

Kantian Feeling: Empirical Psychology, Transcendental Critique, and Phenomenology

Sentimiento kantiano: psicología empírica, crítica transcendental y fenomenología

PATRICK FRIERSON*

Whitman College, USA

Abstract

This paper explores the relationship between empirical psychology, transcendental critique, and phenomenology in Kant's discussion of respect for the moral law, particularly as that is found in the *Critique of Practical Reason*. I first offer an empirical-psychological reading of moral respect, in the context of which I distinguish transcendental and empirical perspectives on moral action and defend H. J. Paton's claim that moral motivation can be seen from two points of view, where "from one point of view, [respect] is the *cause* of our action, but from another point of view the moral law is its *ground*." Then, after a discussion of a distinction between first- and second-order transcendental/practical perspectives where reasons for action are first-order practical judgments while the conditions of possibility for those reasons' authority are expressed in second-order judgments, I turn to a third kind of perspective: the properly phenomenological one. I explain the general notion of Kantian phenomenology with an example of the experience of time from Kant's *Anthropology* before applying this to a phenomenological reading of the discussion of respect in the *Critique of Practical Reason*. I end by noting that on my account, in contrast to that of Jeanine Grenberg, the distinctive phenomenology of respect is not systematically important for grounding claims in moral philosophy.

Keywords

* Associate Professor of Philosophy Garrett Fellow in the Humanities Whitman College Walla Walla (USA). E-mail for contact: frierspr@whitman.edu.

Kant; Phenomenology; Moral Feeling; Empirical Psychology

Resumen

Este artículo explora la relación entre psicología empírica, crítica trascendental y fenomenología en la discusión kantiana sobre el respeto hacia la ley moral, particularmente tal y como aparece en la *Crítica de la razón práctica*. Ofrezco, en primer lugar, una lectura empírico-psicológica del respeto moral, en cuyo contexto distingo las perspectivas trascendental y empírica de la acción moral y defendiendo la tesis de H.J. Paton de que la motivación moral puede ser considerada desde dos puntos de vista, de modo que “desde una perspectiva [el respeto] es *causa* de nuestra acción, mientras que desde otra la ley moral es el *fundamento*” Tras una discusión de la distinción entre las perspectivas prácticas/trascendentales de primer y segundo orden, donde las razones para la acción son juicios prácticos de primer orden, mientras que las condiciones de posibilidad para la autoridad de esas razones se expresan en juicios de segundo orden, paso a una tercera perspectiva: la propiamente fenomenológica. Expongo la noción general de la fenomenología kantiana con un ejemplo de la experiencia del tiempo extraído de la *Antropología* de Kant, antes de aplicarlo a la lectura fenomenológica de la discusión del respeto en la *Crítica de la razón práctica*. Finalizo indicando que en mi planteamiento, en contraste con el de Jeanine Grenberg, la fenomenología distintiva del respeto no es sistemáticamente importante para fundamentar tesis en la filosofía moral.

Palabras clave

Kant; fenomenología; sentimiento moral, psicología empírica

In her review of my *What is the Human Being?*, Jeanine Grenberg “welcomes the idea of an interpretation of Kant that recognizes the modest phenomenology at the heart of transcendental argumentation” (Grenberg 2014, p. 490). This comment alludes to one central theme of her recent book, *Kant’s Defense of Common Moral Experience* (Grenberg 2013), the subtitle of which is *A Phenomenological Account*. In this paper, I respond to Grenberg’s invitation and suggest what phenomenology might mean in the context of Kant. In particular, I want to think about how a Kantian phenomenology might be related to two other ways of studying humans’ mental states: transcendental critique and empirical psychology. One might think Kantian phenomenology *just is* transcendental philosophy – as Husserl suggests when he calls his own project a “phenomenological transcendental philosophy” (in Luft and Overgaard 2012, p. 4) – or that phenomenology will basically just amount to introspection and thus be part of empirical psychology – as Daniel Dennett suggests when he calls phenomenology “a special technique of introspection” (Dennett 1991, p. 44). But while Kant does not explicitly distinguish an activity of phenomenology, there is within his overall philosophical approach a sort of investigation of mental states that is distinct from both transcendental critique and empirical psychology, something that could reasonably be called “phenomenology.” Against Grenberg, however, I’ll suggest that this kind of project is quite limited in importance.

In order to give a focus to this investigation, I'd like to emphasize one particular, and particularly problematic, discussion in Kant, that I think can be productively read from transcendental, empirical-psychological, and phenomenological perspectives, and one to which Grenberg and I both devote considerable attention: Kant's discussion of "The Incentives of Pure Practical Reason" in the *Critique of Practical Reason* (5:71ff.). In my recent book, *Kant's Empirical Psychology*, I gave an empirical-psychological reading of this feeling of respect, and I will start by laying out that reading here. (This provides a glimpse of my book and gives Grenberg a chance to discuss that part of the book.) Part of defending that reading against critics involved carefully distinguishing the empirical-psychological perspective on moral motivation from a first-personal, practical perspective on moral motivation. In *Kant's Empirical Psychology*, I primarily conceived of this first-personal perspective as a transcendental-philosophical one. But Grenberg has, quite rightly, emphasized that this section of the second *Critique* also lays out what might rightly be called a phenomenology of moral feeling. So after laying out my empirical-psychology of moral feeling and distinguishing this from first-person practical perspectives, I turn to what for me is the most interesting but also most exploratory and undeveloped part of this paper, an investigation of what a "phenomenology" of moral feeling might mean and how this is best seen in relation to transcendental and empirical psychologies.¹

1. Empirical Psychology, Transcendental Philosophy, and the Feeling of Respect

I start with my empirical-psychological reading, offering what is a regrettably over-abbreviated summary of my book (Frierson 2014). Kantian empirical psychology is a fallible quasi-science laying out empirically-justified general laws of human beings in terms of the causal powers of the soul, divided into three key faculties: cognition, feeling, and volition (or desire). The general structure of this psychology involves describing human mental states in relation to each other with reference to the causal laws that govern the operation of various mental powers. The basis of empirical psychology is first introspection and then comparison with other humans in order to formulate general laws of human nature (see 7:398; 4:471; 7:134n, 143; 25:252, 863; 28:224). Introspection treats oneself as an *object* of experience in inner sense, and studies the human being only "*as an appearance*," and thus only «as we are internally affected» (B153, 156). In that sense, inner sense provides what is properly understood as "third-personal" self-knowledge; although others do not have the specific sort of access to my inner states that I have, when I take those inner states as *objects*, I look *at* them from the standpoint of a distinct subject.²

¹ Given the limitations of space, I'm not going to discuss in detail in this paper the issue – which is prominent in Grenberg – of the extent to which "feeling" is the primary method of phenomenology.

