From the Schematism to the Typic. How Can We Be moral?

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"Wir lehren nicht blos durch Worte;
wir lehren auch weit eindringlicher durch unser Beispiel."
(Fichte, 4 Vorl., 1974)
En memoria de Jakub Kloc-Konkołowicz, mi maestro.

Abstract

Kant's chapter "On the Typic of the Pure Practical Power of Judgement" is one of the most obscure passages of the *Critique of Practical Reason* and it has often been regarded as a mere appendix. However, it deals with a fundamental question, namely, how can the pure practical law be applied to particular cases. In this paper, I would like to make an original contribution towards a better understanding of this chapter by comparing it to the Schematism chapter on the basis of their analogical relation and suggesting how the reference to a *sensus communis* could help in solving the (unsolved) aim of the Typic chapter.

Key words

Typic, analogy, schema, common sense

1. How to be moral? The uncompleted task of the Typic chapter.

In an essay from 1784, *Idea for a universal history with a cosmopolitan aim*, Kant alludes to the distinction between being cultivated, moralised and moral:

> We are *cultivated* in a high degree by art and science. We are *civilized*, perhaps to the point of being overburdened, by all sorts of social decorum and propriety. But very much is still lacking before we can be held to be already *moralized*. For the idea of morality still belongs to culture; but the use of this idea which comes down only to a resemblance of morals in love of honor and in external propriety constitutes only being civilized. As long, however, as states apply all

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their powers to their vain and violent aims of expansion and thus ceaselessly constrain the slow endeavor of the inner formation of their citizens' mode of thought, also withdrawing with this aim all support from it, nothing of this kind is to be expected, because it would require a long inner labor of every commonwealth for the education of its citizens. But everything good that is not grafted onto a morally good disposition, is nothing but mere semblance and glittering misery. In this condition humankind will remain until, in the way I have said, it will labor its way out of the chaotic condition of the present relations between states. (G. i. weltbürg. Abs, 8: 26)

Kant's words can be interpreted in a mild sense, as if we are not "perfectly" moral but just half-way there (James 2002, p.341) or in a more radical sense, which puts blame on the lack of morality affecting humankind. But can humans be moral at all? If the answer is affirmative, then *how*?

The fact that we can be moral is demonstrated by Kant through his so-called Copernican revolution in ethics, which is a consequence of his defence of the autonomy of reason: if pure reason can determine the will, then good and evil are not objects already identified as morally good or evil in themselves. Rather, they are as such a consequence of their accordance with the pure practical law:

> This is the place to explain the paradox of method in a *Critique of Practical Reason, namely, that the concept of good and evil must not be determined before the moral law (for which, as it would seem, this concept would have to be made the basis) but only (as was done here) after it and by means of it*. (KpV, 5:62-63)

Yet, the question is: how can the will be determined only through the pure practical use of judgement (KpV, 5:69)? This is an important and distinctive problem since it is one thing to assert that there is a pure universal practical law (KpV, 5:43), and it is quite another to apply it, thus recognising which of the particular maxims can be made universal in accordance with the pure laws.

The problem of the Typic, then, is very similar to that of the Schematism chapter[1], insofar

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Citations to Kant will be to the Akademie Ausgabe by volume and page, except for the Critique of Pure Reason where citations will use the standard A/B edition pagination. English quotations will be from the Cambridge edition of the Works of Immanuel Kant.

[1] The chapter on the Typic and the one on Schematism share a subject matter and suffer the same fate in the secondary literature dedicated to their study. Both deal with the same problem (the application of universal laws to particular cases) and both have been almost disregarded within Kantian research. There are many papers and chapters in works on Kant's ethical thought (Puls 2013, Dietrichson 1969, Dietrichson 2009, Paton 1947, Allison 1999, Korsgaard 1996, Beck 1960, Zimmermann 2011), but only one monograph is dedicated to the Typic (Westra 2016) and Ulrich Seeberg has dedicated an entry of less than a page to this important topic in the *Kant-Lexikon*, where he stresses the value of the Typic in guarding against the empiricism and mysticism of practical reason. In addition, there is a lack of continuity in the debate among Kantian scholars (the studies are few and scattered across different traditions and periods). An important first

as they both deal with a subsumption of particular cases under universal rules. However, in the chapter on the Typic the subsumption is more complicated because: "With pure practical judgement […] the law is a law of reason, not of understanding, and no intuition can be adequate to it. We can never be sure, in any experience, whether the full terms of the moral law have been observed" (Beck 1960, p. 156). To deliver the subsumption, Kant relies on a method of testing our maxims involving questions such as: what kind of a world would this be if everybody acted the way I wanted them to? Would it be possible to act this way in the order of nature[2] laid down by law? As he puts it:

> The rule of judgement under laws of pure practical reason is this: ask yourself whether, if the action you propose were to take place by a law of the nature of which you were yourself a part, you could indeed regard it as possible through your will. (KpV, 5:69)

This solution has been regarded as problematic, because it might lead to mistakes or undetermined results. I believe that many difficulties could have been solved (or at least limited) if Kant had indicated a mediating function to help in delivering the mental experiment and detail how maxims can be made universal in accordance with the pure laws. To find this function, I will use the analogy to the Schematism and look for procedures analogous to transcendental time-determinations, able to "translate" particular maxims[3] in general and eventually – universal maxims.

Firstly, however, I will present an overview of the use and meaning of analogy in philosophy and of the similarities between the Schematism and the Typic to justify the legitimacy of interpreting this case study as an analogy.

