

## Chapter 13

---

# Practical Reason

*There is nothing either good or bad but thinking makes it so.*

Hamlet

### § 1. The Question of Pure Practical Reason

The theory of the categories constitutes a doctrine of pure understanding. That of the transcendental Ideas constitutes a doctrine of pure speculative Reason. In the Critical Philosophy the adjective “pure” is applied to all representations that cannot be encountered in actual real experience and, hence, cannot be of contingent empirical origin.

I name all representations *pure* (in the transcendental sense) in which nothing is encountered which belongs to sensation [KANT1a: 156 (B: 34)].

The idea of a pure *practical* Reason is the idea of a power of mind to regulate the activity of the Organized Being according to principles that can have no sensational – and therefore no experiential – ground of determination. Now, all physical actions clearly contain sensational factors; that is why they are called *physical*. All mental activities of thinking and reasoning, while not regarded as physical actions, nonetheless have their objects, and the product they produce – cognitions – are always referred back to intuition and, from the empirical-judicial perspective, to the aesthetic Idea. Consequently, we always encounter somewhere in the totality of the act and the action<sup>1</sup> some factor belonging to sensation.

When we ask, therefore, if practical Reason can be *pure*, what we are asking is whether or not, in the *ground* of the determination of the choice to act, we must necessarily posit some pure factor – some kind of knowledge *a priori* – that does not have its source from perception and is therefore to be regarded as belonging to the nature of the *Existenz* of Reason. Such a factor could contain neither intuition, nor concept constructed through determining judgment, nor feeling in any part of its makeup. Inasmuch as we find the handiwork of practical reason in the

---

<sup>1</sup> By *act* I refer to the determination of the spontaneous agency of the acting Subject; by *action* I refer to what it is that is done through the act. Activity is the union of act and action.

representation of *maxims*, and since the recognition of any maxim involves constructions of determining judgment, if practical Reason can also be a pure Reason then it can only be in the raw *form* of its maxims, and not in the matter of their objects, where we can seek an understanding for a pure and *a priori* ground of determination of choice. If we make abstraction of the matter of a cognition, all that remains is its form, and it is only the form that contains no sensuous *materia in qua*. Thus, to ask, “Can practical Reason be pure?” is also to ask, “Can the mere form of the representation of a maxim be a ground for the determination of *will*?”

Let us ask ourselves this question: Whenever we take action, *why* do we seem to choose the action we actually undertake rather than some other possible action? By asking this question, let us understand that right now we are not trying to leap ahead of experience to discover in a flash some first cause for one’s activities. Rather, we are inquiring after the mere *appearance* of some apparently general ‘because’ seeming to underlie all one’s activities. Even so, this is a difficult question, much fought over in the histories of philosophy, science, and religion. So stubborn a question – it has been a battleground of opinion for nearly twenty-four centuries – must be treated carefully and with open respect for its many thorns.

If we were to ask a variety of different people, “Why did you do that?” in reference to some action that individual has carried out, most of the time we will get some very specific answer, e.g., “I went to the grocery store because we were out of groceries.” The more habitual the activity – e.g. the ‘unthinking’ acts involved in driving a car – the more technical or pragmatic the answer we are likely to get will be once we get by answers of the “because that’s the way it’s done” variety. If we pursue the matter in more depth, however, we generally come down to a relatively small set of abstract answers. These will often include the following: 1) because it was good to do that; 2) because it was the right thing to do; 3) because if I had not done that it would have been bad; 4) because not to do that would have been wrong. We are also likely to get answers along the lines of: 5) “Oh, I don’t know. It seemed like the thing to do at the time.” In some situations, particularly those involving some sort of emergency or actions performed in athletics or in a musical performance, we will get an answer something like: 6) “I didn’t have time to think about it. I just did it.”<sup>2</sup>

The last two of these more or less common responses are rather too uncommunicative and vague to provide us with a clear insight into our question. We will therefore set them aside for the time being and take up the first four. It is usual to group these into just two classes. The first, which involves (1) and (3), is typically named “good and evil” by philosophy and by religious

---

<sup>2</sup> I have asked a number of play-it-by-ear professional musicians, “When you’re jamming and you play one of those great improvised riffs, how do you know what to do?” The most common answer, by a very large margin, that I have gotten in response to this question has been, “I just play what sounds good.” Since the act always precedes the sound, this is an interesting answer.

theologians. The remaining two can be named “right and wrong.” It is easy to see that these are pairings of contradictory opposites, and so can be regarded as “poles” of a common Object. So far as we refer these ideas to acts, “good” and “right” can be viewed as reasons (in the everyday sense of that word) for doing something. “Evil” and “wrong” can likewise be regarded as reasons for *not* doing something. Recognizing that these terms are still vague, we note that it would be quite easy to, as the saying goes, “put a foot down wrong” in using them because of the many different connotations these have in everyday language.

For example, someone might wish to point out that a criminal knows his criminal activity is “wrong” but he commits the action nonetheless. This ignores the point that, for the criminal, it is not the fact society at large condemns his criminal activities that enters in to *his* evaluation of the “goodness” in his action. I won’t like it if he steals my car, but the fact that I disapprove might be seen by the criminal as one of the good things about his action. Attitudes such as this are, in fact, one attribute of what psychology calls an antisocial personality disorder. Another example someone might wish to bring up is the time-honored bromide of “having to choose the lesser of two evils.” If somehow my possible actions were so constrained that “some evil would come of” anything I could do (including a choice to do nothing), I might well conclude that “causing the least amount of damage or grief” is the “right” choice. It is all too easy to become absorbed in dialectics when we use vague terms that admit of homonymous interpretations.

. . . As regards the number of ways in which a term is used, we must not only treat of those terms which are used in different ways, but we must also try to render their definitions; e.g. we must not merely say that justice and courage are called good in one way, and that what conduces to vigor and what conduces to health are called so in another, but also that the former are so called because of a certain intrinsic quality they themselves have, the latter because they are productive of a certain result and not because of any intrinsic quality in themselves. [ARIS5: 176 (106<sup>a</sup>1-9)].

It is useful also to look at the definition that arises from the use of the term in combination, e.g. of a clear body and of a clear sound. For then if what is proper to each case be abstracted, the same phrase ought to remain over. This does not happen in the case of homonyms, e.g. in the cases just mentioned. For the former will be a body possessing such and such a color, while the latter will be a sound easy to hear. Abstract, then, 'a body' and 'a sound', and the remainder in each case is not the same. However, it should have been had 'clear' in each case been synonymous [ARIS5: 178 (107<sup>a</sup>35-107<sup>b</sup>5)].

In further complication of this situation, philosophers sometimes reduce the two-way grouping above to a single grouping, namely “good and evil.” This is done by either equating “right” with “good” or by subsuming the idea of “right” under “good” as a species of “good” (and similarly with “evil” and “wrong”). Obviously, if we define what we mean by “good” with sufficient abstractness we can make this word mean just about anything up to and including “good” as some kind of attribute or “essence” of God. Should we find ourselves doing something

like this, it is good to remember the adage, “that which describes everything explains nothing.”

Because the vaguely described idea of “good” seems to have some sort of importance for the transcendental question “can practical Reason be pure?” it is worth our while to look at some of the themes that have been proposed in attempts to define “the good.” As an adjective, the dictionary gives no fewer than twelve definitions of this word:

**good:** *a.* [ME *gode*; AS *god*, good; originally, fit, suitable.]

1. valid; legally firm; sound; not fallacious; genuine; not counterfeit; acceptable; as, a *good* claim, a *good* argument.
2. healthy; strong; vigorous; sound; as, *good* eyesight.
3. fresh; unspoiled; uncontaminated; as, *good* eggs.
4. dependable; reliable; right; as, *good* advice.
5. adequate; ample; sufficient; satisfying; as, a *good* meal.
6. morally sound or excellent; specifically, (a) virtuous; (b) pious; (c) kind, benevolent, generous, sympathetic, etc.; (d) well-behaved; dutiful; (e) proper; becoming; as, *good* manners.
7. full; complete; thorough; as, a *good* job of cleaning up.
8. (a) useful; serviceable; suitable to a purpose; effective; efficient; adequate; competent; (b) producing favorable results; beneficial.
9. dexterous; clever; able; skilled; expert; as, a *good* mechanic.
10. agreeable, enjoyable, happy, etc.
11. honorable; fair; unblemished; unimpeached.
12. *a general intensive meaning* to a considerable extent, amount, or degree; as, a *good* distance from here.

From the adjective comes the noun:

**good:** *n.* something good; specifically, (a) worth; virtue; merit; as, there is much *good* in him; (b) something contributing to health, welfare, happiness, etc.; benefit; advantage; as, the greatest *good* of the greatest number; (c) something desirable or desired.

Let us review a few of the themes that are today reflected in these dictionary definitions.

## § 2. Themes of “The Good”

### § 2.1 The Theme of Value

The twentieth century into the 1960s saw the rise of what has come to be known as “value theory.” For a time, it looked as though value theory might become the important philosophy of our time. Today it is widely regarded in philosophy as a closed and unsuccessful chapter of thought, although there certainly seems to be vestiges of it in the popular attitude of so-called “value relativism.” The principal developers of value theory were Max Scheler (1874-1928) and Nicolai Hartmann (1882-1950).

Interestingly enough, we can trace the roots of value theory to economics. In value theory, the idea of “the good” is demoted and replaced by the term “value.” *Goods* are those things said

to be valued and which are the “bearers of value.” Value is regarded as a quality of *things* distinct from these goods themselves. However, values are said to be *realized in* “goods.”

We can identify two significant economic figures whose works in a way set the stage for the later development of this theme of “the good” as “value.” Both Adam Smith and Karl Marx made value a important idea in their respective theories. For both men, the term “value” was not applied to every kind of “good.” For Smith, value expressed either the idea of the economic utility of some particular object (value in use) or its economic power in purchasing other goods (value in exchange).<sup>3</sup> Marx agreed with this, but went beyond Smith by proposing that there is some more fundamental value underlying both these usages and setting the standard by which the value of every commodity is determined. This underlying idea is the idea of the *labor content* that goes into its production. Marx wrote, “As values, all commodities are only definite masses of congealed labor time.”<sup>4</sup>

Later thinkers would expand on these themes until the term ‘value’ was extended to take in everything that human beings find desirable in any way. This might sound as if value is subjective, but that is not what value theory holds. Value theorists take “desirable” to mean “deserving of desire” and regard consciousness of desire as being the recognition of the value a thing *possesses*. In short, value theory tries to make value *objective* in the sense that value is to be something that subsists *in* that thing and not in how one person or another regards it. I might not want to own a tractor, but I am supposed to recognize the value of a tractor nonetheless.

Value theory constructs a hierarchy of values with regard to matter of value. The “matter” of value ranges from sensible objects to intelligible objects. There are, it is said, values of utility (e.g. capable/incapable, abundant/scarce), values of life (healthy/ill, strong/weak, etc.), values of morality (just/unjust, morally good/evil, etc.), values of esthetics (beautiful/ugly, etc.), values of religion (sacred/profane), and so on. However, this still leaves unanswered the question: What is value *per se*? If I am supposed to prefer a thing because it *has* value, what is it this “good” has? Value theory takes the position that a value *per se* does not *exist* but still everything *has value*.

If we believe Xenophon, it would seem that Socrates was, to some degree, a value theorist.

Aristippus asked if he knew of anything good, in order that if Socrates mentioned some good thing, such as food, drink, money, health, strength, or daring, he might show that it is sometimes bad. But he, knowing that when anything troubles us we need what will put an end to the trouble, gave the best answer: "Are you asking me," he said, "whether I know of anything good for a fever?"

"No, not that."

"For ophthalmia?"

"No, nor that."

"For hunger?"

---

<sup>3</sup> Adam Smith, *An Inquiry Into the Nature and Causes of the Wealth of Nations*, 1776.

<sup>4</sup> Karl Marx, *Capital*, First English Edition, 1886.

"No, not for hunger either."

"Well, then, if you are asking me whether I know of anything that is good for nothing, I neither know it nor want to know it."<sup>5</sup>

Under the Copernican hypothesis, the idea of value as some kind of property or quality subsisting in a thing is transcendent. No object of the environment comes to us in experience wearing a tag that proclaims its value. This is an ontological defect that value theory has not been able to overcome, and this defect led to its philosophical demise. Value theory planted its roots in the philosophy of phenomenology, a school of thought tracing its origin to the work of Franz Brentano (1838-1917). However, value theory was never able to establish for itself a firm foundation. As for our own present topic, the transcendent character of value theory's idea of "value" is sufficient for us to recognize that this brand of idea of "the good" is of no use to us in trying to answer the question: Can pure Reason be practical?

## § 2.2 Plato's Theme

For Plato, "the good" is not merely an Idea but is the *highest* Idea. Plato discusses the question of the good in many of his writings, but perhaps the lengthiest of these discussions is found in *Republic*. Here he has Socrates saying of "the good":

"Apply this comparison to the soul also in this way. When it is firmly fixed on the domain where truth and reality shine resplendent it apprehends and knows them and appears to possess reason, but when it inclines to that region which is mingled with darkness - the world of becoming and passing away - it opines only and its edge is blunted, and it shifts its opinion hither and yon, and again seems to lack reason."

"Yes, it does."

"This reality, then, that gives truth to the objects of knowledge and the power of knowing to the knower, you must say is the Idea of the good, and you must conceive it as being the cause of knowledge and of truth in so far as known. Yet fair as they both are, knowledge and truth, in supposing it to be something fairer than these still, you will think rightly of it . . . Still higher honor belongs to the possession and habit of the good" [PLAT1: 744 (508d-509a)].

Plato makes a real division between "the world of truth" and "the world of opinion." It is in the former where the Platonic Ideas are said to reside, and this world of truth is for Plato the true reality from which the "souls" have fallen when they became "imprisoned" in a body. The world of opinion he illustrates using the famous analogy of the cave, which we looked at earlier. Referring back to this analogy, Plato writes:

"This image then, dear Glaucon, we must apply as a whole to all that has been said, likening the region revealed through sight to the habitation of the prison, and the light of the fire in it to the power of the sun. And if you assume that the ascent and the contemplation of the things above is the soul's ascension to the intelligible region, you will not miss my surmise, since that is what you

---

<sup>5</sup> Xenophon, *Memorabilia*, III., viii, 2-3.

desire to hear. But God knows whether it is true. But, at any rate, my dream as it appears to me is that in the region of the known the last thing to be seen, and hardly seen, is the Idea of the good, and that when seen it points us to the conclusion that this is indeed the cause for all things, of all that is right and beautiful, giving birth in the visible world to light, and the author of light, and itself being the authentic source of truth and reason in the visible world, and that anyone who is to act wisely in private or in public must have caught sight of this" [PLAT1: 749-750 (517b-c)].

In the Critical Philosophy the Platonic Ideas are without objective validity and transcendent. However, it may be possible for us to make some use of them if we regard them in terms of rational *ideals*, i.e. in the role of a standard gauge of pure Reason. In order to do so, we must be able to identify some *sensible* means of exhibiting their effect. In the case of "the good" is such a thing possible? Plato tells us that there is such a "signpost" to be found in the idea of *happiness*. In *Symposium* Plato has Socrates recounting a lesson he had learned from the prophetess Diotima:

"Well then," she went on, "suppose that, instead of the beautiful, you were being asked about the good. I put it to you, Socrates: What is it that the lover of the good is longing for?"

"To make it his own."

"Then what will he gain by making it his own?"

"I can make a better shot at answering that," I said. "He'll gain happiness."

"Right," said she, "for the happy are happy inasmuch as they possess the good, and since there is no need for us to ask why men should want to be happy, I think your answer is conclusive" [PLAT4: 557 (204e-205a)].

For Plato, happiness is a consequence of possessing the good. As we are about to see, Aristotle held a rather different view of this relationship. Before moving on to his theory, however, there is one last thing we should be clear on with regard to what Plato means, or, more accurately, what he does *not* mean, by "happiness." There are many people who hold that happiness presupposes *pleasure* and, consequently, that the good and pleasure must be one and the same. This thesis is, of course, a central tenet of the Epicurean school. Plato, however, disagrees.

SOCRATES: Well, Philebus says that the good for all animate beings consists in enjoyment, pleasure, delight, and whatever can be classed as consonant therewith, whereas our contention is that the good is not that, but that thought, intelligence, memory, and things akin to these - right opinion and true reasoning - prove better and more valuable than pleasure for all such beings as can participate in them, and that for all of these, whether now living or yet to be born, nothing in the world is so profitable than to so participate [PLAT11: 1087 (11b-c)].

That it is the case people can and have disputed the nature of happiness stands as a warning to us that we must not expect to easily pin down the idea of happiness, as a signpost of an ideal of the good or goodness, without considerable effort. In *Republic* Plato presents Socrates as saying:

. . . "For you have often heard that the greatest thing is to learn the idea of good by reference to which just things and all the rest become useful and beneficial. And now I am almost sure you know

that this is what I am going to speak of and to say further that we have no adequate knowledge of it. And if we do not know it, then, even if without the knowledge of this we should know all other things never so well, you are aware that it would avail us nothing, just as no possession either is of any avail without the possession of the good. Or do you think there is any profit in possessing everything except that which is good, or in understanding all things else apart from the good while understanding and knowing nothing that is fair and good?"

"No, by Zeus, I do not," he said.

"But, furthermore, you know this too: that the multitude believe pleasure to be the good, and the finer spirits intelligence or knowledge."

"Certainly."

"And you are also aware, my friend, that those who hold this latter view are not able to point out what knowledge it is but are finally compelled to say that it is the knowledge of the good."

"Most absurdly," he said.

"Is it *not* absurd," said I, "if while taunting us with our ignorance of good they turn about and talk to us as if we knew it? For they say, 'it is the knowledge of the good' as if we understood their meaning when they utter the word 'good'."

"Most true," he said.

"Well, are those who define the good as pleasure infected with any less confusion of thought than the others? Or are they not in like manner compelled to admit that there are bad pleasures?"

"Most assuredly."

"The outcome is, I take it, that they are admitting the same things to be both good and bad, are they not?"

"Certainly."

"Then is it not apparent that there are many and violent disputes about it?"

"Of course" [PLAT1: 740 (505a-d)].

With this warning in mind, we now move on to Aristotle.

### § 2.3 Aristotle's Theme

We have seen value theory substitute the word "value" for "good" and place it "in" things in the environment. We have seen Plato make "the good" the highest Idea and place it in the supernatural realm of the world of truth. Both these themes divorce the idea of "good" from the thinking Subject by lodging "the good" (by whichever name it is called) in the environment relative to the Organized Being. In Aristotle, the empiricist with his "down to earth" philosophy, we find the idea of "the Good" placed squarely in man, the rational animal, as part of his state of being. Thus, for Aristotle, "the Good" belongs entirely to *practical* philosophy and, in particular, its doctrine is *ethics*.<sup>6</sup>

Aristotle's mature theory of "the Good" is presented in his *Nichomachean Ethics*. He begins this work with an examination of the context in which the ideas of "good" and "goodness" arise.

---

<sup>6</sup> The Idea of "the" good is for Plato also the foundation of ethics. In his case, though, this takes shape in the form of religion. Zeller has called Plato's theory a very "un-Greek dualistic metaphysics" and observes that "Plato's ethics is based on a religion - his own. This consists of a philosophic monotheism, which identifies God with the Idea of the good" [ZELL: 137-140]. Plato's theory, presented to the early Christian theologians by way of the Neo-Platonists, was profoundly influential in the development of theology in the early Christian church.



Every art<sup>1</sup> and every method, likewise every action<sup>2</sup> and intent<sup>3</sup>, is thought to aim at some good, for which reason the good has been rightly declared to be that at which all things aim [ARIS10: 1729 (1094<sup>a</sup>1-3)].

Aristotle immediately goes on to point out that there is a great variety of different ends at which specific actions are directed. In some cases, the intended end is some kind of “product” of the action; in others, it is the action itself that serves as its own end. As an example of the former, the aim of wine-making is wine. But, on the other hand, the aim of dancing *is* dancing, and so this is an example of the latter. Any action is taken “for the sake of” something; in such a case the action is “good for” that at which it aims. When the action is carried out “for the sake of itself” we have an end that is “good for itself,” i.e. is an “end in itself.” He holds that when the end is some product, that product is “superior” to the action that produces it.

Aristotle goes on to point out that some ends are said to serve other “superior” ends. The good of spear-making is a spear; the good of an army is to defeat the enemy; but the army cannot defeat the enemy if its soldiers have no spears. Hence the inferior good – spears – makes possible the superior good - defeating one’s enemy. As Aristotle put it, the subordinate arts are performed for the sake of the master arts and, he says, it “makes no difference whether the activities themselves are ends of the actions or something else apart from the activities.” Thus, the relationships among the myriad of “goods” are complex and what it is that constitutes “the good” would seem to depend on whose point of view is being considered.

However, this does not make the idea of “a good” subjective, as it might at first seem. Aristotle’s idea of a good is tied directly to the action that produces it. Therefore a general, who is not particularly interested in making spears himself, *would* be interested in doing whatever had to be done to make sure that there *were* spear-makers to make the spears his army needs to defeat the enemy. To put it another way, whatever is “good” may be personal and particular, but this does not mean it is subjective in the sense of having no contact with the things in the world. “Good” has a context and for this reason the same thing may be good in one context but bad in another. Our general’s enemy, for instance, would be delighted if our general’s army had no spears.

But now we must ask: is there such a thing as a “master context” with reference to which all “goods” acquire a common meaning? Aristotle stated the problem in the following way:

---

<sup>1</sup> *Techne*. This is “art” in the older sense of “technique” rather than “fine art.” It would include such things as sword-making or the other “technical arts.”

<sup>2</sup> *Praxis*. This is “action” in the sense of “practical action” - doing or transacting something.

<sup>3</sup> *Proairesis*. This has the context of a choosing or a purpose or a resolve to do something. It is often translated as “choice” although I think this is a little misleading. Aristotle defined it as “deliberate desire of things within our power” and described it as “the efficient cause of *praxis*” [ARIS10: 1798 (1139<sup>a</sup>30-1139<sup>b</sup>5)].

If, then, there is some end of the things we do, which we desire for its own sake (everything else being desired for the sake of this), and if we do not choose everything for the sake of something else (for at that rate the process would go on to infinity, so that our desire would be empty and vain), clearly this must be the Good and the excellent. Will not the knowledge of it then have a great influence on life? [ARIS10: 1729 (1094<sup>a</sup>18-25)].

Like all Greek writers, Aristotle finds that there is such a chief Good. Happiness (*eudaimonia*), he tells us, seems to be precisely this sort of end because every person strives to be happy for no other apparent reason than *to be* happy.

But here another problem arises because people cannot seem to agree on what sort of a thing happiness *is*. He therefore undertakes an analysis of this question, beginning as always with “things familiar to us.” He finds five characteristics that happiness, as the chief Good, must have. First, it has to be something that is *complete* because were it not complete it could be improved upon by putting in whatever it was lacking. Second, it has to be something *self-sufficient* because, if it were not, it would depend upon something else for its existence and could therefore not be complete. Third, it has to be something we always choose for its own sake and never for the sake of something else. Fourth, it must be something that is achievable lest “all our desires be empty and in vain.” Finally, it must be the purpose or teleological end of all practical actions.

As the outcome of his analysis, Aristotle concludes that happiness must be defined as *the enérgeia of the soul in accordance with perfect excellence*<sup>4</sup>. To this he adds that if there is more than one excellence, it must be with the best and most complete of these that happiness is in conformity. This, of course, raises at once the question: what is excellence? However, before looking at his answer to this, we should first note that it is not “excellence” but “happiness” that Aristotle has identified as the Good, and happiness is an *enérgeia* or actualization of the soul. We recall that “soul” for Aristotle is the entelechy and form of *life* – in this case, the *rational* soul or *human* life. When he says that happiness is *enérgeia* of the soul, he is referring to a “complete” life, i.e. the human life in all its activities. As he put it, “one swallow does not make a summer nor does one day; and so too one day, or a short time, does not make a man blessed and happy.” Aristotle comes to this conclusion by asking what the *ergon*<sup>5</sup> or “function” of a man is:

. . . for all things that have a function or an action the good and the 'well' is thought to reside in the function; so would it seem to be for a man if he has a function [ARIS10: 1735 (1097<sup>b</sup>25-30)].

Man is the rational soul; his *function* is a certain and special kind of life, namely to live in accordance with *rational principles*. To be rational is his special distinction that sets him apart from other kinds of living things.

---

<sup>4</sup> His word was *aretē*, which can be rendered either as “excellence” or as “moral virtue” depending on the context in which it is used.

<sup>5</sup> Literally, the thing done.

Now, to do something excellently means to do it as well as possible. Aristotle tells us that the “excellences” with regard to the human soul are of two types. These are “intellectual excellences” and “moral (*ethike*) virtues.” The former refers to what Aristotle called the “state of character” of the mind to know the truth. It is, in this sense, a sort of potentiality of the mind. The latter refers to our deeds – the *enérgeia* of living, i.e. what we *actually* do.

Aristotle tells us that the moral virtues come about as the result of *habit* (*ethos*) and consequently must be taught and perfected through practice. None of the moral virtues, he writes, “arises in us by nature, for nothing that exists by nature can form a habit contrary to its nature.” Moral virtue is a “state of character” pertaining to social and ethical *mores*. It must be cultivated and aimed at achieving a correct degree of emotion, the “irrational element in man.” Aristotle holds there are two general vices that can attend our actions but only one excellence. The vices are: 1) defect, activity falling short of what is right in passions and actions; and, 2) excess, which exceeds what is right in these. He uses as an example the distinction between cowardice – a defect of virtue – and rashness. What is defective in the coward’s action is obvious; but, he points out, fearlessness and bravery carried to excess is rashness, and the rash man gets himself killed foolishly in battle. Excellence in moral virtue is the state of character concerned with making a choice that lies in the mean (*mesotes*) between defect and excess.

Intellectual excellence, on the other hand, is found in *practical wisdom*. By this Aristotle means “a true and reasoned state of capacity to act with regard to things that are good or bad for man.” Practical wisdom *does* “arise in us by nature” because without the *capacity* existing in man’s potentiality, he would be unable to recognize “true” goodness and badness. Aristotle calls “that which grasps first principles” *comprehension*. *Knowledge*, on the other hand, is “a state of capacity to demonstrate” and pertains to that which is necessary “and cannot be otherwise.” Practical wisdom is the combination (synthesis) of these two abilities, i.e., “comprehension combined with knowledge of the highest objects which has received its proper completion.”

Practical wisdom issues commands since its end is what ought to be done or not done [ARIS10: 1805 (1143<sup>a</sup>5-10)].

The function of man is achieved only in accordance with practical wisdom as well as with moral virtue [ARIS10: 1807 (1144<sup>a</sup>5-10)].

By identifying the highest Good as happiness, and then defining happiness in terms of *enérgeia* of the soul in accordance with perfect excellence, Aristotle succeeds in moving the Good to within the living individual. To attain to the chief Good requires: 1) a foundation in certain natural capacities, i.e. practical wisdom; and, 2) moral excellence through perfection of one’s choices in correctly and without reservation choosing the mean between defect and excess.

## § 2.4 Pleasure or Virtue as the Good

The basis of Aristotle's theory that the chief Good is happiness is predicated on its apparent character as being something which is sought after for its own sake and which every other end appears to serve. Now, this is not the only thing within human experience that seems to have this sort of character to it. The experiencing of *pleasure* also seems to be an "end" of this same sort.

Throughout the history of philosophy pleasure has been looked at in a number of different ways. Some have viewed it as the *only* "good"; others have seen it as merely one good among many. It has also been regarded as merely the measure of the "goodness" in all other things or as merely something which accompanies the possession of "goods." Some have merely seen it as the indicator of the satisfaction of some desire. Others have seen it as either an intrinsic evil or as, at best, something that is morally indifferent. In almost all cases, pleasure has been seen as having for its contradictory opposite *pain*.

*Virtue* is another something that appears to have this character of being an end in itself, and there have been many who have seen virtue filling the role of the highest Good, particularly in the areas of religion, ethics, political science, and jurisprudence. We have seen that Aristotle viewed it as a mean between vices (vice being a contradictory opposite of virtue). Some have seen "happiness" as a by-product of virtue, while others have viewed virtue as something that endows one not with happiness but with the *worthiness to be* happy. Some have seen virtue as something towards which we have some sort of innate drive; others have seen virtue as a complete fiction at worst and a mere rule of prudence and the product of moral *training* at best.

