm of law, rather they are judged as the activity of my faculty of spontaneity. The cultural framework in which 'I' live has as its principle that 'I' make choices. The primary shape of our understanding of the world is our responsibility; only under its authority can we even comprehend nature as the realm of law as determinate. In essence that 'I am' free, and that 'I'

therefore have spontaneity, must exist prior to the *understanding* of the realm of law, i.e., before the knowledge of science.

It is our *natural* capacity to direct ourselves, be spontaneous and imaginative with regard to our lives, yet also responsible in that spontaneity which has allowed for the world we live in today to be filled with the meaningful actions of ourselves and others. This is of course not to say that empathy does not play a large part in the reasons for goings on, only that that empathy is had out of responsible entities, about persons and animals, i.e., in terms of the understood *personality*³⁴ of other living beings.

This *idea* rests in a cultural form into which I was inculcated; the consequence of that inculcation is that I am a being that has choice. Kant's noumenal self has been re-oriented into a cultural self, and it is the cultural self that is an expression of freedom, as it is that self that makes choices.

The key idea of McDowell's thought, is that human beings having a second nature in the space of reason. This second nature is opened to us by virtue of having our natural capacity for spontaneity cultivated under the constitutive principles of a culture. This was connected with the first chapter in so far as the primary principle of that culture is that I am held responsible for my judgments. This responsibility allows one to be taught, and become self-taught, with respect to understanding the authority of the *idea* of one's own responsibility. This places the demands of ethics before one, and allows one to, if one so chooses, judge how one ought. Meaning is by these considerations held in view, because it is simply the form of being able to give reasons why one acts so and so within the space of reason. I mean this or that, because I am the force behind

³⁴ Aspects of human us understanding a personality, is that anatomy often being the catalyst for what is, and is not important within our understanding of things: for it is a curious fact that knowing how something works is for the most part superfluous to consciousness, if one knows how to work something.

my actions, I am what is responsible for those acts. Those action were further demarcated from the realm of law, in so far as meaning is had out in terms of rational justifications, rather than causal relations.

The following sections will make its primary concern understanding how this idea of spontaneity bears on making choices, what it is to be an mere brute and Kant's moral law; it is all this that will ultimately be set as a possible way to understand Berlin.

§2.3. SELF-CONSCIOUSNESS

The purpose of this section is to understand what the consequences are of understanding reason as having a sort-of-autonomy within its own sphere. Part of McDowell's overall project is to identify the grounds for why we place the human animal into a separate sphere from mere brutes. So far the *idea* is that the agent herself is an expression of spontaneity, this spontaneity is a natural aspect of the world. This is not suggesting that there is a super-natural element to the kind of thinking and acting humans behave in (which is what he calls rampant platonism). Rather, McDowell suggests that it is because human beings have a particularly well *developable* imagination, or thus faculty of spontaneity, a human animal can under cultivation by certain *ideas*, have an understanding of the world: "Now it is not even clearly intelligible to suppose a creature might be born at home in the space of reasons. Human beings are not: they are born mere animals, and they are transformed into thinkers and intentional agents in the course of coming to maturity." (McDowell 1994, p. 125.)

The previous §2.2 discussed the forces under which such a transformation takes place. I reflected McDowell's understanding that one source of the potential for such a transformation was in culture. This I tied into the first chapter by the idea that a principal aspect of that cultural

form is the *idea* that I am responsible for my activities; that responsibility allowed one to be assessed on the reasons for commitments, and allows for the understanding of conceptual relations in independent reality that are not arbitrary:

It is the spontaneity of the understanding, the power of conceptual thinking, that brings both the world and the self into view. Creatures without conceptual capacities lack self-consciousness and—this is part of the same package—experience of objective reality.” (McDowell 1994, p. 114.)

Thus it is specifically self-consciousness that mere brutes are transformed into by the cultural form. In essence, culture contains the birthing place of an animal’s self-consciousness, and it is the cultural practice in the extension of the idea that a mere animal can, with the right cultivation, be taught to see itself as self-conscious: “But if an individual human being realizes her potential of taking her place in that succession, which is the same thing as acquiring a mind, the capacity to think and act intentionally, at all, the first thing that needs to happen is for her to be initiated into a tradition as it stands” (McDowell 1994, p. 126). This is what I take McDowell to understand by the phrase “having our eyes opened to the ideas of reason”.

On acquiescence of self-consciousness, with which ‘I’ stand in a normative relation with other agents in the space of reason under the principle that ‘I’, as a particular spring of spontaneity, am responsible for my capacity to judge, ‘I’ further acquire the capacity to intend. This natural capacity to operate within the space of reason, have my second nature there, gives my actions a characteristic flavour that is not present when we consider the behaviour of mere animals.

Mere human animals that have been educated in the right way, have been taught to see themselves and see the world in terms of conceptual capacities that are structured in a cultural form (in the present space of reason), are able, by virtue of how they see themselves, to make

choices, decide how they want to live their lives: “When we acquired conceptual powers, our lives come to embrace not just coping with problems and exploiting opportunities, constituted as such by immediate biological imperatives, but exercising spontaneity, deciding what to think and do. (McDowell 1994, p. 115.)

Yet, unlike with Kant’s picture that places the possibility of spontaneity outside nature, when considering his transcendental picture, human beings are not metaphysically split. The higher- versus lower-self distinction is not between a phenomenal realm and a noumenal realm that is somehow wholly distinct from it. We are here considering instead a relation between a being in independent reality that cannot see itself as a member of objective reality, a mere brute animal, and something that has as part of its nature that it can see itself as the world. A world that was always there, in so far as it always contained conceptual content, yet to which no self-conscious conceptual awareness was yet directed.

In essence, human self-consciousness is embodied within an animal, yet that embodiment does not stem from a transcendent realm, it comes from culture. Spontaneity, as an already natural (this is the reclaimed idea of nature) element, is something that is extended by being cultivated into a culture which is already unproblematically part of the world. ‘I am’ individually responsible for my actions in so far as it is an aspect of independent reality:

We can conceive exercises of capacities that belong to spontaneity as elements in the course of a life. An experiencing and acting subject in a living thing, with active and passive bodily powers that are genuinely her own; she is herself embodied, substantially present in the world that she experiences and acts on. This is a framework for reflection that really stands a chance of making traditional philosophy obsolete. (McDowell 1994, p. 111.)

That we can act in this way implicates that our bodily actions themselves express intentional acts, in so far as I am able to direct myself as a natural entity under the *idea* that I, as that entity, am responsible for my movements. In essence when spontaneity is trained as a child, that the child is embodied is a component of what it is that is held to be under the legislative force of responsibility:

Kant says ‘Thoughts without content are empty, intuitions without concepts are blind’. Similarly, intentions without overt activity are idle, and movements of limbs without concepts are mere happenings, not expressions of agency. I have urged that we can accommodate the point of Kant’s remark if we accept this claim: experiences are actualizations of our sentient nature in which conceptual capacities are inextricably implicated. The parallel is this: intentional bodily actions are actualizations of our active nature in which conceptual capacities are inextricably implicated.” (McDowell 1994, p. 89-90.)³⁵

This nearly places the reader in an understanding of a theory of self with which I will be able to critique Berlin’s positive\negative liberty distinction. There are still two pressing issues that some clarity needs to be sought on. The first of these is his understanding of the state of non-rational animals. The second is regarding the autonomy of spontaneity. As this is primarily an exposition of McDowell, I will focus on what commitments he makes. I will though, in the section on autonomy, add some things that he does not overtly touch on, but seem implicit in his insistence that Kant’s *ideas* of reason are to be kept in view. This is primarily in respect of the moral law; for it and the responsibilities of self-consciousness are, I suggest, inherent in the *idea* of freedom of which McDowell has made extensive use.

³⁵ This seems to be paraphrased from a point Hegel makes: “Action qua actualization is thus the pure form of will—the simple conversion of a reality that merely is into a reality that results from action, the conversion of the bare mode of objective knowing [i.e., knowing an object] into one of knowing reality as something produced by consciousness. (Hegel 1977 [1807], p. 385.)

§2.4. RATIONAL VS NON-RATIONAL ANIMALS

As discussed briefly in §2.2, McDowell distinguishes between minded creatures and non-minded creatures on the basis of a cultivated spontaneity. That spontaneity allows for a minded creature to operate in a space in which independent reality is mapped according to the rational relationship between concepts. The mapping itself is stored within a cultural form. Individuals that are brought into this cultural form are taught an *idea* through which the mapped information can augment their relationship with objects in the world. Central to this picture is that 'I' am seen as the reason for commitments and claims, it is therefore the 'I' that is assessed and held as responsible for its practice of the culture it is brought into. This echoes Brandom's interpretation of a central theme in Kant, that: "Kant's most basic idea is that minded creatures are to be distinguished from un-minded ones not by a matter-of-fact ontological distinction (the presence of mind-stuff), but by a normative *deontological* one. This is his *normative characterization* of the mental." (Brandom 2005, p. 5.)

Spontaneity is the act of choosing to think the world. Creatures that lack spontaneity, or have not had their spontaneity cultivated, also lack self-consciousness. Self-consciousness in this picture is the active thinking of oneself as a substantially present member of the world, but that that world is had out in terms of concepts one experiences. Without self-consciousness there is no *idea* of freedom, and without that *idea*, there is no choice or intention acting (This seems the wrong way round, but needs to be considered from the perspective of a new initiate into the space of reason, self-consciousness is already a part of their parent's world, they are brought into it). Without self-consciousness there are only, as McDowell claims, biological imperatives. Those imperatives extend to produce behaviour through which the animal deals with the immediate problems within its environment (McDowell 1994, p. 116).

McDowell claims essentially that an animal's way of acting is contained within the environment in which its biologically determined needs are imperatives, this is because the animals goals are determined by the environment within which they find themselves: "...we can recognize that merely animal life is shaped by goals whose control of animal's behaviour at any given moment is an immediate outcome of biological forces. A mere animal does not weigh reasons and decide what to do" (McDowell 1994, p. 115). As there is also a lack of awareness (and cannot therefore direct that operation – the self-activity of their senses) regarding the *operation* of the animal's perceptual capacities through spontaneity, the acting of the fulfilment of those given goals is not structured into a self-active world. It is in essence a kind of goal directed sleep walking. While there is feedback between the animal and its environment, in so far as the animal acts according to imperatives that maximize its chance of survival within that environment (as basic animal biology suggests), that environment of that animal is only defined by the imperatives that are occurring as a consequence of its biological history: "...merely animal life is a matter of dealing with a series of problems and opportunities that the environment throws up, constituted as such by biologically given needs and drives." (McDowell 1994, p. 118.)

As McDowell has already been pushing for an Aristotelian understanding of the human subject as an animal with a second nature, a brief overview of Aristotle's understanding of the difference between mere brutes and rational animals may be helpful. A key concept for Aristotle is that of *phantasia*: "a capacity that Aristotle calls *phantasia*—often translated as 'imagination'—plays a prominent role in his account of animal motivation" (Lorenz 2006, p. 119). For Aristotle, there are two modes of activity which *phantasia* can support. There is perceptual *phantasia* and rational *phantasia*. Perceptual *phantasia* is present in both higher

brutes and humans. Rational *phantasia* is unique to humans (as far as we have judged). It is this rational *phantasia* that I suggest McDowell is turning to when he discusses our capacity for spontaneity. Yet there is also Aristotle's idea of perceptual *phantasia*.

McDowell doesn't want to deny that animals have a perceptual '*sensibility*' to their environment, this would reduce them to Cartesian automatisms, something he thinks stands against the empirical facts about how they operate in an environment: "...we need to appeal to an animal's sensibility to features of its environment if we are to understand its alert and self-moving life, the precise way in which it copes competently with its environment" (McDowell 1994, pp. 116-117). Yet what McDowell wants to deny to animals is an understanding of the conceptual element of their environment, they do not have their eyes open to the world, and therefore they lack the awareness that is required in order to see the conceptual shape of the world.

McDowell suggests that how they live their lives can be filled with the idea of 'proto-subjectivity', which would be recourse to how something in a private language game would *feel* an environment. While the game is private, and therefore does not constitute thinking, there are events occurring that determine how unique problems are dealt with. Now I suggest that McDowell needs to finish his Aristotelian understanding of nature, and introduce mere brute life as involving perceptual *phantasia*.

Perceptual *phantasia* is seen as a kind of imagination that takes immediate perceptions open to an animal, and generates a mental image (as we deny animals conceptual consciousness, the mental image is not something experienced, it is felt) that the animal desires more than just that immediate perception, requiring an action of the animal. Animals take in a scene, say for instance a forest environment, this scene contains various cues. Yet those cues themselves do not

represent the fulfilment of the animal's desire, the cue first needs to pass through the animal's perceptual *phantasiai*: "On Aristotle's view, perception and *phantasia* can account for the way in which non-rational subjects can, given certain conditions, be relied on to envisage prospects that are suitable to their circumstances." (Lorenz 2006, p. 174.)

For instance, there is a forest scene with a fox³⁶ and a squirrel. The fox becomes aware that there is a squirrel in its current perception, this perception triggers a cue; yet this squirrel is not really what the fox desires. The fox desires to eat the squirrel. Therefore the occurrent perception needs to be worked through the animal's imagination so as to make making a meal a possible goal for it; rather than the mere observation of the squirrel. The fox thereafter takes up the action it is determined to by its imagination of what actions need to occur to secure that meal:

Perceptual experience, he is in a position to hold, can bring it about that *phantasiai* are activated in an animal's perceptual apparatus when and as appropriate, and that *phantasiai* form ordered sequences of indeterminate duration and complexity. All of this happens, he can add, without thought being involved *in any way at all*. (Lorenz 2006, p. 153.)