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step has recently been made by Westra: his study, the first systematic monograph on this topic, provides not only an analysis of the Typic chapter but also an evaluation of several interpretations of the typic-procedure (e.g. teleological, logical, consequentialist) and has enlivened and fomented new debate on the chapter (Horii 2013, Kinser 2019). Before Westra, Paton (1948) and Beck (1960) made important contributions to elucidate difficult expressions and passages from the chapter (for instance, what is meant under "order of nature"), often thanks to referencing and contrasting it with the schematism chapter. Besides, Allison (2011) has underlined the fundamental role of the thought experiment presented in the Typic: "For purposes of practical judgement, we can consider a universalized maxim as if it were a law of nature and by this means judge its conformity (or lack thereof) with the imperative. Indeed, according to Kant, not only can we do this, we must, if we are to apply the moral law to particular cases; for this is the only way in which we can bring the law, as a product of pure practical reason, to bear on such cases" (Allison 2011, p. 178). Nevertheless, only a few pages are dedicated by the aforementioned commentators to the Typic chapter, the importance of which is overshadowed by the attention given to other topics (e.g. the categorical imperative, the notions of will, freedom and the concept of the highest good).

[2] Following Herbert James Paton (Paton 1948, pp. 150 ff.) and Lewis White Beck (Beck 1960, pp.159-61) I interpret Kant's reference to an order of nature as implying: 1) the universal uniformity of nature; 2) the idea of nature as an organic unity (the realm of ends).

[3] If such a function is constitutive of reason, then in principle all ethical judgements can be tested and therefore corrected. By this I do not mean that every reasonable being can de facto correct his own ethical maxims, but only that reason *can* be autonomous and determine the will so that it perfectly corresponds to the moral Law.

2. Analogy

Analogies are one of the fundamental kinds of reasoning. The history of science and philosophy provides innumerable examples of their fruitful use as a kind of ampliative reasoning [4]. However, a cautious evaluation of analogy – which was used already in ancient Greek thought, especially in the Aristotelian Logic – is found in many philosophical works: for instance, in his *Novum Organum* Bacon states that analogies are useful, although they should be used with discretion (Bacon 2000, p.180), whilst Newton stresses their value in the improvement of knowledge (Newton 1999, p. 795). Later on, Locke considers analogy as a way to drive considerations on missing, unknown elements that have effects in nature (Locke 1976, pp. 412-413)[5].

Kant, who is in debt to Aristotle for most of his general logic, refers in his *Lectures on Logic* to analogy as being a procedure, similar to induction, delivered by the power of judgement[6]:

> Induction infers, then, from the particular to the universal (*a particulari ad universale*) according to the principle of universalization: What belongs to many things of a genus belongs to the remaining ones too. Analogy infers from particular to total similarity of two things, according to the principle of specification […] One in many, hence in all: Induction; many in one (which are also in others), hence also what remains in the same thing: Analogy. (Log. 9:133)

Apart from that, in the *Lectures on Metaphysics* analogy is regarded as a sort of mathematical proportion[7] or a way to infer unknown properties of a known term from known properties of another term that shares properties with the known term (L1, 28:287). Analogical arguments are structured as following[8]:

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[4] According to Joseph Priestley, a chemist and pioneer of electricity: "analogy is our best guide in all philosophical investigations; and all discoveries, which were not made by mere accident, have been made by the help of it" (Priestley 1769/1966, p. 14).

[5] "Concerning the manner of operation in most parts of the works of nature, wherein, though we see the sensible effects, yet their causes are unknown, and we perceive not the ways and manner how they are produced. Analogy in these matters is the only help we have, and it is from that alone that we draw all our grounds of probability" (Locke 1976, pp. 412-413).

[6] "The power of judgment, by proceeding from the particular to the universal in order to draw from experience (empirically) universal – hence not *a priori* – judgments, infers *either* from *many* to *all* things of a kind, *or* from *many* determinations and properties, in which things of one kind agree, *to the remaining ones, insofar as they belong to the same principle*. The former mode of inference is called inference *through induction*, the other inference *according to analogy*" (Log, 9:132).

[7] "Analogy is a proportion of concepts, where from the relation between two members that I know I bring out the relation of a third member, that I know, to a fourth member that I do not know" (L1, 28:292). As Callanan puts it: "an analogy is a principle which functions to combine appearances in a specific manner, relating non-given appearances to given ones, and warranting an inference regarding the existence, if not the characteristic features, of that former non-given appearance. The motivation mathematical analogy, as a 'proportion of concepts' reflects the manner in which such principles are applied to experience and warrants a particular type of inference being made" (Callanan 2014, p.764).

[8] Formulations of analogies are found in texts on argumentation theory (e.g. Govier 1999, Guarini 2004, Walton and Hyra 2018) and in the literature on critical thinking (e.g. Copi and Cohen 2005).

(1) S is similar to T in certain (known) respects.

(2) S has some further feature Q.

(3) Therefore, T also has the feature Q or some feature Q* similar to Q.

(1) and (2) are premises. (3) is the conclusion of the argument. In this ampliative argument – the conclusion of which is not guaranteed to follow with necessity[9] from the premises – we begin by indicating the most significant similarities (and sometimes differences) between S and T.

I will now identify the main similarities and some differences between the Typic and the Schematism chapters, and then construct the analogy between them.

3. Similarities between the Schematism and the Typic chapters

The analysis of these very short and dense chapters – which are part the Analytic, because only after the presentation of the draft of categories (of pure understanding in the first *Critique* and of freedom in the second *Critique*) was it legitimate to investigate how they can be applied – the following similarities can be found: a) absurdity, b) homogeneity and subsumption, c) the role of the power of judgement, d) obscurity and the emergence of psychological topics.

a) Absurdity

Both chapters are regarded as dealing with an impossible or absurd problem. In the Schematism chapter, understanding and sensibility are so heterogeneous that, considered as such, they cannot belong to a common kind. However, the Transcendental Deduction demonstrates that the empirical use of the categories is not only possible, but it is also the only use which can provide categories with a meaning. But then, the question is: *how*? *How* are categories applicable to intuitions (KrV A138/B177)? Given the necessity of the application of categories to the intuitions and the impossibility of an immediate subsumption, what is needed is a mediating function, something homogeneous[10] to both faculties:

> Now it is clear that there must be a third thing, which must stand in
> homogeneity with the category on the one hand and on the appearance on the

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[9] Although useful in extending cognition, these reasonings are not provided with necessity and because of this: "we must make use of them with caution and care" (Log, 9:133).