In Plato's mature theory of ethics, pleasure (*hedone*) was something to be regarded (along with all other earthly needs and lusts) as a cause of misery and evil, and as a hindrance to the development of soul. For Plato, as for Aristotle, possession of happiness is the ultimate aim, but this means for him nothing else than the state of harmony between the soul and a state of moral order which corresponds to natural order in the "world of opinion." Thus, for Plato virtue means *justice* and the ideal just man is one who does not doubt the rightness of his moral principles and who is not even tempted to transgress them.

Aristotle also discussed "pleasure." He wrote that pleasure is a natural outcome of moral excellence and is good insofar as the acting Subject succeeds in properly achieving the correct mean between defect and excess. However, even though it may seem that "pleasure" is one of those ends which is sought for its own sake, by itself pleasure cannot be the chief Good because it does not pertain to man's rational soul (even animals can experience pleasure) and, consequently, is not part of the "function" of a man. Virtue for him means moral excellence and, as we have just seen, is a necessary condition for happiness but is not itself the chief Good.

Of the other theories that debate pleasure or virtue, the two most significant are those of the Epicurean school and those of the Stoic school. Other viewpoints, such as those of the Academics

or of religion or of present-day so-called “objectivist” philosophy, have in great measure either been directly influenced by these views or, as seems to be the case in objectivism, simply rediscovered various elements of the old arguments. Therefore, without erring too greatly we can regard Epicureanism and Stoicism as the prototypes for the themes of pleasure as the Good and virtue as the Good, and we can regard most other related viewpoints as either derivative or as admixtures of these schools’ philosophies.

## § 2.5 The Epicurean Theme

Today as in classical times Epicurean ethics has its supporters and its detractors. Whatever else one can say about Epicureanism, it must be admitted that it is one of the most polarizing theories ever seriously put forth as philosophy. To its supporters, the Epicurean doctrine is both “natural” and largely “self-evident.” To its detractors, it is simple hedonism, is often roundly denounced as an excuse for immorality, and is held up as an exemplar of “everything that is wrong with society today.”<sup>6</sup> Still others portray it as the outstanding example of what happens when what we might call glandular thinking masquerades as philosophy and they use it to illustrate why all philosophy is a sheer waste of time.

It might, therefore, be surprising to many that the Epicureans viewed their doctrine not only as a philosophy but as a *moral* philosophy. The Epicureans had little interest in logic as a science, and no interest of any significance in the physical sciences, but they were profoundly devoted to the philosophy of ethics. Cicero, who was highly contemptuous of the Epicurean theory, even so gave it a fair presentation in the first book of *De Finibus*.<sup>7</sup> In this dialogue Cicero made Lucius Manlius Torquatus the spokesman for the Epicurean school.

We are inquiring, then, what is the highest and ultimate Good<sup>8</sup>, which as all philosophers are agreed must be of such a nature as to be the End to which all other things are means, while it is not itself a means to anything else. This Epicurus finds in pleasure, which is the greatest Good<sup>9</sup>, pain being the chief Evil.<sup>10</sup>

Epicurus’ “proof” of this, we are told, is “evident” merely from observing either animals or infants. Cicero has Torquatus tell us:

---

<sup>6</sup> This is not a new charge leveled against Epicureanism in modern times. Many leading Roman figures, including emperor Caesar Augustus, held almost identically the same view. Christianity has always tended to view it in this light.

<sup>7</sup> In reading *De Finibus*, one gets the impression Cicero felt that the Epicurean doctrine was of such shoddy construction that it would fall of its own weight during the debate of books I and II. At no point does one get the idea that Cicero is stacking the deck against it by giving less than the best arguments it could raise.

<sup>8</sup> *extremum et ultimum bonorum*.

<sup>9</sup> *summum bonum*.

<sup>10</sup> Cicero, *De Finibus Bonorum et Malorum*, I, ix, 29.

Every animal, as soon as it has been born, seeks for pleasure, and delights in it as the greatest Good, while it recoils from pain as the greatest Evil, and so far as possible avoids it . . . Hence Epicurus refuses to admit any necessity for argument or discussion to *prove* that pleasure is desirable and pain to be avoided.<sup>11</sup>

The *saltus* in this “proof” is obvious. We do not, after all, possess any telepathic insight that informs us what an animal “seeks”, much less that it “seeks” it as “the greatest Good.” It is more informative to contrast the presupposition of this “proof” against the standpoint taken by Aristotle. For the Epicureans it is legitimate to study the “nature of the Good” by observing the behavior of animals. The Epicureans were materialists after all. Aristotle, on the other hand, would utterly reject this premise because he holds that “the Good” has context only in regard to human beings. In his view, only human life has for its “life substance” the “rational soul” which gives man his “function” in which the Good “is thought to reside.”

Opponents of Epicureanism, especially the Academics, countered the argument that pleasure was the greatest Good by pointing out that sometimes pleasure turned out to be something harmful or bad, while pain sometimes was a “good thing.” These arguments, Torquatus answers, are mistaken.

No one rejects, dislikes, or avoids pleasure itself, because it is pleasure, but those who do not know how to pursue pleasure rationally encounter consequences that are extremely painful. Nor again is there anyone who loves or pursues or desires pain of itself, because it is pain, but because occasionally circumstances occur in which toil and pain procure him some great pleasure.<sup>12</sup>

In other words, pleasure in and of itself is never an evil, but foolish or irrational means intended to procure it can instead produce painful (hence evil) consequences. Likewise, toil and pain undertaken in pursuit of some “great pleasure” have to be viewed in relationship to the “greater pain” that will be banished by the procurement of that “greater pleasure.”

Torquatus also has an answer for those who charge that Epicureanism is in some way an excuse for immoral or hedonistic behavior. While ignorant people, he says, think Epicureanism is sensual, lax, and luxurious, this is not so; that, in fact, true Epicureans are actually temperate and even austere.

The pleasure we pursue is not that kind alone which directly affects our physical being with a delightful feeling, - a positively agreeable perception of the senses; on the contrary, the greatest pleasure according to us is that which is experienced as a result of the complete removal of pain. When we are released from pain, the mere sensation of complete emancipation and relief from uneasiness is in itself a source of gratification. But everything that causes a gratification is a pleasure (just as everything that causes annoyance is a pain).<sup>13</sup>

---

<sup>11</sup> *ibid.* I, ix, 30.

<sup>12</sup> *ibid.* I, x, 32.

<sup>13</sup> *ibid.* I, xi, 37.

Thus, the Epicurean chief Good is not found in some gluttonous surfeit of “positive” pleasure but, rather, in the complete and absolute removal of all pain. “Positive pleasures” are not added in, as it were, on top of this chief Good. All that active gratification can do is vary, not augment, the chief Good. (As you might suspect, this position is one that the ruthlessly logical Stoics attacked with full force).

For the Epicureans there are no other states of being aside from pleasure or pain. Therefore pleasure and pain are the sole causes of every activity.

Besides this, pleasure and pain function as the initial origination of desire and of avoidance. This being so, it clearly follows that actions are right and praiseworthy only as being a means to the attainment of a life of pleasure. But that which is not itself a means to anything else, but to which all else is a means, is what the Greeks term the *telos*, the greatest or ultimate or final Good. It must therefore be admitted that the chief Good is to live agreeably.<sup>14</sup>

Pleasure and pain may be mental as well as bodily. However, Torquatus tells us, every mental pleasure or pain *arises* out of bodily ones. This, however, does not preclude the mental pleasures or pains from being more intense than those of the body. To achieve the life of pleasure accordingly requires a person to exercise self-control over his passions, and such control is the only road to happiness. But such self-control is called *virtue*; hence, virtue is the means to the attainment of the greatest Good, but it is not itself the greatest Good.

## § 2.6 The Stoic Theme

The Stoic school was founded by Zeno of Citium (c. 334-262 B.C.) as an offshoot from that school known as the Cynics. Zeno came to philosophy looking for some firm support for the idea of the moral life. Consequently, from the very beginning Stoicism defined philosophy as the practice of virtue. It is therefore not surprising that the Stoics would award the position of the chief Good to virtue. Unlike the Academics or the Epicureans, the Stoics attached a great deal of importance to “natural science” because, they held, true morality is impossible without knowledge. Because the Stoics were corporeal materialists, this means knowledge of nature.

An understanding of the Stoic theory of virtue requires familiarity with their theory of nature (“physics”). The Stoics held that corporeal objects were the only reality; this includes God and the human soul. However, since such “things” as empty space, time, and thought could not be and were not regarded as “bodies” in the corpuscular sense, they were led to deny that “bodies” were impenetrable substances. “Substance” therefore had to be viewed from an almost Aristotelian point of view in terms of “matter” and “force.” Matter was held to be without “qualities” of any kind; all “qualities” derived from a “rational force” or *logos*.

This “rational force” bears the same relationship to the universe as the human soul bears to

---

<sup>14</sup> *ibid.* I, xii, 42.

the body: it is the source of all “qualities” including motion and life and is, therefore, the universal *law*. Hence it is regarded as the soul, mind, and reason of the world. As a universal law that binds all things together, this idea of “rational force” leads the Stoics to determinism. Everything that happens in the universe is pre-ordained. This would seem to leave no room for free will, yet the Stoics, somewhat paradoxically, held that human will *is* “free” in the sense that although in action one has no choice but to obey the “divine ordinance,” one can do so either reluctantly or willingly. “The Fates,” say the Stoics, “guide the man who wishes to be guided; the man who does not wish to be guided they drag along.”

Because all things serve the perfection of the whole universe, the Stoics conclude that the only criterion for the valuation of things is Nature, which they equate with the universal law. Like most Greeks, the Stoics say the chief Good is happiness, but in their case the definition of happiness is the contrary of that of the Epicureans. Happiness consists in living willingly in accordance with one’s true nature. To do so willingly is *virtue*, and so virtue is the chief Good.

In order to be willing to live in accordance with nature, one needs to understand what nature requires of us. The starting point for investigating this is the examination of what constitutes the first concern of all living things. In *De Finibus*, Cicero makes Marcus Cato the spokesman for the Stoic answer to this question:

It is the view of those whose system I adopt, that immediately upon birth . . . a living creature feels an attachment for itself, and an impulse to preserve itself and to feel affection for its own constitution and for those things which tend to preserve that constitution; while on the other hand it conceives an antipathy to destruction and to those things which appear to threaten destruction . . . This leads to the conclusion that it is the love of self which supplies the primary impulse to action.<sup>15</sup>

The Stoics were, to say the least, people who valued logical deduction and this has the consequence of making Stoic argument a series of definitions and minutiae of deduction and inference from these definitions. However, since Stoic logic consists primarily of rhetoric and dialectic, in which different Stoic philosophers tend to begin from different definitions for the same word, there is a variety of different Stoic positions at the level of detail. However, they are more or less in agreement at the “big picture” level. Cicero’s Cato summarized the Stoic view of the greatest Good in the following way:

Eliminating therefore the views [of other philosophical systems] just enumerated and any others that resemble them, we are left with the conclusion that the greatest Good consists in applying to the conduct of life a knowledge of the working of natural causes, choosing what is in accordance with nature and rejecting what is contrary to it; in other words, the greatest Good is to live in agreement and in harmony with nature.<sup>16</sup>

---

<sup>15</sup> *ibid.* III, v, 16.

<sup>16</sup> *ibid.* III, ix, 31.



As for what “good” is taken to mean, here we find differences among different Stoics. Even so, these differences are small compared to the difference between Stoic “Good” and those of other philosophical systems. Cicero has Cato tell us:

The Stoic definitions [of the term "good"] do indeed differ from one another in very minute degree, but they all point in the same direction. I agree with Diogenes in defining the Good as that which is by nature perfect. He was led by this also to pronounce the 'beneficial' . . . to be a motion or state in accordance with that which is by nature perfect . . . The mind ascends by inference from the things in accordance with nature till finally it arrives at the notion of the Good. At the same time Good is absolute, and is not a question of degree; the Good is recognized and pronounced to be Good from its own inherent properties and not by comparison with other things . . . Value, in Greek *axia*, is not counted as a Good nor yet as an Evil.<sup>17</sup>

Although everything obeys the universal law, man, by his special “nature”, is able to know the specific “laws” deriving from this universal law. Stoic moral theory is based on their fundamental principle of “the life according to nature.” Only that which contributes to self-preservation and happiness can have value; for a rational being only that which is reasonable can have any value. Stoic virtue, as described above, is therefore the only thing that can lead to happiness. As the sole Good, it can be affected by no other condition. In particular, this includes pleasure and pain because these are merely affects. If our activity is of the “right kind” – i.e., willing accordance with nature – correct conduct ensures the only true satisfaction; but this satisfaction is not to be made the aim of our activities.

Because virtue alone is Good, the effort to attain it is the general law of man’s nature. For the Stoics it is not what we achieve that matters; it is only our intention that matters (because whatever we are going to achieve has already been pre-determined by the universal law). The rest of Stoic moral philosophy consists of (logical) derivations of specific ways of distinguishing virtue from vice (so that we may “willingly” be “guided by nature” rather than be “dragged along” by it). Virtue is the sole Good, vice the sole Evil; all else is “indifferent.” Stoic virtue is, therefore, essentially a struggle against affects, these being opposed to reason (irrational). The attainment of freedom from affects they called *apatia* (apathy). This Stoic Good consequently is, on the one hand, subjective (one’s attitude towards life) but, on the other hand, objective inasmuch as it has ties to “nature” and the “universal law” of *logos*.

## § 2.7 The Critical Context of Good and Evil

Despite their significant and fundamental differences, the classical themes we have just reviewed do have a few things in common. All involve the ideas of life and of happiness. All quickly focus themselves upon the idea of a “chief Good.” All quickly move to become moral philosophy.

---

<sup>17</sup> *ibid.* III, x, 33-34.

With the possible exception of Aristotle, none of these classical systems provide us with a starting point from which we can address our question: Can practical Reason be pure? Kant likewise rapidly plunged into the development of a metaphysic of morals, and this topic is of no better help to us in regard to our question, which concerns the phenomenon of mind, than are any of the classical systems of ethics. In Kant's case, however, we must see his metaphysic of moral philosophy as merely an *applied* metaphysic and not as the foundational metaphysics proper of his practical philosophy. Kant as much as tells us this himself in *Foundations of the Metaphysics of Morals*:

Indeed such a completely isolated metaphysics of morals, that is mixed with no anthropology, with no theology, with no physics or hyperphysics, still less with occult Qualities . . . is not only an indispensable substrate of all theoretically secure definite knowledge of duties but at the same time a desideratum of the highest importance to the actual fulfillment of its precepts [KANT3: 26 (4: 410)].

We must not take the idea of a metaphysic “completely isolated” from empirical anthropology to imply some “stand alone” system. Any applied metaphysic is subordinate to the first principles of the critique of pure Reason. Kant reiterates this in the introduction to his ethical theory:

Whenever a *philosophy* (system of rational knowledge from concepts) deals with any subject matter<sup>1</sup>, then likewise it must furnish for this philosophy a pure system of rational ideas independent of any conditions of intuition, i.e. a *metaphysic*. - It only asks itself: whether it also stands in need of metaphysical first principles for every *practical* philosophy in the role of doctrine of duties, hence likewise for the *doctrine of virtue* (ethics), so as to be regarded as a genuine science (systematically), not merely sought out as an aggregate of assembled individual tenets (fragmentarily) [KANT9: 141 (6: 375)].

After all, if it is useful for physical science to divide its labors into specialties – physics, chemistry, biology, etc. – should it be less useful for philosophy to do so? But in doing so, just as the physical sciences require unity in some common system of ideas – a role physics claims for itself in modern science – so, too, must philosophy maintain its fundamental unity through its most fundamental metaphysical principles when it is divided into special topics.

What we must do here is set to the side the part of Kant's theory that applies his practical metaphysics proper to ethics and the theory of morals, and examine just this metaphysics proper in regard to the phenomenon of mind.<sup>2</sup> In this task, our topical question might just as well be phrased: Can practical anthropology be pure?

---

<sup>1</sup> *Gegenstand*. Here Kant uses the word to mean the object of a philosophy, hence its subject matter.

<sup>2</sup> There are some philosophers who may hold that Kant's ethical theory *is* his (one and only) practical philosophy. I refer these scholars to Kant's “categories of freedom” in *Critique of Practical Reason*, where it is quickly seen that these “categories” are not transcendental and must, therefore, belong to an applied metaphysic.

In Kant's theory, the ideas of "good" and "evil" are rather less lofty than the idea of a greatest Good or a chief Evil – ideas that the classical philosophers found themselves needing in order to establish contexts for the meaning of good and evil in more mundane circumstances. The classical philosophies needed to see Good as an *end* and, consequently, as a kind of thing, whether this thing was "substantial" or spiritual or supernatural or, as in Aristotle's case, the combination of innate capacities with "right actions." Under the Critical Philosophy's Copernican hypothesis, the idea of good or of evil must refer back to the Organized Being whose representations determine the object. Because good and evil are, in their ideation, *practical* objects, their reference and context must be sought in practical Reason and not elsewhere.

The only Objects of a practical reason are therefore those of *good* and *evil*. For by the first one understands a necessary object of the appetitive power, by the second of the power of detestation<sup>3</sup>, both, however, according to a principle of reason [KANT4: 50 (5: 58)].

Now here we come upon an important difference between the Critical Philosophy and the classical systems. Good and evil do not pertain to the object of the appetitive power as the object to be realized but rather to *the choice to effect it*. Put another way, good and evil, as *Objects*, refer to the *act* rather than to the object of desire [KANT4: 52 (5: 60)]. Whereas the ancients vested the idea of good (or evil) in the outcome or end effected through the action, Kant finds that the practical objective validity of these ideas is grounded in the practical maxim of the act, which is merely the *means* by which the end is to be effected. Thus, the ideas of good and evil take their context from a relationship to the power of choice (*Willkürsvermögen*).

Overall it is possible to think of nothing in the world, or indeed altogether beyond it, which could be deemed good without restriction except only a **good will** [KANT4b: 49 (4: 393)].

Kant's explanation of good and evil is quite consistent with what we said earlier (§1) in our first four typical explanations for "why" a person does something – e.g., "because it was good *to do that*." Thus, our inquiry into whether or not it is possible for practical Reason to be pure finds itself directed to look at this question in the context of how – i.e., in what manner – an object of appetitive power can come to be judged as *necessary* from the *practical* Standpoint. To do this we must examine the construction of maxims and the organization of the manifold of Desires.

Now, because this inquiry must probe into the grounds of determination through which the acts of the Subject will come to be judged<sup>4</sup> as right or wrong, we must expect that at some point

---

<sup>3</sup> *Verabscheuungsvermögen*. *Verabscheuung* is "detestation" and, of course, *Vermögen* refers to capacity or "potential power" of something. Kant's "power of detestation" is not to be looked at as some new "faculty" previously unlooked-at in this treatise. Rather, it is to be regarded as the appetitive power determined to effect or to maintain the non-actuality (*Nichtsein*) of the object represented.

<sup>4</sup> by the Subject himself, not by someone else.

we will have to come to grips with the meaning and context of the word “moral.” Like “soul” and like many of our technical terms, we run the risk here of walking into quicksand if we do not from the start watch our step and avoid investing in this term ideas that go beyond its objective validity. Let us understand right away that it is “moral” as an *adjective* with which we will be concerned. (“Moral” as a noun belongs to an applied metaphysic of morals). The dictionary, as usual, supplies us with several different definitions of this word.

**moral**, *a.* [ME. *morale*; L. *moralis*, pertaining to manners or morals, from *mos*, *moris*, pl. *mores*, manners, morals].

1. relating to, dealing with, or capable of making the distinction between, right and wrong in conduct.
2. relating to, serving to teach, or in accordance with, the principles of right and wrong.
3. good or right in conduct or character; often, specifically, virtuous in sexual conduct; opposed to *immoral*.
4. based on general observation of people, etc. rather than on what is demonstrable; as, *moral* evidence.
5. designating support, etc. that involves approval and sympathy without action; as, *moral* support.
6. being virtually such because of its effect on thoughts, attitudes, etc. or because of its general results; as, a *moral* victory.

None of these definitions fit exactly with the technical use we will make of this term, but definition (1) perhaps comes closest. A more precise fit was expressed by Piaget, who remarked “logic is the morality of thought just as morality is the logic of action” [PIAG7: 398].

Since it seems clear that the Critical context of good and evil is bound to carry us into “moral” considerations, it seems prudent and wise for us to delay jumping directly into the rational side of our theory for a short while and, instead, to pause for an examination the *empirical* evidence from which we first establish the *Dasein* of such a thing as a capacity for “moral judgment”. What do we know about the *development* of that which we call “morality” or “moral reasoning”? To examine this, we turn once again to Piaget.

### § 3. The Development of Moral Judgment

Piaget’s study of the development of “moral judgment” in children first appeared in English in 1932. Without defining it, he uses the word “morality” in the manner and context that most of us mean when we use that word. It is within this context that he defines what he means by the idea of the moral judgment of the child. It is also within this context that we are to understand the scope and aim of his research in this area:

All morality consists in a system of rules, and the essence of all morality is to be sought for in the respect which the individual acquires for these rules. The reflective analysis of Kant, the sociology

of Durkheim, or the individualistic psychology of Bovet all meet on this point. The doctrines begin to diverge only from the moment that it has to be explained how the mind comes to respect these rules. For our part, it will be in the domain of child psychology that we shall undertake the analysis of this "how" [PIAG7: 13].

This seems clear enough. However, this description of the topic contains two words we should note right now, since how one takes the meaning of these terms has an important effect on how one compares the doctrines of different theorists. These words are *respect* and *rules*. Piaget will declare that the evidence finds against "Kant's doctrine" but the basis of this conclusion turns on what is meant by the idea of "respect." Kant himself makes homonymous use of this word, treating it one way in the proper critique of practical Reason and another in his metaphysic of morals. Piaget's study, aimed at addressing the "how" question, is an inquiry by means of psychology whose topic is akin to the former; but the context he employs for Kant's usage of the word "respect" is drawn from the latter [PIAG7: 100fn]. We must, therefore, harbor at least a suspicion that insofar as Piaget's finding against Kant is concerned he may be comparing apples with oranges. Kant's idea of "respect" is somewhat complicated and Piaget's theory is itself not simple in regard to this idea, and so we will for the moment be satisfied with this note of caution and postpone the direct comparison of the two theories until a later point after we have examined both theories in more detail.

As for the word "rules", this also must be used with caution. It is all too easy for us to slowly transform the context of this word into that of another, namely "laws". Again, the relationship between these two ideas is not a trivial one. Sometimes these words are synonyms; at other times they are not. Piaget does not use either one within the context of any strict *technical* definition, whereas Kant defines them in a rigorous technical way. For the present, in our review of Piaget's theory, we will take both words in the dictionary sense with proper adjustment for the context in which they are used.

With this cautionary note in mind, let us now turn to the theory itself. Piaget employed a novel method of studying the development of childish moral judgment, and one of its elements was the study of childish behavior in the playing of games. Because the games little boys play are different from those that little girls play, Piaget had to take this into account. In doing so, he found that the development of moral judgments in boys and in girls share certain commonalities, but that there are also some gender differences, particularly among the older children. Perhaps the most marked difference is that the boys tend to become more "legalistic" in how they regarded the rules of the game; girls, on the other hand, tend to be more tolerant, more easily reconciled to innovations in changing the rules of the game, and show far less interest in constructing the kind of elaborate "legal system" older boys liked to erect for their games. For the most part, though, the commonalities outweighed the differences between the two sexes.

What makes game playing particularly interesting for the study of the development of moral judgment is that games and their rules are defined by the children themselves rather than by adults. By studying child's play in these games, it is possible to get a look at rules children make for themselves or learn from other children, as opposed to rules handed down to them by adults (especially parents), who are, to the child, authority figures. Thus, with games we have an avenue for the study of childish lawgiving in its early forms.

Children's games constitute the most admirable social institutions. The game of marbles, for instance, as played by boys, contains an extremely complex system of rules, that is to say, a code of laws, a jurisprudence of its own. Only the psychologist, whose profession obliges him to become familiar with this instance of common law, and to get at the implicit morality underlying it, is in a position to estimate the extraordinary wealth of these rules by the difficulty he experiences in mastering their details [PIAG7: 13].

Piaget determined there are two principal questions to be studied through observation and experiment in game playing. The first of these is: How does the child actually practice or apply the rules of the game? The second is: How conscious, in fact, is the child of these rules as rules? By examining these questions, Piaget is able to come at the main question of the nature of childish moral judgment.

But it goes without saying that the main thing is simply to grasp the child's mental orientation. Does he believe in the mystical virtue of rules or in their finality? Does he subscribe to a heteronomy of divine law, or is he conscious of his own autonomy? This is the only question that interests us. The child has naturally got no ready-made beliefs on the origin and endurance of the rules of his games; the ideas which he invents then and there are only indices of his fundamental attitude, and this must be steadily borne in mind throughout the whole of the interrogatory [PIAG7: 26].

### § 3.1 Childish Practice of the Rules

The first characteristic of interest is the manner in which the child makes his own rules or adopts rules from the instruction or example of other children. This question is, of course, closely related to a second, i.e. how *conscious* is the child of the particular details of the rules or even of the existence of rules *per se*? The distinctive element of childish practice goes to the child's construction of maxims and the evolution leading from simple maxims (that is, practical rules in the concrete) to the construction of rules about rules (i.e., "imperatives" or "laws"). Note that here we are not talking about rules *a priori* but, rather, *empirical* rules *constructed* by the child from experience. In other words, we are not examining rules in the same context as our view of the categories of understanding (as rules for the reproduction of intuitions) but instead rules in the context of developed *mores* and folkways as well as empirically contingent technical "how-to" schemes.

In the continuum of child development Piaget identified four stages of childish practice:

Stage 1 (motor rules): From ages 0 to 3 years child's play tends to follow what Piaget described as "the dictation of his desires and motor habits. This leads to the formation of more or less ritualized schemes." Put in the terminology of this treatise, the rules of this stage can be regarded as merely motor maxims and whatever intellectual content they might contain does not rise to the level of an "imperative." Therefore, motor rules are not rules in the sense of what most of us regard as "moral" or "legal" rules.

Stage 2 (egocentric stage): From ages 3 to 7 years, child's play is individual and asocial. The child will imitate other children, but he or she plays "by himself" even when he says he is playing with other children. "With" in this case seems to mean that other children are present; there is, however, no cooperation or social interaction in this type of play, and the child plays without trying to best an opponent.

Stage 3 (cooperation): From ages 7 to 11 years, each player now plays to win. This appears to have the consequence that the child begins to concern himself about the rules of the game and to regard these rules as rules in a more adult sense. However, the child's ideas about and understanding of the rules are still vague, and even children who play together regularly will give different individual accounts of what the rules are. Put another way, all the children play by the rules but each actually practices a different set of rules.

Stage 4 (codification of rules): From ages 11 years and up, every detail of the procedures and rules of the game is known by every player. The rules are fixed and common for everyone, and they are followed by the whole society of players. In this stage there is a quite noticeable difference between boys and girls. Both have learned that they can make up or alter the rules of the game by mutual consent. Boys, however, exhibit a keen and "legalistic" interest in constructing an elaborate codification of the rules and even appear to become interested in rule making for the sake of rule making. Girls seem to be much less interested in this "legislative process" and do not devote the same effort and attention to nailing down every conceivable aspect and variation of the game in some form of childish Justinian code.

The age brackets characteristic of each stage are, of course, averages. Piaget notes that the transition from one stage to the next is gradual rather than abrupt and there are variances in the ages of children in each respective stage.

### The Motor Rules Stage

Piaget does not devote a great deal of discussion to the first or "motor rules" stage. This is because the rules in evidence during this stage of child development bear little overt resemblance to rules we usually consider to be "moral" rules. They are, however, rules that seem to be necessary and preparatory for the later development of such rules.

There are three aspects of this stage that collectively characterize stage 1 behavior. The first is a lack of continuity and direction in the child's sequence of behavior. The play objects, e.g. a

set of marbles, are themselves new in the child's experience, and the child is trying

. . . first and foremost to understand the nature of marbles and to adapt its motor schemes to this novel reality. This is why it tries one experiment after another: throwing them, heaping them into pyramids or nests, letting them drop, making them bounce, etc. But once it has got over the first moments of astonishment, the game still remains incoherent, or rather still subject to the whim of the moment. On days when the child plays at cooking dinner the marbles serve as food to be stewed in a pot. On days when it is interested in classifying and arranging, the marbles are put in heaps in the holes of arm-chairs, and so on. In the general manner in which the game is carried on there are therefore no rules [PIAG7: 30].