² Hence I construct them as objects, and in that sense, and entities that are available in principle to others. One implication of this, as Kant emphasizes in his Refutation of (Cartesian) Idealism (cf. B293), is that inner experience strictly speaking depends upon outer sense. In order to sense myself (through inner sense) *as an object*, I must give my inner mental states a determinate objective temporal order, and this is possible only through connection with outer states. For more general discussion of the nature of empirical psychology (and its challenges), see the first chapter of my book (but make sure to also read recent work by Thomas Sturm, Katharina Kraus, and Corey Dyck).

Thus, for example, I must ascribe an objective time-order to my sequence of inner states, one about which another could in principle show me to be mistaken.³

Beyond this general account, most of my *Kant's Empirical Psychology* book involves laying out substantive *details* of that psychology, including several detailed charts that track different ways in which motivation works for different sorts of motivational capacities (e.g. instincts, inclinations, and character-based commitments to practical principles). For the purposes of my discussion of respect, one key point can be understood in terms of the general model of action I develop in that book. According to this account, in general, for human activity,

Cognition → Feeling → Desire → Action

In any given case, whether a particular cognition (say, the smell of a mango or the consciousness of the moral law) will give rise to pleasure, desire, and action depends upon the underlying structure of one's instincts, inclinations, and character, which structure is in turn determined by various natural predispositions and causal influences on our development (such as education).

In my book, my discussion of Kant's feeling of respect defends this general empirical account of motivation as applying even to *moral* motivation.⁴ In this context, the

³ In a longer version of this paper, I discussed an example of correcting introspection in the context of introspective claims about seeing a boat move downstream. First, what would it involve to reflect on this introspectively, as a basis for empirical psychology? I would have to shift my attention from the boat itself to my own inner states, crucially, the states that are possible *objects* of inner sense are those by which "we are internally affected by ourselves ... [and thus] only ... appearance[s] but not ... what it is in itself" (B156, cf. B69, 153, 422-3n). In order to construct these *as* inner objects and thereby to have an inner experience, I need to give these inner states an objective sequence, which I can do only by linking them with some external objects (see Kant's Refutation of [Cartesian] Idealism, B274). So imagine that I use a watch for this purpose. Now it's pretty hard to introspectively focus on my states of perceiving the boat *while* I am also focusing on the boat. What Kant said about affects is a general problem for introspection (though not a wholly intractable one; for discussion see Frierson 2014): "Even if one only wants to study himself, he will reach a critical point ... [where] when the incentives are active, he does not observe himself, and when he does observe himself, the incentives are at rest" (7:121). But here's a nice trick we can use, drawn from a similar trick used by Mihaly Csikszentmihalyi to investigate flow. Give me a beeper, and then have me introspect at the moment that the beeper beeps me and report on precisely what my inner states are like. Do this for many different boat-viewings (either many by me or boat viewings by many test subjects, all told to watch a boat move downstream). Then collect the introspective results as data, systematize them, and look for trends that might express (or suggest, or confirm) various causal laws. For example, if it turns out that 90% of the time, when beeped, I report that I am experiencing a static visual perception of the boat at a particular location, this would suggest that the experience of a boat moving downstream is best understood as a series of picture-images. If I report that my occurrent mental state was not related to the boat at all (say, was a day-dreamy recollection), this would suggest a theory according to which temporally extended experiences of objects actually involve punctuated attention. And so on. The point would be that my mental states would be discrete events ordered in objective time and subject to introspective attention. From these first-order empirical judgments, one would eventually move on to second-order scientific classification, causal explanation, and systematization. So much for the empirical psychology of boat-watching.

⁴ Kant makes explicit that his general account of motivation applies to *all* actions:

The faculty of desire rests on the principle: I desire nothing but what pleases, and avoid nothing but what displeases ... Representations cannot be the cause of an object where we have no pleasure or displeasure in it. This is therefore the subjective condition by which alone a representation can become the cause of

“Incentives” chapter elucidates precisely what sort(s) of feeling(s) the moral law gives rise to when cognition of it causes us to act in accordance with it. This feeling is “respect for the moral law,” so that the picture we have in this case would be

Cognition of Moral Law → Feeling of Respect for ML → Volition to Act according to ML
→ Action

This overall picture of what respect for the moral law would look like empirically can shed light on what Kant has in mind in several key parts of the “Incentives” section of the second *Critique*, the purpose of which, as he says, is to give a detailed account of «respect for the law” as «morality itself subjectively considered as an incentive» (5:76). In my book, I used the expression “subjectively considered,” particularly given its contrast with that which “gives authority to the law» (5:76) or «the ground from which the moral law provides an incentive» (5:73), as a license to treat the account in “Incentives” as an account of moral motivation *empirically considered*. That is, while much of the rest of the second *Critique* focuses on the transcendental conditions of possibility of morality/moral motivation, this section focuses on what moral motivation actually looks like, when it’s effective in a particular person (in a particular case).