[10] The reference to homogeneity is confusing. Concepts and intuitions are completely inhomogeneous: the former are active and general, the latter – passive and individual. If homogeneity is a necessary condition of subsumption, then subsumption between the two is in principle impossible. Curtius underlines that this is not the conclusion of Kant, who, once aware of the problem of heterogeneity, asserts that a "third" must be given, a medium that is pure, on the one hand, and sensible – on the other (KrV A138/B177). Why does Kant proceed in this way? There are two possibilities: Kant is contradicting himself (at first, he states that no subsumption is possible between terms that are not homogeneous, and then he claims that subsumption between inhomogeneous terms is possible) or he uses the notion of subsumption and of heterogeneity in a particular way: "The heterogeneity which Kant here asserts is merely the difference of nature which follows from the diversity of their functions. The category is formal and determines structure; intuition yields the content which is thereby organised. Accordingly, the 'third thing', which Kant postulates as required to bring category and intuition together, is not properly so describable; it is simply the two co-operating in the manner required for the possibility of experience" (Kemp Smith 1918, p. 334).

> other, and makes possible the application of the former to the latter. This mediating representation must be pure (without anything empirical) and yet **intellectual** on the one hand and **sensible** on the other. Such a representation is the **transcendental schema**. (KrV A138/B177)

This absurdity of the distinction between two heterogeneous functions that must nevertheless cooperate is addressed in the Typic chapter, too, where Kant states that the judgment of pure practical reason is subject to the very same difficulties as pure theoretical reason, insofar as a non-empirical rule (a law of freedom) has to be applied to the empirical level:

> all cases of possible actions that occur can be only empirical, that is, belong to experience and nature; hence, it seems absurd to want to find in the sensible world a case which, though as such it stands only under the law of nature, yet admits of the application to it of a law of freedom and to which there could be applied the supersensible idea of the morally good, which is to be exhibited in it in *concreto*. (KpV, 5:67)

b) Homogeneity and subsumption

As anticipated, the problem that the Typic and the Schematism chapters aim to solve seems absurd. Both chapters deal with a mismatch between elements that are not homogeneous and must be subsumed one under the other. But what is meant by homogeneity? 'Homogeneity' (*Homogeneität*) is used by Kant to refer to things sharing qualitative properties (KrV A657/B685; 14: 366; 14:.410). For instance, 'table' belongs to the kind of the empirical concepts, while 'quadrangle' to that of geometrical ones: they do not belong to the same class, but rather are inhomogeneous and therefore cannot be subsumed one under the other.

   Unfortunately, in Kant's texts the terms implied in the subsumption are very ambiguous: some passages of the Schematism chapter suggest that it refers to the relation between (empirical) intuitions and categories (A137/B176), while others address appearances and categories (A138/B177) or objects and concepts (A137/B176). Within the debate concerning the nature of the heterogeneity of the terms presented in the Schematism chapter, Kemp Smith and Curtius deny that schemata deal with subsumption of a particular case under class concepts, instead stating that schemata concern the relation between form and content. As Curtius stresses, Kant's example[11] of the homogeneity between the roundness thought in the empirical concept of a plate and that what is intuited in the

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[11] "Now pure concepts of the understanding, however, in comparison with empirical (indeed in general sensible) intuitions, are entirely unhomogeneous, and can never be encountered in any intuition. Now how is the subsumption of the latter under the former, thus the application of the category to appearances possible, since no one would say that the category, e.g., causality, could also be intuited through the senses and is contained in the appearance? This question, so natural and important, is really the cause which makes a transcendental doctrine of the power of judgement necessary, in order, namely, to show the possibility of applying pure concepts of the understanding to appearances in general" (KrV A137-138/B176-177).

geometrical concept of circle is completely misleading[12]. The two are not connected in terms of the relation between class and member: taking Kant's passage literally, it suggests that the homogeneity regards not a class concept and a member but rather what is intuited in the pure concept of a circle and what is thought in the empirical intuition of a plate, i.e. the roundness. The procedure of subsumption [13] described here concerns, therefore, elements that share a relation to a common characteristic term *Merkmal*, which permits to relate them, thus delivering a sort of translation/mediation from one level to another.

In the Typic chapter, the subsumption encounters even more difficulties than in the theoretical use of the judgement because, as Kant puts it: "the morally good as an object is something supersensible, so that nothing corresponding to it can be found in any sensible intuition" (KpV, 5:68). In a similar way to the schematism, some unclear passages in the text had sparked a large debate concerning the identification of the terms of the inhomogeneity. The discrepancy could be interpreted as concerning:

1) natural causality and freedom (Beck 1960 p.156-7; Pieper 2011 p.109)
2) form and matter (Johnson 1985, p.270; Marty 1997, p.248; Dietrichson 1969, p. 167ff)
3) subjective and objective ends (Johnsson 1985, p. 270)[14]
4) characteristics of human beings belonging to two worlds. (Westra 2018)

This last interpretation is in my view more comprehensive and helpful in understanding the practical problem of the chapter. Namely, human beings – insofar as they are characterised by both empirical and non-sensible dimensions – are affected by a sort of epistemic finitude, according to which the need to exhibit thoughts through sensible intuition and the inability to exhibit them in any other way go together. These are two sides of the same coin, which constitutes a specific limitation of the human mind interpretable as *representational finitude* (Westra 2018, p.38). As Kant puts it:

Now, a human being really finds in himself a capacity by which he distinguishes

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[12] According to Curtius, from the viewpoint of the traditional notion of subsumption, this Kantian example can be considered as a "complete misunderstanding (*ein völliger Missgriff*)" (Curtius 1914, pp. 346-347, transl. L.S.) that increases the obscurity of the chapter.