There is one comment we can make at this point. When Piaget speaks of "the game" the element that appears in common to these different activities is the toy – e.g. the set of marbles. We might ask whether it is correct to classify the child's activities as "the" game rather than "the games." Rather surprisingly, Piaget and his coworkers seem to not have noticed, or at least to not have commented on, this question. It would obviously be quite difficult to discern whether or not the child is following any "rules of the game" if in fact we are dealing with "games" rather than "a game" with children in this age group, especially since a child of this age would have difficulty communicating his or her intent to the psychologist-observer. Piaget's "therefore" in the last sentence of the quote given above makes it unclear whether his conclusion is that there is one game with no discernible rules, or whether he means there are multiple games but no permanent rules are discernible in any of them.

The second aspect characteristic of this stage is the development of "rituals":

The second thing to note is that there are certain regularities of detail, for it is remarkable how quickly certain particular acts in the child's behavior become schematized and even ritualized. The act of collecting the marbles in the hollow of an arm-chair is at first simply an experiment, but it immediately becomes a motor scheme bound up with the perception of the marbles. After a few days it is merely a rite, still performed with interest, but without any fresh effort of adaptation [PIAG7: 30-31].

Along with this "ritualization" of actions performed with the toy there also appears a motivated symbolic factor attached to the activity. This factor constitutes the third aspect of the motor rule stage.

In the third place, it is important to note the symbolism that immediately becomes grafted upon the child's motor schemes. These symbols are undoubtedly enacted in play rather than thought out, but they imply a certain amount of imagination: the marbles are food to be cooked, eggs in a nest, etc.

This being so, the rules of the game might be thought to derive either from rites analogous to those we have just examined or from a symbolism that has become collective. Let us briefly examine the genesis and ultimate destiny of these modes of behavior.

Genetically speaking, the explanation of both rites and of symbols would seem to lie in the conditions of preverbal motor intelligence. When it is presented with any new thing, a baby of 5 to 8 months will respond with a dual reaction: it will accommodate itself to the new object and it will



assimilate the object to earlier motor schemes . . . This assimilation of every fresh object to already existing motor schemes may be conceived of as the starting point of ritual acts and symbols, at any rate from the moment that assimilation becomes stronger than actual accommodation itself. With regard to ritual acts, indeed, one is struck by the fact that from the age of about 8 to 10 months all the child's motor schemes, apart from moments of adaptation in the real sense, gives rise to a sort of functioning in a void, in which the child takes pleasure as in a game . . . In no way automatic, this rite is a game that amuses her by its very regularity [PIAG7: 31-32].

What Piaget is asking here is whether or not the rules of a game such as marbles have their origins in these “rites” that constitute the behavioral appearance of motor rules. Put another way, can we regard motor rules as early and primitive forebears of the sort of “official” rules in an organized children’s game? It is clear that motor rules are “rules” in one sense of that word. But, in another sense, they seem to be different in at least two ways from the rules of organized games. In the first place, there is no social or inter-personal element to motor rules. It seems clear that there must be an intellectual element involved in motor rules after they become “rites” rather than habits; however, this intellectual element seems, to the psychologist-observer, to be the product of “whim.” This brings us to the second difference, namely that these “rites” seem to carry no “sense of obligation” with them. In other words, there seems to be no decisive observable appearance from which we can infer with objective validity that the child feels in any way “obligated” to maintain the ritual.

Can the game of marbles . . . be conceived simply as the result of an accumulation of individual rites and symbols? We do not think that it can. We believe that the individual rite and the individual symbol constitute the substructure for the development of rules and collective signs, its necessary but not sufficient condition. There is something more in the collective rule<sup>5</sup> than in the motor rule or the individual ritual, just as there is something more in the sign than in the symbol<sup>6</sup>.

With regard to motor rules or ritualistic rules, there can be no doubt that they have something in common with rules in the ordinary sense, namely the consciousness of regularity. When we see the delight taken by a baby of 10 to 12 months or a child of 2-3 in reproducing a given behavior in all its details, and the scrupulous attention with which it observes the right order in these operations, we cannot help recognizing the *Regelbewusstsein*<sup>7</sup> of which Bühler speaks. But we must distinguish carefully between the behavior into which there enters only the pleasure of regularity, and that into which there enters an element of obligation. It is this consciousness of obligation which seems to us, as to Durkheim and Bovet, to distinguish a rule in the true sense from mere regularity [PIAG7: 32-33].

We must comment upon two things in Piaget’s argument here. The first is that it is mere supposition to say there is “only the pleasure of regularity” – the word “only” implying an absence of any other subjective factor, e.g. a “sense of right conduct” – in the baby’s behavior. The second is that the word “obligation” is one of the most poorly defined ideas in our language.

---

<sup>5</sup> A "collective rule" is a rule that is subscribed to by all the players of a game such as marbles.

<sup>6</sup> By "signs" and "symbols," Piaget is referring to the technical terminology of linguistics.

<sup>7</sup> "rule consciousness"

Excluding the legal sense of the word, “obligation” typically has the context that something (some action) is in some way “binding” upon us, as in the idea of a “duty” to do something. In the viewpoint of many people – subscribers to one or another of different moral philosophies – an “obligation” can be *imposed* on one person by another person, by God, by “nature”, etc. In other moral philosophies, such as Kant’s, “obligation” can never be imposed “from without” but only “from within” – i.e. the only person who can place me under an “obligation” is myself. In such philosophies, coercion can not be a ground for “obligation” and to submit to coercion is merely to be “prudent.” All this is to say that while we may have no objectively valid ground for inferring the presence of some element of “obligation” in childish play rituals in the motor rule stage, we equally have no objectively valid ground for inferring the *absence* of any “obligatory” factor.

How is Piaget employing the word “obligation”? The defining factor in his definition of this idea is that of *submission*:

Now this element of obligation, or, to confine ourselves to the question of the practice of rules, this element of obedience intervenes as soon as there is a society, *i.e.*, a relation between at least two individuals. As soon as a ritual is imposed upon the child by adults or seniors for whom he has respect (Bovet), or as soon, we would add, as a ritual comes into being as the result of the collaboration of two children, it acquires in the subject's mind a new character which is precisely that of a rule. This character may vary according to the type of respect which predominates (respect for the senior or mutual respect) but in all cases there enters an element of submission which was not contained in the rite pure and simple [PIAG7: 33].

The question, of course, is: submission to whom or to what? Under Piaget’s definition, obligation can only be present when there is interpersonal relationship involved in some way – either between two actual persons or between the child and an animistic proxy such as his teddy bear – and where there is some element of “respect” for the other person involved. Under such a definition, it is inevitable that Piaget must come to disagreement with Kant’s moral philosophy because it leaves out another hard-to-pin-down idea: *self-respect*. We will return to this important idea when we take up Kant’s theory.<sup>8</sup>

### The Egocentric Stage

Egocentrism in childish behavior occupies an intermediate position between what Piaget calls purely individual behavior and social behavior. In terms of childish games, as well as in childish thought, it is characterized by a lack of true “cooperation” with others.

---

<sup>8</sup> Piaget identifies two forms of respect, which he calls unilateral respect and mutual respect. In terms of observable Relations, unilateral respect is understood under the category of causality & dependency because it involves acceptance by the child of a rule laid down by an authority figure. Mutual respect is understood under the category of community because it is reciprocal. This leaves one more form of Relation, and it is this which in this treatise we call self-respect.

Cooperation, in Piagetian terminology, pertains to mutual interactions – what we would call a Relation of community in interpersonal relationships. It is true that a child begins to be “socialized” from the end of its first year of sensorimotor development. However, the interpersonal relationships in the child’s experience are primarily relationships between the child and its caregivers. Piaget tells us:

. . . the very nature of the relation between child and adult places the child apart, so that his thought is isolated, and while he believes himself to be sharing the point of view of the world at large he is really still shut up in his own point of view. The social bond itself, by which the child is held, close as it may seem when viewed from outside, thus implies an unconscious intellectual egocentrism which is further promoted by the spontaneous egocentrism peculiar to all primitive mentality [PIAG7: 36].

With regard to game-playing, e.g. the game of marbles, the child’s play during this stage is individualistic despite its social setting. His behavior is *imitative* of older children and while he believes himself to be playing the game according to the rules, in fact he does not have a clear or an accurate conception of “rules” nor consciousness that they may be other than what his egocentrism makes of them.

For example, in the game of marbles one first makes a square on the ground and places the marbles within that square. The object of the game is to knock them out of the square by shooting at them with another marble. Piaget presents two examples of egocentric play:

MAR (6 yrs.) seizes hold of the marbles we offer him, and without bothering to make a square he heaps them up together and begins to hit the pile. He removes the marbles he has displaced and puts them aside or replaces them immediately without any method. "Do you always play like that? - *In the street you make a square.* - Well, you do the same as they do in the street. - *I'm making a square, I am.*" (He draws the square, places the marbles inside it and begins to play again.) I play with him, imitating each of his movements. "Who has won? - *We've both won.* - But who has won the most? . . ." - (Mar does not understand.)

BAUM (6½) begins by making a square and puts down three marbles, adding: "*Sometimes you put 4, or 3, or 2.* - Or 5? - *No, not 5, but sometimes 6 or 8.* - Who begins when you play with the boys? - *Sometimes me, sometimes the other one.* - Isn't there a dodge for knowing who is to begin? - *No.* - Do you know what a coche<sup>1</sup> is? - *Rather!*" But the sequel shows that he knows nothing about the coche and thinks of this word as designating another game. "And which of us will begin? - *You.* - Why? - *I want to see how you do it.*" We play for awhile and I ask who has won: "*The one who has hit a mib<sup>2</sup>, well, he has won.* - Well! who has won? - *I have, and then you.*" I then arrange things so as to take 4 while he takes 2: "Who has won? - *I have, and then you.*" We begin again. He takes two, I none. "Who has won? - *I have.* And I? - *You've lost.*" [PIAG7: 37].

Egocentrism is highly obvious in these examples. First, “winning” is bound up in personal accomplishment, not competition. We may also note the inconsistency in understanding the rules.

---

<sup>1</sup> A "coche" is a line from which the players take their first shots.

<sup>2</sup> A "mib" is a particular type of marble.

Not only do they tell us of totally different rules (this still occurs throughout the third stage), but when they play together they do not watch each other and do not unify their respective rules even for the duration of one game. The fact of the matter is that neither is trying to get the better of the other: each is merely having a game on his own, trying to hit the marbles in the square, *i.e.*, trying to "win" from his point of view.

This shows the characteristics of this stage. The child plays for himself. His interest does not in any way consist in competing with his companions and in binding himself by common rules so as to see who will get the better of the others. His aims are different and indeed dual, and it is this mixed behavior that really defines egocentrism. On the one hand, the child feels very strongly the desire to play like the other boys, and especially like those older than himself; he longs, that is to say, to feel himself a member of the very honorable fraternity of those who know how to play marbles correctly. But quickly persuading himself, on the other hand, that his playing is "right" . . . the child thinks only of utilizing these acquisitions for himself: his pleasure still consists in the mere development of skill, in carrying out the strokes he sets himself to play. It is, as in the previous stage, essentially a motor pleasure, not a social one [PIAG7: 40-41].

There is no doubt the child enjoys playing "with" other children and that he thinks the "rules" he is following are not his own (although, in fact, they are). Piaget also observes that these children carry on what he calls a "collective monologue" in which the children engage in a "pseudo-conversation". One child will say something, the other will repeat it or say something else. But there is no actual attempt to hold an exchange of opinions or commands.<sup>3</sup> In effect, each child is talking to himself but what he says is stimulated by the other. The child "feels," says Piaget, that he is "in communion" with the group, but he is in fact paying no particular attention to the other children.

Piaget comments that in these "monologues" the child is "inwardly addressing the Adult who knows and understands everything" – a rare instance where Piaget appears to lapse into unsupported speculation with regard to his observations since he gives no evidence or explanation for this comment. The egocentric practice of rules raises some fundamental questions. Since the child is still actually playing for and by himself, even in the company of other children, why does he "feel very strongly the desire to play like the other boys"? And how do we, as observers, *know* that he "feels this desire"? Why, indeed, should the child even "want" to play with other children? An appeal to "social instinct" does not give a satisfactory answer unless we are prepared to explain what we mean by "social instinct" and place it in context with other appetites. For the first two questions, we will shortly see that our understanding of these must call upon the other aspect of the child's moral judgment, namely his consciousness of rules. For the third, we must await the critical examination of practical Reason and of the process of judgmentation.<sup>4</sup>

---

<sup>3</sup> This does not mean the children do not *also* carry on "true" conversations with each other. But, Piaget notes, these "true" conversations are much more rare than the collective monologue.

<sup>4</sup> The presence of implied affective factors runs throughout Piaget's analysis. We will later see, in Chapters 14 through 16 and Chapter 18, that these factors and the reflective judgments that attend to them are central to the child's development of cognitive meanings from the interplay of practical Reason and judgmentation.

## The Cooperation Stage

The third stage of the practice of the rules is marked by the appearance of a “need” and “desire” for what Piaget calls “mutual understanding in the sphere of play (as also, indeed, in the conversations between children).” Piaget uses as a criterion for the onset of this stage the appearance of behavior that shows the child is now seeking to “win” in the sense of “getting the better of the other players.” He quickly notes, however, that this “desire” is not purely and simply some impulse or “affective motive-power of the game” that defines “winning” *merely* by knocking out more marbles than his opponents. In addition, the child places great emphasis on winning *within the rules of the game*. We are all, I imagine, familiar with that common aggrieved childish outcry: *That's not fair! You cheated!* Regardless of how well or poorly the child understands the rules of the game, cooperating children bind themselves and their playmates to the strict observance of their conceptions of the rules.

Piaget provides some observational examples which illustrate that the third stage children are still not uniformly agreed upon what the “rules” are [PIAG7: 43-45]. His method, somewhat to our disappointment, did not provide the opportunity for us to observe cases of childish disagreement over the rules encountered in the course of play. Even children who regularly play together have different versions of the rules, which include some rules known to one of them but of which the other has never even heard. Piaget concludes:

The child's chief interest is no longer psycho-motor, it is social. In other words, to dislodge a marble from a square by manual dexterity is no longer an aim in itself. The thing now is not only to fight the other boys but also and primarily to regulate the game with a whole set of systematic rules which will ensure the most complete reciprocity in the methods used. The game has therefore become social. We say "become" because it is only after this stage that any real cooperation exists between the players . . .

As yet, however, this cooperation exists to a great extent only in intention. Being an honest man is not enough to make one to know the law. It is not even enough to enable us to solve all the problems that may arise in our concrete "moral experience." The child fares in the same way in the present stage, and succeeds, at best, in creating for himself a "provisional morality," putting off until a later date the task of setting up a code of laws and a system of jurisprudence. Nor do boys of 7 to 10 ever succeed in agreeing amongst themselves for longer than the duration of one and the same game; they are still incapable of legislating on all possible cases that may arise, for each still has a purely personal opinion about the rules of the game.

To use an apter comparison, we may say that the child of 7 to 10 plays as he reasons [PIAG7: 45-46].

Piaget's exposition in [PIAG7] did not capture and display for us the moment or the situation when the stage 2 child's awareness of the socialized idea of winning comes into being. This is

perhaps because his experimental-observational method was a one-on-one interaction with the individual children. Perhaps there is a triggering experience or experiences, such as when the child begins to play games that are “for keeps” (where the loser loses his marbles to the winner). Perhaps it is some other circumstance or combination of circumstances. It is not unlikely that the “socialized” idea of winning emerges from experiences that are unique to the individual, e.g. a father telling his son what “winning” means. Regardless, the goal of the game has become objectified, and its accomplishment now includes for the stage 3 child a social import, cooperation under *common* rules, that was not a factor in the earlier stages. We cannot say that the rules *per se* have hardened in this stage; childish cooperation is on a game-by-game basis and the “rules” still vary from one game to the next. But *within* a single game, cooperation is achievable.

### The Stage of Codification of Rules

In the final stage of the practice of rules we find not only true, objective cooperation but, in addition, thorough knowledge and understanding of the rules of the game, including knowledge and understanding of variants of the game. These rules are worked out by and with mutual cooperation among the players.

It is also in this stage where we see the chief difference between boys and girls. Little boys take an interest in and devote much effort to a legalistic codification of the rules, with attempts to cover all possible variations and circumstances. They will augment old rules and invent new ones – all through mutual cooperation and consent – to cover not only circumstances as they arise, but also to cover conceivable circumstances that have not, in fact, been faced before. The entire set of rules becomes vast and can be extraordinarily complicated. Indeed, the boys seem to enjoy the process of rule-making for its own sake. Piaget remarks that “it is almost alarming . . . to think of what a child of twelve has to store away in his memory” in mastering the “legal code” that the little boys make for themselves.

Throughout the fourth stage, then, the dominating interest seems to be the interest in the rules themselves. For mere cooperation would not require such subtleties as those attending the disposition of marbles in the square . . . The fact that the child enjoys complicating things at will proves that what he is after is rules for their own sake. We have described elsewhere the extraordinary behavior of eight boys of 10 to 11 who, in order to throw snow-balls at each other, began by wasting a good quarter-of-an-hour in electing a president, fixing the rules of voting, then in dividing themselves into two camps, in deciding upon the distances of the shots, and finally in foreseeing what would be the sanctions to be applied in the case of infringement of these laws [PIAG7: 50].

This interest in and concern for the rules also extends to rules for ensuring fairness and “an

even chance” being given to younger players, as well as rules that seem to be aimed at what we might call “keeping the peace.”

Our three legal experts also point the measures of clemency in use for the protection of the weak. According to Vua<sup>5</sup> "*if you knock out three at one shot and there's only one left [one marble in the square] the other chap [the opponent] has the right to play from half-way [half-way between the coche and the square] because the first boy has made more than his 'pose'.*" Also: "*the boy who has been beaten is allowed to begin.*" According to Gros<sup>6</sup>, "*if there is one marble left at the end, the boy who has won, instead of taking it, can give it to the other chap.*" And again, "*when there's one boy who has won too much, the others say 'coujac,' and he is bound to play another game.*" [PIAG7: 49].

As for the fact that many variants of the rules can exist,

*The fact is, answers Vua, that sometimes people play differently. Then you ask each other what you want to do. - And if you can't agree? - We scrap for a bit and then we fix things up* [PIAG7: 49].

In contrast, little girls seem much less interested in erecting any complex legal system of rules. They cooperate, and reach mutual agreement on the rules – as the boys do – but are much less explicit in their agreements. They also appear to come to this stage earlier than do the boys. Their games are more loosely-knit and “are marked by this polymorphism and tolerance” [PIAG7: 83]. The rules are merely “the way you play it” and if someone wants to play the game using some new rule, well, that’s fine so long as the others agree. The little girls were much more tolerant of changing the rules than were the little boys.

### § 3.2 Childish Consciousness of the Rules

The child’s degree of consciousness of the existence of rules also progresses in stages. However, in this regard Piaget only discerned three developmental stages, and these stages overlap those of the previous section. They are:

Stage 1 (non-binding rules): Up to about 4 years of age, the rules are not seen as coercive. Either they are simply motor rules or else they are seen as merely an interesting example of how to play.

Stage 2 (rule mysticism): From about 4 to 10 years of age the rules are accorded a kind of mystic sacredness and untouchability. They are regarded as emanating from adults and lasting, in fixed form, forever. Within this stage we can distinguish two sub-stages. From about 4 to 6 years, the child is conscious that there are rules and views them as sacred, but does not, in fact, really understand the rules in detail (egocentrism). From about age 6 to 10, the child’s understanding of the rules improves, but they are still held as sacred and the child is extremely conservative

---

<sup>5</sup> Age 13.

<sup>6</sup> Also age 13.

when it comes to any question of altering the rules.

Stage 3 (rules as common law): From about age 10 and up (age 8 and up in the case of the girls) a rule is looked upon as a *law* (thus it carries the force of “obligation”), but this is a law established by common consent and convention. The rules lose their sacred and mystic character.

### The Non-Binding Stage

This first stage covers all of stage 1 and roughly the first half of stage 2 from the previous section. Consciousness of rules as a *formal structure* or some sort of “code” is non-existent. What the child *is* conscious of is more of a “sense of *regularity*” that the ritualization of its play-schemes crystallizes.

But in order to know to what consciousness of rules these individual schemes correspond it should be remembered that from its tenderest years everything conspires to impress upon the baby the notion of regularity. Certain physical events (alternation of day and night, sameness of scenery during walks, etc.) are repeated with sufficient accuracy to produce an awareness of “law,” or at any rate to favor the appearance of motor schemes of prevision. The parents, moreover, impose upon the baby a certain number of moral obligations, the source of further regularities (meals, bed-time, cleanliness, etc.) which are completely (and to the child indissociably) connected with external regularities. From its earliest months the child is therefore bathed in an atmosphere of rules, so that the task of discerning what comes from itself in the rites that it respects and what results from the pressure of things or the constraint of social environment is one of extreme difficulty . . .

An analysis of the rites practiced by older children, however, will allow us to introduce a fundamental distinction at this point. On the one hand, certain forms of behavior are, as it were, ritualized by the child himself . . . Now, so long as no other factor intervenes, these motor rules never give rise to the feeling of obligation proper . . . On the other hand, certain rules - it matters not whether they were previously invented by the child, imitated, or received from outside - are at a given moment sanctioned by the environment, *i.e.*, approved of or enjoined. Only in a case such as this are rules accompanied by a feeling of obligation. Now, although it is always difficult to know to what extent an obligatory rule covers up in the mind of a child of one or two years a motor ritual, it is at any rate obvious that the two things are psychologically distinct. And this distinction should be borne in mind when we come to the study of the rules of the game [PIAG7: 52-53].

Thus, even before the child begins playing with other children it has already experienced a number of situations and “regularities” that not only reinforce what we might call an idea of regularity but, in addition, have taught the child that some things are permitted and some things are forbidden. We can – and in this treatise we will – disagree with Piaget on the idea that something imposed on the child by others should be called an “obligation” in the moral sense; even so, it is beyond doubt that the idea of “I have to” (if not “I ought to”) has taken root in the child by the time he or she comes to participate in “socialized” games. As Piaget put it,

It is therefore quite possible that when the child comes across marbles for the first time, it is already convinced that certain rules apply to these new objects. And this is why the origins of consciousness



of rules even in so restricted a field as that of the game of marbles are conditioned by the child's moral life as a whole [PIAG7: 53].

Thus, to the extent that we can talk about “rules” at all in the non-binding stage, we must look at these “asocial” rules in terms of the child’s consciousness of “regularities” in life, including those regularities that seem to have the character of an “I have to”. The origin of such rules, Piaget tells us, begins with the formation of habits, and it is here where we can take note of how Piaget himself describes this process.

In its beginning the motor rule merges into habit. During the first few months of an infant's life, its manner of taking the breast, of laying its head on the pillow, etc., becomes crystallized into imperative habits . . . But not every habit will give rise to the knowledge of a rule. The habit must first be frustrated, and the ensuing conflict must lead to an active search for the habitual. Above all, the particular succession must be perceived as regular, *i.e.*, there must be judgment or consciousness of regularity (*Regelbewusstsein*). The motor rule is therefore the result of a feeling of repetition which arises out of ritualization of schemes of motor adaptation . . . The behavior in question starts from a desire for a form of exercise which takes account of the particular object that is being handled. [Piaget next speaks of the child's assimilation of the object to his known schemes and accommodation of these schemes to the object]. But - and this is where rules come into existence - as soon as a balance is established between adaptation and assimilation, the course of conduct adopted becomes crystallized and ritualized. New schemes are even established which the child looks for and retains with care, as though they were obligatory or charged with efficacy [PIAG7: 87-88].

Let us take note of the phrases “crystallized into *imperative* habits” and “as though they were *obligatory*”. These are two ideas – admittedly vague at this point – that will much occupy us a bit later on. Are these schemes truly obligatory? This question turns on whether we look at the obligatory as a “have to” or an “ought to” – and this is a question of what we in this treatise call the *transcendental place* of the concept of an obligation. I “have to” do something because I know or I think that if I do not either someone will force me to do it or I will face sanctions for not doing it. This places the idea of an obligation in something outside of my self. I “ought to” do something, on the other hand, if the feeling of obligation arises from a rational *orientation* of “right or wrong” rather than from prudence based upon *experiential* grounds.

It is, of course, the question of whether or not the idea of a *pure* rational ground is objectively valid that is the central topic of this Chapter. Part of this question concerns the question of the origin of *self-respect*, as opposed to respect vested in others such as parents, older children, etc. Does self-respect (as we will end up defining it later) stand *prior to* the development of other-respect or is the reverse the case? Or must we hold that the two arise together in the same act, much as the real division of the Self and not-Self necessarily produces two Objects?

Piaget leaves us in no doubt as to what his view is on the matter:

But is this early behavior accompanied by consciousness of obligation or by a feeling of the

necessity of the rule? We do not think so. Without the feeling of regularity which goes to the formation of any intelligence and already so clearly characterizes motor intelligence, the consciousness of obligation would no doubt never make its appearance. But there is more in this consciousness of obligation than a mere perception of regularity, there is a feeling of respect and authority which, as Durkheim and Bovet have clearly shown, could not come from the individual alone. One might even be tempted to say that rules only begin when this consciousness of obligation, *i.e.* when the social element, has made its appearance. But the material we have collected all goes to show that this obligatory and sacred character only marks an episode in the evolution of rules. After being unilateral, respect becomes mutual. In this way, the rule becomes rational, *i.e.* appears as the fruit of a mutual engagement. And what is this rational rule but the primitive motor rule freed from individual caprice and submitted to the control of reciprocity? [PIAG7: 88].

If “obligation” and “respect” are moral ideas, *and* if moral ideas are necessarily *social* ideas, then Piaget’s argument, building as it does from the work of other researchers (notably Durkheim and Bovet) as well as from his own research, is unassailable. However, into this discussion comes the question of “functional apriority” – that is, the objectively valid *ground* necessary for the possibility of such a thing as “social moral ideas” – because this consideration is also the consideration that goes to the question of objective validity in the *meaning* of the terms obligation and respect, and thereby to the question of the necessity for regarding moral ideas as strictly social ideas. We will take our first look at this question in §3.4, after completing our discussion of childish consciousness of rules and a related phenomenon: **moral realism**.

### Rule Mysticism

The second stage of rule consciousness is the one Piaget finds the most interesting, and, indeed, his findings here provide a both surprising and fascinating insight into childish attitudes and thinking. The second stage is marked by extreme conservatism in the child’s attitude toward the rules. The rules are seen as something handed down, unchanged, from the distant past by some higher Authority. This Authority is usually a parent, sometimes is God, and sometimes is some other adult figure.

Both boys and girls exhibit this conservatism. Among his subjects, Piaget interviewed a number of little girls concerning the game of “*îlet cachant*” – a form of “hide-and-seek”.

MOL (6½): "Are there things you must do and things you mustn't do in this game? - *Yes. The things you must do are the rules of the game.* - Could you invent a new rule? - . . . - Supposing you said that the third who plunged was 'he'<sup>7</sup> - *Yes.* - Would it be all right to play that way or not? - *It'd be all right.* - Is it a fair rule like the others? - *Less fair.* - Why? - *Because the last one has to be 'he.'* - And if everyone played that way, would it become a fair rule? - *No.* - Why? - *Because the game isn't like that.* - How did the rules begin? . . . - How do you know how to play? - *I learn'd the first time. I didn't know how. We played with a little girl who told us.* - And how did the little girl know? - *She learn'd.* - And did your Mummy play when she was little? - *Yes. The schoolteacher taught her.*

---

<sup>7</sup> In the United States, 'he' is called 'it'.

- But how did it begin? - *People learn'd with the schoolteacher.* - Who made up the rules, grown-ups or children? - *Grown-ups.* - And if a child invents a new rule, is that all right? - *No, it isn't.* - Why not? - *Because they don't know how to.*" [PIAG7: 80-81]

With some of Piaget's subjects it is very easy to see the connection between this attitude of conservatism and childish egocentrism. One of Piaget's young marble-players provided the following comments:

PHA (5½): "Do people always play like that? - *Yes, always like that.* - Why? - *'Cos you couldn't play any other way.* - Couldn't you play like this? [we arrange the marbles in a circle, then in a triangle]? - *Yes, but others wouldn't want to.* - Why? - *'Cos squares is better.* - Why better? - . . ." We are less successful, however, with regard to the origins of the game: "Did your daddy play at marbles before you were born? - *No, never, because I wasn't there yet!* - But he was a child like you before you were born. - *I was there already when he was like me. He was bigger.*" "When did people begin to play at marbles? - *When the others began, I began too.*" It would be impossible to outdo Pha in placing oneself at the center of the universe, in time as well as in space! And yet Pha feels very strongly that the rules stand above him: they cannot be changed [PIAG7: 58-59].

Piaget was more successful in getting other little boys to explain the origins of marbles.