The animal's behaviour is still defined by biological imperatives, the imagination is itself coupled to the normal determined ends of eating and procreating, it is not itself creative of ways to live, only how to deal with the current situation out of habit or biological necessity (Lorenz 2006, p. 183). This picture of how mere brutes deal with their environment has an advantage over McDowell's, in so far as it places imaginations already in the hands of most of the animal kingdom, and in so far as it allows for the complexity seen in the behaviour of animals (the

³⁶ What needs to be noted with regard to the possibility of anthropomorphism, is that when we talk about foxes or animals, we do not imagine that there is an 'I' present within our understanding of their mind. Without this 'I', the idea of talking about the animal having a unified experience must also be missing, for without the 'I', there is no unity to the thinking of independent reality, as a unity that is experience. And without spontaneity playing a part, the actions that an animal takes are not in terms of their self-activation. They lack intentionality.

imagination, even if determined by imperatives, opens a raft of ways to achieve a goal). Yet it also keeps the animal's cognition clear from thought, and therefore conceptual activity.

Human imagination may therefore be seen just as an extension of complexity over the animal perceptual imagination; imagination is something that is already part of extended nature generally and it is not unique to human beings, outside maybe our uniqueness in capacity for it (to the extent that human beings have a particularly powerful imagination, an imagination that can facilitate spontaneity). At this stage the previous discussion about the cultivation of a child into a culture, and the child gaining a conceptual purview of the world can come into effect.

§2.5. THE PRACTICAL IDEA OF FREEDOM

This chapter has so far discussed McDowell's understanding of the way human beings were able to take control of their lives with conceptual capacities, and understand the world they live in. I tied that discussion into the first chapter, in so far as that is possible only under the *idea* of freedom. McDowell is also explicit that he wants to take Kant's *ideas* and naturalize them, yet also keep them as grounding autonomy in the space of reason.

As I am building this picture to critique a notion of Berlin's, I need to say something about the nature of spontaneity. One of Berlin's charges is that there is a danger in a dichotomy between a higher and lower self: where the higher self is seen as an *authentic* self. I have been suggesting in my study here of Kant and McDowell that the bare idea of spontaneity is itself the bedrock of a higher self that Berlin himself needs to have in place. Our 'authentic' self is that I am agent. To reduce ourselves out of this picture would destroy even the idea of negative liberty, as I would be reduced to biological imperatives. The capacity that allows me to have *choice*, in so far as my commitments and actions are intentional, and therefore that I can be coerced (see

§3.2.2.), would be lost as soon as my self-consciousness were reduced to perceptual *phantasia*.

That we have choice at all is a consequence of a split between a higher and lower self: in the case of Kant that was the noumenon\phenomenon distinction, in McDowell this is the brute of second nature distinction \ brute of nature (where I am, as self activity, spontaneity). Yet there is still another move that we could make with regard to the *idea* of choice. And that is to introduce acting in accordance to the moral law as the authentic self.

For Kant, as must too be for McDowell if he sticks to understanding Kant's idea of the space of reason, the *moral law defines how I ought to act*. It is *the law in the space of reason*, just as the laws of physics etc. define our understanding of relationships to the realm of law. This is an extremely deep point, which I cannot extend upon within this thesis as it lies outside its scope. This ought, were I to choose in that way, means that my actions harmonize with the freedom of all agents within any community of rational agents (though *only* with respect to the framework of the space of reason, not with respect to the realities of the concepts put in place by *independent reality*). The harmonization of this community is Kant's Kingdom of Ends (Kant 2006 [1788] p 83-88.), which I do not cover in this thesis. Considering our lives in terms of McDowell's second nature in the space of reason, a move that I could make, that I think would be a mistake to make, is to conceive of the authentic self not as the possibility of choice, and a human being as a chooser, but only as that which adheres to the moral law. The claim would be: 'I' am only free if my acts are in accordance with the moral law, anything short of that would be heteronomy. The mistake in this understanding of spontaneity is that it places our freedom after the fact of how 'I' got to be free. In essence, to conceive the authentic 'free' self as that which has acted in accordance to the moral law is to put the cart before the horse. It is precisely because 'I' am free to choose, that 'I' am able to choose to be moral. Once my eyes have been opened to the *idea* of

reason³⁷, 'I am' free. That 'I' use my freedom to undergo the transformation to be absolutely self-realized, in that freedom already available to me (in a way, 'I am' freedom), is a choice that 'I' am *able* to make. And while that choice, but more importantly that 'I' act in accordance to the principle of freedom, has intrinsic worth, that transformation is not my authentic self: simply because 'I', however 'I' choose to be and as long as 'I' am in experience and am held to be responsible for my actions, am my authentic self conceived simply as a *chooser*.

³⁷ And this is where the danger lurks, for what constitutes them as open? Might it be that unless I am self-realized my eyes are still closed? The point I am attempting to make is that negative liberty assumes that our eyes are open, we just choose to not do what the dictates of reason bear on us. For without them being open, Berlin's 'what I want to do' would not be *my* choice.

CHAPTER THREE: LIBERTY

The previous two chapters brought into view an idea of what it is to be an agent. In chapter three, I take aboard as my own that very stance on what it is to be an agent, and critique Berlin's thought from that stance. This involves two different moves. The primary purpose of this thesis is to critique Berlin's distinction of negative and positive liberty. Such a critique is possible, I am suggesting, because Berlin misunderstands what it is to have choice. A secondary move is to show that Berlin is already in agreement with the idea that choice is universal to what it is to thinking of a person as a person.

The first section of chapter three looks at Berlin's *Concepts and Categories: Philosophical Essays* (1978), in which he identifies certain deep going cultural frameworks through which individuals have historically understood themselves and others in their respective societies. One of those basic frameworks is that to be conceived a human being is *ipso facto* to bring the idea that we are choosers into view. The idea that we are determined in our actions, and consequently are merely behaving rather than ever acting or choosing, stands in opposition to Berlin's own analysis of the history of ideas. For within that history the idea that people possess intellectual choices and duly take such choices for good or for ill plays a crucial role. With Berlin's understanding of the history of ideas in view, I suggest that Berlin's thought would be better suited and understood if we reconceived moral and political philosophy to be reflective of the history of the space of reason. The reason why the category of choice seems historically to be a universal category is that it is a constitutive aspect of a cultural form in which there is experience. Kant's and McDowell's insistence that the space of reason is the realm of freedom is

given historical evidence by Berlin's thought, while Berlin's thought is given ground in certain deep going considerations about what it is to have a mind, and be an agent.

Section two of chapter three again takes aboard Kant's and McDowell's stance on what it is to be an agent, and accordingly critiques Berlin's conception of negative and positive liberty. That section finally fulfils (in my view) the overall purposes for this thesis that I initially laid out in my Introduction.

§3.1. FRAMEWORKS, DETERMINISM AND CHOICE.

The purpose of this section is to overview what Berlin discusses in a book entitled *Concepts and Categories Philosophical Essays* (1978). It is central to Berlin's understanding of both history and the world that our perspective is shaped through certain deep-lying conceptual frameworks and categories to which we are implicitly committed. It is the task of philosophers to uncover the frameworks of thought through which subsequent generations of humans have understood both their lives and the world they live in. Some of those categories he suggests are universal, some are semi-universal and some have been part of only small periods of human history. The idea of concept membership, which I introduced in chapter one, is to be used extensively within this section. The section following this will centre on the conclusions drawn in this section and from the two earlier expositions. Its primary task is to identify if a positive liberty, the *idea* that we have choice, is implicated in the possibility of us having things to choose between (it is size of the pool of possibilities *for* choice that coercion or interference limits).

The first section makes three moves. First, it sets out Berlin's understanding of frameworks, and the history of ideas; second, it sets out his reasons to think that the *idea*³⁸ of determinism is incompatible with present and historic *human* ways of life; and third, I suggest that if Berlin had had before him an explicit understanding on the space of reason in which his 'normative political theory' (Crowder 2004, p. 18) takes place, he would gain a more robust understanding of why the idea that persons must be a chooser to be human is a universal category. This last move I suggest can be made because his concepts already have a large amount of parallel regarding their general form to the space of reason; if we could align his thinking with the space of reason, we may be able to relieve him of certain misunderstandings and make more explicit his thought. This is the 'goal' of philosophy, as he himself proposes: "The goal of philosophy is always the same, to assist men to understand themselves and thus operate in the open, and not wildly, in the dark." (Berlin 1978, p. 11.)

§3.1.1. FRAMEWORKS AND CATEGORIES

Berlin's principal methodology for understanding the history of ideas is to recreate the conceptual environment within which an agent, in a particular part of history, sees the world. We often think of time to be a line (Kant suggests that this is because the act of synthesis is understood on reflection as linear), human events or more specifically choices, occurred on that line in a sequential determined order. In the section on concept membership, I concluded that human life involves being member of concepts, and those memberships extend or decrease the possible ends open to an agent. Periods in history can now be understood in terms of the types of memberships open to, or forced\indoctrinated upon agents. Different periods had different ideas

³⁸ For Kant determinism is also an idea, but unlike the idea of freedom it is an immanent idea. That is, the idea proves its reality by virtue of it inhering in the pure category of the understanding (which he proves by deduction) under cause and effect. And as that idea is implicated in all experience, we must take it that 'science', and with it nature, for Kant is always understood with that idea in place.

underpinning the general structure of what a child is born into. Those different structures, as the inculcation that the world *is* one way rather than another, change how individuals understand, and experience, the world. This allows for what Berlin calls: “Our ‘category-spectacles’ include patterns of belief and value characteristic of particular cultures or civilizations. These cultural lenses are, of course, more subject to changes than the natural mental furniture to which Kant refers. Although enduring over long periods of time, they are only ‘semi-permanent’.” (Crowder 2004, p. 18.)

The examples I gave in the §1.4. serve as some deep going cultural spectacles to which I am subject, or ways in which I have been trained to understand my relationship with others in society. That for instance I am a particular gender, or that ‘I’ come from a particular social class, changes the way in which ‘I’ am understood by the world and how ‘I’ understand the world. Or that there is this thing called money, through which economic means and ends relations are organized; or that ‘I’ believe in some deity or system of reincarnation, changes the way ‘I’ understand what ‘I’ ought to make my ends and how ‘I’ ought to act in the fulfilment of that end:

...it [the conception of man] can be shown to be dominated by one or more models or paradigms: mechanistic, organic, aesthetic, logical, mystical, shaped by the strongest influence of the day – religious, scientific, metaphysical or artistic. This model or paradigm determines the content as well as the form of beliefs and behaviour.”

(Berlin 1978, p. 154.)

The common sense application of this idea could reduce to that of my ‘world view’:

Because ideas are not monads, they are not born in the void, they relate to other ideas, beliefs, forms of life, outlooks – outlooks, *weltanschauungen*, flow out of one another and are part of what is called ‘the intellectual climate’, and form people and their actions and their feelings as much as material factors and historical change. (Berlin 1978, p. 24-5.)

Yet the above are themselves more transient than some even deeper lying commitments and perspectives through which initiate members are brought into the society on which they bind, allowing them to understand themselves and the world. These are the most basic *social* categories, Berlin notes:

Men's view of one another will differ profoundly as a very consequence of their general conception of the world: the notions of causes and purpose, good and evil, freedom and slavery, things and persons, rights, duties, laws, justice, truth, falsehood, to take some central ideas completely at random, depends directly upon the general framework within which they form, as it were, nodal points. (Berlin 1978, p. 8.)

It is Berlin's assessment of these kinds of categories, the categories that are so deep-lying that they form the basis of the very possibility of understanding, which I am interested to bring forth; for he seems to hold that some ideas, or conceptual frameworks, lie so deep that they can take on a universal scope. When considering the line of human history, certain ideas pass through it for the most part, unheeded: "...there are certain underlying universals, of behaviour, understanding and valuation. Or at least, Berlin would say, there must be some such universal limits, however difficult these may be to formulate precisely, if we are to make sense of the category 'human'." (Crowder 2004, p. 20.)

I will now look to see whether I can make the case from Berlin's perspective that one of those universal categories is the idea that human beings have *choice*. Or more importantly, have responsibility: "Since choice involves responsibility, and some human beings at most times, and most human beings at some times, wish to avoid this burden, there is a tendency to look for excuses and alibis." (Berlin 1978, pp. 176-177.) Those alibis, he suggests, are inherent in those that profess man be a deterministic system in what I have been calling the realm of law, that

there is no choice and therefore that the idea of being morally responsible for one's acts is as empty as the idea that a tornado is 'responsible' for the way it shapes the environment around it.

§3.1.2. THE IDEA OF DETERMINISM: INCOMPATIBLE WITH WHAT IT IS TO BE HUMAN:

The previous section discussed that there are certain deep lying perspectives that human beings have about the world and their relation to others within that world. Berlin holds there to be certain conceptual frameworks, with some that are transient, others that are semi-permanent and those that are universal. The picture I want to build is that the *idea* that we are causally free, underpins how we understand the world. This is what the previous chapter intended to bring to the fore, in which it was shown as reason having autonomy within the space of reason. Berlin suggests that this is the case is a common sense proposal (the *Groundwork for the Metaphysics of Morals* central argument is along similar lines, that people already understand and judge *themselves* as free):

The central assumption of common thought and speech seems to me to be that freedom is the principal characteristic that distinguishes man from all that is non-human; that there are degrees of freedom, degrees constituted by absence of obstacles to the exercise of choice; choice being regarded as not itself determined by antecedent conditions, at least not as being wholly so determined. It may be that common sense is mistaken in this matter, as in others; but the onus of refutation is on those that disagree. (Berlin 1978, p. 190.)