[13] Kant's definition of "inferences of reason" (*Vernunftschlüsse*) in the Jäsche Logic is somehow close to subsumption: "What stands under the condition of a rule also stands under the rule itself" (Log. 9:120). An inference is composed of a major premise (a general rule), a minor premise, i.e. the subsumption of the condition of a proposition under the condition of the rule, and finally – the conclusion, i.e. the affirmation or negation of the rule in the given case of the subsuming judgement.

This structure can be reasonably related to schemata as rules of the judgement. Allison points out that the first usage of the term 'schema' in the chapter is given in the definition of the power of judgement as a "faculty of subsuming under rules", in the sense that while the understanding provides the rule as the faculty of rules intended, the judgement indicates whether a given case falls under a rule. "His (Kant's) intent is not to suggest that the act of judging can be adequately analysed in terms of subsumption; it is rather to call attention to a set of synthetic a priori judgements (the Principles of Pure Understanding) which, unlike, ordinary judgements of experience, do not merely make use of the categories but actually subsume all appearances under them. Kant's concern is with the possibility of such judgements" (Allison 2004, p.212).

[14] "How can a particular maxim that specifies subjective ends […] be evaluated by a moral principle […] that does not depend on subjective ends?" (Johnsson 1985, p. 270).

himself from all other things, even from himself insofar as he is affected by objects, and that is *reason*. This, as pure self-activity, is raised even above the *understanding* by this: that though the latter is also self-activity and 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 *under rules* and thereby to unite them in one consciousness, without which use of sensibility it would think nothing at all: but reason on the contrary, shows in what we call "Ideas" a spontaneity so pure that it thereby goes far beyond anything that sensibility can ever afford it. (GMS, 4: 452)

c) The power of judgement

In both the Schematism and the Typic chapters, the power of judgement plays a fundamental role. The former belongs to the Transcendental Doctrine of the Power of Judgement (KrV A137/B156f.); since categories are valid and necessary but lack content, they are still insufficient to justify judgements that are objective (i.e. determinately true) or false criteria to evaluate actual cases of truth or falsity. To achieve this purpose, a Transcendental Doctrine of Judgement is required as part of a Transcendental Logic[15]. As Kant stresses, one of the peculiarities of Transcendental Logic[16] lies in its capacity to indicate a priori the cases to which the rules (pure concepts) must be applied. In order to apply a rule while avoiding the reference to another rule (and then a *regressus ad infinitum*), Kant introduces a special talent (KrV A133/B172), which allows the application of the rules: "[…] the power of judgement is a special talent that cannot be taught but only practiced. Thus is also what is specific to so-called mother-wit, the lack of which cannot be made good by any school" (KrV A133/B172).

Judgement[17] is involved in the Typic chapter in a similar way: "The rule of judgment under laws of pure practical reason is this: ask yourself whether, if the action you propose were to take place by a law of the nature of which you were yourself a part, you could indeed regard it as possible through your will" (KpV, 5: 69). The moral Law and its object (the highest good) are still not sufficient for the actual moral appraisal (Silber 1966, p. 198):

> [laws a priori] still require a power of judgment sharpened by experience, partly
> to distinguish in what cases they are applicable and partly to provide them with

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[15] "Transcendental Logic must therefore be able to give us what Kant calls a Transcendental Doctrine of Judgement. It must tell us what the transcendental schemata are, the necessary and universal characteristics of sensible objects in virtue of which the pure categories can be applied. It must also tell us what are the synthetic a priori judgements which arise when we apply pure categories to sensible objects in virtue of the transcendental schemata" (Paton 1936, p. 23).

[16] Transcendental logic differs from general logic insofar as it deals with the truth: general logic abstracts from content and can be used to evaluate only the form of judgements, while transcendental logic deals with content itself (namely pure a priori cognition *überhaupt*). It is in this sense that Kant claims the conditions of the possibility of experience possess "transcendental truth".

[17] There is a debate concerning whether the use of the judgement in the Typic is determinative or regulative. Makino states that it is determinant insofar as the moral Law is already given (Makino 1997 p. 159). Tsuburaya points out that both the Schematism and the Typic presupposed a reflective use of the judgement and its principle of purposiveness (Tsuburaya 2012), whilst Pieper stresses that it is not clear, and the practice judgement seems to be something in between the two uses (Pieper 2002).

> access to the will of the human being and efficacy for his fulfilment of them; for the human being is affected by so many inclinations that, though capable of the idea of a practical pure reason, he is not so easily able to make it effective *in concreto* in the conduct of his life. (GMS, 4: 389)

Here, like in the Schematism chapter, the faculty of judgement cannot make use of the determinate rules *ad infinitum* (if a rule to use the judgement is needed, then another one is necessary to apply the rule, etc.) nor merely try to reply examples[18]. Therefore, Kant does not introduce rules or commandments, but rather a procedure the judgement must follow to determine the will in a sort of a moral schematism (Silber 1966, p. 200)[19].

d) Obscurity and the emergence of psychological topics

Another point of similarity is provided by the general obscurity affecting the procedures to which the Schematism and the Typic chapters refer. More specifically, in the Schematism chapter, the concrete process of time determination cannot be unravelled, and Kant himself admits that it is something difficult to understand and mysterious (KrV A141–142/B180–181). He limits himself to focusing on the transcendental determination of the domain of the possible experience, thus providing a criterion for discriminating among possible objects of experience and other kinds of objects (ideas, objects of thoughts with no actual realisation in experience). Kant, then, leaves the empirical/psychological question aside, because it is not relevant nor necessary to fulfil coherently the aims of the first *Critique*. In this way, he leaves it to psychologists to determine the specific topic of their investigation[20].

Similarly, obscurity affects the Typic chapter insofar as ultimately nobody can be sure[21] that his will is determined only by the pure laws: even if we can apply the test to universalise our maxims and determine our will according to the pure moral law, there is always a degree of self-obscurity concerning our profoundest motives. Kant sticks to this point repeatedly in his works, referring to the opacity and unfathomability affecting the depths of the human heart (GMS, 4: 398-9; KpV, 5:35; Rel, 6: 446-7). This resembles the obscurity of the Schematism chapter, opening one path towards a psychological investigation concerning self-knowledge and the analysis of our deepest motives.