GEO (6) tells us that the game of marbles began with "*people, with the Gentlemen of the Commune* [the Town Council whom he has probably heard mentioned in connection with road-mending and the police]. - How was that? - *It came into the gentlemen's heads and they made some marbles.* - How did they know how to play? - *In their head. They taught people. Daddies show their little boys how to.* - Can one play differently from how you showed me? Can you change the game? - *I think you can, but I don't know how* [Geo is alluding here to the variants already in existence]. - Anyhow? - *No, there are no games you can play anyhow.* - Why? - *Because God didn't teach them* [the Town Council]. - Try and change the game. - [Geo then invents an arrangement which he regards as quite new and which consists in making a big square with three rows of three marbles in each]. - Is that one fair, like the other one? - *No, because there are only three lines of three.* - Could people always play that way and stop playing the old way? - *Yes, M'sieur.* - How did you find this game? - *In my head.* - Can we say, then, that the other games don't count and this is the one people must take? - *Yes, M'sieur. There's others too that the Gentlemen of the Commune know.* - Do they know this one that you have made up? - *Yes [!].* - But it was you who found it out. Did you find that game in your head? - *Yes.* - How? - *All of a sudden. God told it to me.* - You know, I have spoken to the gentlemen of the Commune, and I don't think they know your new game. - *Oh!* [Geo is very much taken aback]. - But I know some children who don't know how to play yet. Which game shall we teach them, yours, or the other one? - *The one of the Gentlemen of the Commune.* - Why? - *Because it is prettier.*" [PIAG7: 59]

Piaget notes that Geo's comment regarding the "divine inspiration" of his new rule is a trait common to these children in the sense that they regard the rules of the game, and all possible variants of it, as already established by the most competent authorities. As soon as Piaget told him that his invented rule is not known to "the Gentlemen of the Commune" it immediately devalues the new rule in Geo's mind and he refuses to accept it as "right" even if it should come to pass that all children play by his new rule.

It is almost certain the questions Piaget is asking these children (the origins of the rules, the possibility of inventing new rules, changing the game, etc.) are questions these children have never before considered. Recalling our discussion from Chapter 4 on syncretism in childish reasoning and our discussion of childish adherences in Chapter 11, we can see that the pattern of reasoning exhibited in responses such as those quoted above is a consistent part of the overall pattern of childish thought. Piaget concludes that the source of the child's attitude toward the rules arises from his experiences with parental authority throughout his lifetime. Parental authority, in other words, is the archetype of childish authoritarianism. If this is so, then perhaps we could best say, with regard to the fantastic theories these children put forth in explaining the origins of the game, the child at this stage is incapable of distinguishing analogy from actual experience – which is merely another way of expressing the fact that the child is a naive realist. Piaget coins a most appropriate term to describe the child's attitude toward the rules of the game: **moral realism.**

To the child who attaches no precise meaning to the terms "before" and "after" and who measures time in terms of his immediate or deeper feelings, to invent means almost the same thing as to discover an eternal and pre-existing reality in oneself. Or to put it more simply, the child cannot differentiate as we do between the activity which consists in inventing something new and that which consists in remembering the past . . . For the child, as for Plato, intellectual creation merges into reminiscence . . . [Confident] of the unlimited wealth of rules in the game of marbles, he imagines, as soon as he is in possession of a new rule, that he has merely rediscovered a rule that was already in existence.

In order to understand the attitude of the children of the early part of the second stage - they all answer more or less like Fal<sup>1</sup> - we must remember that up till the age of 6-7 the child has great difficulty in knowing what comes from himself and what from others in his own fund of knowledge . . . We have often had the experience of telling a child something which immediately afterward he will imagine himself to have known for months. This indifference to distinctions of before and after, old and new, explains the inability of which we spoke just now to differentiate between invention and reminiscence. The child very often feels that what he makes up, even on the spur of the moment, expresses, in some way, an eternal truth. This being so, one cannot say that very young children have no respect for rules because they allow these rules to be changed; innovations are not real innovations to them [PIAG7: 56-57].

The simple fact is that the child of this age group does not put forth much in the way of effort in formulating his answers. Rather, it seems more likely that the child latches on to the first explanation that occurs to him. However, it also appears to be the case that the child really does believe the answers he or she gives. Upon what, though, does he seem to base these beliefs? Piaget answers:

. . . belief merely reflects behavior. There can be no doubt that children rarely reflect upon the original institution of the game of marbles. There are strong reasons for assuming that as far as the

---

<sup>1</sup> Fal, age 5 years, was one of the subjects in Piaget's study.

children we examined are concerned such a problem never even entered their heads until the day when a psychologist had the ridiculous idea of asking them how marbles were played in the days of the Old Swiss and of the Old Testament. Even if the question of the origin of rules did pass through the minds of some of the children during the spontaneous interrogatories that so often deal with rules in general . . . the answer which the child would give himself would probably be found without very much reflection. In most cases the questions we asked were entirely new to the subject, and the answers were dictated by the feelings which the game had aroused in them in varying intensity. Thus, when the little ones tell us that rules have an adult origin and have never changed, one should be aware of taking this as an expression of a systematic belief; all they mean is that the laws of the game must be left alone [PIAG7: 74-75].

Rule mysticism and egocentrism in the practice of the rules occur concurrently, and, given the child's conservative attitude toward the "sacred nature" of the rules, this may seem something of a paradox. Piaget sees the explanation of this as resting on the child's "unilateral respect" for adult authority:

Here the children are playing more or less as they choose; they are influenced, it is true, by a few examples that have been set before them and observe roughly the general schema of the game; but they do so without troubling to obey in detail the rules they know or could know with a little attention, and without attributing the least importance to the most serious infringements of which they may be guilty . . . And yet these same children harbor an almost mystical respect for the rules: rules are eternal, due to the authority of parents, of the Gentlemen of the Commune, and even to an almighty God. It is forbidden to change them, and even if the whole of general opinion supported such a change, general opinion would be in the wrong; the unanimous consent of all the children would be powerless against the truth of Tradition. As to any apparent changes, these are only complementary additions to the initial Revelation . . .

In reality, however, this paradox is general in child behavior and constitutes, as we shall show towards the end of the book, the most significant feature of the morality belonging to the egocentric stage. Childish egocentrism, far from being asocial, always goes hand in hand with adult constraint. It is presocial only in relation to cooperation. In all spheres, two types of social relations must be distinguished: constraint and cooperation. The first implies an element of unilateral respect, of authority and prestige; the second is simply the intercourse between two individuals on an equal footing. Now egocentrism is only contrary to cooperation, for the latter alone is really able to socialize the individual. Constraint, on the other hand, is always the ally of childish egocentrism . . . With regard to moral rules, the child submits more or less completely in intention to the rules laid down for him, but these, remaining, as it were, external to the subject's consciousness, do not really transform his conduct. This is why the child looks upon rules as sacred though he does not really put them into practice [PIAG7: 60-62].

### Rules as Common Law

The third stage is marked by the onset of a wholly new attitude – Piaget called it "complete transformation" – in the child's attitude toward the rules of the game. This "common law" stage occurs during the latter half of the stage of cooperation in the practice of rules. From this point on, the rules of the game will no longer be accorded a status akin to holy orders; rather, it will be viewed as the product of compromise and mutual consent. This is the stage when the child discovers that not only can he *make* the rules of the game but that, in fact, it is okay to do so if the

change is ratified by his playmates.

The ratification of new rules by common consent is one of three “symptoms” of this stage. A second characteristic is that of *experimenting* with new rules. The children are willing to try out new variations – testing them to see if they make the game more interesting, more fair to all the players, or require more skill in execution. Put simply, new rules will be tested to see if they make the game more fun and/or less quarrelsome when disputes arise.

The third symptom of this stage is a marked change in the child’s opinion concerning the origins of the game. From now on the rules of the game will be seen as inventions rather than as the product of some wiser and all-knowing Authority. They no longer claim that their fathers or mothers played by the same rules as they use now, and they see the rules as the product of evolution over the years. Their conception of the “nature of the rules” in other words becomes more or less the same as those held by adults.

There is a strong pragmatic element in their views. One 11-year-old, asked why games have rules, replied, “*So as not to be always quarreling you must have rules, and then play properly*” (that is, stick to these rules without cheating) [PIAG7: 66]. This pragmatism can also be seen in another way. Even though it is now permissible to alter the rules, most children remain more or less conservative (although not so rigorously conservative as in the previous stage) simply because the old rules are time-tested, have wide support, and the players’ skills have been honed under them. As one of Piaget’s 13-year-old subjects put it:

“Do you think you could invent a new rule? - *Oh, yes . . .* [he thinks]; *you could play with your feet.*  
 - Would it be fair? - *I don't know. It's just my idea.* - And if you showed it to the others would it work? - *It would work all right. Some boys would want to try it. Some wouldn't, by Jove! They would stick to the old rules. They'd think they have less of a chance with this new game.* - And if everyone played it your way? - *Then it would be a rule like all the others.* - Which is the fairest now, yours or the old one? - *The old one.* - Why? - *Because they can't cheat.* [PIAG7: 68]

Piaget goes on to comment at this point, “Note that this is an excellent justification of rules: the old rule is better than the innovation, not yet sanctioned by usage, because only the old rule has the force of law and can thus prevent cheating.”

Piaget sees this stage as the point where we can first speak of “moral laws” in the adult sense: “it is from the moment that it replaces the rule of constraint that the rule of cooperation becomes an effective moral law” [PIAG7: 70]. This third stage of consciousness of rules as common law corresponds precisely with the point where there is genuine observance of the rules in actual practice. Piaget goes on to consider whether it is the child’s consciousness of his own autonomy that leads to his new-found *practical* respect for the law, or whether it is a feeling of respect for the law that leads to his consciousness of his own autonomy. He concludes:

These are simply two aspects of the same reality: when a rule ceases to be external to children and depends only on their collective free will, it becomes incorporated in the mind of each, and individual obedience is henceforth purely spontaneous . . . But the peculiar function of cooperation is to lead the child to the practice of reciprocity, hence of moral universality and generosity in his relations with his playmates [PIAG7: 71].

He also makes the point that we must not confuse mutual *consent* with mutual *respect* when we consider the distinctions between rules that society at large would call “moral” vs. rules that merely go towards getting along in some particular enterprise. Keeping in mind that Piaget is studying the development of *moral* judgment specifically in this research, he sees the idea of mutual respect appearing in this final stage of development as the key factor in moral development in children:

Mutual respect is, in a sense, the state of equilibrium towards which unilateral respect is tending when differences between child and adult, younger and older, are becoming effaced . . .

It can even be maintained that mutual respect and cooperation are never completely realized. They are not only limiting terms but ideals of equilibrium. Everywhere and always the quota of generally accepted rules and opinions weighs, however lightly, on the individual spirit, and it is only in theory that a child of 12-14 can submit all rules to a critical examination . . .

. . . The great difference between constraint and cooperation or between unilateral respect and mutual respect, is that the first imposes beliefs or rules that are ready made and to be accepted *en bloc*, while the second only suggests a method - a method of verification and reciprocal control in the intellectual field, of justification and discussion in the domain of morals . . .

. . . But when it comes to actual moral rules (not to lie, not to steal, etc.), why is it that mutual respect does not make the children come to some agreement on the subject of what adults consider to be wrong? . . . In the first place, a distinction should, as we have seen, be drawn between mutual consent and mutual respect. There may be mutual consent in vice, since nothing will prevent the anarchical tendencies of one individual from converging with those of another individual. Whereas the word “respect” implies (at least as regards to mutual respect) admiration for a personality precisely in so far as this personality subjects itself to rules. Mutual respect would therefore seem to be possible only within what the individuals themselves regard as morality [PIAG7: 96-98].

### § 3.3 Moral Realism

Presumably we all know that little children will tell lies, steal toys from playmates, and generally commit other numerous infractions against rules laid down by their parents. But if the child has “unilateral respect” for his parents or caregivers, and if the egocentric child nonetheless maintains that rules are inviolable, how can such behavior be explained? This, too, was one of the questions Piaget undertook to study.

There is, of course, no one simple answer to this question in general. As we have already noted, childish practice and childish consciousness of moral constraints are two different things and evolve in stages. In *The Moral Judgment of the Child*, Piaget noted that numerous studies on childish practice had already been carried out; the findings of these studies mirror the findings with regard to childish practice in the sphere of games. Piaget therefore confined his study to the

child's consciousness of "duties" and to the child's theoretical conception of moral rules. For our purposes in this treatise, it is the behavior of children in the earliest stages – the egocentric child – that is our chief interest since this lies closer to the root of the questions which concern us with regard to practical Reason.

Ideally we would like to study this question on the very youngest subjects – those still in the sensorimotor development stage. This, however, is extremely difficult to do for obvious reasons and, as Piaget notes, for reasons not so obvious as well. What Piaget did was to research the question through the use of "interrogatories" – conversations with children – in which he told the children several pairs of stories (nine pairs in all) that he and his coworkers designed to allow themselves to clearly distinguish whether the child's moral judgment was based on objectivity (i.e. on the strict conformity to the "letter of the law") or on subjectivity (taking into account intentions and purposes). Three pairs of these stories dealt with accidents based on clumsiness or lack of skill, two pairs dealt with stealing, and four pairs dealt with lying (3 pairs going to the child's sense of responsibility as a function of the content of the lie, one pair dealing with responsibility as a function of the material consequences of the lie). Piaget was able to obtain results by this method only from relatively older children – age 6 years and up – because children younger than 6 were not able to understand these simple stories.

Now it is obvious that we must question whether or not anything can be inferred with regard to the very youngest children from what is learned from older children by this method. This was obvious to Piaget as well, and he devoted some discussion in detail to this issue [PIAG7: 174-185]. We will not delve into the technical details of this here; let it suffice to simply re-state the conclusion:

We see, therefore, how the spontaneous moral realism of the early years, while it dwindles progressively with regard to the subject's own conduct, may very well develop elsewhere, first in the evaluation of other people's actions, and finally in reflection concerning purely theoretical cases involved in stories, in histories, and in social myths in general . . . But as we are speaking only of the child we may confine ourselves to the conclusion that moral realism does correspond to something effective and spontaneous in child thought. This result, moreover, is in complete agreement with what we found in the case of the game of marbles. Every rule, whether it be imposed upon the younger by the older child, or upon the child by the adult, begins by remaining external to the mind before it comes to be really interiorized. During this purely external phase, the most rigorous moral realism may very well go hand in hand with what seems to be the laxest and most egocentric practice [PIAG7: 185].

In a nutshell, even though the older child's theoretical consciousness of duties, etc. is late in developing and is a "reconstruction" that constitutes a "new and original construction superimposed upon the constructions already formed by actions", this new construction nevertheless is drawn from and mirrors earlier actions and perceptions, although this mirror in a manner of speaking distorts the image:



. . . if, then, this moral realism corresponds to something present in the moral activity itself, it is not during those years that we must seek for this something, but at a very much earlier period. For objective responsibility can perfectly well have been discarded long ago on the level of action and yet subsist on the level of theoretical thought . . . This being so, can we find during the first years of moral development instances of realism and objective responsibility that correspond to the phenomena which we observed on the verbal plane? We believe we can [PIAG7: 177].

We will first state Piaget's general finding and then review a few of the examples from his study that led to this finding. In doing the latter, we will somewhat reverse the order in which he presented these facts so as to compensate for not covering in detail his discussion of method and its justification. The principal finding is this: Younger children do not understand the "why" or "moral content" (in the adult sense) of their actions and therefore base their "moral judgments" on what Piaget called the "objectivity" of the action. This means the child judges the action on the basis of whether or not it conforms to the rule *as the child understands the latter*. In the terminology of this treatise, we would say that the child judges according to the mere *form* of the action and not according to any subjective intention or purpose that specifically underlies the action. Moral judgments based on subjectivity (taking into account intention or purpose) arise later in older children and are tied to the development of cooperation and socialized rules.

To properly understand this finding, it is important we keep in mind the fact that the child has not come up with the rule himself; rather, the rule has been presented to him or her by the adult as a command (e.g., "do not tell lies"). The child's understanding of this rule is, of course, something he has to make for himself, and he can only do so from examples of actions and the adult reactions to these actions he has personally observed. Put another way, the very young child does not know what a lie is; he comes to define for himself what it is to lie as an outcome of numerous examples that childish syncretism merges together into a general form of a "law" that subsumes under it specific cases.

That childish moral objectivity is "formal" does not mean, however, that it lacks *affective* content (which is how adults tend to think of the word "formal"). Quite the contrary. It is important to the child that he or she conforms to the law *as it is understood*. This phenomenon *can* be observed in very young children, and we will illustrate it with our first example.

### An Example of Childish Feeling of Guilt

Our first example is taken from Piaget's observations of one of his own daughters. The subject is Jacqueline at age 2 years, 10 months, and 7 days.

Piaget in fact includes several observations of young Jacqueline ("J.") [PIAG7: 177-182], and our appreciation of this one example is made fuller when placed in context with the other

observations. However, I will leave it to the reader to examine this in [PIAG7]. The full set of these observations is taken from 1 year to just under 3 years of age. Piaget also includes reports of observations communicated to him by one of his students concerning two older children, and these observations are consistent with what he will tell us concerning Jacqueline. We will, however, confine ourselves to just one example and to Piaget's general remarks based on the set of examples.

For some time J. has had a very small appetite, with the result that during this period of her life the essential rules of her universe were those appertaining to food . . . Now once these orders had been accepted, right and wrong were defined by the conformity or non-conformity of actions in relation to them, and this independently of all possible intentions or circumstances. For example, one day J. at 2; 10 (7) is not very well and her mother feels that probably the usual plate of vegetables will be too much for her. Sure enough, after one or two mouthfuls J. shows signs of weariness. But she insists upon finishing her helping, because it is the rule. It is no good letting her off, she perseveres in her view, though she is not enjoying her food. Every time she is given a spoonful she cannot swallow it, but when the bowl is taken away she asks for it back, as though it were a sin not to empty it. Finally it is taken away and we try to reassure her by telling her that it is not her fault, that some days people are less hungry than others, etc. In spite of all these precautions taken by her mother, J. then begins to cry. Even when she has been comforted she still shows signs of remorse, promises to go to sleep, etc. [PIAG7: 181].

Two other observations of different examples that follow this same general pattern yielded the same sort of result. The child has been told that it is not her fault, has even been given parental permission to not obey the usual rule, etc., and still the feeling of guilt at not conforming to the rule (lapse of duty) reduces poor little Jacqueline to tears. Piaget remarks:

These last two examples seem to demonstrate how strong and spontaneous is the child's evaluation of objective responsibility. It is even staggering to find that in a little girl who has never known what authority is and whose parents make a point of cultivating autonomy of conscience in their children, the orders received should lead to so stubborn a moral realism. A rule emanating from the parents brings about a sense of duty against which the later attenuations of the parents themselves are for the moment powerless. It is true that in the three cases we have just quoted (cleanliness and rules about food) pride may play a certain part. The child will not admit defeat. But this very pride presupposes a realistic consciousness of rules. If the child did not consider it a sort of moral lapse in itself not to finish up her glass of medicine, her bowl of vegetables, or her cup of cocoa, she would not feel humiliated at being let off these obligations [PIAG7: 181-182].

This moral realism, on the plane of actions, is precisely reflected in the theoretical moral realism displayed by older children. We now turn to some examples of this.

### The Child's Definition of a Lie

As a prelude to examples of children's views on lying, we must look at what a "lie" is to a child.

Piaget found a remarkable consistency in childish definitions of lies according to age groups. He was able to distinguish three more or less common definitions, commencing with one peculiar to the youngest children, advancing to a definition that is closer to the adult definition but still quite objective, and, finally, the definition which corresponds to the adult definition and which is of a subjective character.

We will look first at the youngest children. We quote two out of six very similar examples given by Piaget.

WEB (6): "What is a lie? - *It's when you say naughty things you oughtn't to say.* - What does "naughty things" mean? - *Saying naughty words.* - Tell me a naughty word. Do you know any? - *Charogne* (Engl. lit., carrion). [This word is often used in Switzerland as an oath or a term of abuse and many people do not know its real meaning.] - Is that a lie? - *Yes.* - Why is it a lie? - *Because it is a naughty word.* - When I say 'Fool!' is that a lie? - *Yes.* - A boy once broke a cup, but he said he didn't do it. Was this a lie? - *Yes.* - Why? - *Because he had done it.* - You see this gentleman? [a student]. I say he is thirty-nine. Are you thirty-nine? [The student answers, 'No, only thirty-six.'] [To Web] Is it a lie to say he is thirty-nine when he is only thirty-six? - *Yes, it's a lie.* - Why? - *Because he is thirty-six.* - Is it a naughty lie, or not? - *Not naughty.* - Why? - *Because it is not a naughty word.* - Is saying that  $2 + 2 = 5$  a lie, or not? - *Yes.* - Naughty or not naughty? - *Not naughty.* - Why? - *Because it is not a naughty word.*" [PIAG7: 140]

RIB (7): "Do you know what a lie is? - *It's when you lie.* - What is lying? - *It's saying naughty words.* - When do people tell lies? - *When you say something that isn't true.* - Is a lie the same thing as a naughty word? - *No, it's not the same thing.* - Why not? - *They're not like each other.* - Why did you tell me that a lie is a naughty word? - *I thought it was the same thing.*" [PIAG7: 141]

Piaget found a great many examples of this definition of a lie, although he points out that this is not completely general and cannot be regarded as one definite stage of development. (He, in fact, was unable to identify definite stages between objectivity and subjectivity among the children of the age group he was able to study with his method). He is able to offer a quite reasonable explanation for the children's identification of "lies" with "naughty words":

Why is one word perfectly proper, while another arouses everyone's indignation? The child doesn't know in the least. He submits to it as a linguistic constraint and accepts this mystery without question. But surely this is the very type of those obligations which remain foreign to his practical understanding. How then does he come to identify lies with "naughty words?"

It should be noted in the first place that no mere verbal confusion is here at work. The child who defines a lie as being a "naughty word" knows perfectly well that lying consists in not speaking the truth. He is not, therefore, mistaking one thing for another, he is simply identifying them with one another by what seems to us a quaint extension of the word "lie." . . . There seems therefore to be only one explanation: to tell a lie is to commit a moral fault by means of language. And using naughty words also constitutes a fault committed by means of language. So that for the little child, who really feels no inner obstacle to the practice of lying, and who at six years old still lies more or less as he romances or as he plays, the two types of conduct are on the same plane. When he pronounces certain sentences that do not conform to the truth (and which his parents regard as genuine lies) he is astonished to find that they provoke the indignation of those around him and that he is reproached with them as with a fault. When he brings in certain expressive words from the street, the same thing happens. He concludes that there are things one may say and things one may

not say, and he calls the latter "lies" whether they are indecent words or statements that do not conform with fact [PIAG7: 141-142].

Slightly older children and, presumably, children who have either never heard a "naughty word" (or have never been reproached for using one) have a more accurate definition of a "lie" although their definition is still highly objective. Here are some examples:

CLAI (6): "Do you know what a lie is? - *It's when you say what isn't true.* - Is '2 + 2 = 5' a lie? - *Yes, it's a lie.* - Why? - *Because it isn't right.* - Did the boy who said that '2 + 2 = 5' know it wasn't right or did he make a mistake? - *He made a mistake.* - Then if he made a mistake, did he tell a lie or not? - *Yes, he told a lie.* - A naughty one? - *Not very.* - You see this gentleman [a student]? - *Yes.* - How old do you think he is? - *Thirty.* - I would say 28. [The student then says he is 36.] - Have we both told a lie? - *Yes, both lies.* - Naughty ones? - *Not so very naughty.* - Which is the naughtiest, yours or mine, or are they both the same? - *Yours is the naughtiest, because the difference is biggest.* - Is it a lie, or did we just make a mistake? - *We made a mistake.* - Is it a lie all the same, or not? - *Yes, it's a lie.*" [PIAG7: 143].

CHAP (7): "What is a lie? - *What isn't true, what they say that they haven't done.* - Guess how old I am. - *Twenty.* - No, I'm thirty. Was it a lie what you told me? - *I didn't do it on purpose.* - I know. But is it a lie all the same, or not? - *Yes, it is all the same, because I didn't say how old you really were.* - Is it a lie? - *Yes, because I didn't speak the truth.* - Ought you to be punished? - *No.* - Was it naughty or not naughty? - *Not so very naughty.* - Why? - *Because I spoke the truth afterwards!"* [PIAG7: 144].

These examples – and Piaget's other examples show the same thing – illustrate the objective character of the child's definition of a lie. Intention and purpose play no role in determining if a statement is a lie. It does not matter if the speaker knew what he was saying was untrue or if he simply made a mistake. There is only a subjective shade of difference when it comes to saying whether the lie was "naughty" or "not so naughty"; if we judge from Chap's case, this consideration seems to go more to the question of punishment than to the morality of the action itself. We will see that this objective moral realism extends to the other cases as well and is not unique to the definition of a lie.

The third and final childish definition of a lie corresponds to our adult definition. The thing that changes in character in going from the examples we have just seen to this final form is the role of intention in determining if a statement is a lie or a mistake. After the ages of 10-11, a lie must be a statement that is *intentionally* and *knowingly* false.

LAU (8): "A boy who tells a lie knows what he is doing, but he doesn't want to say it. The other one [who makes a mistake] does not know."

ARL (10): "When you lie you're doing it on purpose, when you make a mistake, you don't know."

KEI (10): "A lie is when you deceive someone else. To make a mistake is when you make a mistake [deceive yourself] (Fr. *quand on se trompe*)." [PIAG7: 147]

This, of course, corresponds to the usual adult definition.

This sort of “letter of the law” objectivity, which ignores intent and purpose, is characteristic of all childish judgments in moral realism. It is an interesting side note that the more civilized societies have long defined their own legal codes and justice systems to align with the more advanced subjective type of moral judgment that the older children exhibit, but this was not always the case historically. Ancient and pre-civilized societies, as well as those in the Middle Ages, adhered to purely objective moral judgment pertaining to crime and punishment – i.e. their legal code was little different from childish moral realism. It was only after the Middle Ages that many societies came to recognize responsibility and culpability in terms of the subjective character of moral judgment we have just illustrated.<sup>1</sup> This is, however, not universal even today.

### Childish Evaluation of Lies in Terms of Content

As can be seen from the children’s definitions of lying above, children under age 8 do not actually understand the nature of a lie. How, then, does the young child evaluate lying with regard to moral judgment? Does the child judge the lie according to its aim (subjective responsibility) or according to degree of falseness (objective responsibility)? These two possibilities speak to childish judgment in terms of the *content* of a lie. The child also, of course, can evaluate lying in terms of the material consequences of the lie; this question we will take up in the following subsection.

To evaluate childish judgment of responsibility, Piaget and his coworkers came up with three pairs of stories. They would tell the child a pair of stories and ask the child to judge which case was “naughtiest.” One of the stories would contain a lie or a mere inaccuracy in which the lie or inaccuracy was devoid of any evil intent but would be markedly at odds with the facts. The other story contained a lie with plausible content but a clear intention to deceive. The first pair of stories was as follows:

I A.: A little boy [or a little girl] goes for a walk in the street and meets a big dog who frightens him very much. So then he goes home and tells his mother he has seen a dog that was as big as a cow.

I B.: A child comes home from school and tells his mother that the teacher had given him good marks, but it was not true; the teacher had given him no marks at all, either good or bad. Then his mother was very pleased and rewarded him. [PIAG7: 148]

---

<sup>1</sup> It is discouraging to note a trend in the current practices of the justice system in the United States. The past several years have seen the enactment of statutes that have precisely the character of objectivism we see in childish moral realism. As an example, not long ago there was a news story about a tragedy involving the drowning deaths of three children. The children were living in a motel and had been left under the supervision of their 13-year-old brother while their mother was at work. While the older brother was taking a nap, the three children wandered out to the motel swimming pool and accidentally drowned. When she returned from work, the police arrested the grief-stricken mother for felony child endangerment.

The child would be told both these stories and then was asked to repeat them from memory (to make certain the child has understood them). The child would also be asked, after each story, a question – e.g., “Why did the boy say that?” – to make sure he understood the intentions that come into play. What Piaget found was that the larger number of children evaluated the lies according to the greater or lesser likelihood of the false statement rather than according to intent. For this first pair of stories, the children judged story A as “naughtier” because the lie (a simple exaggeration) was the more improbable (i.e., “No one ever saw a dog that big”). Here is a representative example:

BURD (7): " *The naughtiest' is the one who saw a dog as big as a cow. It is naughtier because his mother knew [that it was false or impossible], whereas the other one, the mother didn't know. If you say something that mother doesn't know, it is less naughty because his mother might believe. If the mother knows it isn't true, then it's a bigger lie.*" [Piaget comments:] It would be impossible to express more clearly the idea that the moral gravity of a lie is to be measured solely by the improbability of the lying statement: what mother believes is not naughty whereas the immediately obvious lie is naughty! [PIAG7: 152].