On this empirical-psychological reading, when Kant defines “respect” as «a feeling that is produced by an intellectual ground» (5:73) or «a feeling *self-wrought* by means of a rational concept» (4:401n), when he insists that «respect for the moral law must be regarded also as a positive though indirect effect of the moral law on feeling» (5:79), and when he discusses respect as an «influence of a mere intellectual idea on feeling» (5:80); he is merely reiterating the general claim in his metaphysics lectures that even the purest intellectual cognitions (such as the cognition of the moral law) motivate only by means of feeling. And Kant’s accounts of moral education and the essential (predispositional) ground of moral feeling cohere well with his more general empirical-psychological accounts of the grounds of feeling and volition.⁵

an object. (29:894, cf. 29:877–8; I’ll skip this quotation when reading the paper, appealing instead to passage 1 on my handout)

And he applies this model explicitly to the case of motivation by reason:

[F]reedom is the faculty for choosing that which is good in itself and not merely good as a means. Thus we are free when we arrange our actions entirely according to the laws of the understanding and of reason, and the more we do this, the freer we are, for even if the will is free from stimuli, it can still be not entirely free. *For since we desire merely that which pleases us, pleasure is the cause of our desiring. But the cause of the pleasure is either sensibility or understanding ...* Understanding and reason give laws to the will according to which it must conform if it is to be free. But we cannot be determined by mere representations of reason; it must also give us incentives. (29:899–900, emphasis added; cf. 28:253–4, 675; 29:1013).

This attitude is echoed in the *Metaphysics of Morals*, which not only describes the “will” as “the faculty of desire whose inner determining ground ... lies within the subject’s reason,” but specifically adds that this determination by reason implies that “even what pleases it” is reason. Here Kant holds firm to his cognition–pleasure–desire model, pointing out only that there are two different kinds of pleasure, depending upon whether it is caused by sensible or intellectual cognition.

⁵ I go into considerable detail about all this in Frierson 2014.

But there are some serious problems with this reading of the nature and role of respect for the moral law, problems that so-called “intellectualists” like Allison, Reath, Guyer, and others have raised, against so-called “affectionists” like myself and Grenberg (and McCarty, who coined these terms). I’m not going to discuss all of these (many are discussed in my book), but I’ll highlight one particularly pressing textual problem for the tidy Cognition of Moral Law → Feeling of Respect → Volition model that I’ve developed. Kant says quite explicitly, and right at the start of this section, that

«If the determination of the will takes place ... by means of a feeling, of whatever kind, that has to be presupposed in order for the law to become a sufficient determining ground of the will ..., then the action will contain *legality* indeed but not *morality*». (5:71, cf. 5:9n, 24–25; 29:1024)

It seems, then, that any action that is caused in the way that I’ve described would be at best legal, but not moral. So much for my nice empirical-psychological model.

I’m not going to reiterate all the details of chapter four of my book, which deals with this and related challenges to this “affectionist” reading. One of my strategies there is to argue that what Kant is rejecting, in this and related passages, is not the model wherein pleasure functions as a transition from cognition to volition, but other models of other possible roles of pleasure in motivating action. In this paper, though, I focus on my book’s more systematic response, based on a distinction between two different perspectives that one can take on moral motivation. Within empirical psychology, Kant ascribes particular choices to the empirical character of one’s faculty of desire (or choice), which is determined in accordance with causal laws: «every human being has an empirical character of his power of choice, which is nothing other than a certain causality of his reason, insofar as in its effects in appearance this reason exhibits a rule» (A549/B578). But transcendental idealism opens the possibility that these *same actions* can be the result of an intelligible character that would be the free *ground* of one’s empirical character. As H.J. Paton put it, «from one point of view, [respect] is the *cause* of our action, but from another point of view the moral law is its *ground*» (Paton 1943, p. 67; cf. O’Neill 1989, p. 68; Korsgaard 1996, pp. 160, 167–76). Thus when Kant claims that «The consciousness of a *free* submission of the will to the law, yet as combined with an unavoidable constraint put on all inclinations though only by one’s own reason, is respect for the law» (5:80), he alludes to the fact that underlying any empirical instance of respect is a free (noumenal, or practical) submission of will to law, but the phenomenon we are conscious of is a particular kind of influence on our (empirical) will. The “empirical character” is what empirical psychology investigates through the systematic employment of a theoretical (“third-personal,” even if introspective) standpoint on human action, while practical philosophy (including moral philosophy but also prudential reasoning) emerges from the systematization of the practical standpoint, in which *moral* choice can never be determined by – that is, based on – feeling.

There are thus two different perspectives one can take on action, the practical perspective *from-within* and the empirical perspective from-without. And for Kant, the (practical) perspective is closely tied to what he (and I) elsewhere call “transcendental” philosophy, so I use the term “transcendental” to describe those “from-within” perspectives that investigate the knowing, feeling, or choosing *subject* rather than oneself as an object.⁶ Such from-within perspectives involve essential evaluative or normative dimensions. When explaining behavior non-transcendentally, one looks at what the causes of action are, and one need not – and indeed *cannot* evaluate whether these causes are “good.” The question whether, say, anger is a “good” *cause* is misguided; it either is the cause or it is not. But when thinking about behavior (or judgments, or choices) transcendently, one looks at reasons for behavior (or judgments, or choices), and reasons invite evaluation. Anger might have caused the behavior, but we can still ask whether anger was a *good reason* for doing what one did. And this is the sort of question one asks, not merely when deciding what to do, but also when deciding what to believe, or how to judge about something, or even whether something is beautiful. The normative question – «Is this a good reason for people to do/think/feel such-and-such?» – arises within transcendental philosophy. Along with this from-within, normative perspective on human beings, Kant’s “transcendental” approach employs a distinctive style of argument that proceeds from some “given” to the conditions of possibility of that given. Thus Kant’s *Critique of Pure Reason* is an extended argument exploring the conditions of possibility of empirical cognition (what we can know). Similarly, the *Critique of Practical Reason* argues from the moral law we find valid within deliberation and evaluation to various conditions of possibility of that validity.

2. First- and second-order transcendental philosophy

Importantly, the transcendental perspective wherein one considers reasons (for belief or action) and Kant’s philosophical reflection on conditions of possibility are not the same. In general, we could see each of Kant’s *Critiques* as investigating what makes possible a given reasons-giving perspective at all. Thus the first *Critique* establishes conditions of possibility of reasoned beliefs, the second the conditions of possibility of moral (and more broadly practical) reasons, and the third the conditions of possibility of justified feelings. I have elsewhere described this distinction as between “first-order” and “second-order” judgments.⁷ The distinction applies to both theoretical and practical

⁶ I’ve defended this notion of “transcendental anthropology” in more detail in Frierson 2013.