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[18] Examples are not sufficient to exercise the power of judgement correctly, but are nevertheless helpful: "examples are the leading-strings of the power of judgement, which he who lacks the natural talent or judgement can never do without" (KrV A134/B173). Given our representational finitude, we need a sensible *analogon* for applying the law: in the Typic, namely, the law of nature is exemplar for applying the moral law. As Kant puts it: "Thus it has the law of nature always at hand, only that in cases where causality from freedom is to be appraised it makes that law of nature merely the type of a law of freedom, because without having at hand something which it could make an example in a case of experience, it could not provide use in application for the law of a pure practical reason" (KpV, 5:70).

[19] As Silber puts it: "Kant can introduce rules to guide judgment without being involved in an infinite regress because he does not offer a rule for applying the moral law; rather, the moral law is a principle which specifies the procedure which judgment must follow in order first to determine and then to attain the highest good. The moral law merely specifies the procedure of judgment in the act of moral schematism, that is, in the act of determining the embodiment of the highest good" (Silber 1966, p.200).

[20] Scaglia 2020.

[21] As he puts it: "The human heart is opaque and self-knowledge is not reliable. We cannot even know whether there has ever been a truly moral act"(Rel, 6:447).

3. Distinction between the Schematism and the Typic chapters

Having highlighted the main similarities, we can focus on the fundamental difference between the chapters – and the solution to their shared problem – which regards the use of and relation between the faculties in the first and the second critique. I shall not delve into a detailed comparison between the two, but just point out that while categories of the understanding have real significance only in their empirical use – i.e. sensibility and understanding are both necessarily implied in the process of objective cognition (KrV, B146f.) – categories of freedom do not need intuitions to be significant (KpV, 5:65-66;). Namely, they concern exclusively the determination of the will and not the natural conditions of the practical faculties: practical reason, which is the grounds of the categories of freedom, is pure. From this derives the impossibility to schematise the moral Law:

> To a natural law, as a law to which objects of sensible intuition as such are subject, there must correspond a schema, that is, a universal procedure of the imagination (by which it presents a priori to the senses the pure concept of the understanding which the law determines). But no intuition can be put under the law of freedom (as that of a causality not sensibly conditioned) – and hence under the concept of the unconditioned good as well – and hence no schema on behalf of its application *in concreto*. Thus the moral law has no cognitive faculty other than the understanding (not the imagination) by means of which it can be applied to objects of nature, and what the understanding can put under an idea of reason is not a schema of sensibility but a law, such a law, however, as can be presented *in concreto* in objects of the senses and hence a law of nature, though only as to its form; this law is what the understanding can put under an idea of reason on behalf of judgment, and we can, accordingly, call it the type of the moral law. (KpV, 5:69)

A schema, then, cannot be useful[22] in the practical moral appraisal because: 1) it restricts an intelligible rule (the category) to sensibility, while the suprasensible nature of the law of freedom cannot be denaturalised; 2) it belongs to the theoretical use of the power of judgement, which deals with action in nature under the law of causality and not of freedom. In the Typic chapter, namely, Kant draws explicitly a sharp contrast between theoretical and practical judgment and the respective interests regarding actions:

> Subsumption of an action possible to me in the sensible world under a *pure practical law* does not concern the possibility of the *action* as an event in the sensible world; for, it belongs to the theoretical use of reason to appraise that possibility in accordance with the law of causality, a pure concept of the understanding for which reason has a *schema* in sensible intuition. Physical causality, or the condition under which it takes place, belongs among the concepts of nature, whose schema transcendental imagination sketches. Here, however, we have to do not with the schema of a case in accordance with laws

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[22] Zimmerman 2015 and Westra 2016 agree on this point.

> but with the schema of a law itself (if the world 'schema' is appropriate here), since the *determination of the will* (not the action with reference to its result) through the law alone without any other determining ground connects the concept of causality to conditions quite other than those which constitute natural connection. (KpV, 5:68-69).

The mediating role of imagination in the schematism is replaced here by the understanding, which can present the law of freedom as a law of nature (according to its form), thus producing the "mental experiment" of which the Typic consists.

4. An open problem

There have been many criticisms concerning the validity and the meaning of the mediations developed through the Schematism and the Typic chapters. I will not delve into the details here, but rather present some open-ended debate points and then use the analogy with the Schematism chapter to elucidate the characteristics that maxims must have to be universalizable.

According to the lessons of the Typic chapter, in order to apply pure practical rules correctly, we should ask ourselves: should I, as the creator of a world of ends, wish that the maxims I am considering be laws themselves? However, this test has been regarded as problematic, insofar as it might lead to mistaken or undetermined results: Hegel, for instance, alludes to the uselessness of the test, insofar as it delivers no results or ones that are mistaken (NL: 127–8 [II: 465–6]; LHP III: 460 [XX: 368] NL: 127–8 [II: 465–6]; LHP III: 460 [XX: 368]).

Moreover, another difficulty concerns the conditions to develop the test: is a test delivered by means of a particular presupposed moral sense ("insight") or arguments of the same kind as the epistemic judgements? More specifically, in his discussion with Martin Heidegger at Davos, Cassirer regards the Typic (that he contrasts with the Schematism) as an example of an approach to ethics through "insights" that are not "bits of knowledge". As he puts it:

> The extraordinary significance of the Schematism cannot be overestimated. […] In the ethical, however, he forbids the Schematism. There he says: our concepts of freedom, and so on, are insights (not as bits of knowledge) that no longer permit schematizing. There is a schematism of theoretical knowledge but not of practical reason, there is in any event something else, namely, what Kant calls the Typic of Practical Reason. And he makes a distinction between Schematism and Typic. (Heidegger 1973, pp. 276-7)

Cassirer, then, seems to suggest a non-cognitivist interpretation according to which the main distinction between Schematism and Typic is given by the assumption that moral statements do not concern beliefs to which truth and falsity apply, but rather rest on specific "insights", and that one could wonder what is the faculty or sense responsible for accessing these insights.