The young children (all under the age of 8) whom Piaget gives as examples were unanimous in their judgments about this pair of stories. The boy who exaggerated the size of the dog was the naughtier and should be punished the more severely. Intent has nothing to do with it. Note that in this story there is no material *consequence* attaching to the lie, whereas there is in the “less naughty” story; however, in that story the material consequence is abstract so far as the children questioned are concerned. The boy who lied about getting good marks “was rewarded” but the story did not say what the reward was.

This pattern holds for the second pair of stories as well. This pair is:

II A.: A boy was playing in his room. His mother called and asked him to run a message for her. But he didn't feel like going out so he told his mother his feet were hurting. But it wasn't true; his feet were not hurting him in the least.

II B.: A boy wanted very much to go for a ride in a car, but no one ever asked him. One day he saw a lovely motor car in the street and would have loved to be inside it. So when he got home he told them that the gentleman in the car had stopped and had taken him for a little drive. But it was not true; he had made it all up. [PIAG7: 148]

Piaget's young subjects picked the B story as the “naughtiest.”

WID (6): "Which is the naughtiest? - *The one of the car.* - Why? - *It's a bigger lie than the other.* - Why? - *He tells more of a lie than the other.*" [Piaget comments:] Note this quantitative expression (meaning that what he says is falser than) which brings out the point of view of objective responsibility.

ROC (7): "Which is the naughtiest? - *The one of the car.* - Why? - *Because you can't take little girls for drives in cars.*" [PIAG7: 153]

Piaget's third story contrasted a harmless boaster against a boy who lied about losing his mother's scissors to avoid being punished. In this case also the children picked the boaster as the "naughtiest" on the ground that everyone could easily verify the unlikelihood of his boast. In the judgment of the test subjects, the boaster should receive the worse punishment because he had told "the worst" (that is, most unbelievable) lie. Piaget summarized the results in the following way:

The general principle underlying these answers is clear. The more unlikely the lie, the more its contents mark a departure from reality, the worse it is . . .

We are therefore in the presence of judgments of objective responsibility in an unadulterated state, or at any rate in a much simpler form than those whose contents we analyzed in connection with clumsiness and stealing . . . We have on the [one] hand lies whose intention is manifestly interested, lies that really "deceive," as the child himself admits. On the other hand we have simply romancing, jokes or exaggeration, as the child himself realizes. And yet the subjects we have quoted ignore the liar's intention, and, basing themselves only on the degree of likelihood of the lie, judge it from the most external and objectivistic standpoint [PIAG7: 155].

Somewhat older children (age 8 and above) completely reverse the decisions we have just seen. The older children do factor in intent (subjective judgment rather than moral realism): If you can easily see that the statement is false, this means the person is not trying to deceive you but is exaggerating or making a mistake. Piaget provides a number of examples which bear this out, but we might have expected it from our previous examination of the child's definition of a lie.

### Childish Evaluation of Lies in Terms of Consequences

When a material action is too closely attached to the lie, Piaget tells us, "the child has a certain difficulty in dissociating the lie in so far as it is a psychological action from the actual results of the concomitant external act" [PIAG7: 160]. To evaluate the material factor involved in the child's moral judgment of lies, Piaget again used a pair of stories and the same method as used above. The stories were:

IV A.: A child who didn't know the names of streets very well was not quite sure where the Rue de Carouge was [a street near the school where we were working]. One day a gentleman stopped him in the street and asked him where the Rue de Carouge was. So the boy said, 'I think it is there.' But it was not there. The gentleman completely lost his way and could not find the house he was looking for.

IV B.: A boy knows the names of the streets quite well. One day a gentleman asks him where the Rue de Carouge is. But the boy wanted to play him a trick and said, 'it is there,' and showed him the wrong street. But the gentleman didn't get lost and managed to find his way again. [PIAG7: 149]

The younger children judged the A story as the “naughtiest” because the gentleman got lost:

THE (6): "Which of the two is the naughtiest? - *The one who didn't know where the Rue de Carouge was.* - Why is he the naughtiest? - *The gentleman got lost.* - Did the other one know where it was? - *Yes.* - Why didn't he say? - *For a lark.*"

CAR (8): The naughtiest is "*the one who made the gentleman lose his way, and the less naughty boy is the one who didn't make the gentleman lose his way.* - If you had to punish them, which would you punish the most? - *The one who didn't know where it was. He made a mistake.* - But didn't the other one deceive the gentleman? - *Yes, but the gentleman didn't get lost.* - And if the gentleman had gotten lost? - *They would have both been equally naughty.*" [PIAG7: 161]

It would seem as if, for the younger children, moral judgment is a matter of, so to speak, “no harm, no foul.” These little moral realists completely ignore intent and focus on the material outcome. Slightly older (on the average) children again reverse this decision and focus on the liar’s intent.

These same results hold up for pairs of stories dealing with accidents and with stealing. Piaget points out that for the young child accidents due to clumsiness are common, and he or she receives many personal lessons of experience from this source.

As we noted in certain cases, the child pays far more attention to intentions where his own memories are concerned than when he is being questioned about one or other of our little stories. Such a fact as this surely shows us that if the child's objectivist attitude (unmistakable enough in his theoretical thought) corresponds to anything in his concrete and active thought, there must have been a time-lag taking place between one of these manifestations and the other, for the theoretical attitude is certainly a late-comer as compared to the practical. But the problem goes deeper than this, and the question may be raised whether at any moment in the immediate experiences of his moral life, or at any rate in those connected with clumsiness and lying, the child has ever been dominated by the notion of objective responsibility.

Immediate observation - the only judge in the matter - is sufficiently explicit on this point. It is very easy to notice - especially in very young children, under 6-7 years of age - how frequently the sense of guilt on the occasion of clumsiness is proportional to the extent of the material disaster instead of remaining subordinate to the intentions in question . . . Which of us cannot recall the accusing character which such a minor accident would take on as soon as it had happened, rising, with all the suddenness of a shock and overwhelming us with a sense of guilt that was the more burning, the more unexpected and the more irreparable the disaster? To be sure, all sorts of factors come into play (the sense of "immanent" justice, affective associations with previous carelessness, fear of punishment, etc.). But how could the material damage be felt as a fault if the child were not applying in a literal and realistic manner a whole set of rules, implicit and explicit, for which he feels respect?

We can therefore put forward the hypothesis that judgments of objective responsibility occurring in the course of our interrogatory were based upon a residue left by experiences that had really been lived through [PIAG7: 135-136].

We will look at just one example dealing with moral realism in the area of accidents due to clumsiness. Piaget had three pairs of stories dealing with this, the first of which was:

I A.: A little boy who is called John is in his room. He is called to dinner. He goes into the dining



room. But behind the door there was a chair, and on the chair there was a tray with fifteen cups on it. John couldn't have known that there was all this behind the door. He goes in, the door knocks against the chair, bang go the fifteen cups and they all get broken!

I B.: Once there was a little boy whose name was Henry. One day when his mother was out he tried to get some jam out of the cupboard. He climbed up on to a chair and stretched out his arm. But the jam was too high up and he couldn't reach it and have any. But while he was trying to get it he knocked over a cup. The cup fell down and broke. [PIAG7: 122]

As we might by now suspect, the younger children assigned the greatest blame to the boy in story A on the basis of the greater amount of damage incurred. Piaget's young subjects, had they been called upon to pass sentence, unanimously held that "John" should not only be punished but should receive more severe punishment than "Henry," whose accident occurred during the course of doing something he should not have been doing. We will look at one example:

GEO (6): "Have you understood these stories? - *Yes*. - What did the first boy do? - *He broke eleven cups*. - And the second one? - *He broke a cup by moving roughly*. - Why did the first one break the cups? - *Because the door knocked them*. - And the second one? - *He was clumsy. When he was getting the jam the cup fell down*. - Is one of the boys naughtier than the other? - *The first because he knocked over twelve cups*. - If you were the daddy, which one would you punish most? - *The one who broke twelve cups*. - Why did he break them? - *The door shut too hard and knocked them. He didn't do it on purpose*. - And why did the other boy break a cup? - *He wanted to get the jam. He moved too far. The cup got broken*. - Why did he want to get the jam? - *Because he was all alone. Because his mother wasn't there*. - Have you got a brother? - *No, a little sister*. - Well, if it was you who had broken the twelve cups when you went into the room and your little sister who had broken one cup while she was trying to get the jam, which of you would be punished most severely? - *Me, because I broke more than one cup*." [PIAG7: 124-125]

These children showed the same quantitative attitude with regard to stealing. All Piaget's subjects regarded stealing as a grave offense, but, again, the younger ones allowed no moderation of severity on the ground of intent or motive. One of the pair of stories Piaget used to examine this subject involved: A) a little boy who steals a roll from a bakery and gives it to a hungry friend; and B) a little girl who steals a ribbon from a shop because she wanted to wear it. We will look at two examples here:

SCI (6) who showed signs of a subjective conception of responsibility in regard to clumsiness, changes his attitude here. He repeats the stories as follows: "*A boy was with his friend. He stole a roll and gave it to his friend. A little girl wanted a ribbon, and put it around her face to look pretty*. - Is one of them naughtier than the other? - *Yes. . . . No. They're just the same*. - Why did the first one steal the roll? - *Because his friend liked it*. - Why did the little girl steal the ribbon? - *Because she was longing for it*. - Which one would you punish most? - *The boy who stole the roll and gave it to his brother instead of keeping it for himself*. - Was it naughty to give it? - *No. He was kind. He gave it to his brother*. - Must one of them be punished more than the other? - *Yes. The little boy who stole the roll to give to his brother. He must be punished more. Rolls cost more*."

SCHMA (6) repeats the stories as follows: "*There was a boy. As his friend had had no dinner, he took a roll and put it in his pocket and gave it to his friend. A little girl went into a shop. She saw a ribbon. She says, it would be nice to put on my dress, she says. She took it*. - Is one of these children naughtier than the other? - *The boy is, because he took a roll. It's bigger*. - Ought they to be punished? - *Yes. Four slaps for the first*. - And the girl? - *Two slaps*. - Why did he take the roll? -

*Because his friend had had no dinner. - And the other child? - To make herself pretty.*" [PIAG7: 131-132].

### Moral Realism

We are now in a position to summarize the principal features of moral realism in younger children. First, any action that shows obedience to a rule, regardless of what the command may be, is “good”; any action that does not conform is “bad.” The rule itself is not being elaborated, judged, or perhaps even altogether understood; only conformity with the child’s conception of the rule counts. Second, it is the letter rather than the spirit of the law that is observed. Intentions or motives do not enter in to the moral judgment. Finally, the child’s conception of responsibility is objective. The judgment is based on the literal and exact conformity with the established rule. Under such a view, even a mistake or an accident is morally reprehensible. To be sure, these children can differentiate what we might call the degree of culpability, but this differentiation is quantitative and non-subjective since motives and intentions do not matter [PIAG7: 111-112].

As the child grows older and his or her skill in logical reasoning and judgment develops, this moral realism gradually gives way to the sort of subjective view that is common among most well-educated adults. Among adults, a strong vestige of moral realism is typically only encountered in individuals who are either extremely conservative (moral realism, as the child’s attitude toward the rules of the game shows, is quite conservative) or who hold highly dogmatic, fundamentalist-style views of crime and punishment. The predominance of moral realism in young children bespeaks of a very elemental characteristic of practical Reason and practical judgment. Piaget summarizes his findings as follows:

In short, moral realism seems to us from this point of view to be a natural and spontaneous product of child thought. For it is not nearly so natural as one would think for primitive thought to take intentions into account. The child is far more interested in the result than the motivation of his own actions. It is cooperation which leads to the primacy of intentionality, by forcing the individual to be constantly occupied with the point of view of other people so as to compare with his own. Indeed, one is struck to see how unconscious of itself and how little inclined to introspection is the egocentric thought of very young children . . .

But these considerations are not sufficient to account for the phenomena we have observed, and we must now turn our attention to the second aspect of moral realism. For moral realism is also the product of adult constraint. Nor is there, as we have already pointed out, anything mysterious in this double origin. The adult is part of the child’s universe, and the conduct and commands of the adult thus constitute the most important element in this World-Order which is the source of childish realism [PIAG7: 189-190].

We add to this a reminder of the role regularity is seen to play in the lives of very young children. That which is irregular (e.g. the implausible lie, the unfinished plate of vegetables) appears to evoke the harsher “moral judgment” from the youngest children. Early moral judgment is objective and is bound up with concrete consequences of actions viewed with naive realism.

### § 3.4 Apriority in the Moral Judgment of the Child

It appears to be a fact that for the youngest children it is the adult who is the source of all the child's earliest ideas concerning actual examples of rules that concretely establish the specific instantiations of childish "moral" judgments. This does not mean, however, that there is no element of an *a priori* factor at work here. Piaget himself was quite well aware of this. In the first place, there is a parallelism between moral and intellectual development.

Everyone is aware of the kinship between logical and ethical norms. Logic is the morality of thought just as morality is the logic of action [PIAG7: 398].

As we have seen in earlier chapters, there is syncretism in childish thinking; the child simply incorporates everything that he perceives and everything that happens to occur to him all together so that he leaps from premise to conclusion. The child simply believes every thought that pops into his head without seeing any need for proof or deduction. Childish logic is not very logical from the adult perspective.

As the child grows he develops for himself, slowly and over time, various rules (norms) that come to function as regulatory elements in his thinking – i.e., maxims of thinking:

The fact remains that structures and rules develop, that they were formed little by little, and that even in the case of progressively acquired stability new structures or norms can modify the meaning of preceding ones to a more or less deep extent, even if they do not replace them . . . [If] reason evolves, the progressive constructs to which it may give rise constitute an extremely remarkable type of development in the sense that previous structures are not set aside or destroyed but are integrated in the subsequent ones as specific cases valid in a certain sector or at a certain scale of approximation [PIAG28: 34].

So, too, is the case for moral norms, which function on an affective plane in a manner much the same as logical norms function on the cognitive plane. Piaget defines moral norms by three criteria: 1) a moral norm is generalizable to all analogous situations, not just to identical ones; 2) a moral norm lasts beyond the situation and conditions that engender it; and, 3) a moral norm is linked to a "feeling of autonomy" [PIAG16: 55]. The sum of these conditions are not met with in the child prior to the age of about 7 years. Hence, like logical norms, moral norms as we come to know them are developed.

One may say, to begin with, that in a certain sense neither logical nor moral norms are innate in the individual mind. We can find, no doubt, even before language, all the elements of rationality and morality. Thus sensori-motor intelligence gives rise to operations of assimilation and construction, in which it is [not]<sup>1</sup> hard to see the functional equivalent of the logic of classes and of relations. Similarly, the child's behavior towards persons shows signs from the first of those sympathetic tendencies and affective reactions in which one can easily see the raw material of all subsequent moral behavior. But an intelligent act can only be called logical and a good-hearted impulse moral

---

<sup>1</sup> The word "not" is not in this quote from [PIAG7]. However, it is clear from Piaget's other works, e.g. [PIAG15: 13], as well as from the context of the present quote, that this omission is a typographical error.

from the moment that certain norms impress a given structure and rules of equilibrium upon this material . . . Now there is nothing that allows us to affirm the existence of such norms in the pre-social behavior occurring before the appearance of language. The control characteristic of sensorimotor intelligence is of external origin: it is things themselves that constrain the organism to select which steps it will take; the initial intellectual activity does [not]<sup>2</sup> actively seek for truth. Similarly, it is persons external to him who canalize the child's elementary feelings, those feelings do not tend to regulate themselves from within [PIAG7: 398-399].

All this is as much as to say, "All our knowledge begins with experience." We looked earlier at Piaget's stated "normative convention" (Chapter 11). It is only from this normative convention that we can say external "things themselves constrain the organism." This remark does have objective validity, nonetheless, from the Copernican perspective if we read this as merely a statement that a Relation of reciprocity exists between the Organized Being and its environment. Truth (the congruence of the concept with its object) has no *positive* material criterion, only the negative criterion of contradiction. Similarly, "good" in the moral sense appears to have no positive material criterion in the mind of the child and, like its cousin in the philosopher's triad (truth), can have only the negative material criterion, i.e. that of constraint.

But, Piaget goes on to say,

This does not mean that everything in the *a priori* view is to be rejected. Of course the *a priori* never manifests itself in the form of ready-made innate mechanisms. The *a priori* is the obligatory element, and the necessary connections only impose themselves little by little, as evolution proceeds. It is at the end of knowledge and not in its beginnings that the mind becomes conscious of the laws immanent to it. Yet to speak of directed evolution and asymptotic advance toward a necessary ideal is to recognize the existence of a something which acts from the first in the direction of this evolution. But under what form does this "something" present itself? Under the form of a structure that straightway organizes the contents of consciousness, or under the form of a functional law of equilibrium, unconscious as yet because the mind has not yet achieved this equilibrium, and to be manifested only in and through the multitudinous structures that are to appear later? There seems to us no doubt about the answer. There is in the very functioning of sensori-motor operations a search for coherence and organization. Alongside, therefore, of the incoherence that characterizes the successive steps taken by elementary intelligence we must admit the existence of an ideal equilibrium, indefinable as a structure but implied in the functioning that is at work. Such is the *a priori*: it is neither a principle from which concrete actions can be deduced nor a structure of which the mind can become conscious as such, but it is the sum-total of functional relations implying the distinction between the existing states of disequilibrium and an ideal equilibrium yet to be realized [PIAG7: 399].

This is, for the purposes of this treatise, the definitive finding of Piaget's research into the moral judgment of the child. As the examples cited above illustrate, within the individual differences in responses from child to child we also find an order and a common element at work in the development of childish moral judgment. There is, as Piaget so poetically put it, a "logic of actions" and this logic comes not at truth but at *right* in the sense of "good to do." While we can find no positive material criterion of "moral good" we must, nonetheless, posit the existence of

---

<sup>2</sup> See previous footnote. In [PIAG15: 4], Piaget says of sensorimotor intelligence that it is "essentially practical - that is, aimed at getting results rather than at stating truths".

some *formal* criterion. Piaget's conclusion regarding the existence of an *a priori* something is of such importance, as a finding of fact through empirical science, that it bears emphasizing: **we must admit the existence of an ideal equilibrium, indefinable as a structure but implied in the functioning that is at work.**

In Chapter 9 we took a detailed look at Piaget's theory of equilibration. Our specific focus there was on cognitive development and how in appearance speculative Reason goes about its task of structure-building. Now we have, on the level of actions and the Subject's judgment of these actions in "moral" terms, the affective counterpart of this cognitive process. Likewise, in our earlier discussion of the transcendental Ideas we saw that these Ideas had to be viewed as a kind of *a priori* norm or "standard gauge" of pure speculative Reason. Now we find that we require a similar idea of a standard gauge of practical Reason, which Piaget describes as an ideal equilibrium.

But, of course, an Ideal is a something we see as a goal or endpoint and, viewed this way, such an Ideal is transcendent rather than transcendental. On the other hand, when viewed as something that provides a *direction*, this idea is the idea of an **Ideal of the process of equilibration** and is "something immanent" in the "laws of mind." Such an Ideal is, on the one hand, of a teleological character inasmuch as it directs Reason in actions towards an Object. But, on the other hand, this Object is not a cognition *a priori* but instead subsists in the Subject's capacity to organize its maxims of action as a regulated system – what we can call a *faculty of laws* that Reason legislates, in a manner of speaking, "for its own purposes."

The character of this regulative power in appearance is, as Piaget put it, an *obligatory element*, but being *a priori* we can only see this in terms of "obligation" *if we view it as an obligation the Subject obliges himself to do*. This, of course, can only be a *formal* sort of obliging because it is a condition that necessarily antecedes the child's conceptions of "material obligations." Therefore, we cannot properly say that this Ideal of equilibration is a "moral law" in the sense that common usage makes of that idea. Yet, on the other hand, it is an Ideal necessary for the possibility of those developed principles we call "moral", and from that point of view, and that point of view alone, we can nonetheless call it the *ground* of moral law. We can also call it a first principle of action provided we do not think of it as a principle already articulated in an Object seen as a transcendent *Sache*-thing, but only as a principle for acts, i.e. an Object as *Unsache*-thing.

How then will the mind extract norms in the true sense from this functional equilibrium? It will form structures by means of an adequate conscious realization. To ensure that the functional search for organization exhibited by the initial sensori-motor and affective activity give rise to rules of organization properly so called, it is sufficient that the mind should become conscious of this search and of the laws governing it, thus translating into structure what till then had been function and nothing more [PIAG7: 399].

With all this firmly in mind, we are now ready to return to Kant's critique of practical Reason.

#### § 4. Practical Rules and Practical Tenets

As noted previously, *Critique of Practical Reason* is a work containing an admixture of Kant's applied metaphysic of morals and the more fundamental considerations from the metaphysics proper of the Critical Philosophy. We must succeed in drawing the distinction between the two.

Kant begins this work with some definitions and descriptions of fundamental importance. Indeed, the key ideas of practical Reason are set out in the first few pages of this work. In order to understand these ideas, however, we must understand their practical context and, in particular, distinguish between which of these ideas apply to empirical practical knowledge and which apply *a priori* in pure Reason.

We begin with the idea of *practical rules*. Recalling that the adjective "practical" always implicates action, a practical rule is knowledge ("know-how") for determining some specific action. With regard to the Quantity of the theoretical representation of this idea, a practical rule falls under the *momentum* of the singular. It is specific to the unity of one action. With regard to the Relation of the representation of this idea, it falls under the hypothetical logical *momentum*. What the Organized Being realizes in appearance by the act of determination is the accident subsumed under the rule with the rule being regarded as the *causatum* of the accident. With regard to the Modality of this idea, it falls under the *momentum* of the problematic because the capacity to perform the act does not imply the action will actually be performed. Finally, with regard to Quality, the idea of the practical rule connects with the manifold of Desires either as affirmative (affirmation of realizing the object of desire through the act), or as negative (the transcendental affirmation that the object of desire is not realized by acting according to this rule), or as infinite (to act in accordance with a rule of exception). The practical rule is always judged, in the process of practical judgment, conjointly with the judgment of some object of desire (in reflective judgment) and, because all such objects are empirical, a *constructed* practical rule always arises as an *empirical* rule.

This does not mean a practical rule cannot be innate; sensorimotor reflexes in the first stage of sensorimotor development exhibit this character. But in these cases the stimulus precedes the act, much as receptivity precedes sensibility. We can recall from the previous section Piaget's discussion of motor rules in the young child. The most elementary of such motor rules, in appearance, illustrates the character of the simplest sort of practical rules. Practical rules, regarded individually, contain no evaluation of either Kantian good or evil since their relationship to appetitive power is not one of necessity. They are, however, necessary for the possibility of the

structure we will discuss next: practical tenets.

There is evidence from Kant's correspondence that he originally intended the work which became *Critique of Practical Reason* to be merely an appendix to *Critique of Pure Reason*. Why he changed his mind on this and produced the work as a second Critique we do not know, but it is not an unlikely guess that by the time he had finished it, its length was no longer appropriate to serve as an appendix to the first Critique. Be this as it may, the first Chapter of *Critique of Practical Reason* takes its context from the theory in the first Critique. It is in this context that we must understand, first, Kant's definition of a "fundamental principle" and, second, how this idea is specialized when it is taken in the practical Standpoint.

Regardless of Standpoint, a fundamental principle or "*Grundsatz*" is defined as follows:

Immediately certain judgments *a priori* can be called fundamental principles so far as other judgments can be demonstrated from them, but they themselves cannot be subordinated to others. For that reason they are also called *Principien*<sup>3</sup> (beginnings) [KANT8: 117 (9: 110)].

"Judgment" in this definition means judgment of any kind: determinant, reflective, or practical. Which of these three types of judgment is involved is what distinguishes fundamental principles as theoretical, judicial, or practical, respectively. Note, too, that fundamental principles are immediately *certain*, i.e. the manner in which the Subject holds the principle is unquestioned. Indeed, we can say that if there are pure *a priori* fundamental principles, these would mark what it means for something to be certain from either a theoretical, judicial, or practical Standpoint.

From the practical Standpoint,

Practical fundamental principles that contain a general determination of will that has several practical rules under itself are tenets. They are subjective or *maxims* when the condition is seen by him [the Subject] as if binding only for the will of the subject; but they are objective or practical *laws* if and when those are recognized as objective, i.e. binding for the will of every rational being [KANT4: 17 (5: 19)].

There are several key ideas we must mine from this brief statement. The first is simply that **tenet** is the special name Kant gave to principles from the practical Standpoint. The next thing to note is that a tenet subsumes practical *rules* under it. Practical rules are the *matter* of a tenet; the *form* of a tenet is the organization (i.e. the manifold) of these rules *in relationship to the determination* of the Subject's appetitive power. This has two consequences.

First, tenets are never *given in* experience; they are, rather, products of practical Reason and belong to the intelligible character of the Organized Being. As objects they are supersensible, although they may be exhibited through examples *in concreto*. In Piagetian terminology, a tenet is a *structure*, within which the practical rules are substructures. Therefore, a tenet represents a

---

<sup>3</sup> Principles, from the Latin *principium* (beginning), derived from *princeps* (first place).

higher level of equilibration for *practical* Reason.

Second, while all tenets are *a priori*, this does not mean they are *pure* principles. Most practical tenets we develop for ourselves and which we come to recognize conceptually are derived as a consequence of thinking and reflection from experience. The tenet cannot be *given* to us in experience, but experience provides the data from which Reason *constructs* its subjective tenets. Aristotle said that all moral virtues were the product of habit, and in this he was not wrong according to the Critical Philosophy. A maxim is precisely a tenet of this constructed sort, and so the origination of its construction always contains a sensational factor from experience. Hence, no maxim is a pure *a priori* fundamental principle. It is *constituted* rather than *constitutive*.

Going back to the main line of argument, we next look at the idea of a practical *law*. Here we must note a subtlety in Kant's definition that is of the utmost importance. A tenet is a law when it is *recognized* and thereby *made* objective. Kant did not say maxims or laws *are* binding on the Organized Being; instead they are *held-to-be-binding*.<sup>4</sup> Now, under the Copernican hypothesis only an Organized Being can "hold" something "to be binding". Consequently, laws (like maxims) are *products* of Reason. They are *a priori* for the same reason that maxims are *a priori*, and likewise practical laws *are not innate constitutive principles of the power of Reason*. They are *made* structures (and, like all structures, are re-made by self-transforming regulations). The idea of holding-to-be-binding is an idea of Modality in the *practical perfection* of reasoning, just as holding-to-be-true is a Modality in the logical perfection of understanding.

Finally, we must note that what distinguishes a maxim from a law is that the former is practically subjective whereas the latter is objective. Practical objectivity in relationship to tenets means the Organized Being *holds the tenet to be universally binding*. Now, a tenet is "bound" only to the determination of the will of the Subject. To be universally binding therefore means there is no condition whatsoever under which the law would not be viewed as binding. In short, to take action in accordance with a law is seen, by the Subject, as an obligation.

Does any such Object as this exist? To ask this is to question the practical objective validity of the idea of a practical law. Clearly we can merely *suppose* such an Object to be possible. The root question is: can we hold a practical law to be *actual* with objective validity? If practical law has *real* objective validity, what would be the consequences?

If one assumes that pure reason can contain in itself a practical ground, i.e. suffice for determination of will, then it gives practical laws; but if not, then all practical fundamental principles will be merely maxims. In a pathologically<sup>5</sup>-affected will of a rational being there can be

---

<sup>4</sup> Kant himself did not use the phrase "holding-to-be-binding"; this phrase does, however, distinctly capture the flavor of this idea in *Critique of Practical Reason* as well as in his lectures on ethics. That which is held-to-be-binding is "made necessary" - i.e., *necessitated*.

<sup>5</sup> Kant does not use this word in any medical connotation. In Greek, *pathos* means "passion"; Kant is referring to the influence of feelings on our reasoning.



found a conflict of maxims known to it by practical laws . . . In practical knowledge, i.e. that which has to do only with grounds of determination of will, those tenets one himself makes are therefore not yet laws under which we may unfailingly stand, because reason in the practical has to do with the subject, namely with appetitive power according to its special property to be able to put in order various rules. The practical rule is always a product of reason because it prescribes act, as means, to action, as end [KANT4: 17-18 (5: 19-20)].