That the idea that choice is not causally determined, or at least, that we relate to each other in such a way that we treat the other's actions as *choices* that are not rigidly determined by alien causes, allows us to take what Berlin says about deep going practical commitments: "...there are certain underlying universals, of behaviour" (Crowder 2004, p. 20) about whether the idea of choice, and with it responsibility, are for him part of the very idea of what it is to be a human.

Now Berlin himself explicates some of those extremely deep going categories that shape how the world 'is' for the human understanding generally:

To think of someone as a human being is *ipso facto* to bring all these notions into play: so that to say of someone that he is man, but that choice, or the notion of truth, mean nothing to him, would be eccentric: it would clash with what we mean by 'man' not as verbal definition (which is alterable at will), but as intrinsic to the way in which we think, and (as a matter of 'brute' fact) evidently cannot but think. (Berlin 1978, p. 166.)

Berlin is already in a position to agree with the idea that to be a human being it to be a chooser, that is, to be that which can be held responsible and can be thought of as the cause of commitments and actions. To be thought of as a human subject is to already have applied the idea that that human has choice, where that choice involves some form of responsibility: "[if] men [are] responsible, that is, they could have acted otherwise than in fact they did" (Berlin 1978, p.180). This is further in line with the history of ideas itself, which places the idea that we are responsible for our actions as earlier to even an understanding of the realm of law that sees us as determined, this is in line with McDowell and Kant's insistence that spontaneity, or at least the *idea* that polices it, underpins the possibility of such understanding:

It [self-determination] came up, as far as I can tell as a consequence of the interest taken by the early Greek Stoics in two, at first connected, ideas: that causation, i.e. the conception, new in the fourth century B.C., of unbreakable chains of events in which each earlier event acts as a necessary and sufficient cause of the later; and the much older notion of individual moral responsibility. (Berlin 1978, p. 180.)

§3.1.3. THE IDEA OF DETERMINISM: INCOMPATIBLE WITH THE COMMON LANGUAGE:

One of Berlin's central reasons for thinking that the category of determinism is alien to the category through which we understand what it is to be human, is that manner in which we use language (and many of our common concepts) already implies causal freedom. In essence, when

we discuss the actions of individual human beings, we discuss those human beings as being member of certain concepts. Yet, that understanding structures how I talk about that human being, for certain words to have any meaning at all certain concepts must already be the case regarding the thing I judge to be the recipient of those words. In particular, are the moral predicates, predicates that pervade most of many of humanity's judicial institutions and common judgment. Berlin's claim is as follows:

It follows that if we were really to live our lives as if determinism were true, we would have to change our moral language and thinking to a degree impossible for us. We would have to dispense with the notions of individual freedom of choice, moral responsibility, praise, blame and remorse, and with all the kinds and shades of description and judgment which employed these. This point does not demonstrate that determinism is false. (Crowder, 2004, p. 52.)

Again, the very idea of choice is sets itself up as a universal social category, universal in the sense that when I understand your judgments, I understand that they are being made by an entity that is not determined by antecedent conditions regarding the reasons for the choice. This does not mean that we have knowledge about the actual underlying causal relations that precipitate into events within the world. Therefore Berlin is careful to reiterate that our normative commitment to the idea that we are free is not itself an ontological claim, outside of the ontology of it structuring my *reasons* for judgments, the deepest going commitment I have is that I do have reasons for judgment. I am really committed to the idea that we are free, although it shows up in a way that does not disprove determinism:

Yet Berlin himself allows the concept of free will is dubious: 'the notion of uncaused choice as something out of the blue is certainly not satisfactory'. Although he hints that there may be some alternative position between free will and determinism, he is not able to say what it is and returns again to his claim that he means only to draw attention to determinism's radical implications. (Crowder 2004, p. 54.)

While Berlin is not in a position to defend the freedom of spontaneity, I am attempting, in this thesis, to equip him with that idea, so that normative political philosophy occurs within its own, free, sphere. This follows both McDowell and Kant. McDowell just holds that the possibility of second nature is dependent on the reality of the *idea* that I am not determined by the realm of law, our understanding the world is underpinned by the extent of our second nature in the space of reason. Kant thinks that determinism and free-will are compatible, if we realize that the realm of law is in terms of appearances, while the space of reason is in terms of things in themselves, as discussed in Appendix Two. Berlin agrees with their assessment to the extent that, if we were to change our way of thinking to suit the determinists understanding of conduct then:

The entire vocabulary of human relations would suffer radical change. Such expressions as ‘I should have done *x*’, ‘How could you have chosen *x*?’ and so on, indeed the entire language of the criticism and assessment of one’s own and others’ conduct, would undergo sharp transformation, and the expressions we needed both for descriptive and for practical-corrective, deterrent, hortatory etc. purposes (what others would be open to a consistent determinist?) would necessarily be very different from the language we now use. (Berlin 1978, p. 189.)

This would make the idea of *normative* assessment empty³⁹, the thought that I have reasons for my judgments or that I am something that makes moves within a game, becomes empty to the way we understand those terms. Reasons are reduced to laws, and laws as disenchanted cannot contain the ingredients for meaning. To think of ‘I’ as the reason for anything, is the same as thinking that a ‘tornado’, where we collapse the funnel into a unity, as the reason something; ‘I’, like the tornado am just different *set of laws* to which no final reason can be found. (Although this is already teleological language; conceiving the world without the language of reason in

³⁹ One could of course still have behavioural assessment, although it wouldn’t be assessment so much as the occurrence of mere happenings that happen to have the shape describable as assessment.

mind is a nigh impossible task for those whose world is structured by that idea. Berlin notes that this is a problem for historians).

§3.1.4. THE IDEA OF DETERMINISM: INCOMPATIBLE WITH THE HISTORY OF IDEAS

Part of what Berlin took particular interest in, is the history of ideas. The above discussion surrounding the concepts and categories through which people historically understood the world, is already cloaked in the idea that some form of historical analysis has taken place. Importantly, that their status of transitory, semi-permanent and universal is a consequence of a kind of historic analysis, rather than how McDowell and Kant arrive at the conclusion that certain *ideas* are necessary for the possibility of experience: that spontaneity is a genuine aspect of reality.

The activity of a good historian for Berlin is not only relating the facts of what happened in some period of time, but also understand the motivations and parts played by the actors that actually created those events. A central theme of Berlin's understanding of history, and the ideas performed in it, is that we understand the *reality* of the decisions made from the perspective of those that are making the decisions: "A man who lacks common intelligence [i.e. a sense of reality] can be a physicist of genius, but not even a mediocre historian." (Crowder 2004, p. 5.)

This requires the historian to employ their imagination in such a way that they do away with their own present conceptual understanding (Berlin 1992, p. 28). This allows them to understand how an 'I' would have seen the world, had 'I' lived in that time in history: "Rather, historical explanation requires *verstehen*, 'understanding.'" (Crowder 2004, p. 55.) This is a different activity to how science deals with its subject matter. This is simply because the historian is dealing with normative notions, while the scientist is dealing with descriptive notions (While

Berlin is not explicit about his dedication to the normative here, this will play a role in a consequent sub-section and I add it here as a signpost):

The perspective of natural scientists is that of observers of phenomena from the 'outside'. Their method is that of logical deduction or empirical induction, yielding propositions that can in principle be verified or falsified by those standards. The historian, on the other hand, whose task is to explain human conduct, necessarily does so from the 'inside', that is, from the perspective of actors themselves. That is because the explanation must include an account not merely of physical behaviour but also of the meaning of that behaviour, its ends, motivations, underlying values and beliefs. (Crowder 2004, p. 55.)

The problem that the historian faces is that she is herself already locked within a perspective of the world. This perspective is the way she must bring across the perspective she is imagining herself into. Yet, the very possibility of her reflecting on the life of another through the categories that are open to him during that period of history is that she has to make judgments about the choices that actor is making, and therefore the language she is representing that actor in is already laced with moral, and therefore normative, language cantered on the idea that they are free:

'The very use of normal language cannot avoid conveying what the author regards as common place or monstrous, decisive or trivial, exhilarating or depressing' (L, 22). This is true of the most even-handed of narratives. 'Detachment itself is a moral position. The use of neutral language ("Himmler caused many persons to be asphyxiated") conveys its own ethical tone' (L, 22-3). (Crowder 2004, p. 53.)

This led Berlin to conclude that: "Not even those historians who officially support determinism are able to write and think consistently with it." (Crowder 2004, p. 53.)

§3.1.5. RE-CONCEIVING BERLIN'S THOUGHT INTO THE SPACE OF REASON

Berlin, I suggest in this section, is already conceiving the world in terms of a distinction between the realm of law, and the space of reason. His very understanding of the possibility of moral and political philosophy seems to be remarkably similar in form to what I have been suggesting to be the space of reason. The source of the reason for there being a distinction between empirical facts and normative relations is, he suggests, a consequence of a move that Kant makes: “Kant, [was] the first thinker to draw clear distinction between, on the one hand, questions of fact, and, on the other, questions about the patterns in which these facts presented themselves to us – patterns that were not themselves altered however much the facts themselves, or our knowledge of them, might alter” (Berlin 1978, p. 7). I am here suggesting that this be not only understood as the ‘pure categories of the understanding’ which underpin the intersubjective understanding of the world. We must also factor in the *Critique of Practical Reason*'s instruction that responsibility is also a facet of human life, with which the ‘I think’ representation can be coordinate to the unity of an actor⁴⁰, and with which, that understanding is policed as right or wrong, must also be in the picture.

I will give some background to Berlin's struggle between empiricism, and moral and political philosophy seen as intrinsically normative in nature. Berlin was for the most part educated at Oxford University. One of his primary interests was Philosophy. He was educated in part, under the idea of empiricism, something which stayed with him for the rest of his life. At the time of his education the logical positivists had extensive influence at Oxford. Berlin became acquainted with the main ardent thinkers of that research programme, and interested in their

⁴⁰ See Appendix Two: Apperception.

project. His interest was in a large part a result of it doing away with the obfuscation caused by the neo-Hegelianism that was also in power within the halls of Oxford at that time.

Ideas stemming from the conclusion of Hegelians, neo-Hegelians and other German idealists were, in that particular period in history, clothing huge societal forces that shifted into focus as the economic power of now European states grew. Different ideologies were engaged in conflicts about what it is to be human, and how humans ought to treat each other. This made political thinking itself a less sought after student activity; something characteristic of the logical positivist programme is its near complete lack of interest in political and ideological considerations. Their task was simply to understand the world in terms of what can be shown to have empirical grounds for verification. The vagaries of politics and its different ideas of what humanity amounts to, cannot be verified in a matter of fact manner, and therefore, did not exist in any pressing matter to the logical positivists (Crowder 2004, pp. 13-21).

Yet Berlin was unsatisfied by logical positivism for this very reason: “His conclusion, in effect, is that verification, and therefore logical positivism, is too narrow in its view of meaning and therefore of the proper objects of knowledge. Berlin remains an empiricist, but his empiricism takes a more relaxed form than that of logical positivism.” (Crowder 2004, p. 16.) Berlin thought that it was part of a philosopher’s task to understand not only how the external world could be captured by language, but also how the external world is viewed. That is, what conceptual frameworks the world is understood through: “More precisely, the distinctive subject-matter of philosophy, for Berlin, ‘is to a large degree not the items of experience, but the ways in which they are viewed, the permanent or semi-permanent categories in terms of which experience is conceived or classified’ (CC, 9)” (Crowder 2004, p. 18.)

Another principal distrust Berlin has for the positivist programme is that they have a

scientifically oriented understanding of human nature: “What he rejects in the logical positivists is their positivism or scientism, their assumption that the methods of the natural sciences are the only routes to understanding. This is a crucial theme for Berlin, to which he returns many times” (Crowder 2004, p. 17.) Berlin distrusts scientism, in general, because it is in danger of reducing human agency to the realm of law, that is, there is a danger that scientism introduces determinate laws that govern the social realm is structured and understood:

Another explanation for the influence of determinism is the effect of scientism. The prestige of the natural sciences led the eighteenth century rationalists to believe that not only the natural but also the social world could be comprehended through a set of law-like propositions. And if human conduct is law-governed, then human conduct must be determined not free. (Crowder 2004, p. 54.)

The reason Berlin thinks that this is detrimental to the social, and therefore why positivism is inherently troubling, I have given above in my discussion of his view on determinism. This is in line with McDowell’s suggestions about scientism, and its inherent ideological implications.