Moreover, Kant's theory of Typic can be considered in light of the debate between realists and constructivists[23]. While the former state that the moral Law is independent from reason (Ameriks 2003, Guyer 2000, Schönecker 2013, Stern 2012, Wood 1999), the latter emphasise that moral obligations are the result of a process of human cognitive activity (Rawls 1980, Hill 1989, Korsgaard 1996, O'Neill 1989, Reath 1994). The chapter on the Typic can provide useful arguments to enlighten this debate: as Kant states, we have to test the universality of our maxims and this test could be interpreted as a construction. Particular moral obligations, too, might be interpreted as the result of a kind of construction, but this does not necessarily mean that the moral Law itself is constructed (nor the contrary). That is to say, the question concerning realism or constructivism regards the maxims, not the moral Law (Kleingeld & Willaschek 2019).

Assuming that the moral Law is self-legislative and does not depend on something more fundamental, how can we determine the characteristics of possible moral judgements and deliver the test described in the Typic chapter?

5. In search of a mediating function

Both the Schematism and the Typic deal with a tension concerning inhomogeneous functions that must be mediated.

In the first *Critique*, the mediation works through the reference to time, which shares similarities with both categories and appearances (KrV, B177-178/A138-139)[24]. In the case of time, categories become a sort of general time determinations constituting the grounds for principles, i.e. synthetic a priori judgements. Schemata, then, can be regarded as being the most general characteristics (*Merkmalen*) that objective judgements must have to be possible in reference to experience, which is unified through pure laws justified universally through the transcendental deduction.

In the Typic chapter, by contrast, the mediation works not through a "rule of time-determination" (KrV, B184/A145), but rather through a rule of the judgement to change our perspective in the moral appraisal:

> The rule of judgment under laws of pure practical reason is this: ask yourself
> whether, if the action you propose were to take place by a law of the nature of

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[23] I am sympathetic with Kleingeld and Willaschek's position: they regard the Moral Law as being grounded in nothing other than itself (Kleingeld & Willaschek 2019). This position provides a more consistent and coherent interpretation of Kant's lines, in contrast to both the realistic positions – regarding, for instance, moral maxims as being grounded in objective values, such as the value of humanity (Wood 2008) – and the constructivist ones, which consider the lines as dependent on a deliberative activity of human reason (Rawls 1980).

[24] "Time, as the formal condition of the manifold of inner sense, thus of the connection of all representations, contains an a priori manifold in pure intuition. Now a transcendental time-determination is homogeneous with the category (which constitutes its unity) insofar as it is universal and rests on a rule a priori. But it is on the other hand homogeneous with the appearance insofar as time is contained in every empirical representation of the manifold. Hence an application of the category to appearances becomes possible by means of the transcendental time-determination which, as the schema of the concept of the understanding, mediates the subsumption of the latter under the former" (KrV, B177-178/A138-139).

which you were yourself a part, you could indeed regard it as possible through your will. Everyone does, in fact, appraise actions as morally good or evil by this rule. Thus one says: if *everyone* permitted himself to deceive when he believed it to be to his advantage, or considered weary of it, or looked with complete indifference on the need of others, and if you belonged to such an order of things, would you be in it with the assent of your will? […] Such a law is, nevertheless, a *type* for the appraisal of maxims in accordance with moral principles. If the maxim of the action is not so constituted that it can stand the test as to the form of a law of nature in general, then it is morally impossible. (KpV, 5: 69-70)

In contrast to the schemata, Kant does not provide a table of the types, but limits himself to the claim that we should use the universal form of the law of nature to deliver the test, thus imaging or representing a world in which our maxims hold the validity of principles of nature. Then, the function assumed by time in the Schematism chapter is assumed by the form of the law of nature that we should use to test our maxims. However, this is not sufficient to explain how this mediation actually works, i.e. how we can change the perspective. To do that, there must be a faculty through which we can elevate ourselves from a particular, egocentric perspective to a more general one.

In both the Schematism and the Typic chapters, the faculty of the judgement plays a fundamental function: in decision making, as well as in cognition, we use judgements to relate a subject and attributes or particular and universal perspectives. To elaborate the test in the case of moral appraisal, we elevate ourselves to the position of a lawgiver: while in the Schematism chapter pure laws are, so to say, temporalised (and thus realised), in order to apply moral laws according to the Typic chapter, we have to elevate ourselves to a noumenal dimension, i.e. assuming the position of a lawgiver. But how is that possible?

To answer this question, I will refer to the third *Critique*, where Kant refers to a particular sense
through which we can try to assume the lawgiver's position.

6. *Sensus communis* as a mediating function

As mentioned above, many critics regard Kant's formal ethics as insufficient to provide hints about elaborating judgments that can guide action. Onora O'Neill (O'Neill 1989) comments on this criticism by referring to Kant's discussion of a *sensus communis* (KU, 5: 293ff.; L, 9: 57, 63):

> […] the *sensus communis* consists of three principles or maxims that constrain understandings, indeed practices of communication, that can be shared in any possible community. These maxims do not presuppose that standards or principles of communication are either antecedently established or actually shared: They articulate the self-discipline of thinking that will be required if there is to be communication among a plurality whose members are not antecedently coordinated, who form a merely possible community. (O'Neill 1989, p.25)

That is exactly what is needed to develop further what Kant left undetermined in the Typic: namely the characteristics that maxims must have to be morally possible. To adopt these *Merkmalen* means to make use of the three "maxims of common human understanding" (KpV, 5:294)[25] and change the perspective from a subjective-egocentric one, to a general-ethical one, thus making proper use of one's own reason:

> To make use of one's own reason means nothing more than to ask oneself, with regard to everything that is to be assumed, whether he finds it practicable to make the ground of the assumption or the rule which follows from the assumption, a universal principle of the use of his reason. (Was heißt: s. i. D. or.?, 8:146n)

I will not delve here into the details of the relation between common sense (*Gemeinsinn*) and common human understanding but just stress that they might be confused with each other insofar as they are both addressed to a *sensus communis* and are presupposed as grounds for communication[26]. However, while we judge by feeling using the former[27], we always judge by concepts using the latter – although obscurely (KU, 5:238).