That we actually experience conflicts between recognized maxims is, I trust, well-known to each of us. I may have for one of my maxims: get a good night's sleep; for another I may have: don't be late for work. But if I am returning from a trip and my airline flight is late getting in so that I do not get home before 3:00 a.m., getting a good night's sleep would be in conflict with my other maxim if "late for work" means "after 8:00 a.m." Now, Kant raises a point in his remark above that we will phrase as a question: How is it that I *know* my two maxims conflict with each other?

Obviously I can do simple arithmetic and know from this that five hours is not enough time to "get a good night's sleep" and still shower, eat breakfast, etc. and arrive at work by 8:00. That is not the point. What *is* the point is: it must occur to me that such a calculation needs to be made in the first place. Consider the egocentric child who, on the one hand, has an almost religious view of the inviolability of the rules of marbles but who, on the other hand, takes little trouble to learn what these rules say. It is clear from the psychological facts that it is not at all automatic in human beings that logical inconsistencies such as this will be recognized. To recognize a conflict of maxims, we must have yet another tenet – a maxim about maxims – if we are to act to reason through situations in which maxims come into conflict and we are to become conscious of the conflict.

Piaget would call such a maxim about maxims a higher level of equilibration in the reasoning process. Because in our own experiences we know that our reasoning process does not regress to mathematical infinity, there must be some starting point or basic principle that not only demands one's power of reasoning have this character of forming higher equilibria, but also tells us when we can stop this process. It is, Kant tells us, a practical law that regulates this process. Maxims, alone and isolated, do not present us with knowledge of conflicts with other maxims; the possibility of such knowledge, therefore, necessarily presupposes a practical knowledge of Relation among maxims, and this is what practical laws provide. Appetitive power, which is a *Vermögen* of practical (not speculative) Reason, has the "special property to be able to put in order various rules," i.e. to bring Piagetian structure not only to practical rules through maxims but also to maxims through practical laws. Inasmuch as doing so is an *act of reasoning*, the "know-how" to do this belongs to practical rather than speculative Reason.

The theoretical employment of reason occupied itself with objects of the faculty of knowledge only, and a critique of the same in view to this use properly concerns only the pure faculty of knowledge . . . With the practical use of reason it is quite different. In this reason is concerned with grounds of determination of the will, which is a capacity either to beget objects according to

representations or just to determine itself to the production of the same (the physical capacity may be adequate or not), i.e. its causality [KANT4: 12 (5: 15)].

Maxims come into play when for a particular condition the Organized Being possesses a multiplicity of possible rules by which the Organized Being could act in the given situation, i.e. when a choice is required. In this sense, we can see maxims as being “more general” practical rules inasmuch as a maxim is a ruling about rules. A structure of maxims – that is, a maxim about maxims – is an even more general structure. Kant gave the expression of such a structure the name **hypothetical imperative** because maxims about maxims seem to come into play in specific circumstances and, therefore, are conditioned by these circumstances. The structure expressed by a hypothetical imperative is more “law-like” than a simple maxim because it represents a higher level of practical equilibration and hence is more general.

Let us examine this word “imperative” a bit more. We think of an imperative as something binding on us with regard to our actions, and in this sense an imperative is a “command” one gives to oneself. However, we also know from our own experiences that our tenets do not exhibit an absolute character. To Piaget’s six year old, it is a moral law to not tell lies, but if mother doesn’t know it’s a lie, somehow “not speaking the truth” isn’t “truly” a lie (or at least is “not as naughty” a lie). For the typical adult human being, to not kill another human being is an even stronger moral law; but if this same person should become a soldier and participate in a battle, his or her training usually enables that person, as a soldier, to kill “the enemy.” Thus we easily see the hypothetical Nature of our constructed practical laws.

How is it that these laws are not “absolute” and in circumstances where two laws come into conflict one can give way to the other? To understand this, we must note that the special character of an imperative is: **it is a formula for expressing the acts of a rational being as being binding**. Such an expression is called a **precept of Reason**. We have seen that the idea of the binding character of a law is an idea of Modality in practical perfection. Modality in judgment, however, is a judgment of a judgment and adds nothing to the object of the judgment but, rather, to the relationship of that judgment to consciousness. To put it more simply, tenets do not command an “I will” but merely an “I ought to.” Every tenet is a *condition* for the possible determination of choice, but an imperative is an expression of practical Reason, acts in the role of a **law about laws**, and is a *ground* for a possible determination of *will* (recalling our distinction between the Modality of choice vs. the Modality of will in the determination of the power of choice from Chapter 12). This means that a tenet is not a sole ground of determination even if we hold that tenet to be binding “universally.” Universal means neither “necessary” nor “sufficient.”

Here it is appropriate to point out something that strikes many readers of Kant’s *Critique of Practical Reason* as a peculiar contradiction. In some places Kant tells us that hypothetical imperatives are “practical laws”; but in other places he tells us that they are not. Rather, they are

practical “precepts.” Now, we must conclude from this that either Kant was such a blunderer he did not recognize this contradiction *or* we must conclude that he makes homonymous use of the term practical law. After so many pages in this treatise, it should not be surprising that it is the second conclusion we will draw. Having done so, it becomes our task to spell out the distinction between practical law as “precept” and practical law as something higher than precept.

All our findings of fact from empirical psychology point us to Piaget’s theory of equilibration in the successive structuring of mental representations. Because this theory is based on actual appearances in behavior, the idea of increasing levels of equilibration has practical objective validity. This is, in fact, the same point Kant makes with his explanations of maxims and imperatives. In §3.4 we took a look at the “direction” all this structuring appears to be heading towards and we saw that Piaget was led to conclude there must be some *a priori* regulation of reasoning that takes us in this direction. He called this idea the idea of an ideal of equilibrium. With Kant, the corresponding Ideal is called **the categorical imperative**.

A hypothetical imperative is an *a priori* practical construct, but because the very idea of a *hypothetical* imperative necessarily involves some material element – real circumstances that provide conditions under which the imperative applies – it is clear that no hypothetical imperative is a *pure* construct of Reason. The mixed practical law expressed by such an imperative obviously can be a tenet held-to-be-binding universally in the sense that the thinking Subject can come to hold that every rational being ought to make this law his maxim.<sup>1</sup> However, it is equally clear that this holding-to-be-binding is *subjective* in the practical *perfection* of reasoning even as it is *objective* in the attribution of a universal character to the law.

Now, what if there were an imperative that was binding both universally and independently of all contingent empirical conditions? Such an imperative would not be hypothetical; it would be *categorical*. The hypothetical imperative is, so to speak, an imperative of the form “If *x* then I ought to do *y*.” A categorical imperative would have the formula “I must do *y*” – no ifs, ands, or buts about it. Because such an imperative stands independently of empirical conditioning of any kind, it would be not only *a priori* but also express a *pure and absolute* practical law. Only such a pure law of Reason, in Kant’s view, can be taken as an absolutely first principle of pure practical Reason. Hypothetical imperatives would be “merely principles of will” and not pure laws of Reason. And this is the distinction – pure law vs. mixed law, although both are *a priori* – that he makes in his homonymous use of the term “practical law.” It is left for us to ask: Could such an idea be objectively valid?

---

<sup>1</sup> Because hypothetical imperatives are formulas of reasoning, and not transcendental primitives of the phenomenon of mind, we can speak with validity about the Subject’s judgment of laws in regard to other people. We could not do so if we held that imperatives were transcendental primitives because the infant has no innate concept of “others,” as we have seen.

## § 5. The Categorical Imperative

I think it is true that only a relatively small number of people have ever heard of Immanuel Kant, and that among this small number most are familiar only with Kant's moral philosophy, usually from an undergraduate philosophy course in ethics or from reading about the history of philosophy. Certainly it is true that Kant's moral philosophy is not universally accepted by all philosophers. A colleague of mine in our Philosophy Department once looked me in the eye with a scholarly scowl and declared categorically, "There is no categorical imperative." We are about to see that he is right and he is wrong.

It is not particularly difficult to imagine how cognitions of ideas that conform to hypothetical imperatives can be constructed through determinant judgments of experience provided we are willing to acknowledge the role of affective perceptions (in reflective judgment) in forming their underlying concepts. (We will treat this when we discuss the judicial Standpoint). However, when it comes to the question of a categorical imperative, we are in a somewhat more difficult position because, by definition, such an imperative can take nothing "material" or "pathological" as its basis. A deduction of such a principle, in the usual sense of the word deduction, is a product of understanding, but if there is such a thing as a categorical imperative, it is something that belongs to the practical Standpoint alone; considered from the theoretical Standpoint as an object, the categorical imperative is a *noumenon* and an inhabitant of the intelligible world of thought.

Nonetheless, we can at least use theoretical understanding to determine the logical character of limitations that must necessarily apply to this idea. This is because we can conceptualize specific maxims that contain material elements and therefore can be evidenced in appearances of behavior. From these, if we assume something is at work in pure Reason as a determining factor in the mental act of formulating these maxims, we can make abstraction from everything "material" in these maxims. That which is left must perforce belong to *pure* Reason. Kant carried out precisely this sort of deduction in his *Foundations of the Metaphysics of Morals*:

But if I think of my categorical imperative I know immediately what it contains. For here the imperative contains, besides the law, only the necessity of the maxim to be in conformity with this law; but the law contains no condition to which it would be limited, so that nothing remains with which the maxim of the act is to conform but the remaining universality of the law in general, and that conformity alone the imperative properly represents as necessary [KANT4b: 73 (4: 420-421)].

Let us dissect this argument. First, the categorical imperative is the formula for a practical precept; this means that it has the force of a *practical* command governing the determination of choice. So, whatever else a categorical imperative may be, it must first be a pure and *a priori* rule of some sort – pure because it can take nothing from empirical Nature, and *a priori* because it

underlies the very acts by which maxims are formulated prior to experience. Second, it must be a rule that applies to maxims (which are themselves generalized rules governing particular rules of acting). Third, as an imperative the categorical imperative gives a practical “command” of some sort, and this command is that the maxim must be made to *conform* to something. Fourth, all that is left to which the maxim can conform, after all material considerations are abstracted from the maxim, is the logical character of universality – which means that in the sphere to which it ought to apply the maxim can always *be* applied, i.e. that a choice from among the multiplicity of practical rules the maxim organizes may always be made without coming into conflict with other maxims that *also* ought to apply in the given circumstance (conflict in this case being a matter for reflective judgment to judge). Finally, the categorical imperative represents that this universal conformity is held-to-be-necessary, i.e. it necessitates conformity.

Now, it should be obvious that a categorical imperative cannot be regarded as some sort of all-seeing prevision that any specific act, when realized, will in fact be in conformity in the manner just described. A child who wakes up in the morning and sees a wasp sitting on the nose of his teddy bear might well act to protect his teddy bear by swatting the ugly insect with his bare hand, not realizing the wasp will sting *him* – an outcome likely to add to the child’s concept of “things-that-are-not-good-to-do.” In more Piagetian terminology, a categorical imperative commands *assimilation* of practical rules in a structure (the maxim); actual experience (and, later, cognitive reasoning skills developed in the contexts of experience) brings on accommodation. But now we must ask: *why* does practical Reason dictate acts of accommodation? The answer is perhaps now more clear: accommodation is the necessitated by-product of a judgment that the requirement of conformity is not being realized in fact. Accommodation viewed as assimilation is equilibration, and **the categorical imperative is, from the practical Standpoint, the supreme *a priori* law commanding acts of equilibration.**

It is important for us to understand quite clearly that the categorical imperative is not an innate idea in the rationalists’ sense. We can, with practical objective validity, view it as nothing other than a *formula* of practical judgment – a sort of compass orienting the determination of choices. Kant appeared to regard the categorical imperative as what he called “the moral law” and it would, indeed, seem to be necessary for the possibility of human beings being capable of making for themselves those rules of conduct we call “moral rules.” Indeed, there is nothing else in our theory that can stand as ground for the phenomenon of human moral judgment. But it is an error to assume that just because Kant called the categorical imperative a “moral law” it is to be regarded as having morality alone as its scope. If we did so regard it, and if as Kant says the categorical imperative is the *fundamental law of practical Reason*, we could not explain such phenomena as anti-social personality disorder. In fact, the *Dasein* of the psychological fact of anti-social personality disorder is sufficient to refute the proposition that the categorical

imperative is a law having nothing other than a moral scope.

This brings us to a fundamental point: under the Copernican hypothesis, the categorical imperative *per se* is *not an idea at all*. We can regard it as nothing else than as *the practical transcendental scheme of the process of reasoning*. It is, as it were, the blueprint of the process of equilibration. Equilibration, which is established as a scientific principle through empirical findings of fact, is the object of an idea having objective validity. The categorical imperative, as the Object necessary for the possibility of equilibration, therefore is the valid product of a transcendental deduction and, for this reason, has practical objective validity. From the viewpoint of science, equilibration is empirically verifiable and for this reason it seems to me that this psychological finding of fact provides a firmer scientific ground for the *Dasein* of the categorical imperative than do Kant's various moral examples. It gives us a clearer picture of what the Idea of the categorical imperative means.

We can speak of the Idea of the categorical imperative in the same fashion as we could speak of the transcendental Ideas as the schemata of speculative Reason in the employment of the power of understanding. These Ideas, you will recall, are described in terms of a direction taken by speculative Reason's use of determining judgment, this direction pointing toward what would constitute an ideal outcome in the manifold of concepts if it were possible to entirely complete this structure. We can likewise describe the flavor of the categorical imperative in terms of a *practical Ideal*, and this is what Kant did.

First, let us ask ourselves whether we are to think that there is only one categorical imperative or if there may be several. This is easy to resolve. In the first place, the psychological evidence tells us there is only one process of equilibration at work, not several. Second, the logical character of a categorical imperative contains both the notion of universality and that of necessitation. If there were more than one categorical imperative, we would have a logical contradiction since we must then admit the possibility of conflicts among several categorical imperatives. In this case, there could be neither universality nor necessity in these imperatives unless all were synthesized in a single Object; such an Object would then be "the master law" or *the* categorical imperative. It is clear from this: there can be only one categorical imperative.

Kant reached this conclusion in *Foundations of the Metaphysics of Morals*, although he apparently did not see the need to share with us his reasoning for this conclusion in that work. Immediately after reaching this conclusion, he then proceeded (to the puzzlement and distress of Kant scholars ever since) to present *five different statements* of "the categorical imperative." These were:

Act only according to that maxim through which you can at the same time be willing that it become a universal law [KANT3: 38 (4: 421)];

Act in such a manner as though the maxim of your act should be obliged by your will to become a universal natural law [KANT3: 38 (4: 421)];

Act so that you take humanity, both in your person and at the same time in the person of every other, always as an end, never merely as means [KANT3: 46 (4: 429)];

Act according to maxims which themselves can always have universal natural laws as their object [KANT3: 54 (4: 437)];

Act according to maxims of a member giving universal law for a merely possible kingdom of ends [KANT3: 56 (4: 439)].

This multiplicity and the apparent contradiction of having five statements for what Kant himself said must be a single law has provided fuel for debate among moral philosophers ever since. Two quite different approaches taken to try to make sense out of Kant's *Foundations* can be found in [WILL] and [NELL]. However, here we must bear in mind that: 1) Kant's essay was an essay on the foundations of *moral* philosophy; and, 2) an Idea can never be completely presented in cognition since any such exhibition must always have some sensible appearance worked into the exhibition. In my view, what Kant was trying to do with the five statements listed above was to provide by examples in different contexts some exhibition of the flavor of formulas for moral actions as these would appear if they were in conformity with the formula of the categorical imperative.

Regarded in terms of pure practical law, and especially in regard to our explanation of the categorical imperative in the context of the process of equilibration, we can say that the basic nature of the categorical imperative is *executive* inasmuch as it defines the practical condition for the assimilation of diverse acts in a common structure. Kant provided such a description of the executive condition in *Critique of Practical Reason*:

Act so that the maxim of your will always can hold good at the same time as a principle of universal legislation [KANT4: 28 (5: 30)].

He called this statement “the fundamental law of practical Reason.” Now since “to hold good” is defined in the deduction we made earlier, we can just as well express this rather ambiguous phrase by noting that “to hold good” means nothing else than to be in conformity with the condition of universality for maxims, bearing in mind that “conformity” means *conscious* conformity.

In more Piagetian language, we must see the categorical formula (i.e., this “fundamental law of practical Reason”) as *the regulation of the form of maxims* organized into a Piagetian structure. The *matter* of this structure is left untouched by this law. Yet it is clear that the instantiations of maxims, and the practical rules they structure, must always contain a matter, and that this matter can take its source from nowhere else than actual experience. We do not look to the practical

Standpoint for the source of this matter; for this, we must look to the judicial Standpoint.

## § 6. Transcendental Freedom

Appetitive power when regarded as the determination of an appetite grounded in the representation of a maxim is called *will*. We have just seen that there is a definable hierarchy of rules in the organization of practical acts. At the lowest rung are practical rules (“motor rules” as Piaget calls them), and these are the instantiations *in concreto* of specific acts. Next we find a structuring of diverse practical rules under maxims (rules about rules). At the next level we can speak of hypothetical imperatives – formulas of practical precepts in which necessitation, although not absolute necessitation, is expressed; these represent a higher level of equilibration that we might describe as the structuring of rules about maxims. All maxims and all hypothetical imperatives are constructed, as are also all practical rules that are not innate sensorimotor reflexes. (The appetite of an innate practical rule is called an instinct).

But at the top of this logical hierarchy is the fundamental organizing principle. Piaget might have called the categorical imperative the functional invariant of practical reasoning. We can look at it on the one hand as an Ideal of equilibration or, on the other hand, as a pure and *a priori* practical **law of regulation** in the strict sense. The laws formulated by hypothetical imperatives are conditioned by empirical experience. They are not laws in a sense analogous to physical laws of Nature but, rather, are laws analogous to the legislative sense of that word. In other words, they express an “ought to” and not a “must be.” But Kant’s “fundamental law of practical reason” is a law in a sense that *is* analogous to physical laws, i.e. in the sense that practical reasoning is impelled towards the structuring of ever-higher levels of equilibration in the development of mental capacity. The transcendental Ideas of speculative Reason also exhibit this character, as we have previously seen in our discussion of the ontology of speculative Reason. So, too, in appearance is the structuring of rules of behavior and conduct on the plane of the practical.

We can ask, as Kant did: *what is the constitution of a will whose ground of determination obeys such a law*, i.e. is determinable from the mere *form* of the laws Reason enacts?

Since the mere form of the law can only be represented by reason and therefore is no object of the senses - hence, too, does not belong under appearances - thus the representation of the same as the ground of determination of the will differs from all grounds of determination of events in nature according to the law of causality, because with these the determining grounds must themselves be appearances. But if no other ground of determination of the will than merely that of the universal law-giving form can serve as a law for this, then such a will must be thought of as totally independent of the natural law of appearances respectively to one another, namely the law of causality. But such an autonomy is called *freedom* in the strict, i.e. transcendental sense. Therefore a will which the mere law-giving form alone can serve as the law is a free will [KANT4: 26 (5: 28-29)].



The law of causality to which Kant refers is the law of determining judgment where events in appearance are judged under the category of causality and dependency. “Events in Nature” refers to happenings in empirical Nature that we know through understanding. But since the will of a rational Organized Being takes its law from pure Reason alone – via the categorical imperative – this is a causality of an altogether different type, i.e. a causality of the intelligible type. Kant is not at all saying that this intelligible causality is in any way divorced from the Organized Being’s “material organization” (*soma*); such an assertion would indeed violate the Copernican hypothesis because *soma* is the representation of the appearance of the Organized Being in sensible Nature. What he *is* saying is that the causality of the undoubted power of the Organized Being to enact for itself practical laws is a causality that we cannot apprehend in sensible intuition and which is not subordinated to nor given through the power of receptivity.

It is, in short, an *intelligible* type of causality, and once we have concluded that the structuring of our practical rules follows a pure and *a priori* regulation (an Ideal of equilibration), the *Dasein* of such a causality is established in the *transcendental* sense and not merely as a possibility we can think with practical objective validity from the *Dasein* of our spontaneous actions. A will for which the categorical imperative of practical Reason is a sufficient ground of determination is a *pure* will and its *autonomy* from the power of receptivity allows us to call it a *free* will. The intelligible causality of free will is the *causality of transcendental freedom*.

With this it is established that practical Reason can be a *pure* practical Reason, and this answers the question we first asked so many pages ago. The causality of freedom does indeed have the character of being teleological but only *in the practical sense* that the first principle of practical Reason pushes the structuring of practical rules governing the activities of an Organized Being in the direction of higher levels of equilibration. This deduction *does not* justify us in attempting to carry over the Idea of transcendental freedom into the realm of the theoretical Standpoint. In other words, we cannot try to go further and characterize freedom in terms of a spirit or a soul or mind dust or monads (Leibniz’ “entelechies”), or whatever. The practical *and objective* validity of the causality of freedom is vested entirely with regarding it in terms of simply “this is what a rational Organized Being does.”

I think for most of us it is true that our habits of thinking tend to make us want to go beyond this practical Standpoint from which alone transcendental freedom takes its validity. But this Idea is really no more mysterious than any number of other ideas of *noumena* that we use in science all the time. It is, for instance, no more (and no less) mysterious than is the idea of “energy” – and so far as I know, no physicist is making any serious effort to “get behind” the idea of energy to explain it in other terms. Long ago physics came to the conclusion that the only valid way to think about energy was through its mathematical expression – which is nothing other than to say that “energy” is expressed in the *form* of physical laws alone.

It is important to realize that in physics today, we have no knowledge of what energy *is*. We do not have a picture that energy comes in little blobs of a definite amount. It is not that way. However, there are formulas for calculating some numerical quantity, and when we add it all together it gives "28" - always the same number. It is an abstract thing in that it does not tell us the mechanism or the *reasons* for the various formulas [FEYN3: 4-2].

So also is the case for the causality of freedom.

We came to the Idea of the causality of freedom from the fundamental law of practical Reason. Kant also went on to show in *Critique of Practical Reason* that it runs the other way as well: If we first assume freedom, the fundamental practical law follows:

Since the matter of the practical law, i.e. an Object of the maxim, can never be given otherwise than empirically, whereas free will, as independent of empirical conditions (i.e. conditions belonging to the sensible world), must nonetheless be determinable, a free will must find a ground of determination in the law but independently of the *matter* of the law. But apart from the matter of the law, the aforesaid contains nothing more in it than the law-giving form. Thus the law-giving form, so far as this is contained in the maxim, is uniquely that which can make up a ground of determination of the will [KANT4: 26 (5: 29)].

In other words, freedom and unconditional practical law reciprocally imply each other. We cannot with objective validity say that freedom *causes* the practical law, nor that the practical law is the cause of freedom. Nor can we say that the unconditional practical law is merely the self-consciousness of pure practical freedom. These two Ideas – freedom and the pure *a priori* practical law – are bound in a Relation of community to each other. While we can always make a merely logical division between them, we can not make any valid *real* division between them. If neuroscience wishes to search the brain to find “the will” the *only* place it can look is at the appearances that go to the structuring of neural activity, for this is the somatic counterpart of the psychological process of equilibration. In this sense, Piaget was correct when he called will “merely” the regulation of regulations *and a functional invariant of organization*.

## § 7. The Principle of Happiness

Kant nicknamed the fundamental principle of pure practical Reason “the moral law” and left in his wake the very strong impression that “categorical imperative” and “moral law” were exact synonyms. I would in fact not be prepared to dispute that such is exactly what he meant to say. But, as you have no doubt guessed, we cannot maintain this identity in our theory. Speaking personally, I would have much preferred it if he would have kept the two ideas – categorical imperative and moral law – cleanly and clearly distinct and separated. By this opinion I do not wish to belittle, much less to scorn, the idea of morality. I think a rational science of universal ethics based upon the Critical Philosophy, if we had one, would be greatly beneficial.

Even so, I think Kant's use of the term "moral law" can easily come to imply many connotations that obscure the relationship of this idea to the phenomenon of mind. Many people who have read Kant's *Foundations of the Metaphysics of Morals*, especially if their reading has been limited to just this one work, have somehow managed to interpret Kant's philosophy as saying that, because "the moral law" stands independent of sensible conditions, morality is something rather gloomy and unpleasant. Kant's contemporary, the poet Johann von Schiller (1759-1805), seems to have taken it so, judging from his famous epigram:

The friends whom thou lov'st, thou must first seek to scorn,  
 For to no other way can I guide thee:  
 'Tis alone with disgust thou canst rightly perform  
 The acts to which duty would lead thee. [SCHW: 294]

A number of scholars – Paton, Beck, Williams, and others – have pointed out quite correctly the rigorism and moral purism that has been attributed to Kant's moral philosophy is entirely misplaced.<sup>1</sup> Yet many people still manage to miss an important point in Kant's theory, namely that while the ground of determination of free will is autonomous of sensible conditions, *particular choices are not*. Any particular instance of a choice must perforce come down through the constructed hierarchy of hypothetical imperatives and maxims and arrive at a practical rule governing the specific act. The categorical imperative is a primitive formula providing a condition for the *form* of a choice (ground of determination of the appetitive power), but maxims and practical rules are the *matter* of choice and an Organized Being can obviously choose from only those maxims and rules that it knows or can deduce from what it knows.

If we regarded the categorical imperative as an innate idea, or if we look at it only as an Ideal of practical Reason without realizing that an Ideal is not an innate idea but rather only an orientation for a process that follows an *a priori* norm along a practical direction, then we come to the most obvious of contradictions. We know for a fact people normally – perhaps even always – give consideration to material consequences in their choices. On the other hand, the categorical imperative is called a *law* of pure practical Reason. Why, then, do people not *always* make "moral" choices? It is really not enough to simply say, "the categorical imperative commands as an ought to." We have seen above that the hallmark of this law is *necessitation* to act on a maxim that can be held good as a *universal* (and therefore objective) law. If that is true, how is it possible for people to act selfishly or in accordance with merely subjective grounds in their choices? As Aristotle wrote, "Nothing that exists by nature can form habits contrary to its nature."

Perhaps by now the answer is obvious; perhaps not. First, let us understand clearly that the categorical imperative (for so I will henceforth call Kant's "fundamental law of practical

---

<sup>1</sup> c.f. [KANT3: xviii-xxiv].

Reason”) does not present the Organized Being with a clear concept, ready-made and conscious to the Organized Being as a *cognition*. It is rather the formula for the regulation of the process of equilibration. Our theoretical conceptualization, i.e. our deduction of the idea of the categorical imperative, Kant called the *ratio cognoscendi*<sup>2</sup> of freedom; likewise, he called freedom the *ratio essendi*<sup>3</sup> of “the moral law” [KANT4: 4fn (5: 4fn)], for so we must conceptualize the idea of this objectively. However, the practical objective validity of our concept of the categorical imperative is vested in understanding it as the regulation of form in grounding the determination of choice. This still leaves open the *matter* of choice, and *the categorical imperative does not determine the matter of choice*. (This is where my aforementioned colleague is right; there is no categorical imperative determining or prescribing *all* that goes into choices).

We can represent (that is, provide a *Realerklärung* for) nothing unless we represent both its matter and its form. We find the ground of determination for the form of a choice in the categorical imperative, but we must seek elsewhere for the ground of determination for its matter. Not only does this not contradict Kant’s theory of the categorical imperative<sup>4</sup>, but it is a requirement of Kantian empiricism, which holds that all our sensible knowledge comes from experience. All maxims and hypothetical imperatives, which are what lead to specific acts of an Organized Being in interaction with its environment, are *made*, not *given*. These cannot be made without material scope. Human will is, as Kant observed, a mixed will and not a pure will.

So it is that all *actual* choices involve acts requiring a material as well as a formal principle of determination. We shall call the material principle by the name **principle of happiness**. This returns us to our earlier question, “what is happiness?” considered now as it must be regarded by the Critical Philosophy. Making allowances for the change in perspective owing to the Copernican hypothesis, Kant’s view is remarkably similar to Aristotle’s:

There is nevertheless one purpose that we can presuppose as actual for all rational beings (so far as imperatives suit them, namely as dependent beings), and consequently one aim that they not merely *could* have but which we can safely presuppose that they altogether *do* have according to a natural necessity, and that is the aim for happiness. The hypothetical imperative which represents the practical necessity of an act as means for the promotion of happiness is **assertoric**. We may expound it not merely as necessary to an uncertain, merely possible aim, but rather to an aim that we can surely and *a priori* presuppose for every human being because it belongs to his essence [KANT4b: 68 (4: 415-416)].

---

<sup>2</sup> "rational judging"

<sup>3</sup> "rational being"

<sup>4</sup> It is important to footnote that Kant's moral philosophy is an *applied* philosophy. It explores the question of whether it is possible for a theory of morals to be a science, and the bulk of the discussions involving the categorical imperative have this as the topic. The *Metaphysics of Morals* is not a theory of anthropology except in the general sense of being a theory of *social* anthropology - what mankind ought to make of our collective humanity. As a systematic doctrine, Kant considers the formal aspects of the categorical imperative because he seeks rational principles of conduct universally applicable *by* all people.