⁷ See Frierson 2010. Although not crucial, a similar distinction arises within empirical psychology, where we could distinguish first- and second-order judgments as follows: a first-order judgment would be an immediate claim about a particular inner experience, arrived at through introspection. ‘I feel fear’, ‘I am perceiving something moving and thinking of it as a person’, or ‘I feel an urge to eat that donut but have not (yet) decided to eat it’ would all count as first-order judgments in empirical psychology. Second-order empirical-psychological judgments would be theoretical claims that systematize or (causally) explain first-order judgments, things like: ‘human cognitions are different than human volitions’, ‘my fear is caused by my

philosophy,⁸ and my own hunch is that Grenberg's invitation to think of «phenomenology at the heart of transcendental argumentation» (Grenberg 2014, p.490) may be an invitation to think of phenomenology as equivalent to what I have called “first-order” transcendental philosophy.⁹ The idea that careful description of this first-order perspective is closely akin to phenomenology is a claim to which I was greatly attracted (e.g. in chapter 11 of my *What is the Human Being?*), but which I now think is wrong, so I want to get really clear on what first-order transcendental judgments are so that I can see whether I can carve out a project of phenomenology that is genuinely distinct from them.

Within the theoretical realm, “first-order” transcendental judgments include the synthetic a priori judgments of mathematics and the empirical cognitions for which Kant's first *Critique* provides conditions of possibility. I know that $2+2=4$ and that there is a white piece of paper in front of me. These are first-order judgments. More complex claims, such as causal laws, also count as first-order claims, as do the various pieces of empirical evidence used to support those claims. These are the claims to which theoretical cognition gives immediate access; they are what make up the stuff of that cognition; they are what theoretical cognition is cognition *of*, and we can ask of them whether and how they are justified, or valid, or should be believed.¹⁰ And there is a kind of philosophical reflection that consists simply in clearly explaining what these first-order claims *are*. We see this, for example, in the metaphysical expositions of space and time in the first *Critique*, which purport to provide «the distinct (even if not complete) representation of that which belongs to a concept» (B38), as opposed to the (second-order) «explanation of a concept as a principle from which insight into the possibility of other ... cognitions can be gained» (B40). But this sort of first-order claim is even clearer in the starting points of various transcendental arguments. Thus, for instance, the claim that “all appearances are in time” (B224) or that, in some cases, «I perceive that ... a state of things exists at one time the opposite of which existed in the previous state» (B233), would be first-order claims, expressed in general terms that highlight general features of many such claims. Similarly,

perception of that lion', or 'desire can be distinguished into desire strictly speaking, which involves a volition to act, and mere whim, which does not.' If a first- and second-order distinction is coherent within phenomenology (about which I'm not yet convinced), the idea would be that second-order phenomenology provides a framework for making sense of first-order phenomenological judgments, where this framework is neither causal/systematic (as in empirical psychology) nor justificatory (as in Kant's transcendental philosophy). Heidegger's notion of thrownness or Sartre's of nothingness might be second-order phenomenological judgments.

⁸ It also plays out in affective contexts, such as the third *Critique*, where claims like “that sunset is beautiful” or even just “that is beautiful” are first-order, and Kant's claims about free play, purposiveness, etc. are second-order.

⁹ The notion that first-order transcendental judgments are at the heart of transcendental argumentation is a claim that I agree with; so insofar as Grenberg means by “phenomenology” what I mean by “first order transcendental judgment,” then our differences are not about the role of phenomenology in moral philosophy, but about the role of feeling in the phenomenology of moral choice. That is, I take it that first order claims about what one ought to do are the relevant starting points for practical philosophy, and that the specific feeling(s) that we have when we become aware of these claims is not part of the content of them as first order claims.

¹⁰ Incidentally, the entire content of empirical psychology will consist of these first-order theoretical claims.

in the practical realm, there are lots of first-order moral claims, such as that “I should not cause needless suffering” or “I should not deceive others.” The *Groundwork*, in its first two parts, is an “exposition” of these “common moral cognitions.” What the *Groundwork* shows is that the kinds of claims we make when we make moral claims are categorical, and that these can be expressed in a formula (the categorical imperative). Thus the categorical imperative is a general and clarificatory, but still first-order, practical judgment. In both the theoretical and practical realms, these first-order claims serve as reasons, either for further first-order beliefs (in the theoretical realm) or for choices (in the practical).

But for Kant, there are also second-order judgments for both theoretical and practical reason.¹¹ These are not judgments made *within* a deliberative or theoretical standpoint, but judgments that make philosophical sense of the basic presuppositions of each standpoint. As Korsgaard explains with respect to the belief in freedom, this is «not about a [first-order] theoretical assumption necessary to decision, but about a fundamental feature of the standpoint from which decisions are made» (Korsgaard 1996, p. 163). In Kantian terms, we might say that second-order judgments express the conditions of the possibility of legitimately making first-order judgments. The apriority of space and time as conditions of possibility of mathematics is an example of second-order theoretical claim, as is the claim that «all alterations occur in accordance with the law of cause and effect» (B232), as is transcendental idealism itself. The assertions of transcendental freedom, God, and immortality are second-order claims, conditions of possibility of first-order moral claims. When Kant claims that one «judges that he can do something because he is aware that he ought to do it» (5:30), the judgment that one *can* do something is a second-order judgment; the judgment that one *ought* to do that thing is first-order. First-order practical claims, but not second-order ones, show up as reasons for action. That one ought to do something is a reason to do it; the fact that one (metaphysically) can do something is not a reason to do (or not do) it (see, e.g., Korsgaard 1996, pp. 162-3).