More specifically, the first is defined as being the feeling caused by the disposition of our cognitive powers when we are given objects bringing the imagination to a free play (KU, 5:218; 238), whilst the second is the healthy understanding, presupposed in every human being, no matter how cultivated he is. As Kant puts it:

> By "*sensus communis*," however, must be understood the idea of a communal sense, i.e., a faculty for judging that in its reflection takes account (a priori) of everyone else's way of representing in thought, in order as it were to hold its judgment up to human reason as a whole and thereby avoid the illusion which,

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[25] These maxims do not belong to the critique of taste as parts of it, but rather aim to elucidate the critique insofar as they characterise the proper use of reason in general, independently from the specificity of the domain (aesthetic, logical, anthropological, etc.). The procedure of judgment in all its employments maintains specific characteristics or rules (the maxims of common human understanding). In the *Logic*, for example, it is stressed that to avoid error we should use the following general rules: "1) to think for oneself; 2) to put oneself in thought in the place or point of view of another; and 3) always to think consistently" (Log, 9:57). In the *Anthropology*, to attain wisdom (the perfect practical use of reason according to law) the following rules must be respected: "1) To think for oneself. 2) In communication with men to imagine (*sich denken*) oneself in the place of every other person. 3) Always to think in agreement with oneself" (Anth, 7:228-229).

[26] "Now since this disposition itself must be capable of being universally communicated, hence also the feeling of it (in the case of a given representation), but since the universal communicability of a feeling presupposes a common sense, the latter must be able to be assumed with good reason, and indeed without appeal to psychological observations, but rather as the necessary condition of the universal communicability of our cognition, which is assumed in every logic and every principle of cognitions that is not skeptical". (KU, 5:239)

[27] Because *Sensus communis* is strongly associated with feeling, it might be considered to be similar to the insight to which Cassirer alluded. Besides, although Kant's focus starts from the individual capacity to determine his ethical judgements, the reference to common sense and the change in perspective provides elements to respond to accusations of him not considering the social/communal sphere (Makino 1997).

> from subjective private conditions that could easily be held to be objective, would have a detrimental influence on the judgment. […] Now perhaps this operation of reflection seems much too artificial to be attributed to the faculty that we call the common sense; but it only appears thus if we express it in abstract formulas; in itself, nothing is more natural than to abstract from charm and emotion if one is seeking a judgment that is to serve as a universal rule. (KU, 5:293-294)

Actually, the ambiguity of the expression *sensus communis* is helpful in underling its mediating function in analogy with the Schematism chapter, in which transcendental time determinations hold characteristics making them homogeneous to both sensibility and understanding. As I interpret the chapter, however, the schema is improperly regarded as a third thing, whereas it would better be described as a procedure by which inhomogeneous elements cooperate in grounding experience (Scaglia 2020). Just as transcendental time determinations are sensible and universal, the common sense is double-sided: both a disposition of faculties and the feeling accompanying this disposition.

   Given the sensible and intellectual nature of the *sensus communis*, its maxims can help in elucidating *how* it is possible to deliver the test exposed in the Typic chapter and change the perspective from a mere subjective one to a general one. More specifically, the first maxim concerns thinking for oneself:

> The first is the maxim of a reason that is never **passive**. The tendency toward the latter, hence toward heteronomy of reason, is called **prejudice**; and the greatest prejudice of all is that of representing reason as if it were not subject to the rules of nature on which the understanding grounds it by means of its own essential law: i.e., **superstition**. Liberation from superstition is called **enlightenment**, since, although this designation is also applied to liberation from prejudices in general, it is superstition above all (*in sensu eminenti*) that deserves to be called a prejudice, since the blindness to which superstition leads, which indeed it even demands as an obligation, is what makes most evident the need to be led by others, hence the condition of a passive reason. (KU, 5:294)

This maxim remarks not only that we are and have to be autonomous, i.e. can determine our will independently from empirical motives, but also that our process of judging cannot but start from our individual position. It is we – with our particular motives, impulses and stories (our rooted rationality) – that are on stage. Those who do not reason for themselves elude their status as thinking subjects, thus rejecting the very nature of rationality, namely autonomy. It is not surprising that this maxim (called the "never passive reason" KU, 5:294) is the core of the motto of enlightenment (W. i. Aufklär.?, 8:35)

   The second maxim addresses the capacity to think from the standpoint of everyone else:

> As far as the second maxim of the way of thinking is concerned, we are accustomed to calling someone limited (**narrow-minded**, in contrast to **broad-minded**) whose talents do not suffice for any great employment (especially if it

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> is intensive). But the issue here is not the faculty of cognition, but the **way of thinking** needed to make a purposive use of it, which, however small the scope and degree of a person's natural endowment may be, nevertheless reveals a man of a **broad-minded way of thinking** if he sets himself apart from the subjective private conditions of the judgment, within which so many others are as if bracketed, and reflects on his own judgment from a **universal standpoint** (which he can only determine by putting himself into the standpoint of others). (KU, 5:295)

Through such a maxim "of enlarged thought" (KU, 5:294), the subject reflects on his own judgement by shifting from a private position to the standpoint of others (KU, 5:295): reasoning, then, does not depend on external standards but is the result of an autonomous process delivered by (and possible for) the individuum.

Finally, the third maxim regards consistency:

> The third maxim, namely that of the consistent way of thinking, is the most difficult to achieve, and can only by achieved through the combination of the first two and after frequent observance of them has made them automatic. One can say that the first of these maxims is that maxim of the understanding, the second that of the power of judgment, the third that of reason. (KU, 5: 295)

This maxim is more difficult to achieve than it might appear: each change[28] in the standpoint brings with itself the possibility of new inconsistencies. That is why Kant states that it is the hardest maxim to attain and that doing so is only possible in union with the other two maxims (KU, 5:295).