I think we can probably all agree “being happy” is “a good thing” (at least when it happens to us as individuals), and most of us appear to be able to recognize when we are happy or not happy. By the Copernican hypothesis we can also recognize that any objectively valid *Realdefinition* of happiness must be referred to an Organized Being’s state of being. But can we “surely” presuppose *a priori* that “happiness” is “the one aim” objectively valid for all rational beings? It is apparent Kant thought so; other writers are prepared to take issue with this presupposition.

### § 7.1 The Thesis of Life

In the view of many, “life” is itself in some fashion or another seen as the fundamental material principle of all activities of an Organized Being. Ideas such as “self-love” or “survival” are common themes that have enjoyed a long history in philosophy and scientific debate. The Old Academy of Antiochus placed self-love in the first position as ground for all actions:

Every living creature loves itself, and from the moment of birth strives to secure its own preservation; because the earliest impulse bestowed on it by nature for its life-long protection is the instinct for self-preservation and for the maintenance of itself in the best condition possible to it in accordance with its nature. At the outset this tendency is vague and uncertain, so that it merely aims at protecting itself whatever its character may be; it does not understand itself nor its own capacities and nature. When, however, it has grown a little older, and has begun to understand the degree in which different things affect and concern itself, it now gradually commences to make progress. Self-consciousness dawns, and the creature begins to comprehend the reason why it possesses the instinctive appetite aforesaid, and to try to obtain the things which it perceives to be adapted to its nature and to repel their opposites. Every living creature therefore finds its objects of appetite in the thing suited to its nature.<sup>5</sup>

In the view of some value theorists, “life” is seen as establishing the standard for all judgments of value, including those of “self-love.” For instance, novelist Ayn Rand wrote:

An *ultimate* value is that final goal or end to which all lesser goals are the means - and it sets the standard by which all lesser goals are *evaluated*. An organism's life is its *standard of value*: that which furthers its life is the *good*, that which threatens it is the *evil*.

Without an ultimate goal or end, there can be no lesser goals or means: a series of means going off into an infinite progression toward a nonexistent end is a metaphysical and epistemological impossibility. It is only an ultimate goal, an *end in itself*, that makes the existence of values possible. Metaphysically, *life* is the only phenomenon that is an end in itself: a value gained and kept by a constant process of action. Epistemologically, the concept of "value" is genetically dependent upon and derived from the antecedent concept of "life." To speak of "value" as apart from "life" is worse than a contradiction in terms. It is only the concept of "Life" that makes the concept of "Value" possible.<sup>6</sup>

There is much food for thought here in Rand’s thesis. Few people are likely to argue for an

<sup>5</sup> Cicero, *De Finibus Bonorum et Malorum*, Bk V, ix.

<sup>6</sup> Ayn Rand, "The Objectivist Ethics," in *The Virtue of Selfishness*, Ayn Rand (ed.), NY: Signet Books, 1964.

assertion that a person, finding him- or herself in a life-threatening situation, acts to remove himself from danger “because he knows he will be happier when he is out of danger.” Should we not argue instead that the purpose of his actions in such a situation is necessarily none other than self-preservation? Permit me to share a personal anecdote.

One time, a number of years ago, I was driving my car on a snow-covered two-way stretch of a four-lane highway where the speed limit (which I was observing more or less accurately) was 55 miles per hour. Some distance ahead of me, at an intersection, a car changed lanes, into the lane I was traveling in, and for some reason stopped. I felt a rush of surprise and it seemed immediately clear to me there was absolutely no way I was going to be able to brake in time to avoid colliding with the rear end of her car. I would still be traveling at a considerable velocity if such a collision took place. In what seemed like an instant, I decided to switch to the other lane. I still remember quite vividly every detail of what followed – from checking my mirror to see if there were any other cars coming up from behind me in the other lane, to turning the wheel and crossing over the little ridge of snow between lanes, to my tires losing traction as I changed lanes, and even the open-mouthed expression on the other driver’s face as my car skidded sideways past hers on her right-hand side, finally coming to a stop nearly fully across the intersection and partially in an intersecting side street. I even remember the shocked look on the face of another driver, who had been innocently sitting still on that second street, waiting for a chance to cross the four-lane.

Fortunately, I managed (or was lucky enough) to not hit anything or damage anything. However, I can also report that at no time did the thought occur to me that I might die, or that someone else might die, or even that I might suffer an injury in this situation. This is not to say I was cavalier about the episode; I remember a feeling that, far from being one of fright or anxiety, seemed almost inhumanly clinical, and a sense that time had slowed down to a crawl. Only after it was over did I feel a strong rush of adrenaline, and I certainly had a brief case of “the shakes” come over me as soon as the danger had passed. The only thing I “valued” – the only consciously clear objective I had – during the entire incident was a very focused intent to avoid having a collision with anything. Nothing not immediately connected with that came to my attention.

I think it is also worth mentioning that I have had five other life-threatening experiences over the years. Other than the objective details (and a couple of personal injuries), these experiences are much the same: surprise, the “clinical” feeling, great clarity of perception, a sense of time slowing down, and no distinct thought during the event that I might die or be injured. Now, I do not claim particular reactions such as mine are in any way universal; but I do claim that neither is the idea of “self-preservation” necessarily a conscious “ultimate value” in such circumstances. If it were, the phenomenon of suicide should be utterly inexplicable.

There is no reason to suppose that an *a priori* norm must or will be a *conscious* norm. My

anecdote does not disprove Rand's thesis, or that of Antiochus, in the sense of establishing that they could not possibly be true in some sense. However, the material content of a maxim arises from experience and, therefore, all practical *actions* stand under the condition of sensibility so far as their *conscious* construction is concerned. This means we must view any causality attending the action as a physical causality, i.e. one that must conform to the transcendental schema of imagination and the category of causality and dependency. To take a teleological view of Rand's epicurean thesis would consequently be in contradiction with this requirement. Antiochus, on the other hand, invoked the idea of instinctive behavior as ground for the later development of conscious objectivism; this is not in contradiction with the requirements of the conditions of sensibility.

Practitioners of neuroscience often make propositions that are more or less the same as that of Antiochus in the sense that these are devoid of any teleological implication and call upon the innate capacities of living organisms as ground for more complex behaviors. Dr. Damasio, for example, proposes that the functional organization of the central nervous system contains a property he calls "dispositional neural patterns." The objective ground for inferring the *Dasein* of these dispositions is found in the observed *stability* or structural invariance of all biological organisms. In the biological hierarchy of living things, from the simplest and mindless all the way to ourselves, the "internal environment" – what Claude Bernard called the "internal milieu" – of the organism exhibits remarkable stability in the face of an ever-changing and sometimes hostile outer environment. Dispositional neural patterns are seen as the evolutionary product of a biological functional invariance that ought to be traceable back to the earliest and most humble classes of living things.

In thinking about the biological roots for the procession of self from the simple core to the elaborate autobiographical self, I began by considering their shared characteristics. At the top of the list I placed stability, and here is why. In all the kinds of self we can consider one notion always commanding center stage: the notion of a bounded single individual that changes ever so gently across time but, somehow, seems to stay the same. In highlighting stability I do not mean to suggest that self, in whatever version, is an immutable cognitive or neural entity, but rather that it must possess a remarkable degree of structural invariance so that it can dispense continuity of reference across long periods of time. Continuity of reference is in effect what the self needs to offer.

Relative stability is required at all levels of processing, from the simplest to the most complex . . . Our search for a biological substrate for the self must identify structures capable of providing such stability [DAMA1: 134-135].

And what has this to do with the idea of "life"? Damasio tells us

Consciousness is an important property of living organisms and it may be helpful to include life in its discussion. Consciousness certainly appears to postdate both life and the basic devices that allow organisms to maintain life, and in all likelihood, consciousness has succeeded in evolution precisely because it supports life most beautifully [DAMA1: 135].

I am inclined to think most, perhaps all, life scientists are likely to agree with this statement. Note that there is no teleology involved here. Living organisms did not “invent consciousness for the sake of life.” Rather, the theory of natural selection holds that *if* consciousness in living organisms took hold and survived into the present, it is because consciousness gave the organisms who possessed it an advantage in what has been called the struggle for survival.

An organism's survival depends on a collection of biological processes that maintain the integrity of cells and tissues throughout its structure . . . Among many requirements, biological processes must have a proper supply of oxygen and nutrients, and that supply is based on respiration and feeding. For that purpose, the brain has innate neural circuits whose activity patterns, assisted by biochemical processes in the body proper, reliably control reflexes, drives, and instincts, and thus ensure that respiration and feeding are implemented as needed . . .

On another front, to avoid destruction by predators or adverse environmental conditions, there are neural circuits for drives and instincts that cause, for example, fight or flight behaviors. Still other circuits control drives and instincts that help ensure the continuation of the individual's genes . . .

In general, drives and instincts operate either by generating a particular behavior directly or by inducing physiological states that lead individuals to behave in a particular way, mindlessly or not. Virtually all behaviors ensuing from drives and instincts contribute to survival either directly, by performing a life-saving action, or indirectly, by propitiating conditions advantageous to survival or reducing the influence of potentially harmful conditions [DAMA2: 114-115].

In this description, we must note that the biological organization is not to be viewed as grounded in survival, but rather that the survival of the particular species is grounded in its biological organization. On those occasions where a life scientist falls into careless speech and pronounces things in the reverse order, we need to understand that the theory underlying the statement is in fact non-teleological.

Organic activities that *prove to be* advantageous in the sense that the species survives and prospers are often regarded as being implicative of the evolutionary appearance of consciousness and intent, although it is frequently difficult to avoid explaining this in teleological-sounding terms:

A simple organism made up of one cell, say, an amoeba, is not just alive but bent on staying alive. Being a brainless and mindless creature, an amoeba does not know of its own organism's intentions in the sense that we know of our equivalent intentions. But the form of an intention is there, nonetheless, expressed by the manner in which the little creature manages to keep the chemical profile of its internal milieu in balance while around it, in the environment external to it, all hell may be breaking loose.

What I am driving at is that the urge to stay alive is not a modern development. It is not a property of humans alone. In some fashion or other, from simple to complex, most living organisms exhibit it. What does vary is the degree to which organisms *know* about that urge. Few do. But the urge is still there whether organisms know of it or not. Thanks to consciousness, humans are keenly aware of it.

Life is carried out inside a boundary that defines a body. Life and the life urge exist inside a boundary, the selectively permeable wall that separates the internal environment from the external environment. The idea of an organism revolves around the existence of that boundary . . . I believe that minds and consciousness, when they eventually appeared in evolution, were first and foremost about life and the life urge within a boundary. To a great extent they still are [DAMA1: 136-137].



In a treatise such as this one, we must take care to recognize and distinguish the objectively valid concepts from those expressions that are of a transcendent nature, such as that of the amoeba being “bent on staying alive.” Physical science cannot have it both ways – rejecting teleology and non-physical causality on the one hand, and relying on the explanative power of teleological expressions on the other to make clear the physical theory. To put these two hands together in an objectively valid manner, I propose that physical science and a science of mental physics, working in reciprocity with each other, is what is needed to provide the total picture. For example, what is meant by such a term as a “life urge”? Clearly such an idea is difficult to reconcile with the idea of “life” when that idea is defined in terms of nucleic acids and enzyme catalysts. We need a broader scope than this.

## § 7.2 The Critical Definition of Happiness

As is apparent from our earlier discussion of “the good”, happiness is a vague and elusive term that easily lends itself to various and homonymous interpretations. Psychologists regard happiness as a basic emotion describable as “a state of well-being and contentment.” Of course, this leads us directly to the question of what is meant by a state of well-being and by contentment, i.e. to questions concerning the “what is it?” that constitutes happiness. This, psychologists have long noted, is a difficult question because different people tend to think about happiness in at least two different ways – one outgoing and positive in the sense of being something actively pursued, the other cautious and negative in the sense of being directed at the avoidance of pain [CARL: 314]. This division of outlooks is reminiscent of the difference between the two poles of ethical thought argued by the Epicureans.

It is clear there is some relationship between happiness and the constructed hypothetical imperatives of Kantian theory. Kant distinguished two classes of hypothetical imperatives – pragmatic imperatives (or “prudential” rules, e.g. “dress warmly on a cold day”) and imperatives of skill (e.g. formulas for how to do geometry, drive a car, practice a trade, etc.). The latter type of hypothetical imperative tends to be analytical and more amenable to clearly stated rules than the former since imperatives of skill are of a “technical nature.” But as for the former,

The imperatives of prudence would come to whole and entire agreement, and be just as analytical, as those of skill if only it were so easy to give a precise idea of happiness. For it would be said here just as there: who wills the end also wills (in necessary compliance with reason) the sole means to that end that are in his control. Yet it is a misfortune that the idea of happiness is such an ambiguous idea that although every man wishes to attain to this, he can still never say precisely and with self-accord what he really wishes and wills. The cause of this is: that all elements that belong to the idea of happiness are altogether empirical, i.e. must be borrowed from experience, yet that for the Idea of happiness an absolute whole is required, a maximum of well-being in my present and every future state. Now it is impossible that the most examining and at the same time most powerful but still finite being makes for himself a precise idea of what he really wills here [KANT4b: 70 (4: 417-418)].

We must note the distinction between the idea (*Begriff*) of happiness and the Idea (*Idee*) of happiness. The former is empirical and on-going experience adds to the Organized Being's concept of this idea. Happiness regarded in this way is happiness conceptualized through specific instantiations where the Organized Being judges it to be present. If, however, we try to project this description out to a *Realdefinition* from the theoretical Standpoint, i.e. to come to the Idea of happiness regarded as it is in itself, our efforts will be in vain because everything that is empirical is contingent. Happiness regarded as it is in itself, on the other hand, must be conceptualized in all its completion and perfection; it would have to be the Idea of "a maximum of well-being" not only in one's present state but holding true as well for all future states. This is because such an Idea must have in its concept the Relation of substance and accident (which, we recall, falls under the transcendental schema of persistence in time). Hence, the theoretical Idea of happiness must have for its object a *noumenon*, and this can never be brought to completion in actual experience.

But if we cannot achieve an objectively valid Idea of happiness from the theoretical Standpoint, we can at least come to an objectively valid and general idea of its *symptom*, i.e. as a condition of its appearances. In appearance,

Happiness is the gratification of all our inclinations (extensive as to its manifold, intensive with regard to degree, as well as protensive in accordance with continuance). The practical law from the motive ground of happiness I call pragmatic (rule of prudence) . . . the [pragmatic law] is grounded on empirical principles; for other than by means of experience I can know neither which inclinations there are that would be gratified nor what the natural causes are which could bring out their gratification [KANT1a: 677-678 (B: 834)].

This is, we may note, a *psychological explanation* of happiness regarded merely as an object of appearance. Inclination (*Neigung*) we recall is one of the classes of sensuous appetites discussed earlier. Gratification is the actualization of a satisfaction by means of the object of such an appetite. When all such conscious inclinations are so satisfied, we say that a "state of happiness" exists (is presented). We may note that this explanation of happiness as appearance takes in both psychological connotations of the term cited above.

But happiness as a thing in itself is an idea without objective validity from the theoretical Standpoint because

. . . happiness is not an Ideal of reason but rather of the power of imagination, founded merely on empirical grounds, from which one anticipates in vain that he should determine an act through which the totality of an endless series of results would be achieved [KANT4b: 71 (4: 418-419)].

An Ideal can serve as a standard gauge – a subjective one for empirical intuition in this case – but not as a thing in itself.

If the theoretical Standpoint can serve only to provide an explanation of the appearance of

happiness, can we expect more from an examination of happiness from the judicial or practical Standpoints?

All material practical principles, regarded as such, are altogether of one and the same kind and belong under the general principle of self-love or one's own happiness.

The *Lust* from the representation of the *Existenz* of a thing [*Sache*], so far as it should be a ground of determination of desire for this thing, bases itself on the *receptiveness* of the subject because it *depends on* the *Dasein* of an object; hence it belongs to the senses (feeling) and not with understanding, which expresses a reference of the representation *to an Object* according to concepts, but not to the subject according to feelings. It is therefore practical only so far as the sensation of the pleasantness that the subject expects from the actuality of the object determines the appetitive power. Now *happiness* is but the consciousness of a rational being of the pleasantness of life uninterruptedly accompanying his whole *Dasein*, and the principle to make this the highest ground of determination of choice is the principle of self-love [KANT4: 19-20 (5: 22)].

We need to untangle this a bit. Here Kant tells us that the feeling of *Lust* belongs to the senses and is only a subjective matter. It does, however, have a relationship to practical Reason through *consciousness* of “the pleasantness of life uninterruptedly accompanying his whole *Dasein*.” This connection to the practical is made when the feeling of *Lust* (or, we should add, *Unlust*) is made a ground of determination of appetitive power. Now, the matter of appetite<sup>1</sup> is *Desire*, and Desire exclusively *serves* practical Reason (although not as *pure* practical Reason). The capacity to make that connection between the sensuous feeling of *Lust* and the intelligible Object we call a Desire must necessarily presuppose the act of a power of judgment. Such a judgment is not practical, for the practical refers only to actions and not to feelings. Instead, the type of judgment we are talking about here, which subsumes a representation of feeling under a practical representation of Desire, can only be a *reflective* judgment and, specifically, that type of reflective judgment we have called the *teleological* reflective judgment.

Now the practical objective validity of this requires an *a priori* principle as a ground. We clearly have enough empirical evidence to establish the practical validity of the *Dasein* of such a principle, since it is a fact of experience that we do indeed come to desire objects and act in such a way as to obtain that which we desire. This principle is not happiness *per se*, for we have seen that this is empirical and therefore cannot serve as an *a priori* factor. Rather, this principle is nothing other than the principle of the *disposition* of an Organized Being to act for the satisfaction of a feeling of *Lust*. This principle determines nothing *a priori* with regard to *what* is contained in a maxim or in a practical rule so directed. Nor does this principle determine *a priori* any particular connection between sensation, feeling, or cognition and the Object of the appetitive power (i.e., good and evil). Rather, this principle only grounds the possibility of a relationship between teleological reflective judgment and acting on Desire. The Idea of such a relationship is

---

<sup>1</sup> Desire is “what” is made the object in a determination of appetitive power. The ensuing action, regarded as a manifold of rules, constitutes the form. It is in this *judicial* context that Desire is the matter of appetite.

called a *purpose*. Thus we can state the principle of happiness in the following terms: **An Organized Being’s disposition to act on the basis of the matter of desire (i.e. to make an appetite from this matter) is a pure purpose of practical Reason.**

We said much earlier that the process of reflective judgment judges the *expedience* of the representations of an Organized Being for a purpose of Reason. Any representation so judged is thereby *made* a representation of a purpose but all such purposes must be regarded as standing under the practical Idea of an Object of pure Reason, and this Idea we call the Idea of the pure purpose of Reason. Put another way, it is “in the nature” of an Organized Being that it has the capacity to act as an agent for affecting itself and its relationships to its environment. The Idea of pure purpose is the determining factor in all practical judgments insofar as the matter of appetite is concerned. Happiness looked at *from the judicial Standpoint* thus has the following character.

The idea of happiness is not one such as man has abstracted by chance from his instincts and so derived from the animality in himself; on the contrary, it is a mere Idea of a state to which he would make the latter [his animality] adequate under merely empirical conditions (which is impossible<sup>2</sup>). He sorts this out himself and indeed in different ways through his complicated understanding by imagination and the senses; yes, and what is more he amends these so often that this nature, even if it were to be totally subjugated to his choice, nevertheless could by no means undertake to determine general and firm law with this unstable concept, and so harmonize with the purpose that each arbitrarily intends for himself. But even if we either reduce this to the genuine urge of nature in which our species generally agrees, or, on the other hand, raise our skill so high as to provide for such an imagined purpose, yet even so what man understands by happiness, and what is in fact his own proper natural purpose (not purpose of freedom), would never be attained by him; for his nature is not of the type to stop anywhere in possession and enjoyment and to be gratified [KANT5: 279-280 (5: 430)].

There is much for us to sort out here. First, the *idea* of happiness is not derived from instinct (and is not an instinct). It implies a **judicial Idea** (the teleological counterpart to the aesthetic Idea), i.e. the know-how to gauge the expedience of sensuous conditions for a pure purpose of practical Reason. Kant next describes, albeit in vague terms, the role the process of making cognitions plays in its attempts to recognize and objectify those conditions the Organized Being learns from experience to associate with reflective judgments of expedience – and also warns us that theoretical happiness is a transcendent (not transcendental) Object. Third, he acknowledges that the Organized Being experiences an “urge” to bring his state of being into conformity with these judgments of expedience. Finally, he tells us that this process is without a determined end – that it is “not in our nature” to be forever contented with even the best realization of a state of happiness we have been able to actually find in experience. Judicially, happiness is an Ideal.

This last point is well-known to psychologists. In a study published in 1978, Brickman,

---

<sup>2</sup> What Kant means by this is that the complete and final achievement (or actual perfection) of this state is impossible to achieve. Like the transcendental Ideas of speculative Reason, the fact that the state may be unachievable in practice does not prevent the Organized Being from acting *in the direction* of its perfection.

Coates, and Janoff-Bulman reported their findings from interviews conducted with three groups of people: winners of the Illinois Lottery, victims of serious accidents, and a control group whose lives had not much changed during the period of the study. Carlson and Hatfield summarized these findings as follows:

A few months after winning the lottery, winners were no more happy with their lives than were comparison subjects (whose lives had not changed). They did not differ in how happy they thought they were before winning, how happy they were at present, or how happy they expected to be in the future. They reported that although the money was a big addition to their lives, it was balanced out by the fact that now their little everyday pleasures had lost some zest . . . Winning the lottery was apparently such an emotional high that by comparison, their ordinary pleasures had paled.

The accident victims recalled their pasts as having been a little more pleasurable than did the controls (a nostalgia effect), but their current happiness differed only slightly from that of controls. No differences were observed in how happy they expected to be in the future. This research is consistent with other research which suggests that the handicapped - the blind, retarded, and malformed - report themselves to be as happy as everyone else [CARL: 325].

Psychological studies have shown, perhaps surprisingly, that most people seem to be happy most of the time. It would seem that the phenomenon of happiness is more a matter of what Elaine and Arthur Aron<sup>3</sup> called a “neutral gear.” And does this not sound remarkably like Piaget’s state of equilibrium?

The idea of life appears in Kant’s remarks quoted above. In Chapter 12 we saw that the objectively valid idea of life must be viewed as a function of unity in our concept of that class of things we call living organisms, and that life viewed as Object is an *Unsache*-thing. Within the general idea we have two facets, one biological and the other mental. Life in the context used by Kant above refers to *mental* life: the capacity of an Organized Being to act according to laws of appetitive power. We can now see that these laws are two-fold. First, there is a law of *form*, which we call the principle of the categorical imperative and which regulates *a priori* in the direction of an Ideal of equilibration. Second, we have a law of *matter* that legislates for the subsumption of perceptions under the principle of happiness, namely for an Ideal state of being in the consciousness of the gratification of all inclinations.

### § 7.3 Somatic and Noetic *Concordia* in the Principle of Happiness

I think it likely that for many of us, and especially for the humanists among us, the preceding section may seem like much ado about very little. Most of us take it entirely for granted that we act on purposes, and “what’s it all about?” has been a philosophical question throughout the ages. However, in the life sciences the objective validity of the idea of any purpose – let alone a *pure* purpose – is far from taken for granted in the study of neuroscience.

---

<sup>3</sup> E. N. Aron and A. Aron, "The influence of inner state on self-reported long term happiness," *Journal of Humanistic Psychology*, vol. 27, pp. 248-270, 1987.

The practical objective validity in the principle of happiness is a transcendental necessity, just as is the reality of the transcendental objects “behind” the appearances, because this is the principle that ties teleological reflective judgment to the psychological phenomenon of desire. But, if this principle is truly objectively valid, our principle of the *psyche* also requires that there be some *evidence* of this in the appearance of the *soma*. Is there any such evidence?

Now, empirical findings of science are never once-and-for-all; every science admits to dubitability. However, it does so happen that we *do* have some empirical evidence which, although it does not (and cannot) *prove* the *Dasein* of the principle of happiness (which is a *Dasein* in the intelligible world), tends to support our theory. This evidence, which Dr. Damasio himself is the first to point out has merely the standing of a scientific hypothesis at this time, comes from neurological studies. Damasio’s hypothesis involves three elements: dispositional neural patterns, convergence zones, and somatic markers.

Damasio describes dispositional neural patterns as follows:

How do we form the topologically organized representations needed to experience recalled images? I believe those representations are reconstructed momentarily under the command of acquired *dispositional* neural patterns elsewhere in the brain. I use this term because what they do, quite literally, is order other neural patterns about, make neural activity happen elsewhere, in circuits that are part of the same system and with which there is strong neuronal interconnection. Dispositional representations exist as potential patterns of neuron activity in small ensembles of neurons I call “convergence zones”: that is, they consist of a set of neuron firing dispositions within the ensemble.

Dispositional representations constitute our full repository of knowledge, encompassing both innate knowledge and knowledge acquired by experience. Innate knowledge is based on dispositional representations in the hypothalamus, brain stem, and limbic system. You can conceptualize it as commands about biological regulation which are required for survival (e.g. the control of metabolism, drives, and instincts). They control numerous processes, but by and large do not become images in the mind . . .

Acquired knowledge is based on dispositional representations in higher-order cortices and throughout many gray-matter nuclei beneath the level of the cortex. Some of these dispositional representations contain records for the imageable knowledge that we can recall and which is used for movement, reason, planning, creativity; and some contain records of rules and strategies with which we can operate on those images. The acquisition of new knowledge is achieved by continuous modification of such dispositional memories.

When dispositional representations are activated, they can have various results. They can fire other dispositional representations to which they are strongly related by circuit design (dispositional representations in the temporal cortex, for instance, could fire dispositional representations in the occipital cortex which are part of the same *strengthened* systems). Or they can generate a topographically organized representation, by firing back to early sensory cortices directly, or by activating other dispositional representations in the same *strengthened* system. Or they can generate a movement by activating a motor cortex or nucleus such as the basal ganglia [DAMA2: 102-105].

Damasio of course has a great deal more to say about the dispositional representation hypothesis. Of prime interest to us here is are two remarks he makes about their most primitive role:

Why should these circuits interfere with the shaping of the more modern and plastic ones concerned with representing our actual experiences? The answer to this important question lies in the fact that both the records of experience and the responses to them, if they are to be adaptive, must be evaluated and shaped by a fundamental set of preferences of the organism that consider survival paramount . . . That influence is carried out in good part by "modulator" neurons acting on the remainder of the circuitry. These modulator neurons are located in the brain stem and the basal forebrain, and they are influenced by the interactions of the organism at any given moment . . . This clever arrangement can be described as follows: (1) the innate regulatory circuits are involved in the business of organism survival and because of that they are privy to what is happening in the more remote modern sectors of the brain; (2) the goodness and badness of situations is regularly signaled to them; and (3) they express their inherent reaction to goodness and badness by influencing how the rest of the brain is shaped, so that it can assist survival in the most efficacious way [DAMA2: 111].

The correlation of these three points to the idea expressed in the principle of happiness is, I hope, quite clear. He goes on to say somewhat later,

Preorganized mechanisms are important not just for basic biological regulation. They also help the organism classify things or events as "good" or "bad" because of their possible impact on survival. In other words, the organism has a basic set of preferences - or criteria, biases, or values. Under their influence and the agency of experience, the repertoire of things categorized as good and bad grows rapidly . . .

If a given entity out in the world is a component of a scene in which one *other* component was a "good" or "bad" thing, that is, excited an innate disposition, the brain may classify the entity for which no value had been innately preset as if it too is valuable, whether it is or not. The brain extends special treatment to that entity simply because it is close to one that is important for sure [DAMA2: 117].

Damasio goes on in more detail, including citations of particular brain structures involved in the processes he is describing. One of his key points is that the neural "circuitry" he describes is heavily connected with signaling originating from elsewhere in the body. As he put it, "the mind is embodied, in the full sense of the term, not just embrained" [DAMA2: 118]. This leads us to the third important feature of his theory, the somatic marker.

. . . When the bad outcome connected with a given response option comes into mind, however fleetingly, you experience an unpleasant gut feeling. Because the feeling is about the body, I gave the phenomenon the technical term *somatic* state . . . and because it "marks" an image, I called it a *marker* . . .