Berlin, it seems, is already close to understanding the distinction between the space of reason and the realm of law. This distinction I introduced in the last two chapters, and centres on the *idea* of responsibility and the activity of spontaneity. If we could equip Berlin with the idea that human beings have their second nature in the space of reason (to borrow a turn of phrase from McDowell), then we can help Berlin to better understand his own thoughts. Thoughts that are already driving for an understanding of political philosophy to occur in a genuinely normative sphere: “...Berlin argues, normative political theory can never wholly disappear...” (Crowder 2004, p. 18) and that ‘As a sub-branch of philosophy, political theory deals with questions that can never be answered satisfactorily by the methods of natural or formal sciences’ (ibid) but because the space of reason had yet to be made explicit within contemporary analytic

philosophy, he did not have a programme to attach himself to. If he had had access to that idea, then the whole of his conception of frameworks and categories could be aligned as determinant of the *historic and contemporary* basic structure of the space of reason; not in so far as to make explicit its analytic properties, that is the task of the philosopher of mind and language, but rather identifying what ideas came about in what historic periods and how those ideas structured the way in which an 'I', seen as spontaneity that is yet to commit to an ideological or conceptual understanding, choose, and understood their second nature. The form of our second nature can thereafter be defined by the particular model or conceptual structure in which that period of the history of the space of reason stood. In today's 'intellectual climate', the idea that natural selection and general scientism best tells us what it is to be human has immense power; it, like all other ideologies, touts that it is how 'reality' really is (although again, reality conceived in terms of the realm of law).

Berlin's thought that: "...there is no human activity without some kind of general outlook: scepticism, cynicism, refusal to dabble in abstract issues or to question values, hard boiled opportunism, contempt for theorizing, all the varieties of nihilism, are of course, themselves metaphysical and ethical positions, committal attitudes." (Berlin 1978, p. 158) is able to be understood from the understanding that normative assessment and concept membership underlies how I can understand the world. That in essence McDowell's and Kant's claim that: "Normatively free, rational creatures are also bound by norms, which is to say by rules that are binding only insofar as they are acknowledged as binding by those creatures. As Kant says, we are bound not just by rules, but by *conceptions* of rules." (Brandom 2005 p. 10), is also how Berlin sees the relation between man and how man understands the world in which deep lying normative commitments shape the understanding of that world.

Berlin realizes that the very possibility of being in a position to understand ourselves already places us within a cultural perspective: “Moreover, since the natural, Kantian categories are themselves accessible only through our cultural lenses, it may not be going too far to say that, on Berlin’s view, the study of historical and cultural context is philosophy’s primary task.” (Crowder 2004, p. 19), that cultural perspective, if we align Berlin with the idea of the space of reason, is just a possible form that that space can possess. In so far as some can have their second nature played out as philosophers⁴¹ that attempt to understand the very conditions of both nature and their second nature. This is the task that Berlin suggests of the political philosopher:

If we examine the models, paradigms, conceptual structures that govern various outlooks whether consciously or not, and compare the various concepts and categories involved with respect, for example, to the internal consistency or their explanatory force, then what we are engaged upon is not psychology or sociology or logic or epistemology, but moral or social or political theory... (Berlin 1978, p. 167.)

For it is that kind of philosopher that studies normative structures, structures that extend in our world conceived of as our second nature, both extending in history and in the current shape of the world, in the form of commitments between people about how they, within the normative world, play out their lives. The reasons for those structures are many and varied depending on what period in history one reflects upon. Living under the concept of monarchy has different implications for the lowest common worker than living under that of democracy; what we must not forget is that, for the most part, history is *real*, we must not lose our sense of reality⁴². Yet, even as real, in that people actually lived their lives and had their experience in terms of the category of commitments to which membership in that society held them, those kinds of

⁴¹ This seems at least to follow closely McDowell’s suggestion that an ‘I’ must first be introduced into the tradition as it stands, before they are able to join in the addition of knowledge and understanding to the world as it is presently understood.

⁴² The charge of skepticism is a worry for those that lack such a sense, and while that might make them good model realists, they lack in a way, that their feet are already on firm reality.

concepts are transient. The most interesting frameworks and concepts, to this thesis, are the deepest. It seems that Berlin too realizes that there are some ways of interacting that are so intrinsic to what it is to be human, for instance that there is the idea of choice, that they structure the very possibility of human life, and as I have been suggesting are the space of reason: "...[we need to take] into account the nature of the framework – the basic categories – in terms of which we think and act and assume others think and act, if communication between us is to work."

(Berlin 1978, p. 163.)

§3.1.6. CONCLUSION: RESPONSIBILITY AS A UNIVERSAL FRAMEWORK IN THE HISTORY OF IDEAS

The purpose of this section has been three fold. First, to introduce broadly Berlin's frameworks and categories, they were found to be committal structures that agents have historically lived under. Some of those frameworks were universal, and some were transitory. Some of those structures were explicitly understood by the society in which those frameworks underlay social interactions. Often, the understanding of the social structure is unnecessary for operating with in it. Such a social structure is, while implicit in the actions of members of that society, not yet made explicit by those trained to think about such things. My interest was for one such deep going conceptual framework that Berlin made explicit in his reflection on the history of ideas. That was the idea that human beings are *ipso facto* choosers.

Second, I looked at Berlin's contentions (1) that determinism is incompatible with what it is to be as I am a member of the category 'human', (2) that determinism is incompatible with the language I use to judge my relation with other actors, and (3) that determinism likewise is incompatible with how human history is and must be understood. It was further suggested that the idea of responsibility is older than that of determinism; our understanding of the space of

reason came before we looked at the realm of law in terms of determinate causal relations. The purpose of this was to introduce Berlin's alignment with Kant and McDowell's commitment to the *idea* of freedom underlying the very possibility of human experience.

Third, I suggested that if we can see Berlin into aligning his understanding of moral and political philosophy with the later idea of the space of reason, then his thoughts regarding the nature of human relations can be shown as reflecting our second nature. This second nature is what distinguishes us from mere brutes, and has as primary that we are free from determinism in just the way Berlin himself seems to strive for: simply that the *idea* is a universal to the category of what it is to have a second nature, whether in the space of reason conceived as just that, or as Kant suggests, as between things in themselves.

The final section of this thesis discusses negative liberty and positive liberty. I will discuss that distinction in terms of the previous chapter's conclusions and this re-orientation of Berlin's thought into the space of reason. The *idea* of that we are choosers and that we human beings have their lives for the most part as second nature, under certain deep lying committal attitudes, allows me to critique Berlin's negative liberty. The very notion of being a chooser, I suggest, is already a positive liberty, our value for it running so deep that it defines what it is to be human, and makes it difficult to notice that it is there at all.

§3.2. OVERVIEW: NEGATIVE AND POSITIVE LIBERTY

The purpose of this section is to argue that a positive liberty is necessary for any negative liberty. To do this I draw upon reasons developed in the first two chapters, and the previous section about Berlin.

I will make three moves with which to make apparent the problem with Berlin's distinction. The first is to introduce the idea of negative liberty; this will primarily focus on its implicit use of choice. I will also introduce Charles Taylor's charge that Berlin's view of negative liberty takes a 'Maginot Line' conception of that kind of liberty. In so far as Berlin aims to remove all semblance of positive liberty from the conception. The second move is to elucidate briefly the idea that there is a 'higher' / 'lower' self split inherent in positive liberty theories. I thereafter introduce McDowell and Kant's splits along similar lines. Although I note that McDowell's split is not a metaphysical one, in so far as the idea through which the distinction occurs is naturalized (i.e., it is just as natural as what we have been *taught*, by the current ideology, to think of as 'nature'). I will also reintroduce Kant's critical perspective, in which spontaneity and with it free-will are treated agnostically. The third move is to suggest that Berlin's distinction between negative and positive liberty is flawed, to the extent that the Maginot Line of positive liberty, that I have choice, is necessary for the Maginot Line of negative liberty.

§3.2.1. NEGATIVE LIBERTY

Berlin's understanding of negative liberty has a distinct need for actors. It is touted to be absence of interference of a person's actions by the actions of another person, as Berlin clearly states: "...I shall call the 'negative' sense, [the sense which] involve[s an] answer to the question 'What is the area within which the subject - a person or group of persons - is or should be left to do or be what he is able to do or be, without interference by other persons?'" (Berlin 1991, pp. 33-34.) The form of interference can take two distinct modes: there is freedom from coercion and, more basically, freedom of movement. Yet in both cases we must be careful to understand that it is persons, other agents, which are the cause of interference. We are not discussing the

kind of liberty in which the interference is a consequence of 'the world', in the loss of liberty involved when one falls down a ravine and breaks both legs. The occurrence of this would certainly limit the freedom (of some form or other) of that unfortunate individual, yet their negative liberty in Berlin's conception would not be violated. If, on the other hand, someone pushed them into that ravine, then, as a person is cause of the occurrence of one's limited freedom, talk of being interfered with gain hold. It can from the offset be seen that the idea of the other and self (as an agent) are important considerations when understanding the possible situations in which negative liberty can be said to be violated.

Freedom from coercion Berlin defines as: "If I am prevented by others from doing what I could otherwise do, I am to that degree unfree; and if this area is contracted by other men beyond a certain minimum, I can be described as being coerced, or, it may be, enslaved" (Berlin 1991, p. 34.) This is the freedom that is implied by simply our ability to act in certain ways, and, if such ways of acting or goals that I work myself into becoming member of, are reduced by a government or individual, then I am in that situation I lack liberty: "You lack political liberty of freedom only if you are prevented from attaining a goal by human beings" (Berlin 1991, p. 34). The extent of which negative freedom binds on a subject is dependent on the possible concepts an agent can bind themselves to, the more options there are available the wider the range of one's freedom. This is not to say that a particular person enacts any of those possibilities, only that they are able if they so choose. Berlin is careful to note, that even when one is coerced into an action, one is still making a choice:

'Negative liberty' is something the extent of which, in a given case, it is difficult to estimate. It might, prima facie, seem to depend simply on the power to choose between at any rate two alternatives. Nevertheless, not all choices are equally free, or free at all. If in a totalitarian State I betray my friend under threat of torture, perhaps

even if I act from fear of losing my job, I can reasonably say that I did not act freely. Nevertheless, I did, of course, make a choice, and could, at any rate in theory, have chosen to be killed or tortured or imprisoned. The mere existence of alternatives is not, therefore, enough to make my action free (although it may be voluntary) in the normal sense of the word. (Berlin 1991, p. 42.)

§3.2.2. COERCION

As this thesis is a critique of our ability to choose, with the aim of showing that being a chooser involves a positive liberty, I will look at the nature of coercion in terms of choice. Friedrich von Hayek has written extensively on the nature of coercion, so I turn to his thoughts for a brief overview of this concept. Another interesting study of this concept can be found in a paper entitled ‘Coercion’ by Robert Nozick, and while that is far more technical in detail, the message is similar in respect of the point that I require. Namely, that even though I am coerced into an action, I am still that which commits that act even if that act now lacks a putatively voluntary reason (Nozick 1972, p. 128.) Berlin seems to be committed to this, as suggested by the final quote of the previous subsection.

Hayek’s view comes from a paper entitled ‘Freedom and Coercion’. Hayek follows Berlin in defining freedom as “... the absence of coercion” (Hayek 1991, p. 88), yet he, unlike Berlin, goes on to qualify more exactly what he means by coercion. In the most general sense, coercion means to act as the reason which incites another to choose what the coercer wants them to choose by virtue of a threat: “Coercion implies, however, that I still choose but that my mind is made someone else’s tool, because the alternative before me have been so manipulated that the conduct that the coercer wants me to choose becomes for me the least painful” (Hayek 1991, p. 89). Note carefully though, that the chosen goal of the individual is what is being manipulated. The threat causes the coerced agent to change their ends to that of the coercer, yet the change of

ends is no less their choice. They could have, if they conceived it to be their duty for instance to do so, chosen to not give into the threat of the coercer: “Though the coerced still chooses, the alternatives are determined for him by the coercer so that he will choose what the coercer wants” (Hayek, 1991, p. 89). Coercion does not therefore interfere with the idea that I am a chooser, it is in fact precisely because I am a chooser that my actions can be said to be manipulated in such a way that I am forced to choose other than what I myself have conceived as my ends: “Coercion occurs when one man’s actions are made to serve another man’s will, not for his own but for the other’s purpose. It is not that the coerced does not choose at all; if there were the case, we would not speak of ‘acting’” (Hayek, 1991, p. 89). Hayek finds further recourse to connect coercion with the idea of agency: “...while we can legitimately say that we have been compelled by circumstances to do this or that, we presuppose a human agent if we say that we have been coerced (Hayek 1991, p. 89). From Hayek’s treatment of the concept of coercion, the condition that an agent chooses is a distinctive component.

§3.2.3. THE MAGINOT LINE OF NEGATIVE LIBERTY

In a paper entitled ‘What’s Wrong with Negative Liberty’, Charles Taylor critiques Berlin’s negative\positive liberty distinction. His critique is for the most part outside the scope of this thesis. Taylor does make some helpful comments regarding the distinction of negative liberty; I intend to expose some of those comments here.

His primary concern is that he suggests Berlin is forced to take a particularly narrow view of negative liberty. Narrow in the sense that it denies all possible kinds of positive liberty from the meaning of that particular concept of liberty: “...to invoke the idea of the true authentic self,

thereby collapsing negative liberty into positive liberty and abandoning what is distinctive in the negative idea.” (Crowder 2004, p. 80.) Taylor has his own reasons for disagreeing with this, and while he does come close to the reason I will be deploying: “So that with the freedom of self-realization, having the opportunity to be free requires that I already be exercising freedom” (Taylor 1991, p. 144), he does not allow that thought to take full shape. Instead moving to critique the crudeness of the Hobbesian\Bentham psychology that disallows internal psychological constraints to count as interference to freedom; where taking such constraints as real would demand a division between self.