A perfect application of the maxims should be regarded as a possible – although never-ending – task: the more accurate and broader our capacity to enlarge our perspective and be coherent and consistent, the more adequate our maxims will be to the moral Law. In this way, we hope to moralise the natural world assuming the realm of ends as a task. Teleology plays a fundamental role here: as is well known, assuming purposes is subjectively necessary for Kant to interpret nature as well as history (KU, 5:397-98; G. i. weltbürg. Abs, 8:18). Since, however, history consists of external deeds, inner moral progress cannot be perceived nor demonstrated, but only hoped (Rel, 6:76). In turn, inner morality set as a goal of human history can be trained and inspired through legal and external means, such as institutions, culture and education. From this perspective, empirical forms of historical progress are necessary preparatory steps for moral progress, which is to be regarded as a long-term goal provided by history to moral agents (Louden 2000, p.152). Therefore,

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[28] One could argue that such a change is impossible: the standpoint of the other is still my standpoint – the standpoint which I imagine the other holds. However, the exercise is worthy: in the praxis, gaining knowledge and experience, learning different languages, meeting other people, etc., are ways to broaden our perspective and give us tools for elaborating more successful tests to generalise our maxims. In this sense, it cannot be but a never-ending task and the impossibility of perfect adequacy to the perspective of the others is not sufficient grounds for claiming the worthiness of the enterprise (cf. Kant's reference to teaching ethics in MS, 6: 477f).

suprasensible noumenal dimension should be regarded as prior or more fundamental to the natural one, but not in a metaphysical-mystical sense: there is no pre-established harmony, but rather it is our duty to harmonise the world[29] according to the Law.

Some conclusions

Recently, Westra and Kisner have presented their interpretations of the Typic chapter: while the first tends to interpret the type of the law as a third thing (Westra 2016, p. 61), the second rejects the tripartite view (in which there are two elements that need to be mediated through a middle term) and regards the mediation in light of an analogy between the law of nature and the moral law. Both laws are formally the same (as laws, they share the same objective validity), but are differentiated insofar as the law of nature is not merely formal – it also has a sensible representation and a schema of sensible intuition. Therefore, on the basis of its analogical relation to the law of nature, the moral Law can be applied by the practical judgement representing it through the reference to the law of nature:

> Consequently, we can represent the moral law, which is per se non-sensible and non-representational, only through reference to the law of nature. So in the process of representing the moral law the practical judgment borrows via the analogy from the law of nature its material part which is missing in the moral law. (Kinser 2019, p. 150)

I am sympathetic to this interpretation, because it helps in understanding the procedure behind the moral appraisal to which the Typic alludes. The maxims of the common understanding provide constraints on the moral appraisal, indicating how we can change our standpoint: to put ourselves in the positions of lawgivers, namely, means to abandon our private standpoint and formulate maxims that are sharable by a plurality of rational subjects as if it were a law of nature. The *sensus communis*, then, provides characteristics that every judgement must have to be morally possible: if a maxim is incoherent, non-sharable and derived from a passive use of reason, then it cannot be properly moral.

One could wonder whether these constraints are exclusive to the moral judgement. Since, as already stated, they are recurrent in Kant's works as criteria to avoid error (Log, 9:57; Anth, 7:228-229), they should be regarded as identifying the correct use of reason in general. More specifically, the three maxims give normative orientation to all kinds of bottom-up rational exercises: to corroborate the legitimacy of judgements, their coherency, shareability and derivation from an active use of reason must be verified. Nevertheless, I am convinced that it is not by chance that in the third *Critique* Kant ascribes these maxims to the common sense (and not, for instance, to pure reason or the understanding): the question on moral appraisal, namely, concerns subjects "situated" in a context that has particular features – not relevant for scientific or aesthetic assessment – which are salient in the case of practical judgements. Therefore, the reference to a *sensus communis* as a

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[29] As Kaulbach puts it, the supersensible world has to be realised ("*vergegenwärtig*") through the praxis (Kaulbach 1982, p. 224; see Schwemmer 1971).

capacity to abstract from subjective charm and look for a judgment that is to serve as a universal rule (KU, 5:294) can be regarded as a point of departure to identify what Barbara Herman regards as procedural rules of moral salience (RMS) that help in identifying the aspect of a situation that raises moral questions and find their source of legitimation in the respect for persons as ends-in-themselves (Herman 1985, p.428-429). To treat others as ends-in-themselves implies considering humanity in all its features: not only in its rationality, but also its emotional, historical and social dimensions. The self-discipline promoted by the maxims of the common human understanding as local and context-sensitive, however, does not threaten the formality and universality of Kant's ethics and leaves the way open for a manifold of different contents: the moral appraisal does not rest on a dictate[30], rather it is reason putting formal constraints on itself and thus preserving the authority and autonomy of reason. Kant's ethics is an ethics of autonomy. One's duty is not defined by some set of legalistic or substantive duties (Silber 1966, p. 221), but rather consists in exercising and realising one's own rational and autonomous capacities in the natural, emotional and social dimensions (see Herman 1996).

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[30] "A critique of reason is possible only if we think of critique as recursive and reason as constructed rather than imposed. The constraint on possibilities of construction is imposed by the fact that the principles are to be found for a plurality of possible voices or agents who share a world. Nothing has been established about principles of cognitive order for solitary beings. All that has been established for beings who share a world is that they cannot base this sharing on adopting unsharable principles. Presumably many specific conformations of cognitive and moral order are possible; in each case the task of the Categorical Imperative is not to dictate, but to constrain possibilities for acting and for cognition. Theoretical rationality constrains but does not determine what can be thought or believed, just as practical rationality constrains but does not dictate what may be done)" (O Neill 1989, p. 27).

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