Elsewhere, I used the distinction between first- and second-order claims to emphasize that claims about human freedom are not first-order in either empirical science or practical deliberation. Here, I’m interested in the feeling of respect. Theoretically, the empirical-psychological claim that respect causes one to choose to act in conformity with the moral law is unproblematically first-order. It can be part of a system of beliefs within the empirical science of psychology and it supports and is supported by other empirical claims; the *Critique of Pure Reason* provides conditions of possibility of making such claims. Practically, the status of respect is less clear. Within practical deliberation, the feeling of respect is not a first-order *reason* for moral action. Or rather, insofar as it *does* show up that way, such an invocation of respect functions as the “error of subreption” about which Kant warns in his *Critique of Practical Reason*, an illusion whereby we mistakenly «take the moral incentive for a sensible impulse» and thereby «deform[s] the

¹¹ There are also second-order (and even a priori) transcendental judgments for feeling, but I’m going to have to bracket that discussion here, as relevant as it is. For some discussion, see my “Affective Normativity” in Cohen 2014.

real and genuine incentive – the moral law» – by too heavily emphasizing the “effect of reason on [moral] feeling” (5:116-7). The moral law itself is a reason for action, as are particular moral principles, but the fact that one respects that law is not a reason for action. That’s why, within deliberation, «If the determination of the will takes place ... by means of a feeling ... then the action [lacks] morality» (5:71).¹² But respect for the moral law is also not a second-order transcendental condition of possibility of moral action, at least not in any straightforward way.¹³ (At the end of the next section, I discuss one way in which it is a second-order transcendental claim, but let’s bracket that for now.) We must be transcendently free in order to be morally obligated, but our freedom does not need to show up subjectively as a particular sort of feeling. This is something that we find to be the case, but it’s not a condition of possibility of morality as such. So it seems like respect might be limited to a mere empirical feature of human psychology.

3. Phenomenology

It *seems* like respect *might* be limited to empirical psychology, but I don’t think that can be right. There is a third way of thinking of moral motivation, one that appeals neither to reasons given within deliberation nor to psychological mechanisms by which various beliefs give rise to volitions, but rather attends to the *way* that reasons are given. There is a “feel” to how the moral law shows up as a reason (from within), and this feel can even vary from context to context and agent to agent, so there is something else going on, something rightly called “phenomenological,” that is not reducible to (introspective) empirical psychology or transcendental philosophy, either first- or second-order. And I think there are hints of this “something else” in the “Incentives” account of respect. I still stand by my reading – in *Kant’s Empirical Psychology* – of the “Incentives” section in terms of empirical psychology.¹⁴ But there is also clearly something *else* going on in this

¹² Note that the *absence* of feeling also doesn’t show up as a reason within moral deliberation. The fact that one *doesn’t* feel pleasure in consideration of such-and-such a course of action is not a reason to pursue it. The point of the passage at 5:71, in the present context, is that when one is motivated to do something from duty, then no information about feelings is providing one with a reason for one’s decision.

¹³ This claim is a bit more controversial, since Kant’s claim that we can know this feeling “a priori” suggests something like a transcendental argument, according to which given the unconditional nature of moral demands and the general structure of our empirical psychology, we can know that there would have to be something like a feeling of respect in order for an unconditional moral law to motivate a sensuously situated being like us. If there is a transcendental argument of this sort, and I think that there may well be, *this* sort of “respect” is not going to be what Grenberg has in mind by phenomenology, since one can infer all the relevant features of this respect without ever feeling (or even conceiving of feeling) it. I briefly touch on this possibility in the following endnote, and at the end of this section, and in more detail in my reply to Grenberg’s comments.

¹⁴ I would even add another important text in support of that reading, where Kant says that “the concept of respect ... is ... even, *from a psychological point of view*, very useful for knowledge of human beings” (5:81n). In fact, Kant is doing something really important in this discussion in drawing empirical-psychological conclusions from what would have to be the case, in beings with our empirical psychology in general, given the nature of the moral law (within transcendental philosophy). Hence his constant references

section, something that Kant himself doesn't clearly distinguish from the transcendental and empirical-psychological perspectives one can take on respect, but that I want to distinguish. So this part of my paper is a bit experimental, an attempt to carve out a space for something that's neither transcendental philosophy nor empirical psychology, something I'll call phenomenology, and something that I don't think Kant himself clearly distinguished from these other projects.

I'm going to work up to a discussion of the phenomenology of respect in the *Critique of Practical Reason* by first taking a detour through an example in Kant's *Anthropology* that will make clearer what I mean by phenomenology and why I think it's different from first- or second-order empirical-psychological and transcendental investigations of human mental states. Then I'll turn the account of phenomenology developed through these analyses to the case of respect for the moral law.

In his *Anthropology*, in the service of helping people live happy and fulfilling lives, Kant asks, «how are we to explain ... that a human being who has tortured himself with boredom for the greatest part of his life, so that every day seemed long to him, nevertheless complains at the end of his life about the *brevity* of life?» (7:234) His answer involves an analysis of humans' experience of time that could be considered phenomenological.¹⁵

«The cause of this is to be sought in the analogy with a similar observation: why do German miles (which are not measured or indicated with milestones, like the Russian versts) always become shorter the nearer we are to a capital (e. g., Berlin), and longer the farther we are from one (in Pomerania)? The reason is that the *abundance* of objects seen (villages and farmhouses) produces in our memory the deceptive conclusion that a vast amount of space has been covered and, consequently, that a longer period of time necessary for this purpose has also passed. However, the *emptiness* in the latter case produces little recollection of what has been seen and therefore leads to the conclusion that the route was shorter, and hence the time less, than would be shown by the clock. -- -- In the same way, the multitude of stages that mark the last part of life with various and different tasks will arouse in an old person the illusion of a longer-traveled lifetime than he would have believed according to the number of years, and filling our time by means of methodical, progressive occupations that lead to an important and intended end... is the only sure means of becoming happy with one's life and, at the same time, weary of life. "The more you have thought, and the more you have done, the longer you have lived (even in your own imagination)." -- -- Hence the conclusion of such a life occurs with *contentment*». (7:234)

to the fact that we can know various things about our motivations "a priori". There is here something like a second-order transcendental *argument* to what are essentially empirical-psychological *conclusions*.