I focus on the reason that I have been developing throughout this thesis; namely, that negative liberty requires reason (requires that we already live in the space of reason). Taylor does usefully distinguish between the operations involved in the two modes of freedom. He suggests that negative liberty is an opportunity concept: “By contrast, negative theories can rely simply on an opportunity concept, where being free is a matter of what we can do, of what it is open to us to do, whether or not we do anything to exercise these options” (Taylor 1991, p. 144.) This follows the Hobbesian conception of freedom, where freedom is simply that nothing stands in one’s way. As Berlin notes, Hobbes and Bentham commit to the concept of freedom such that:

‘A free man’, said Hobbes, ‘is he that ... is not hindered to do what he has a will to.’
Leviathan, chapter 21: p. 146 in Richard Tuck’s edition (Cambridge, 1991) Law
always a fetter, even if it protects you from being bound in chains that are heavier
than those of the law, say some more repressive law or custom, or arbitrary despotism
or chaos. Bentham says much the same. (Berlin 1991, p. 42 *n.*)

It follows the Hobbesian concept to the extent, Taylor suggests, that all positive exercise concepts of freedom are excluded. An exercise concept being his understanding of what it is to enact a positive freedom: “On this view, one is free only to the extent that one has effectively

determined oneself and the shape of one's life. The concept of freedom here is an exercise-concept." (Taylor 1991, p. 143.)

The Maginot Line conception of negative liberty is one that insists that no specific 'effective determination' is required for a human life, as long as one is not interfered with by other agents, one is free: "By contrast, negative theories can rely simply on an opportunity-concept, where being free is a matter of what we can do, of what it is open to us to do, whether or not we do anything to exercise these options." (Taylor 1991 p. 144.) This further allows him to suggest that: "It seems easier and safer to cut all the nonsense off at the start by declaring all self-realization views to be metaphysical hog-wash. Freedom should just be tough-mindedly defined as the absence of external obstacles." (Taylor 1991, p. 145.) This culminates in his claim that:

...to insist firmly that freedom is just a matter of the absence of external obstacles, that it therefore involves no discrimination of motivation and permits in principle no second-guessing of the subject by anyone else. This is the essence of the Maginot Line strategy. (Taylor 1991, p. 148-149.)

The Maginot Line is therefore simply that the only external interference, and with respect to Berlin the interferences of an agent, is restrictive of freedom.

§3.2.4. POSITIVE LIBERTY

Berlin takes the 'positive' conception of liberty to cover a wide range of distinct conceptions. The underlying pattern within those conceptions is that some sort of prescriptive 'idea' of what it is to be human is deployed by that conception. That prescription comes out (in many such conceptions) in the form of placing value on being a genuine author, living one's life as one ought to, or as one has themselves created: "Positive liberty is the idea not of the absence

of interference but of having control over one's life. It derives 'from the wish on the part of the individual to be his own master', to be genuinely the author of his own actions. (Crowder 2004, p. 66.) In addition, as Berlin is considering political liberty primarily, that conception is often (not always) expressed in some way by the legislative authority of a government. The prescribed way of being becomes the goal of a government for its people, and is extended by that authority primarily around creating the reality (making it their ends) of the identified conditions of what it is for a person's choices to be genuinely their own. Some choices can, depending on the theory, be identified with the lower self, and some with the higher self; this causes a split between a higher and lower self:

This dominant self is then variously identified with reason, with my 'higher nature', with the self which calculates and aims at what will satisfy it in the long run, with my 'real', or 'ideal', or 'autonomous' self, or with my self 'at its best'; which is then contrasted with irrational impulse, uncontrolled desires, my 'lower' nature, the pursuit of immediate pleasures, my 'empirical' or 'heteronomous' self, swept by every gust of desire and passion, needing to be rigidly disciplined if it is ever to rise to the full height of its 'real' nature. (Berlin 1991, p. 44-45.)

§3.2.4.1 THE INVERSION THESIS

It is this split, Berlin suggests, that has dangerous consequence for human civilizations. George Crowder, in his work on Berlin, identifies two primary reasons for that danger. The first is the 'inversion thesis', which basically states that as soon as there is a division of self in the picture, this division can be exploited for political ends. This exploitation occurs because the picture of what it is to be human claims to have *a priori* authority. That authority is greater than the judgment of a particular individual, or group, and bind over them without their explicit choice on the matter (the *inalienable* natural right of the U.N. Declaration of Human rights falls too in this category, although it is mostly benign). Yet once one of those conceptions is in power,

it has a tendency to invert, qua George Orwell's book *Animal Farm*, and become a brutal tyranny, the very opposite of the freedom that it proposed to underlie its interpretation of human nature:

Once I take this view, I am in a position to ignore the actual wishes of men or societies, to bully, oppress, torture them in the name, and on behalf, of their 'real' selves, in the secure knowledge that whatever is the true goal of man (happiness, performance of duty, wisdom, a just society, self-fulfilment) must be identical with his freedom - the free choice of his 'true', albeit often submerged and inarticulate, self. (Berlin 1991, pp. 45-46.)

§3.2.4.2 MORAL MONISM

The other problem that Berlin is attempting to address is, Crowder suggests, the danger of moral monism. This is the view that there is only one path to some 'goal' that humanity is made (created, come about spontaneously etc.) for. This path requires a human being to act in a particular manner for the fulfilment of their 'ultimate' ends. Yet it is also written into those theories that the other too must share that very same end. Not only must I see myself to the fulfilment of my moral worth, my true calling, but I must also bring those around me to that final goal. Be that goal the world spirit, or heaven, or some final harmony that society could, were it rational or enlightened or good or disciplined, fulfil. The problem with these theories feeds back into the inversion thesis, in so far as it is monistic value of one, and only one, ultimate human end that opens the door to an inversion. Berlin's sticking to the Maginot Line, as per the previous sub-section, is to disallow any possibility of inversion by cutting the positive theories off at the root, at the very possibility of division of self (Taylor 1991 p. 144).

The following subsection displays my reason to think that Berlin is not only wrong about this, he is also out of step with himself in so far as he conceives human fundamentally as

choosers. I aim to show that the Maginot Line of a branch of positive theories, the one's that claim human beings to have autonomy, underlie the possibility of the negative theories Maginot Line. This is primarily because the very possibility of choice, and with it our living under an *idea*, must be in place for the possibility of coercion, and agency, to be a basic category of a human subject. This follows Berlin's demand in the previous section, that human beings are choosers.

§3.2.5. THE CHOOSER AS A 'HIGHER SELF'

Berlin holds that underlying the positive liberty theories is the question: "What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?" (Berlin 1991, p. 34.) The answer to this question I propose to be: 'I' do. It is 'I' that determines what 'I' do, and it is 'I' that determines what 'I' want and how 'I' go about achieving that want. If 'I' fail to achieve, or act in such a way that 'I' disrespect myself or those around me, then this is equally my choice. 'I' could have acted otherwise, but 'I' choose not to. It is an aspect of being a responsible being that an 'I's actions are an 'I's choices, irrespective of whether those actions are right or wrong, good or bad. Yet this picture requires a split between higher and lower self.

For Kant's picture that split was that the noumenal self, not the phenomenal self, is identified as the source of actions. This changes mere goings on in the realm of law, into intentions within the space of reason. Kant's method was to reconcile freedom and determinism, by playing on the distinction between phenomenon and noumenon. This was possible because we *know* ourselves only how we appear to ourselves in inner sense. Inner sense though is being *written* by what I am, self-consciousness is permeated by spontaneity. Inner sense is being written by spontaneity (the 'I think' representation is the act, spontaneity, of authorship of the

synthetic unity of inner sense). Now as anything that appears to me is subject to the laws of nature, I can only know myself on active *reflection* as determined by those laws. Yet, I am spontaneity both as reflection and action:

...how therefore I can say that **I** as Intelligence [in the space of reason] and **thinking** subject cognize my self as an object that is **thought**, insofar as I am also given to myself in intuition, only, like other phenomena, not as I am for the understanding but rather as I appear to myself, is no more and no less difficult than how I can be an object for myself in general and indeed one of intuition and inner perceptions. (Kant 1997a [1787], p.258-259.)

The question then became, what is the source of spontaneity? Kant argued that we cannot know what the source of spontaneity is, all we can know are its synthetic results as appearances. As we cannot know immediately (only mediated through our representation of ourselves), and it is a possibility that the source of spontaneity is not itself tied to appearances but rather to thing in themselves, I might be free from all antecedent conditions of appearances:

Even as to himself, the human being cannot claim to cognize what he is in himself through the cognizance he has by inner sensation. For, since he does not as it were create himself and does not get his concept *a priori* but empirically, it is natural that he can obtain information even about himself only through inner sense and so only through the appearances of his nature and the way in which his consciousness is affected. (Kant 2006 [1785] p. 98.)

Thus, when we consider action and commitments (i.e., in the practical sphere), we are considering those actions and commitments from the perspective of us as our noumenal character bringing *reality* to our ends. This places us in the space of reason. But conceives that space to be between noumenal selves that are free to choose their actions, and what they become. When we talk about normative notions, i.e., responsibility, and especially moral responsibility, we can do that because we conceive the human being as a thing in itself, rather than how she appears to us.

When I make a judgment about you, I make it about your *spontaneity* in the space of reason, not the appearance of the spontaneity in the realm of law: “A rational being, and thus as a being belonging to the intelligible world [space of reason], the human being can never think of the causality of his own will otherwise than under the *idea* of freedom; for, independence from determining causes of the world of sense (which reason must always ascribe to itself) is freedom.” (Kant 2006 [1785], p. 99.)

McDowell too had the division between the self as a spontaneous entity, which is in control of their life, and of a mere animal that is determined to action by purely biological causes. Humans he suggests have a second nature in the space of reason; their actions are permeated by spontaneity, trained under the *idea* of reason that we are free. Our second nature was the result of having our real natural capacity for spontaneity developed by the cultural form that we were raised under. We understand ourselves, and each other, in terms of that *idea*. Our actions, movements, commitments and the choices that each of those entails, were found to be free from nature conceived through the blinkers of the realm of law. Our acts of choice were not the result of some outside force, soul or spirit. Yet, that spontaneity, and therefore what I am as a chooser, is split from what it is to be a non-rational animal. Our second nature is dominant with respect to what it would be to live without spontaneity. This dominance allows every action to be understood as chosen, as we live under the *idea* of reason, and it allows our nature to be largely a second nature.

In the previous section I sought to bring Berlin’s thought into that space, and thereby granting two distinct demands that he had in his general philosophical position. First that human beings are fundamentally choosers and responsible for their actions in so far as they are not determined by immutable laws as in determinism; and second, that the normative realm has

somehow a different layout to that of the realm of law. With that understanding in place, we can now see that the cost of this move is to introduce the idea that autonomy is choice.

§3.2.6. THE MAGINOT LINE OF POSITIVE LIBERTY

Our ability to choose is, I have been suggesting, a positive liberty. It is an underlying constitutive element of our cultural form; and it is because of the form of the space of reason that I have been taught in, that I am always up for assessments as to my reasons for judgments and actions and that I can become member of different conceptions by choice, and that I as a spontaneous animal I live, for the most part, a self-active life.

One of Berlin's critiques of positive liberty is that there is a danger of 'moral monism'. I intend to avoid that worry by defining the Maginot Line of the kind of positive liberty that I am suggesting, that is, individual autonomy. As I am deploying the Kantian *idea* of freedom as a bedrock of human civilization, in so far as we must act as if we are free, I also introduce Kant's moral law: "So act that the maxim of your will could always hold at the same time as a principle in a giving of universal law" (Kant 2006 [1788], p. 164.) This is the form of what I ought to act like, when considering the perspective of how my action harmonizes with the *freedom* of all other rational beings⁴³. This ought could thereafter be construed as implying that *unless* I act in this way I am unfree. This is I suggest a misunderstanding of the freedom in reason.

For Kant living under the *idea* of freedom, and the moral law, reciprocally imply each other (Kant 2006 [1788], p. 162). An aspect of the law that allows us to be choosers is that we, as

⁴³ I have often been confused by the thought experiments that attempt to pump an intuition that this moral law is a mistake. It is true that when the Nazi knocks on the door and asks whether there are Jews in the basement, I ought to not lie. Yet, the thought experiment thereafter stacks the deck against the deontologist, because they stipulate that the consequence of me not lying is the *cause* of the death of those in the basement. This is not the case, this would imply that the person who acts to kill those in the basement herself lacks a free will. The point of deontology is precisely that individuals are efficient causes, they have a free will. It is not my choice what that Nazi does with the knowledge, nor is it the *choice* of those that set up the thought experiment; if it were then the thought experiment is stacked. It would, of course, be *prudent* to lie.

spontaneity, are open to the demands of reason. This has the danger of introducing a specific set of ends, which must be fulfilled for the 'authentic' self to take shape. The dictates of reason, imposed on the acquisition of a mind, grants us the possibility of certain ends (moral ones, ends that are not open to non-rational sentience). Those ends, are what Kant suggested to be the 'Kingdom of Ends' and is the fully rational community of agents playing out their duty to each other. Yet this is not, under their conception, the authentic self. It would be to put the cart before the horse to suggest that, only after one has chosen correctly, does one become that authentic self. The underlying point of autonomy, and the space of reason, is that I am already my 'authentic self' as responsible for my actions because I am free. That I choose to be a moral, and therefore structure my life in accordance to the demands of my responsibility to respect myself and others, is a choice that I am able to make. That I do not choose to live my life so, does not limit my freedom; to choose to be angry⁴⁴, or violent, is no less a choice than is choosing to follow the suggestion of my coercer.

The Maginot Line of autonomy is that I am a chooser. While we can spend an eternity discussing how I ought to choose and whether that ought must become a monistic value which society must reflect, at the basis of that discussion is the *idea* of freedom and how to understand spontaneity. A condition on the very possibility of worrying about how I ought to be, is that I *can* choose to be that way.

A deep going concern of Berlin's 'value pluralism' thesis, is that human ends are multiple and incommensurable. We cannot measure the value of one set of choices against that of another set of choices. Each set is in line with what it is to be a human he suggests, yet may also stand in

⁴⁴ Charles Taylor would disagree with this point, see: (Taylor, 1991) yet, as I am mounting a somewhat different attack in the same direction but by different means, I hope to be forgiven for following Berlin in the reality of this.

opposition to each other in their real world expression. Yet even for that pluralism of values, that 'I' can choose to make one value my end, and the other their value, requires at its heart that I can choose my ends however, and for whatever reason, I conceive them.

The Maginot Line of positive liberty must underlie that of negative liberty, simply because the very possibility of coercion already implies agents endowed with the capacity to choose. Without choosers the concept does not have grounds for deployment, and negative liberty, as Berlin conceives it, would simply not exist. As spontaneity structures the very possibility of experience, and that spontaneity requires that there is in place a constitutive *idea*, simply that I am responsible for my actions, that I have choice is a basic element of the western cultural form that Berlin's thesis aspires to, as suggested by his understanding that determinism is incompatible with the *sui generis* nature of the space of reason. Or at least, bringing the reality of the determinism, and our commitment to its ideal as implied by the realm of law, into how we live, would change our relation with each other in such a way that would make it impossible for our *free* imagination to gain a grip on that kind of being.

CONCLUSION

The purpose of this thesis has been to investigate whether the conception of negative liberty truly is (as Isaiah Berlin would need it to be) independent from the conception of positive liberty. I took a stance with respect to this question, by searching for an answer in the philosophy of Immanuel Kant and John McDowell. The weakness in negative liberty is, I have argued, its implicit use of the *idea* that human beings have choice. Berlin does not understand that choice itself is a positive liberty. My focus in my exposition of Kant and McDowell was an understanding of how they cash out the idea that to be a rational agent is to live under the *idea* that we have choice, and that from living under that *idea*, we are choosers.

To begin with, I examined the form of relationships within the space of reason. This involved investigating how our relationship with the other is had out in terms of both assessing and being assessed for reasons for acting in a given way. It also involved identifying our ability to become member of certain concepts through choices, and that our membership to other concepts occurred through being forced\indoctrinated into them by virtue of the cultural framework we are born into. Of particular interest was the idea that we must be raised under the *idea* that we are choosers. It is this *idea* that I focused on in chapter two. I started with an overview of Kant, and developed that into his understanding of us as living under the *idea* that we are efficient causes with respect to our actions and judgments. We are raised as living under the *idea* of freedom. Yet Kant realized an even deeper problem with respect to whether we are free. Not only must we act as though we have freedom as per a deep going principle, our capacity for spontaneity must also have the possibility to be free in its operation. To resolve this, Kant turned to the possibility that a human being's nature can be understood from both the

perspective of a thing in itself, and as appearance. And while he was unable to prove whether we are in actual fact free, he was able to show that it is possible that we are, and that in order even to admit that we have experience we must live as though we are free. This is sufficient for denying the 'hard' determinist solid grounds for understanding of what it is to be human, while not denying the possibility that we are determined in every respect. A consequence of this is that we understand ourselves as beings that have choice, in so far as we could have chosen other than how we in fact did from us in a noumenal perspective.

As Kant's perspective is dated, and contemporary philosophy has reflected that Kant may have been in error with respect to his thinking, I turned to the more contemporary and broadly Kantian project. That project was John McDowell's book *Mind and World*. In it, McDowell takes on similar themes to Kant, in an attempt to bring meaning and intentionality into view, without them being reduced to mere happenings in the realm of law. The purpose again, was to make explicit the *idea* that we have choice. He suggest that we understand the principle insofar as it is a constitutive aspect of our cultural form. We are raised under the cultural ideal that we are efficient causes, when we are inculcated into a cultural form.

McDowell also needs to deal with our capacity for spontaneity, for without it being *sui generis* to our understanding of the realm of law, we are again forced to reduce choice and reason into the mechanism of nature. To achieve this, McDowell suggests that our understanding of independent reality is in danger of being reduced to an ideological position if we conceive it just in terms of the realm of law. Our capacity for spontaneity, he argues, is just as much an aspect of what it is to be natural as is our understanding of ourselves as within the realm of law. Spontaneity was always an aspect of independent reality, yet it is undeveloped for that which is

not a rational animal. Only on being cultivated in a culture does our spontaneity developed into our rational character.

As the above was an exposition, for the most part, of theoretic philosophy, there is an implicit danger that it stands in some way opposed to how the world has been historically understood. I therefore turned to Isaiah Berlin's understanding of conceptual frameworks for historic evidence of the *idea* of freedom. I was particularly interested in the conceptual frameworks that he conceived of as having universal scope in historic human lives. Berlin's historic analysis came up with a conclusion that the idea that we have choice is such a basic category: "To think of someone as a human being is *ipso facto* to bring all these notions into play: so that to say of someone that he is man, but that choice, or the notion of truth, mean nothing to him, would be eccentric" (Berlin 1978, p. 166), it being eccentric to conceive a human being without it. Yet he was also unable to explain the possibility of that choice, as Crowder suggests: "Although he hints that there may be some alternative position between free will and determinism, he is not able to say what it is and returns again to his claim that he means only to draw attention to determinism's radical implications. (Crowder 2004, p. 54.). I suggested that, if we could reconceive Berlin's thought into the space of reason, as conceived by McDowell's understanding of our second nature, then Berlin would have access to a reason for his finding of the idea of choice as a universal human framework in the history of ideas, while also giving him access to spontaneity through which that freedom is expressed as a genuine aspect of human life.

Armed with a conception of self that has choice squarely in view, I argued that our second nature already has a split between a higher and lower self. Where the Maginot Line of that split is that to be human is to be that which is thought of as living under the *idea* of freedom. To be a

chooser is to be that which lives under an ideal, that ideal being its freedom from external causes, and as such, to give itself laws and in the endorsement of those laws by acts of spontaneity. This understanding of ourselves must be in place for us to be that which can possibly be negatively free, for without agency in the picture, the very possibility of being able to be coerced cannot get off the ground. In essence, agency is a positive liberty, and only that which is an agent can be thought of as having negative liberty *as conceived by Berlin*. The *concept* of negative liberty is therefore subsumed under the *idea* of positive liberty; which is what I aimed to show.

Part of the purpose of an M.A. thesis is to add to the human understanding of the world. Such understanding adds to humanities cultural history, it is through the addition of such knowledge that we progress in our understanding of the space of reason and the realm of law. With respect to knowledge generated from and about the realm of law, we are better able to understand the physical goings on, and with that knowledge, introduce more efficient ways to grow food, ways to protect ourselves from procreating when we do not intend too, and create technologies with which to augment our comfort in a potentially hostile world. As such, vast research goes into that particular facet of our world, not only because there is money to be made with developments of products and services developed by such research, but also because of genuine human curiosity.

With respect to the space of reason, research too occurs into the nature of that space. Kant and McDowell can be seen as two luminaries in that particular field of study. Yet, research into that field has a different kind of use to that which is developed about the realm of law. Philosophy and other Arts fields of study do not relate directly to understanding the physical conditions of our situation, but rather look at the underlying conceptions and commitments to which agents are bound, and critique those concepts and commitments for whether there is

rational grounds for our commitment to them. This is part of Kant's attempt to critique pure reason itself. With respect to lesser, but more important achievements to the normal human life, the change in conception on how the judgement of woman is to be treated, and whether the slavery of a chooser, of a human character, is acceptable practice, brought about huge social change for millions of individual experiences, experiences just as real as mine and yours. Developments from research in those fields allow us to change the deep going committal attitudes that blind many of us into the abuse of others, or ourselves. Where the history of ideas is littered with conceptions coming into power after development in the study of philosophers. Not all such developments have been positive of course, part of Berlin's distrust of positive forms of liberty is that they tend to invert into prescribing suffering on those that are forced into a particular way of living, as that conception of human life is picked up by a regulatory body.

My contribution to the philosophical tradition, and with it to the history of the space of reason, is only modest; I have taken the thought of two powerful figures, Kant and McDowell, of authority within the tradition of Kantian philosophy, and with an understanding of their conception of what it is to be human, critiqued Berlin's distinction of negative and positive liberty. Suggesting that while his conception is useful in demarcating certain dangers implicit in the general *idea* of positive liberty, it is a mistake to completely demarcate positive liberty from that of negative liberty. We are choosers because we were raised that way by our culture. And while this is an extremely deep-going aspect of our lives, going so deep as to shape the very possibility of self-consciousness, it is no less a division of ourselves into operating under an ideal. While we are still mere animals, our nature is extended into a second nature, a second nature in which the dictates of reason are in view, and from which we ourselves can choose to follow those dictates or not. This is not a major development, and certainly does not suggest that

there need to be policy changes within the social political structure so that this *idea* can be accommodated into our normal practice. It is in part because this *idea* already is normal practice that I can suggest Berlin is out of sorts with himself.

With respect to scholarship on Berlin, this thesis may have practical use. There is still interest in Berlin's conception of positive and negative liberty, so that a critique of that conception from the quarter of McDowell and Kant is of interest to contemporary political philosophy. Especially important is that this critique differs from Republican tradition, whose thesis is also broadly Kantian. In so far as I focus on the nature of spontaneity and that part of our cultural form is that we must be raised under the *idea* of freedom, while they focus on the non-domination of an individual chooser by the force of another in society.

One aspect of human nature that this thesis attempts to bring into view, is that the space of reason does have laws that are independent of the conception of individual judges, it lies in the ideal of what it is to be a judge, even if the knowledge of those laws can only be reached through an individual themselves reflecting on what maxims they ought to set for their actions regarding other rational beings. Those laws are that I ought to act under the law of morality, and are necessary for an 'I' to become self-realized in that particular facet of philosophy. As I wanted to avoid the danger of inversion, I did not expand on the consequences of the moral law. One of those consequences is that society, and importantly the family unit, should, if it were in a healthy relation, raise its children in such a way that they have a predisposition for an interest in those laws. This would have been more than the Maginot Line conception of the possibility of interest in such laws, and as such could not feature as part of my thesis. Continuing research in this field could look at the nature of interest in the law of the space of reason, and what conditions are required in our education for that law to be of interest to children, so that society may raise not

only choosers, but those that understand the possibility they have before them in the use of their choice to become fully self-realized. Just as bankers are trained at how to maximise profits for their organisation, so may young adults be trained, if they so choose, to see themselves and others with compassion in their hearts and duty in their mind. And as Kant suggests, realization of the power open to us in our ability to judge morally, is part of what it is to be a philosopher; knowledge, comprehension, status and authority are but some qualifying characteristics that entitle the philosopher to bear such an auspicious title:

Thus philosophy as well as wisdom would always remain an ideal, which objectively is presented complete in reason alone, while subjectively for the person it is only the goal of his unceasing endeavours; and no one would be justified in professing to be in possession of it so as to assume the name of philosopher who could not also show its infallible effects in his own person as an example (in his self-mastery and the unquestioned interest that he takes pre-eminently in the general good), and this the ancients also required as a condition of deserving that honourable title.- Immanuel Kant, Critique of Practical Reason

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APPENDIX ONE: SENSIBILITY AND THE UNDERSTANDING

This section extends on the previous overview, with the aim to gain a firmer grip on the nature of experience. McDowell's primary concern is to advance upon Kant's understanding of intuitions and concepts that form a unity as experience (which is what we talk about when we say, I see⁴⁵ a chair, or a house). Spontaneity and receptivity are elements of experience, not yet experience itself. Only intuition (receptivity) that is thought constitutes experience⁴⁶:

The original Kantian thought was that empirical knowledge results from a co-operation between receptivity and spontaneity. (Here "spontaneity" can be simply a label for the involvement of conceptual capacities.) ... if we can achieve a firm grip on the thought: receptivity does not make an even notionally separable contribution to the co-operation.

The relevant conceptual capacities are drawn on *in* receptivity. (...) It is not that they are exercised *on* an extra-conceptual deliverance of receptivity. We should understand what Kant calls "intuitions"—experiential intake—not as a bare getting of extra-conceptual Give, but a kind of occurrence that already has conceptual content. In experience one takes in, for instance sees, *that things are thus and so*. That is the sort of thing one can also, for instance, judge. (McDowell 1994, p. 9.) [This will be cashed out throughout the rest of this section]

Thus, as concept and intuition must be con-joined for experience, and it is within experience that we can make judgments *about*⁴⁷ that conjoined entity (experience is in terms of objects); spontaneity (conceptual capacities) is already implicated in all receptivity that determines the aboutness of empirical experiential talk. Without such an implication, that

⁴⁵ To see something implicates more than just receptivity, for to see is a judgement about an *object* in experience. To take it outside experience, and suggest that animals 'see' objects conceived as a conjunction of spontaneity and receptivity, would be to distort the concepts extension outside of a possible experience (non-rational animals do not think the world).