¹⁵ As with the case of respect, and, frankly, all of these cases, I think that Kant saw this discussion as fundamentally empirical-psychological because he had not yet fully distinguished phenomenology from empirical psychology and transcendental philosophy. But his discussion is a great proto-phenomenological one. Another really interesting set of proto-phenomenological reflections come shortly after this passage, when (in A 7:237-8), Kant discusses the feelings of "bitter joy" and "sweet sorrow" that arise in emotionally complicated situations of real life. (I thank Laura Papish for highlighting these passages as other possible phenomenological reflections.)

Kant's point here is that the *experience* of time (and particularly the *remembered* experience) is not equivalent to the objective time sequence; it's not literally true that "the more you have done, the longer you have lived." While transcendental philosophy investigates the conditions of possibility of objective cognition, something else is going on here, an analysis of the way in which time is experienced by a living subject. Some features of this discussion could be seen as merely psychological, a set of claims about the way abundance of content affects the memory of past events, claims such as that «memories containing few objects give rise to judgments that little time has passed». One could even test this through introspection, checking to see whether it is true that one typically judges in this way. But the deeper point of this passage is that the way time shows up subjectively is affected by factors that are irrelevant to our determinations of objective time. We *might* say that time is "experienced" differently based on what occurs during that time, except that Kant reserves the term "experience" for *objective* cognition. By that standard, if we really "experience" miles as being shorter when closer to the capital – that is, if we *empirically judge* that they *are* shorter – then we simply err. But Kant's point is this passage is not about error, and hence not about experience in that sense. Borrowing a term from Grenberg, we might say that it's not about the «*empirical* experience» (Grenberg 2013, pp. 16-17) of space and time. Rather, it's about what time is *like* to live through in different contexts. Again, borrowing from Grenberg, we might say that it's about the "phenomenological experience" (ibid.) of time. In that sense, we don't *err* in thinking of miles as shorter because we don't – "empirically" – think that they *are* shorter; we just *phenomenologically* "experience" them that way, and this sort of experience can't be wrong or right. That is, phenomenology is not about transcendental claims (either first- or second-order).

For my purposes, what's essential to note here is that there are a host of questions that can arise within empirical psychology and within transcendental philosophy that can't arise within this phenomenological perspective. Thus, within transcendental philosophy, we can ask (first-order) what *justifies* the claim that miles are shorter closer to the capital, or what *justifies* contentment at the end of a full life. We could ask what further theoretical claims or deliberate choices are justified by these points. At a second-order, we could ask about the conditions of possibility of legitimately finding contentment in a full life or of justifiably cognizing miles as shorter when more filled with objects. But none of these questions are warranted in this case. Kant's analysis here isn't presented as a set of justified or legitimate claims.¹⁶ Similarly, phenomenology is not empirical psychology.

¹⁶ It's a bit more complicated than this in the case of contentment, since the nature of this sort of experience actually does provide a reason for "filling our time by means of methodical, progressive occupations that lead to an important and intended end." A full analysis of this particular aspect of the passage is beyond the scope of this discussion, and it's made particularly complicated by the fact that Kant does not actually see the distinctiveness of phenomenology as a perspective. With a tidy dichotomy of empirical and transcendental, which Kant thinks he has, the passage is straightforward. Empirical psychology teaches that an occupied life will lead us to remember our life in a way that makes us happy about our life and content with the prospect of our death. The structure of practical deliberation teaches that happiness is our highest conditioned end. Thus

Within empirical psychology, we could ask about the details and sequence of particular mental states, taken as objects of introspection. Thus, for instance, we could consider the psychological mechanisms by which one assesses time and how the consideration of content generates a sense of time. We could ask, more systematically, about the underlying grounds of this connection between content of experiences and judgments about time. And so on. But all of this causal analysis is irrelevant to the lived experience. When we reflect on the ways that a fuller trip (or life) seems to pass more quickly, we are not making a causal judgment about inner states. We are not taking them as *objects of empirical* experience. Rather we are attending to the lived, felt experience of time in the trip (or life, or memory) as an aspect of our subjective engagement with the world. This sort of *phenomenological* attention neither looks agentially at reasons for belief/action nor treats mental states as given objects of experience, but rather – as Grenberg nicely puts it in her book – is «an activity of being receptive to what is present» (Grenberg 2013, p. 185). As in transcendental philosophy, the focus is on the self *as subject*. But as in empirical psychology, we are *receptive* to what is *given*, rather than actively taking something as a reason.

4. Phenomenology and Respect

The passage of time relative to the capital gives a sense for what phenomenology might mean in Kant, and how it might be distinguished from both transcendental philosophy and introspection. But his most important phenomenological moment occurs in the context of his discussion of respect for the moral law.¹⁷ Many features of his discussion push this account more towards the empirical-psychological (for which see my book), and others make it seem more transcendental (most importantly, and discussed briefly at the end of this section, there is his repeated claim that we can know this feeling a priori and his placement of it in the “Analytic Elucidation of the Analytic of Pure Practical Reason”). However, several passages reward a distinctively phenomenological reading. Here’s I’ll focus on Kant’s summary of his view: “The consciousness of a *free* submission of the will to the law, yet as combined with an unavoidable constraint put on all inclinations though only by one’s own reason, is respect for the law” (5:80).

putting our empirical psychology to use for practical purposes, these empirical facts provide a reason to pursue a life of methodical occupations. The specific phenomenology here is actually incidental to this analysis; only its empirical-psychological correlate is actually relevant to the reasoning.

¹⁷ Arguably the part of this discussion that most fits traditional approaches to phenomenology (e.g. Husserl’s imaginative variation) as well as most resembles the accounts of time and the boat above is Kant’s account of respect for *persons* at 5:76-8), where Kant distinguishes different feelings that might seem akin to one another (respect, fear, admiration, etc.) and points out that these *are* different sorts of feelings and that only the uprightness of character of another person can have the “strikes down self-conceit” feature that is distinctive of true respect (5:77). While this discussion would merit a detailed discussion as a model of Kantian phenomenology, I want to go on to the more paradigmatic form of respect, respect for the moral law *as such*.

One way to read this passage is to support my earlier claims about the relationship between the empirical-psychological motivationally-effective feeling of respect and the free submission of will to the moral law that is the practical correlate, or noumenal ground, of this feeling. But we can also read it to summarize the *phenomenology* of the feeling of respect. In a genuine instance of respect, one finds several distinct elements. Most basically, there is the will to act in accordance with the moral law. But this willing shows up as *submission* and *constraint*, a point emphasized in another important passage:

«As *submission* to a law, that is, as a command (indicating constraint for the sensible affected subject), it therefore contains in it no pleasure but instead, so far, displeasure in the action. On the other hand, however, since this constraint is exercised only by the lawgiving of his *own* reason, it also contains something *elevating*, and the subjective effect on feeling, inasmuch as pure practical reason is the sole cause of it, can thus be called *self-approbation* ... inasmuch as he cognized himself as determined to it solely by the law and without any interest, and now becomes conscious of an altogether different interest subjectively produced by the law, which is purely practical and *free*». (5:80-81)

Here Kant not only clarifies that the sense of submission and constraint is *essential* to the feeling of respect, but also further elucidates the phenomenological “feel” of this constraint a bit. In cases of respect, the way the moral law shows up is a lot like something that we are *afraid* of, or “at least” apprehensive of. Now Kant might just be making a psychological claim, and the specific language even supports such a claim, that is, that the feeling of respect is «connected with (*verbunden mit*)» other feelings. But we might also productively read this connection claim as a way of trying to give a sense for the felt phenomenology of respect. Respecting the moral law is *like* fear or apprehension. Importantly, however, this submission, fear, and apprehension are all from the side of our *inclination*, and the moral law that we respect is one that arises from «one’s own reason» to which we submit «free[ly]» (5:80). Thus respect not only involves a feeling like fear, but also a sort of «self-approbation» (5:81).

Comparing this phenomenological account with the empirical and transcendental perspectives I presented earlier, we might say something like this. Empirical-psychologically, the moral law in general or its specific applications to particular contexts are cognitions of which one becomes conscious in the (empirically-given) process of deliberation, and these cognitions give rise to feelings of respect which motivate choices in accordance with Kant’s general psychology of the higher faculty of desire. Practically or first-personally, the moral law shows up as a (categorical or unconditional) reason for choosing in particular ways. In specific cases, the moral law might simply show up simply as a categorical demand to do or refrain from some action, say to refrain from falsely testifying even when threatened with death. One ought to act on the basis of these reasons. Kant further analyzes these first-order transcendental claims, showing that the basic structure of all such claims – specifically their categorical nature – implies a specific moral law (with three formulations, laid out in the *Groundwork*). Moreover, from these first-

order transcendental claims, Kant goes on to derive second-order claims such as the necessity of freedom and the evil of doing what is morally good for the sake of happiness. But not only do moral reasons have a general form (the categorical imperative) and various second-order implications (freedom), they also show up in a specific way. There's a what-it's-like-ness to the recognition of *moral* reasons that is different than the way that we recognize the authority of other reasons. Moral reasons show up as reasons to which we must submit in an almost fearful way, but that also warrant a particularly sublime sort of self-esteem. This sort of combined feeling does not arise for any other practical reasons, which however much they come into mutual conflict, can cause neither the complete self-humiliation by which we must chasten *all* inclinations nor the unconditional self-approbation by which we recognize a worth in ourselves that is different in kind from anything that could be given by nature (see 5:76-8).

We can see that the what-it's-like-ness of recognizing moral reasons is distinct from a transcendental-practical perspective on those reasons in least three (related) ways. First, the specific phenomenology of respect fails to function as reason-giving within practical deliberation, and hence can't play the role of first-order moral claim.¹⁸ Second, the phenomenology of respect is shared with that of the sublime, but the first-order claims in the two cases are radically different. And finally, the fact for which Kant seeks conditions of possibility (in the second *Critique*) is not any particular phenomenological feel of moral obligation, but the fact that we are morally obligated. So an awareness of reasons, and even a careful description of what moral reasons *are*, is first-order transcendental philosophy and provides the basic factum for which Kant seeks transcendental conditions of possibility. But neither of these counts as "phenomenology," in the sense in which I am using the term.¹⁹

¹⁸ First-order practical judgments need to be reasons for action. The fact that something is morally required *is* a reason for action, and the sort of reflection involved in, say, the *Groundwork*, a clear elucidation of what is actually involved in taking oneself to be morally (categorically) required to do something, would be an appropriate description of these first order reasons. But none of the details of the *feeling* of respect are relevant to these practical judgments.

¹⁹ Likewise, what I've called phenomenology is not the same as the "inner experience" from which empirical psychology begins, but I'm not going to focus on that here. Briefly, we can see why there must be a difference by appeal to Husserl's insistence that one "not confound phenomenological intuition with 'introspection,' with interior experience" (Husserl 1964, p. 115, in Cerbone 2012, p. 8). The "what-it's-like" of phenomenology is not reducible to any instantaneously-given mental state, and it is not the first stage of a further scientific investigation of empirical causes and effects. More basically, introspection is fundamentally third-personal, while phenomenology is – like transcendental philosophy – first-personal. Introspection and phenomenology also have different success conditions. Within phenomenology, the objective existence of the relevant mental states is not an issue. With respect to his phenomenology, Husserl claimed that phenomenology is interested "not with the factual data of this inner sphere ... but with the essence ... , that is, ... the invariant essentially characteristic structures of a soul, of psychical life in general" (Husserl 1972, p. 8, in Cerbone 2012, p. 8) and even that one need be no more concerned with how to "make sure of the *existence* of those mental processes which serve him as a foundation for his phenomenological findings than the geometer would be interested in how the existence of figures on the board or the models on the shelf could be methodologically established" (Cerbone 2012, p. 16, quoting Husserl 1982, p. 183). In the Kantian context, this means, among other things, that phenomenology does not concern itself with establishing an objective temporal order of mental events.