⁴⁶ For Kant we must remember that the whole manifold of intuitions is thought by the pure understanding, and therefore all sensible intuitions are thought in the most basic sense

⁴⁷ A judgment about judgments, i.e., thinking that allows for talking about that the world is so and so.

receptivity would be blind and there would be no concept through which independent reality can be brought into the unity of consciousness, and therefore talked about. Blindness to intuitions is the incapability of thinking an immediate intuition (i.e., the Given) into the unity of conceptual consciousness.

This is the full extent of the consequence of the contribution receptivity makes to experience, it designates the content to an object (particular concept) immediately (on standing in dynamical existence), so that one stands in relation to an object that is external to the self. It is by dint of receptivity implicated in objects, as the contribution of the senses (though in the case of the manifold of intuition, the whole of empirical experience given), that we talk about something that stands before us, a desk say, being *the real world*. Our experience is not an idealism, we are just creatures that think the world, and *as* that act, experience it immediately.

The previous and following discussion needs to be seen in the context of talking in the inter-subjective (as intuitions are *objective* perceptions (Kant 1997a [1787], pp. 398-399)), we need to see that this opens a *community* of judges to experience; to a nature in which we can talk about objects of a collective experience that is outside of the spontaneity that makes it our (both as individual subjects, but also the community within which those individuals are raised) experiential world.

McDowell further claims that the unity of the given as intuitions, with spontaneity as understanding, occurs in part passively. This passivity is there only in so far as, by looking around me, *I* bring into view different objects that are so far as their intuitive content (immediate object, like the desk in front of you) is concerned, a part of an independent reality. My view around the room is constrained by what I have been taught to think into receptivity: for the training of my spontaneity reflecting on receptivity is tied to the community's use of intuitions.

Thus when I walk into a room, the room is populated with objects that, while I *choose* to think them (from my being conscious of their occurrence) through the intuitions given, are themselves not wholly determined by my imagination. I am constrained to think the objects to be so and so by my community, insofar as I am responsible for my concept use, and if I were to talk about them as though they were something other than that which the community also sees in that room, then my concept use could be assessed and questioned. This is a limitation that the space of reason places on concept usage, which is itself limited by the intuitive source of objects that the human community has developed and taught, the world as it is. As Kant suggests, this community understanding arises from:

But concepts have arisen through the understanding, according to its nature, on occasion of experience; for on occasion of experience and the senses the understanding forms concepts which are not from the senses but rather from reflection on the senses. (Kant 1997b [1762-1795], p. 52.)

Thus as the understanding spontaneously *reflects (thinks)* through the non-spontaneous manifold of intuitions whose existence comes before oneself immediately, the thinking of that manifold of intuitions brings that (subjective⁴⁸) manifold into an order, that order being in terms of the inter-subjective concepts contained in human understanding⁴⁹. If a particular agent is creative enough and the community sees reason in the addition of a new concept around some hitherto un-thought concept in experience, it is added to the inter-subjective understanding.

For the individual experience: I am immediately *conscious* only of the consequence of that synthesis between intuitions given to my sensibility and their union with understanding, where

⁴⁸ The particular angle from which I as an individual receive a manifold of intuitions.

⁴⁹ For Kant there are certain deep-lying structural concepts around which all empirical structure can be found in the succession of time. Those are the pure concepts of the understanding, and as the foundation of the *fictive imagination* (the 'bridge' between sensibility and understanding (Kant 1997b [1762-1795] p. 57)) are implicated in every possible experience, as they give the general form of objects that all members of the community have as immanent.

spontaneity is the activity of that synthesis. Thus I find myself already in experience; I can now make further judgments *about* things that already have conceptual content as objects outside me⁵⁰. For instance, I point to an object of experience, say a tree in the park. My ability to pick something out, as a tree in experience, already has implicated that I have passively thought it to be a tree, the concept of tree has already been passively deployed in an experience in which I can talk *about* the tree, and a possible use for that tree⁵¹.

This whole process for Kant occurs in apperception⁵², the spontaneous ‘I think’ reflecting on itself (as that which is homogenous in every *conceptualized* intuition) within the whole manifold of intuitions thought as *one unified* representation (which affects inner sense) in every moment of experience⁵³. This is the analytic unity of apperception seen as an *object* of inner-sense; this object is the unity of the world within which we (as concept mongering creatures) interact under self-consciousness. For McDowell this is where he differs from Kant, his ‘I’ world is the active spontaneity of a ‘second nature’.

What McDowell wishes to keep hold of in general, something which he thinks Kant in a way is forced to let go of (though only on problematic and transcendental grounds), is that that which is given as intuitions is representative of what is really out there (outer sense), and that my spontaneity in thinking those real occurrences with conceptual content (by thinking them immediately and bringing them into a synthetic unity), is confined to generating only concepts that conform to the intuitions given (concepts are the generality of intuitions). In this way, the conceptual space is limited by that which is really in the world, concepts delineate distinctions as

⁵⁰ In outer sense.

⁵¹ Or more *aesthetically*, by reflecting on the finality of an its intuition without determining it under a inter-subjective concept. See Kant’s *Critique of the Power of Judgment*.

⁵² See Appendix Two: Apperception.

⁵³ Hinting at things outside the scope of this essay

the ‘real’ world, and we are not outside of it in idealism. The key idea is that this is not all happening first outside of me, and that ‘I’ am thereafter given the result. Our experience is the occurrence of this happening. Our awareness of this happening is the real world in action, a real world which ‘I’ am thinking immediately.

My experience of objects in the world, as those objects are limited by intuitions⁵⁴, is of a world that must be occurring, whether I spontaneously think it, or not (although if ‘I’ do not, then there is also no experience). This also places a further constraint on the epistemic status of the world, the conceptual — the inter-subjective understanding — is constrained by the given. Sensibility is the ultimate source of particular concepts that form general concepts under reflective spontaneity; the original pool from whence human creativity forms inter-subjective empirical concepts, which we enjoy today in structuring our lives. And, as there is unity in the conceptual with respect to the given, as the given is already in terms of conceptual content that self-active thinking is passively thinking:

Experiences have their content by virtue of the fact that conceptual capacities are operative in them, and that means capacities that genuinely belong to the understanding: it is essential to their being the capacities they are that they can be exploited in active and potentially self-critical thinking. But when these capacities come into play in experience, the experiencing subject is passive, acted on by independent reality. (McDowell 1994, p. 66-67)

This echoes Kant’s thought that:

Self-activity [Spontaneity] does not like sense, contain merely representations that arise when we are affected by things (and are thus passive), yet it can produce from its activity no other concepts than those which serve as merely *to bring sensible*

⁵⁴ Unless we represent the dialectical objects of ideas. When reason goes beyond its sphere and imagines the reality of objects that cannot be given an intuition, striving into idealism.

representations under rules and thereby to unite them in one consciousness, without which use of sensibility it would think nothing at all. (Kant 2006 [1785], p. 99.)

We humans think about what sensibility delivers up to us from within the real world, and we do this in a different way from how lower animals do, that is, with self-actualizing spontaneity.

Spontaneity as a natural aspect of the world, is developed in generations of human animals by a cultural form that pushes ever harder for deeper understanding of the world: “Our nature is largely second nature, and our second nature is the way it is not just because of potentialities we are born with, but also because of our upbringing, our *Bildung*⁵⁵.” The following section will elaborate on how a mere animal’s capacity for spontaneity is brought into having its eyes opened by reason, through culture.

⁵⁵ German, means the passing of cultural practice through education into a new generation: ‘receiving the tradition as it stands’

APPENDIX TWO: THE UNDERSTAND AND REASON IN KANT

As I have little space into which I must place an extensive amount of complex Kant, this following appendix will be extremely dense. This section, had space and time permitted, would have been in chapter two. It builds a picture of what it is to be an agent endowed with a will, not from John McDowell's perspective but rather from the perspective of Kant's transcendental idealism.

Chapter two examined both normative assessment, and concept membership. These concepts I have been suggesting, underlie the possibility of the kind of life that human beings engage in. Assessing each other for the reason that 'I' act 'so and so' and shifting between concepts that we are members of, are kinds of activities implicit aspects of our normal practice. Underlying both of those concepts is the *idea* that 'I' am responsible for my judgments, and that 'I' am that which can make itself member of concepts. Yet implicit in the thought that I am responsible is Kant's deeper requirement for us. That is, the *idea* that 'I' am an efficient cause. This is not at this stage an ontological claim outside of it being how we do in fact act:

Now I assert that to every rational being having a will we must necessarily lend the idea of freedom also, under which alone he acts. For in such a being we think of a reason that is practical, that is, has causality with respect to its objects. (Kant 2006 [1785], p. 96.)

The possibility of an 'I' attributing to another person a 'reason' for acting, requires that that other I is a member of the *idea* that 'I' am an efficient cause. If we did not hold the other to this principle, then our attributing them as the reason for an action becomes extremely problematic. I discuss in (address) the reasons for this problem. As Kant wants very much to avoid this problem, he turns to a way in which he can resolve it. I am not here suggesting that he set out to

resolve it, and built the system of thought to that ends. It comes naturally from his transcendentalism. The following section is a brief overview of how he intends to solve this.

THE WORLD OF SENSE AND THE WORLD OF THE UNDERSTANDING

Part of Kant's philosophical position, is a distinction between 'things in themselves' and 'appearances'. An 'appearance' is that which we can perceive through our mode of sensibility. Our capacity to be affected by 'appearances' is an aspect of the kind of creatures we are. Part of what it is to be affected by an 'appearance', is that the mode in which that 'appearance' affects us is a pure form of intuition. The pure forms of intuition for Kant are space and time. Yet, Kant holds space and time to be *subjectively* tied to our kind of mind. We know that they are pure modes of intuition because of Kant's transcendental elucidation of them; the reason that they are 'transcendental' being in terms of their necessity for the possibility of experience. In so far as that experience is spaced and timed. As 'appearances' are that which is given in terms of our mode of sensibility, appearances occur in space and time, they are transcendental ideality. That is, the term 'appearance' only applies to that which we can know about through the *pure modes of intuition*. The pure modes of intuition give us a particular *perspective* on independent reality, that perspective is in terms of appearances. Appearances are not illusions of something beyond them, rather they are just how our particular mode of sensibility stands in relation to the world as it 'is in itself' and as it is as appearance:

Still less may we take appearance and illusion for one and the same. For truth and illusion are not in the objects, insofar as it is intuited but in the judgment about it insofar as it is thought. Thus it is correct to say that the senses do not err; yet not because they always judge correctly, but because they do not judge at all. (Kant 1997a [1787], p. 384.)

The picture I want the reader to have of sensibility is that it is the mode through which we stand in relation to independent reality. We understand that reality in terms of those modes of intuition because our faculty of sensibility is a member of that particular way of being in the world. That is, it is itself an appearance. This appearance is not a construction of a reality beyond it. *Appearances are just as real as things in themselves.*

For Kant, sensibility is only one aspect of the way in which experience is structured. There is also the understanding. The understanding is a faculty of concepts, and as was discussed briefly at the start of this thesis, a faculty of spontaneity. The understanding itself represents a constitutive, immanent, aspect of human cognition (Kant 1997a [1787] p. 392). Yet the understanding is, when we abstract away from all aspect of sensibility and understand it in abstraction, in terms of pure categories. For Kant, a category is a set of pure concepts under which the form of all empirical concepts must be subsumed for those empirical concepts to constitute an element in an object of experience. For something to be an object, our intuition of it must be subsumed under one of the four respective moments, connected by a schema, that make up the table of categories. The empirical object desk, which is present in one's current experience, must fall under one of the respective four pure categories, when we reflect on the intuitions immediately present in sensibility. For example, the manifold of intuitions that constitute the concept desk, as given to sensibility, is subsumed under the respective categories: from quantity: unity, from quality: reality from relation: substance and from modality: existence. Just as sentences must contain one each of the four moments in the table of judgment (and thus form a unity as a sentence), so must the whole manifold of objects in experience fall under the categories. Now part of Kant aim's to deduce the table of the categories on transcendental grounds. That is, he wants to abstract away from all objects of experience the form of that which

allows them to be objects: the pure concepts of the understanding. I will assume that Kant is successful in that deduction, as this is an exposition of Kant. Yet, once that task is complete, on the deduction of those categories, Kant realizes that he has before him the *form of an object in general*:

But if, on the contrary, I leave out all intuition, then there still remains the form of thinking, i.e., the way of determining an object for the manifold of a possible intuition. Hence to this extent the categories extend further than sensible intuition, since they think objects in general without seeing to the particular manner (of sensibility) in which they might be given. (Kant 1997a [1787], pp. 361-362.)

As discussed in the above section on sensibility, we as human beings are only endowed with two pure forms of intuition, that is, space and time. Kant further notes that our understanding is not intuitive, it is not given intuitions immediately, and instead it finds intuitions when it is induced to reflect, by our upbringing and education, on appearances given to sensibility. This, coupled with the source of our intuitions, means that we can only *know* about appearances that are given. Our experience, in which we find justification for concepts, is limited to appearances. Yet, our imagination can generate *ideas* that do not, and cannot, feature in experience. Metaphysics deals with those cognitions.

Kant's deduction of the pure categories of the understanding gives him insight into an object in general. Yet, as we are subjectively tied to a particular mode of sensibility, the range of things that can be objects to us is limited by that mode of sensibility. We have a perspective on independent reality that is limited by that which we are constituted as. However, there is also room to posit that outside of that perspective, there might be things in themselves; where a 'thing in itself' is a marker for a concept that must always be empty for us:

Now in this way our understanding acquires a negative expansion, i.e., it is not limited by sensibility, but rather limits it by calling things in themselves (not considered as appearances) *noumena*. But it also immediately sets boundaries for itself, not cognizing these things through categories, hence merely thinking them under the name of an unknown something. (Kant, 1997a [1787], p. 363.)

A concept is empty when we cannot produce an intuition to correspond to it as an appearance in space and time. And as we are limited in our *imagination*, our imagination is a sensible faculty so cannot generate intuitions that are not themselves in terms of space and time, to the kinds of intuition as that can appear to us in space and time, we cannot have intuitions of things in themselves. Kant therefore realizes that he cannot prove the reality of ‘things in themselves’ through science, because science is that which deals with intuitions given in space and time. Yet, he also understands that by virtue of having proved the pure categories *a priori*, he has access to the form of an object that does not relate to an intuition, but could do so. As we cannot prove that our mode of sensibility is the only way in which independent reality can be experience, we cannot be justified in denying the possibility of things in themselves, and with it, what he calls the noumenal world. Understanding therefore goes all the way up to the boundary of sense experience, and hints at possibility beyond:

I call a concept problematic that contains no contradiction but that is also, as a boundary for given concepts, connected with other cognitions, the objective reality of which can in no way be cognized. The concept of a noumenon, i.e., of a thing that is not to be thought of as an object of the senses but rather as a thing in itself (solely through a pure understanding), is not at all contradictory; for one cannot assert of sensibility that It is the only possible kind of intuition. (Kant 1997a [1787], p. 363.)

Yet, as reason is confined to only thinking the world as given to sensibility, reason becomes dialectical as soon as it treads over the boundary of what can be given to sensibility in terms of intuition. The key idea is that sensibility is tied to a particular perspective on how the

world is independent of that perspective. As we have access to the form of an object in general, and with that form, what the *form* of object could look like in a perspective not open to us, we can call an object corresponding to that form without intuition noumena. As we do not even know if such a perspective is possible, a perspective in which noumena are determinate, full objects, this is only a negative thought. Stating just that there would be *no contradistinction in thinking an object* possible in that perspective. This has important consequences when we think about what it would be to be a *subject* in that perspective. And a noumenal self as that subject.

THE DIALECTIC OF PURE REASON

In the previous section, I discussed the pure understanding, and how it is limited to a particular mode of sensibility. In this section I bring into view what happens when reason becomes dialectical. That is, when pure reason claims there to exist an object that that has a form that cannot be found within any possible experience. Now experience is limited to appearances and appearances to our faculty of sensibility. Hence:

The Transcendental Analytic accordingly has this important result: That the understanding can never accomplish *a priori* anything more than to anticipate the form of a possible experience in general, and, since that which is not appearance cannot be an object of experience, it can never overstep the limits of sensibility, within which alone objects are given to us. (Kant, Critique of Pure Reason, 1997a [1787] p. 358.)

We note though that experience is itself a word that is limited to appearances. Therefore it is, by definition, impossible for experience to be of things in themselves. But again, we still have the form of an object in general, and it is with that that we now deal.

Kant thinks that there are three distinct faculties of human cognition, there is sensibility, understanding and reason. Sensibility receives intuitions on standing in relation to possible

appearances. The understanding thinks those intuitions under the pure categories, through which it sorts sensibility into objects.

Above this, reason is operative. Reason is a faculty of *a priori* principles; it is a faculty of generating principles with which we engage in a collective activity to refine our comprehension of nature and philosophy. They are transcendental ideas because we need to have those ideas in view for us to be able to bring order to our understanding of the world, in so far as these ideas introduce the idea that there is unity to the world, and that there is a unity to the self.

The ideas come about when reason has *a priori* hold of the pure categories of the understanding, and uses that hold to generate concepts that are themselves larger than any possible experience. The extension of those *a priori* forms in their absolute, so that all possible experiences fall under such an idea, allows that idea to be a standard by which unity can be brought to the understanding. The ideas, as such standards for comprehension, are regulative principles by which we actively seek to bring unity to the space of reason.

Concepts of reason serve for comprehension, just as concepts of the understanding serve for understanding (of perceptions). If they contain the unconditioned, then they deal with something under which all experience belongs, but that is never itself an object of experience; (Kant 1997a [1787] p. 394.)

Kant also introduces the unconditioned into ideas of reason, for to get completeness in a series of condition and conditioned, reason has to reach so far back so as to capture the whole chain in a single idea, an idea that cannot itself be conditioned (for if it were, then it would not be complete). For this reason, Kant needs to have in place the possibility of the unconditioned. And, as Kant has hold of the form of an object independent of space and time in which there are elements for a chain of conditions, he attaches the ideas to the unconditioned in supersensible objects.

Principles that stand as ideals, in so far as they are pure concepts of reason, are objectified in an *idea*. An *idea* is an object that cannot be found in experience, but acts as the object of a principle by which unity can be brought to rules that are subsumed under it:

It can be said that the object of a merely transcendental idea is something of which we have no concept, even though this idea is generated in an entirely necessary way by reason according to its original laws. For in fact no concept of the understanding is possible for an object that is to be adequate to the demand of reason, i.e., an object such as can be shown and made intuitive in a possible experience. But we would express ourselves better and with less danger of misunderstanding if we said that we can have no acquaintance with an object that corresponds to an idea, even though we can have a problematic concept of it. (Kant 1997a [1787], p. 409.)

They are dialectical because their concept lies outside the possibility of being shown to stand in immediate relation to their object, and as such *ideas* that pertain to be *real* objects are *transcendent* chimeras created by our reason. The ideas come out in common sense metaphysics as a transcendent God.

As we are beings that are limited to knowing objects in experience, where experience is in terms of appearances, we do not get the principles of reason from experience. Yet, in the practical sphere, where we do not care about intuitions, but the bringing to reality of concepts, we do have a way of knowing immediately the reality of an *idea*, this is the *idea* of freedom.

Ideas are only regulative principles that allow the objects of the understanding to be brought to the highest unity. They are regulative only because while we hold to the reality of the *idea*, we do not in fact have grounds to hold there to be objective reality to the principle. We act, and even think, our understanding of experience under those principles:

If the understanding may be a faculty of unity of appearances by means of rules, then reason is the faculty of the unity of the rules of understanding under principles. Thus

it never applies directly to experience or to any object, but instead applies to the understanding, in order to give unity *a priori* through concepts to the understanding's manifold cognitions, which may be called "the unity of reason," and is of an altogether different kind than any unity that can be achieved by the understanding. (Kant1997a [1787] p. 389.)

Yet reason also uses those *ideas* in its inferences, that is, it uses those *ideas* to regulate experience and make it possible, it is only when we reflect on the totality of the use of reason in the regulation of experience that we realise there to be contradictions in our understanding of the empirical world. This is what the four antinomies of reason purport to show. This can only bother us if we do not guard against it. In the sense that we must let the ideas of reason operate in that way for us to have science and understanding of ourselves as unified beings, yet we must also realize that some of our most basic assumptions must be left agnostic, for by taking a stance one is in effect being dogmatic, stepping off the island of what it is possible to know, sailing, often without a fog horn, into fog banks of metaphysics:

These are then the transcendental ideas, which, though according to the true but hidden ends of the natural determination of our reason, they may aim not at extravagant concepts, but at an unbounded extension of their empirical use, yet seduce the understanding by an unavoidable illusion to a transcendent use, which, though deceitful, cannot be restrained within the bounds of experience by any resolution, but only by scientific instruction and with much difficulty. (Kant 1977 [1783], p. 74.)

THE ANTINOMY OF REASON

The antinomy of reason is a dialectic inference of reason. This kind of inference has to do with the totality in a series of that which stands before one as conditioned. If we were to look back at chain of appearance for the conditions of what conditioned the present world, one would

either go back infinitely, or one is forced to assume the unconditioned for the series of conditions as the absolute unity of that series of conditions:

But when reason, which cannot be fully satisfied with any empirical use of the rules of the understanding, as being always conditioned, requires a completion of this chain of conditions, then the understanding is forced out of its sphere. And then it partly represents objects of experience in a series so extended that no experience can grasp, partly even (with a view to complete the series) it seeks entirely beyond it *noumena*, to which it can attach that chain, and so, having at last escaped from the conditions of experience, make its attitude as it were final. (Kant 1977 [1783] 74.)

The third antinomy deals with nature, and more specifically, the possibility of both determinism and freedom coexisting in the human being. With respect to nature, when we consider the human mind as an appearance in inner sense, we consider it according to the immanent principle of cause and effect. That principle binds on all appearances, for it is the principle through which all appearances are ordered. All of nature, and all the appearances we come to know, must stand in a causal chain. Yet, this causal chain is only there with respect to appearances, with respect to objects in space and time. Kant also has room for the possibility of things in themselves. As those things in themselves are not conditioned by being member of a chain of appearances, but are still a possible aspect of independent reality, there is the possibility of understanding the *existence* of an appearance in the realm of nature, to also contain the action of a thing in itself. It is possible for an action to be totally determined with respect to appearances, yet have the intellectual caused of a thing in itself:

And then for a subject of the world of sense we would have first an empirical character, through which its actions, as appearances, would stand through and through in connection with other appearances in accordance with constant natural laws, from which, as their conditions, they could be derived; and thus, in combination with these other appearances, they would constitute members of a single series of the natural order. Yet second, one would also have to allow this subject an intelligible character,

through which it is indeed the cause of those actions as appearances, but which does not stand under any conditions of sensibility and is not itself appearance. The first one could call the character of such a *thing in appearance*, the second its character as a *thing in itself*. (Kant 1997a [1787] p. 536.)

If we take a different perspective on the reason for an event in nature, because we realize that a subject might be a thing in itself, and its causality resulting from that thing in itself, we can allow freedom into the picture. The problem is not whether we understand nature as determined, but rather our interpretation of the reason for the occurrence of an event. As it is possible for the event to be caused by a thing in itself, in so far as it is an act of spontaneity, we must be allowed to interpret the actions of others in terms of that thing in itself, rather than them as conceived in the chain of nature:

Now this acting subject, in its intelligible character, would not stand under any conditions of time, for time is only the condition of appearances but not of things in themselves. In that subject no action would arise or perish, hence it would not be subject to the law of everything alterable in its time-determination that everything that happens must find its cause in the appearances (of the previous state). In a word, its causality, insofar as it is intellectual, would not stand in the series of empirical conditions that makes the occurrence in the world of sense necessary. This intelligible character could, of course, never be known immediately, because we cannot perceive anything except insofar as it appears, but it would have to be thought in conformity with the empirical character... (Kant 1997a [1787] p. 536.)

APPERCEPTION

Robert Brandom takes Kant's understanding of conception to have two moments. Those two moments are a feature of the two moments in a judgment, there is the normative force of the judgment and the content of that judgment. From that understanding he is able to understand the 'I think'

representation being the carrier of force. It is an empty representation with regard to content, because its content is all judgment in general. It has no specific content:

The subjective form of judgment is the ‘I think’ that can accompany all our judgments, and so, in its pure formality, is the emptiest of all representations. Thought of in terms of the normative pragmatics of judgment, it is the mark of *who* is responsible for the judgment. (A corresponding point applies to the endorsement of practical maxims.) (Brandom, 2005 p. 6)

From that reading, I am taking (in my understanding of Kant) the transcendental unity of apperception to be the representation ‘I think’ that already implicates responsibility, it is the unity of normative force as an empty representation. This representation is what is homogeneous within every *act* of spontaneity (synthesis). That is, it is ‘I think’ that is the identical within every judgment (and constitutes the endorsement, authoritative force, of a judgment). The identity of apperception is therefore that ‘I’ am homogeneous with every act of endorsement, and that the acts of endorsement follow upon each other, in time, by virtue of necessary and *a priori* laws (as an aspect of the *conditioned* spontaneity of understanding in determining sensibility in time). There is therefore a unity in the understanding because every act of the understanding in its determination (spontaneous creation by imagination) of both inner and outer sense is homogeneous with this representation; which is just that which is identical between every act of judgment. I.e., that it is an act of endorsement (the endorsement being implicit in it being an act).

It is therefore a transcendental aspect of making judgments that there is a homogeneous force between each of them, in that that which is endorsing those judgments is self-identical (or dialectically, and on transcendental grounds, acts as though it is self-identical with regard to the categorical determination of substance). Kant takes what is homogeneous between the pure concepts of the understanding to be the highest aspect of the faculty of understanding, as it allows not only unity within it (as the identity of the unity of the possible kinds of synthesis), but,

as it is the understanding that is determining the form of inner sense, the endorsements are further pushed down to the given sources of intuition. All intuitions that are reflected upon are also have the 'I think' representation, for otherwise they could not all be my representations in one consciousness. These, as the representations given, whether pure or empirical, are subsumed under their corresponding pure concepts of the understanding in its productive determining (synthesis of) inner sense and outer sense. There is therefore a unity of self-consciousness because every aspect of sensibility, as the receptivity of conscious moments, is brought into one (identical) consciousness by the homogeneous aspect imparted to the representation 'I think', as spontaneity, in its objective synthesis according to the pure concepts of the understanding.