Before closing this section, I want to note one peculiar feature of Kant's account of respect for the moral law. In this case – and in this case alone – he thinks that his description of the nature of respect (whether phenomenological or empirical-psychological) has a second-order transcendental status. That is, given the general nature of our empirical psychology (that we are motivated via feelings, that we have inclinations, and so on) and the normative status of the moral law (unconditionally motivating us), we can know *a priori* that there must be a capacity for feeling a respect for the moral law that can outweigh non-moral feelings. This provides an *a priori* and second-order transcendental *argument* for what is essentially an empirical or phenomenological claim, that is, a claim properly belonging within empirical psychology or within what should otherwise be a reflective phenomenology. I won't say much more about this, except simply to note, first, that it's a special feature of this particular feeling, that it is susceptible of this kind of second-order transcendental argument; and, second, that the *phenomenology* of moral feeling – as opposed to the content of moral reasons – shows up here as a *conclusion* of transcendental argument, not as a premise.

5. How important is phenomenology?

And this brings me to where I want to end this paper, by engaging more deeply with Grenberg's particular account of phenomenology and its role in Kant's philosophy. There is a lot that I'd like to engage with in Grenberg's discussion,²⁰ but here I focus on what I think is her order of argument. Grenberg highlights the importance of phenomenology²¹ – and feeling – with Kant's example of what she calls the "Gallows Man."

Even more dramatically, one might be able to phenomenologically investigate the feeling of respect without being introspectively certain that such feelings ever actually occur in one's mental life. It's essential to a particular feeling *being* a feeling of respect for the moral law that the pleasure arising from self-approbation not be even partly constitutive of the reason for one's action. But it might turn out that in every actual case of action that conforms to the moral law, one's humiliation of inclination is always accomplished in part through such an anticipation of pleasure (or even through some less covert influence of self-love). Kant makes clear that "it is absolutely impossible by means of experience to make out with complete certainty a single case in which the maxim of an action ... rested simply on moral grounds and on the representation of one's duty" (4:407). Nonetheless, one can – and Kant does – develop a phenomenology of what such a purely morally motivated action would be like. That is, even without introspective awareness of obedience to the moral law, we can know first personally not only what such obedience would require, but even what it is *like* to obey.

²⁰ Among other things, she and I read a key passage at 5:91-2 totally differently. She reads this passage as supporting the importance of feeling in moral motivation, which I read it as precisely contrasting moral from non-moral motivation in terms of whether feeling is (non-moral) or is not (moral) relevant to choice.

²¹ I should note here that I'll be talking about the importance of what I have called phenomenology in this paper. This is a concept that I had not sufficiently clearly distinguished from introspection and first-order transcendental philosophy, and I don't think that Grenberg had done so either. (I'm still not sure that I've done so sufficiently.) This is important because much of the role that Grenberg ascribes to phenomenology, I

«The entire Gallows Man experience is a *felt* one. ... It is through the feelings of constraint and respect that the difference between empirical and moral determination of the will “*makes itself known.*” ... [The] Gallows Man ... recognizes the source of this [painful, moral] constraint upon his inclinations as authoritative, regardless of the pain it causes him. It is upon these feelings themselves, then, that one’s attention must be focused in making sense of the moral law’s presence in one’s consciousness». (Grenberg 2013, p. 165-7)

As I read it, taking a little liberty but I hope not uncharitably, Grenberg’s account *starts* with the phenomenology of respect. Where Gallows Man begins (in the second gallows case) is with feelings of constraint and respect, that is, with the phenomenological *way* that moral demands present themselves. From this “feel” of moral demands, he reasons that such demands are authoritative, and then that he is (transcendentally) free to follow them.

On my reading, however, the phenomenological feel of the demands enters Kant’s argument at a much later stage. First and foremost, the “fact of reason” is not a phenomenological fact, but a first-order fact of practical deliberation. It is (in this particular case) the fact that I ought not lie. This fact is presented to Gallows Man in a particular way – in this case, as part of a deeply conflicted, humiliating, and potentially uplifting feeling of respect. But the way in which it is presented, the “feel” of it, is not the Fact itself.²² More generally, that the Fact of moral obligation shows up in a particular *way* – via respect – is not essential to Kant’s argument. If the phenomenology of Gallows Man were more like God’s, such that there were no felt humiliation, or if it were warped to prevent the sense of self-esteem arising from it, showing up merely as a duty for which I gain no worth; Kant’s argument from the fact of moral reasons to the possibility of acting in accordance with them would still work. From the Fact that Gallows Man recognizes that he ought to do X, he knows that he can. Moreover, from the fact that one *ought* – unconditionally – to do X, one can infer the purely formal nature of the moral law, the necessity of transcendental freedom, and even the phenomenology of respect (see end of previous section). And on my reading, it is precisely this moral fact from which one starts.

In that sense, phenomenology is not «at the heart of transcendental argumentation» (Grenberg 2014:490). Instead, first-order transcendental claims are. And that means that, in the end, the phenomenology of respect that Kant lays out in the “Incentives” chapter of the second *Critique* is not very systematically important. Had Kant simply never written this chapter, and never discussed the phenomenology of respect at all, we would have

ascribe to first-order transcendental claims. So it might just turn out that we disagree about the label. I don’t think this is quite right, but I want to flag it as a possibility.

²² Even on my reading, insofar as there is *a* fact of reason, it’s not the *particular* moral demand presented in this case, but simply the fact of moral reasons *as such*, that is, the fact that there are reasons that are unconditional, that do not depend upon what we happen to want or feel; but this point is unimportant in the present context.

missed a very interesting phenomenological analysis, but no *other* parts of his philosophy would be affected at all.²³

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²³ Even this is not *quite* right. There are really interesting connections between the sublime and respect for the moral law that establish one way in which aesthetics connects to morals. The connections between the moral and the sublime are largely phenomenological, so they would have been affected.

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