What does the *somatic marker* achieve? It forces attention on the negative outcome to which a given action may lead, and functions as an automated alarm signal which says: Beware of danger ahead if you choose the option which leads to this outcome . . . When a negative somatic marker is juxtaposed to a particular future outcome the combination functions as an alarm bell. When a positive somatic marker is juxtaposed instead, it becomes a beacon of incentive [DAMA2: 173-174].

Somatic markers are thus acquired by experience, under the control of an internal preference system and under the influence of an external set of circumstances which include not only entities and events with which the organism must interact, but also social conventions and ethical rules.

The neural basis for the internal preference system consists of mostly innate regulatory

dispositions, posed to ensure survival of the organism. Achieving survival coincides with the ultimate reduction of unpleasant body states and the attaining of homeostatic ones, i.e., functionally balanced biological states. The internal preference system is inherently biased to avoid pain, seek potential pleasure, and is probably pretuned for achieving these goals in social situations [DAMA2: 179].

We have quoted Dr. Damasio at length here not only to allow him to speak for himself but also to illustrate how, even allowing for the need to address a popular audience in his book, the basic ideas of this theory cannot be separated from goal-directed (i.e., teleological) *purposes*. I do not mean here the tone of “for the sake of survival” that peppers his descriptions, because by now we should understand that survival is the result but the organism certainly does not “image” things in terms of survival. It “images” them in terms of Damasio’s innate *dispositional preferences*. But this is nothing else than what we posited in the previous section with the principle of happiness. The *function of unity* for both the Kantian argument and Damasio’s hypothesis is *functional, systematic, and a priori purpose*.

Now because the idea of an Object so far as at the same time it contains the ground of the actuality of this Object is called the *purpose*, and the congruence of a thing with that property of things that is only possible in accordance with purposes is called the *expedience*<sup>4</sup> of its form: thus the principle of the power of judgment in regard to the form of things of nature under empirical laws generally is the *expedience*<sup>4</sup> of nature in its diversity [KANT5: 17 (5: 180)].

Damasio’s hypothesis speaks directly to the somatic representation of the principle of expedience but it must presume the Idea of purpose.

## § 8. The Determination of Ends and Means

From simple practical rules, to maxims, to hypothetical imperatives, practical Reason regulates the construction of a hierarchy of successively higher levels of equilibration in the structuring of acts. It is clear, though, that Reason does not stand isolated in this activity. We have seen that the process of reflective judgment enters into the total picture through the principle of formal expedience of Nature. The consideration of this judgmentation constitutes the judicial Standpoint. It is equally clear that, although invisible to the psychologist-observer in the earliest stages of life, at some point the capacity for understanding also enters into the total picture. We may make a logical division among these powers of the mind, but it is obviously of first-rate importance that we clearly distinguish the roles of the practical, reflective, and determining powers of judgment within the general organization of reasoning. In particular, we must examine how objective *ends* are possible, how such ends influence the determination of choice, and how the practical categorical imperative can come to have an effect on the sensible faculty of perceptions.

---

<sup>4</sup> *Zweckmäßigkeit*.



We saw earlier that the Critical understanding of good and evil have objective validity only if we view them as being evaluations of the means employed under a specific maxim. Yet it is altogether clear from our most common experiences that an evaluation of the *ends* to be achieved through the act also come into play. Furthermore, the determination of choice in general can just as well have its ground in sensible perception as in the practical regulation of the categorical imperative. Does this mean, as many have thought, that there is some conflict of grounds in the determinations of practical Reason? If so, this would be a strange picture indeed of the power of mind for it would suggest different capacities of mind that are in some way hostile to one another. This is as absurd as if we were to say that our legs were jealous of our arms. The Critical normative convention can be nothing other than the Organized Being taken in its unity.

The Critical good is a *necessary* Object of appetitive power, and this power has only one focus, namely the choice of action to bring into actuality the object of a represented Desire. (We will discuss this topic in terms of good, but keep in mind that the issues and arguments for evil are the same but for the type of transcendental affirmation involved). There are two aspects implicit in the Critical good. First, we must necessarily suppose that the object of Desire can come to be *represented as* object of Desire. Second, the notion of necessity applied to the appetitive power can be taken in two ways. The act can be evaluated as necessary for the sake of effecting the desired end, or it can be evaluated as necessitated by the categorical imperative. We call the former the “hypothetical good” and the latter “categorical good.”

### § 8.1 Well - Being and Ill - Being

When adaptation produces a higher level of equilibration in the structuring of schemes of action, we can say that these schemes are subsumed under the higher structure. As Piaget has shown, the original schemes are not abolished in this activity; rather, they are reciprocally assimilated. In Kantian terminology, we say the act is subsumed under the pure practical law according to the formula of the categorical imperative.

However, when the act is subsumed under a law, pure practical Reason is not the least concerned with the appearance or even with the possibility of the act as an event in sensible Nature. (The categorical imperative could not be a pure *a priori* law of Reason if this were not so). Practical judgment judges only the form of the act and not the matter of the act. The act is a matter for the decision of Reason only in the theoretical application of Reason, i.e. only for *speculative* Reason. Speculative Reason, we recall, directs the power of understanding, which perceives the act only in appearances and judges it in determining judgment under the schema of physical causality. Only in this way can practical rules become conceptualized maxims (which are always *a priori* but not pure cognitions so far as understanding is concerned). Likewise, maxims can come to be conceptualized under hypothetical imperatives only in this same manner.

But in the latter case we are dealing with concepts regulated by the principles of speculative Reason, arising from experience but not immediately from the given data of the senses.

The exhibition of hypothetical imperatives in cognition is always an exhibition *in concreto*. Only through this avenue can Reason bring about *concepts* of tenets. In understanding the idea of the tenet is conceptualized, but practical judgment can judge this tenet only in regard to its form. The concept is, in a manner of speaking, the model for the practical tenet. Kant called this conceptual exhibition a “typic of the pure practical power of judgment” [KANT4: 58-60 (5: 67-69)]. How, then, is a *sensible* concept of the tenet able to come under the *formal* judgment of practical Reason? Taking this question one step deeper, how are *acquired* practical rules (e.g. the infant’s first sensorimotor habits) able to come under the judgment of practical Reason? There is, we have seen, a gulf separating sensible perception and the practical Reason which judges forms but not matters of actions. Bridging this gap is the process of reflective judgment.

Kant drew an important distinction between the idea of good (*das Gute*) and the idea of well-being (*das Wohl*). In *Critique of Practical Reason* he tells us that good (or evil) always signifies a reference to will *insofar* as choice is determined by a law of Reason in making something its Object. Kant called good (or evil) a *Vermögen* for making a rule of Reason into a *motive* (*Bewegursache*) of an act by which the object becomes actual. On the other hand, the ideas of well-being or ill-being (*das Wohl oder Übel*) always signify a reference to the Organized Being’s “state of pleasantness or unpleasantness” (*Annehmlichkeit oder Unannehmlichkeit*). Well-being and ill-being therefore always have a reference to sensible perception; consequently the judgment of well-being or ill-being always comes under reflective judgment and not practical judgment.

Put another way, the reflective judgment of well-being (or ill-being) is a judgment of a combination between affective sensation and the state of the Subject. When this state of affective sensation is further joined up with a cognition, the object of the cognition is connected to the Subject as an object of desire (or, in the case of ill-being, an anti-desire – something to be avoided or abolished). Hence, while practical judgment evaluates means (evaluation of good or evil in regard to the determination of appetitive power), reflective judgment evaluates sensibility (including merely the aesthetic state-of-being) as possible ends (if judged as matter of a possible act) or as assertoric ends (if being actually experienced when the judgment is made, as are all initially-encountered sensible states of pleasantness or unpleasantness).

We must look more deeply at this function of reflective judgment. But, as this consideration comes under the judicial Standpoint, we will postpone it until the next chapter. In the present chapter, we will look at this from the viewpoint of practical Reason to obtain a clearer picture of the reciprocity between reflective judgment and practical judgment as it must be viewed from the practical side. Our goal is to understand how sensible effects can come to be acts regulated by practical Reason.

## § 8.2 The Practical Subsumption of Practical Rules

All practical rules ultimately come down to the performance of specific actions, either as physical sensorimotor actions or as mental actions<sup>1</sup>. A practical rule represents the know-how for the *praxis* of an Organized Being. Our simplest and earliest practical rules, the innate sensorimotor reflexes exhibited by an infant from birth, appear to be rules that have no corresponding representation in cognition. The infant is simply not consciously aware of any concept of these rules and appears to perform these practical rules in response to sensuous stimuli.

To a lesser degree the same also appears to be the case (judging from Piaget's observations reported in *The Grasp of Consciousness*) for acquired practical rules, although in this case it is equally clear that the young child performs these actions voluntarily. This merely tells us that the practical motor skills illustrated by walking on all fours, throwing a ball at a target, etc. are not yet differentiated by the representation of clear concepts of the steps involved, although the child must obviously be in possession of a syncretic cognitive representation of the action – what Kant called an *indistinct* representation. Indeed, all our most common motor skills appear to have this character. We do not for example consciously think through the act of walking, e.g. “now I move my left leg; now I move my right leg; etc.” We would be clumsy creatures indeed if we needed to pay conscious attention to all the details of our most everyday actions; for healthy individuals it is enough to merely choose to act and let the acquired sensorimotor scheme take it from there.

The neurological organization of the brain that supports this capacity is reasonably well understood at the brain architecture level. This organization is more or less hierarchical. The somatic representation of what we might call the “identification of the rule” appears to reside in the sensorimotor cortex<sup>2</sup>. The somatic representation of the specific step-by-step details (the particulars) of the activity appears to reside in the cerebellum, with two-way “communication” with the sensorimotor cortex via subcortical nuclei (e.g. basal ganglia and thalamus) and two-way “communication” with the muscle and peripheral nervous system via brainstem nuclei. While there is much yet to learn regarding the details of this somatic representation, our primary concern in this treatise is with the question of how these practical rules come to be made appetites and brought under the structuring regulation of practical Reason.

There appears to be little doubt that acquired practical rules are originally founded upon innate sensorimotor reflex schemes and are “extensions” of these schemes (through the process of

---

<sup>1</sup> It is of course true that all spontaneous non-autonomic sensorimotor activities involve mental activity of some kind or another even if this mental activity involves nothing other than simple perception. The “or” I am using here is intended only to distinguish mental action unaccompanied by goal-directed motor activity, e.g. reasoning, from actions that involve goal-directed motor activity.

<sup>2</sup> This structure includes the primary motor cortex, the premotor area, the supplementary motor cortex, the somatosensory cortex, and the parietal-lobe association cortex. See [VAND: 341].

accommodation, which differentiates schemes, and assimilation, which integrates them). It equally appears to be true that the development of acquired practical rules involves cognition since we can observe that: 1) reflex schemes need practice to be developed (unexercised schemes tend to slowly become lost capacities); and 2) the process of adaptation requires that in the practicing of the scheme the scheme needs to be “thwarted” in experience before adaptive accommodation will take place. The latter presupposes the *Dasein* of some representation in intuition by which an objective purpose can be set against actual perception under the synthesis of the *Verstandes-Actus*. Sensibility is not a judgment but the *Verstandes-Actus* does require a judgment, namely a reflective judgment.

Anticipating our discussion to come when we look at the judicial Standpoint, we will say that this reflective judgment judges the affective perception of the action in terms of well-being or ill-being. In the case of the innate sensorimotor reflex, where we cannot suppose a predetermined *objective* goal for the act, we nonetheless can and must presuppose a *disposition* for the act that is mated in reflective judgment with the sensual stimulus that ‘touches off’ the reflex. This idea is that which is expressed by Damasio as an “innate disposition” in our discussion above. In Kantian terms, we say the *appetite* for this disposition is an *instinct* - a *formal* sensuous appetite with no differentiated object except the activity *itself*.

Can we say that such an act involves *choice*? Or is the newborn infant merely an automaton acting solely through mechanical reflex to, for example, suck the finger that comes in contact with his lips? Or must we look at this phenomenon in yet a third way, and, if so, in what way? To answer this, let us recall the distinction between *brutish* choice and *free* choice. The Critical *Real-erklärung* of choice in general is, as we saw in Chapter 12, “to make something the object of one’s appetite,” a definition which has objective validity only from the practical Standpoint. But choice in general, as Kant noted in his metaphysics lectures, is two-sided and so we can speak of higher and lower capacities for choice.

Now the appetite with respect to such objects of which we are conscious of having adequate powers to produce is an *actus* of choice, and the capacity that *corresponds* to this appetite is *choice*, *arbitrium*, which thus involves not only determination for the causality, but rather also sufficient power to make the object actual; but where the capacity of choice with respect to the production of the object is, there also must accompany simply the capacity to look away from the production or discontinue it . . .

*Choice has in it a double side in regard to the ground of determination.* There lie in human beings, namely *elateres animi* [drivers of mind] or grounds of determination, sources of the possibility to produce the represented, determining or impulsive causes, and these *lie either in understanding as in the law of the act, or in sensibility, namely in the feeling of Lust or Unlust* . . . [KANT19: 483-484 (29: 1014)].

Our question, then, on whether we must regard the infant’s innate reflex response to stimuli as automatic or as a choice thus is the same as asking whether the object determines the appetite.

But to phrase this question this way is a violation of the Copernican hypothesis; it is merely the copy-of-reality hypothesis elbowing its way into our thinking. To the psychologist-observer, it is the finger touching the lip that “stimulates” the infant’s sucking reflex. But the infant, on the other hand, has no knowledge of “fingers” or even that something has “stimulated” him. What the infant is conscious of is merely his own state of being, and if we hold it to be true that he is biologically disposed to respond to the sensation on his lips with a sucking reflex, we must also hold it to be true that he has a *mental disposition to make the action the object of his choice*.

This disposition is, it is true, merely sensuous and has the character of Kant’s *arbitrium brutum*. But here we must ask: is the disposition for the act (e.g. the sucking reflex) a *necessary* disposition or is it a *necessitated* (made necessary) disposition? The mechanistic view of the automaton theory must hold that this disposition is a necessary disposition. However, the argument is not self-consistent. If the reflex is a necessary response to a stimulus, this either implies that the particular sensations alone drive the reflex *or* that it is the conjunction of the particular sensations combined with some inner state of the infant that drives the reflex. The first possibility is demonstrably false because the infant will eventually cease to respond to the stimulus with the reflex. We say “the baby has become tired of” sucking on the finger (or, in the case of sucking in order to feed, that the baby has “satisfied his hunger”). The observable behavior of the infant forces us to posit what neuroscience calls the motivational state.

But if we must acknowledge that some internal condition of the Organized Being must be met for the stimulus to stimulate the reflex, we cannot also assign this act to pure mechanism because to do so is to draw a real division between *soma* and *nous* and this we are forbidden to do by Rational Psychology. We must look at the infant as an Organized Being, and if the reflex action depends on any inner state of this Organized Being, the act must be viewed as necessitated *by the Organized Being*. Once we introduce the state of the Organized Being as a necessary factor in the determination of the act, calling the act “automatic” in the mechanistic sense loses any real meaning. The pseudo-metaphysics underlying the automaton theory is the mere presumption that only physical causality in appearances can be objectively valid causality. Critical metaphysics proper, on the other hand, holds that physical causality and the causality of freedom are the twin and reciprocal characteristics of an Object in general that we call “causality.” Only making a real mind-body division could enable us to self-consistently maintain the assertion that we *must* view innate reflex behavior as automaton behavior and *only* as automaton behavior.

Therefore, since we must acknowledge that the inner state of the Organized Being plays a part in the determination of act we must see the Organized Being as *making* the act necessary, and this is necessitation. It only remains for us to see whether this necessitation can be consistent with both the pure *a priori* law of the categorical imperative *and*, at the same time, with the principle of happiness. We’ll take up the latter question first because its answer is more or less easy to

obtain. The consciousness of a specific disposition for an act in the presence of sensuous stimuli is represented in affective perception by the feeling of *Lust* or *Unlust*. This is a judgment of the process of reflective judgment, which judges the expedience of sensibility for an appetite. The representation of the practical combination of the specific act with this is the judgment of expedience in teleological reflective judgment, and in the case of the innate practical rule (i.e. the sensorimotor reflex scheme), we must hold that this combination of sensibility with the motor faculty is an unconscious representation that is nonetheless still a representation within the overall faculty of the Organized Being. Psychologically, this speaks to Freud's idea of the unconscious; biologically, it speaks to the Being's innate faculty of *soma*; Critically, it speaks to *psyche*.

We have described the feeling of *Lust* in terms of a motivated wanting. We can now expand on this description by saying that the feeling of *Lust* is presentation of a combination with an intelligible object, namely an appetite. The reflective judgment of the feeling of *Lust* combines sensibility, appetite, and act through the formal expedience of the first for the second. We recall that among the sensuous appetites we have three classes: propensity, instinct, and inclination. When the thinking Subject is in possession of a cognition of an object of sensuous appetition, we call this appetition with propensity (see Chapter 12). With instinct object and activity are not differentiated (hence instinct is, as Kant called it, a blind appetite and it is *formal* and sensuous). Such is the character of the infant's innate sensorimotor reflex schemes. The sensible representation of satisfaction of the appetite through the action is, of course, a judgment of well-being. The non-fulfillment or frustration of this satisfaction is judged ill-being. This is clearly in accord with the principle of happiness.

This sensuous component of the Nature of the Organized Being and its power of choice is the reason why Kant called human will a mixed rather than pure will. When we speak of terms such as perception, appetite, etc., we make reference to the noetic character of the Organized Being. We can also find a correlative somatic character in the Organized Being through not only psychophysical studies but neurological studies as well. From the study of patients afflicted with anosognosia<sup>3</sup> (and, of course, from other of his scientific studies) Dr. Damasio has made the hypothesis that the brain has organized structures he calls "as-if loops" which represent on the plane of the *soma* (he calls it the body) the somatic "body state" [DAMA2: 156-158]. He writes:

I suspect that the body states are not algorithmically predictable by the brain, but rather the brain waits for the body to report what has actually transpired . . . It might be that, as currently designed, the brain needs an affirmation of our living state before it cares to keep itself awake and aware

---

<sup>3</sup> Anosognosia is the inability to acknowledge disease in oneself. This condition is not a neurotic disorder such as in hysterical neurosis, nor is it Freudian "denial." The patient has suffered major brain damage, often because of a stroke, that cuts off signals from the parts of the body left paralyzed by this damage. Damasio tells us of patients who are totally paralyzed on the left side of the body but who sincerely deny that anything is wrong and who are not the least disturbed by their condition [DAMA2: 62-69, 153-155].

[DAMA2: 158].

Now let us look at the relationship with the categorical imperative. The structuring regulated by the categorical imperative calls for universality in constructed maxims. But here we must always bear in mind that such universality is, so to speak, “in the eyes of the Organized Being.” A *concept* is universal if its scope in relationship to some condition is complete, that is, applies to all objects under the condition [KANT1: 249 (B: 379)]. Likewise, a law is universal if its scope is similarly complete under all conditions in which it applies. Just as we say concepts have a scope in determining judgment, so also we can say that practical rules (innate or acquired) have a scope in practical judgment. Practical universality cannot be known *a priori* since all actions contain a reference to the sensible world and, just as is the case of material truth, the only possible criterion for the practical judgment of universality is a negative one: the satisfaction of desire must be frustrated in order to demonstrate the *absence* of universality in the practical law.

So long as the activity is not frustrated in experience – so long as through the action the satisfaction of *Lust* is actualized – an Organized Being must view the practical rule as ***practically universal***. Hence, no accommodation is called into play and no re-equilibration is mandated. *This conclusion is demonstrated in Piaget’s findings*, reported in *The Origins of Intelligence in Children*. But when the activity is frustrated in experience we have a practical demonstration that the rule lacks universality, and here is where the categorical imperative invokes a re-equilibrating response. We saw an example of this in Chapter 9 (§2.3, Piaget’s Observation 2), where two-day-old baby Laurent demonstrated a searching behavior (i.e. a kind of groping reflex) when his attempt to suck failed to produce the desired satisfaction. Piaget, always the careful observer, did not commit himself to any speculation on a psychological cause of this behavior, but in the context of our discussion here it is not difficult to see in this the construction of a simple sensorimotor maxim – the making of a new structured sensorimotor scheme in which two reflexes (the sucking reflex and the searching reflex) become combined in a more complex scheme. (Note: the searching behavior was not evidenced on the first day of Laurent’s life).

Piaget’s observations include a number of such simple demonstrations in which more primitive practical rules (sensorimotor schemes) become progressively more structured. We have already discussed this in fair degree in Chapter 9, and so we will not belabor the point here. What we have added to the empirical fact of adaptation through assimilation and accommodation is the *rational* and intelligible side of the equation, the ordering of equilibration by the categorical imperative. Obviously, as the Organized Being develops and gains experience, more complex practical situations can be dealt with, and the possibilities of detecting lack of universality in the practical maxims which structure the practical rules become more manifold. But at root is practical necessitation of adaptation by the categorical imperative.

### § 8.3 The Practical Subsumption of Maxims

We have spoken above of structuring practical rules and of their subsumption in Piagetian structures which, over time, become progressively more complex. The representations of motor rules, as well as those mental rules that direct attention to specific cognitions, are not representations of which we appear to be conscious and, therefore, these rules are not themselves perceptions. To denote this we can call them **practical concepts** since they are rules for the production of actions. Representation, we recall, is one of the primitives of our theory, and we may posit an organization of practical concepts by analogy with the organization of the manifold of (theoretical) concepts in cognitive faculty.

Practical concepts do not show themselves immediately in cognition, but their *Dasein* is exhibited by actions and awareness of them is perceived through affective perceptions. Consequently they have a restricted relationship to the faculty of pure consciousness. These practical concepts can carry no Modality in connection to consciousness but only to pure Reason. In Relation they stand connected with practical judgment. The remaining six *momenta* of Quantity and Quality in our 2LAR of the faculty of pure consciousness (assimilation, accommodation, equilibration, receptivity, spontaneity, and feelings) are all possible, and these compositions in the particular depend on the specific matter of appetite and the transcendental place of their occasion. Assimilation builds habits; accommodation re-structures; equilibration brings concordance with the categorical imperative. Receptivity is placed with sensuous appetite, spontaneity with intellectual appetite, and feeling with *self-respect* – an idea we will explain and develop below.

Despite the brutish choice character of the elementary sensorimotor reflex schemes, it has been argued above that we must regard them nonetheless as necessitated rather than as necessary. If this were not so, we could never break away from innate reflex schemes because it would be a contradiction to say that these schemes are necessary at the beginning of life but later become unnecessary<sup>4</sup>. We should all remain thumb-suckers for all our days. What we see in the practical subsumption of practical rules of innate motor schemes is the capacity to develop the *Willkürsvermögen* (power of choice) of an Organized Being.

The practical structuring we discussed in the previous section takes place, so to speak, all on the same plane of equilibration. It is useful to recall at this point Piaget's theory of constitutive functions and compensation behaviors from Chapter 9. The development of simple sensorimotor habits is exercised by his W or repetition coordinator function (circular reactions) and the compensation behavior we observe is type  $\alpha$ . This compensator, we recall, forms classifications

---

<sup>4</sup> We could, of course, pin the explanation on the miracle of development, but this would be mere *ad hoc* speculation if we could not also tie this explanation to the noetic character of the Organized Being.



(i.e. the  $A + A = A$  symbolism we used in Chapter 9) and deals with disturbances by canceling them – either physically by an opposing motion or cognitively by ignoring them (the  $A - A = 0$  symbolism of Chapter 9). Recall it is type  $\alpha$  compensation that supports Piaget’s deduction of the *Dasein* of the identification coordinator and that this compensation behavior is indicative of equilibration between assimilation and accommodation.

Now, the *Vermögen* of choice includes the capacity to “look away from” or discontinue the effort to produce an object. This capacity has a reference to the feeling of *Unlust* and is behaviorally exhibited in type  $\alpha$  compensation. This means that the practical structures (practical concepts) of practical judgment can be isolated from one another. Piaget’s findings in *The Origins of Intelligence in Children* show that in the earliest stages of sensorimotor development the schemes of primary circular reaction are tied to specific sensory modalities (sight and seeing, touch and grasping, etc.). After only a few months of life, however, we see the beginnings of *coordination* of these hitherto isolated schemes – i.e. we see the emergence of the secondary circular reaction (see Chapter 9 §2.3, the action-object separation). Here is where we first find the reciprocal assimilation of hitherto different schemes in which disturbances come to be integrated into the schemes and in which ordering structures form. We call the compensation behavior seen in this stage the type  $\beta$  compensation and its associated constitutive function the C or substitution coordinator (also called permutation).

Now, since the practical rules that are undergoing reciprocal assimilation here are being coordinated in a common structure, and since there is no apparent environmental drive that we can validly hold to be the cause of this re-structuring, what we have here is the first formation of practical (albeit still sensorimotor) maxims. A maxim is a constructed rule about rules (in Kant’s terminology, a tenet). While the simple classifications structured in type  $\alpha$  compensation produces what we can call classes of acts (A, B, etc.), these early maxims are productive of practical ordering relationships (symbolically,  $A < B \Leftrightarrow B > A$ ) which Piaget calls “seriations.”

The stage of the secondary circular reaction also obviously involves cognition and the development of relationships among cognitions. The practical schemata of this cognitive structuring we have already described; they are the transcendental Ideas of speculative Reason. Now, practical orderings in acts, if they are to be accompanied by objective perceptions of cognitions, likewise implies ordering of these cognitions, a cognitive function that must presuppose the earlier formation of cognitions of Kantian substances in order for the making of determinant judgments of ordering (through the category of causality and dependency) to be possible. While it is true that the secondary circular reaction appears to aim merely at repetitive behavior (behaviors “destined to make interesting sights last,” as Piaget put it), these simple maxims nonetheless lay the foundation for the later development of a more complex practical-cognitive synthesis.

From the simple reflex to the most systematic intelligence, the same method of operation seems to us to continue through all the stages, thus establishing complete continuity between increasingly complex structures. But this functional continuity in no way excludes a transformation of the structures being on equal footing with an actual reversal of perspectives in the subject's consciousness. At the beginning of intellectual evolution, in effect, the act is set in motion all at once and by an external stimulus and the individual's initiative consisted merely in being able to reproduce his action when confronted with stimuli analogous to the normal stimulus, or by simple empty repetition. At the end of the evolution, on the other hand, every action involves an organization versatile in making dissociations and unlimited regroupings, the subject thus being able to assign to himself goals which are increasingly independent of instigation by the immediate environment [PIAG1: 153].

The reciprocal assimilation of practical rules involves what Piaget called their "intersection" in the object of appearance, which necessarily presupposes the indistinct cognition of this appearance within earlier cognitive structures since the ability to recognize this "point of intersection" is the *Verstandes-Actus* of abstraction. This not only tells us that prior to the formulation of the first practical maxims appetite has passed from instinct to inclination (first acquired habits), but that the appetite of inclination itself is subject to practical structuring through maxims. We should also bear in mind that this in no way precludes the involvement of type  $\alpha$  compensations in this process because the equilibration of new schemes through assimilation and accommodation must always involve the identification of the action (the I coordinator, which type  $\alpha$  compensation behavior supports). It follows that the construction of even the earliest maxims must be expected to involve functions "a" and "b" in Type I interactions (see Chapter 9) and regulatory paths OS and SO in Type II interactions, in which an element of cancellation is embedded.

This, again, is attributed to the feeling of *Unlust* in reflective judgments of expedience. As we cannot posit innate moral ideas with objective validity, the structuring of maxims can be seen to involve the production of acquired practical rules that will later settle into constructed habits of thinking – *positive* rules in the case of the satisfaction of *Lust*, and *negative* rules (that I call rules of ignórance<sup>5</sup>) from dissatisfaction and *Unlust*. We can see in the construction of these acquired practical rules the possibility of the later development of both moral values and immoral behavior. As this entire process is driven by the categorical imperative – the Ideal of equilibration – it is in this context that Kant was not mistaken in calling the fundamental practical law "the moral law" provided we take the name to mean the law which makes moral judgment possible.

#### § 8.4 Self-Respect and Compensation

That affective perceptions arising from sense combine with dispositions in the feeling of *Lust*

---

<sup>5</sup> The term "ignórance" differs from the established English word "ignorance" in the following way: I define ignórance as the act of deliberately ignoring something, whereas ignorance implies the lack of knowledge. The accent is on the second syllable in ignórance; it is on the first in ignorance.

or *Unlust* seems to be so common an experience that it scarcely seems to be remarkable. The connection of *Lust* and appetite can be viewed as a sort of positive act since the feeling of *Lust* is a feeling that promotes action to realize the object of appetite. The connection of *Unlust*, on the other hand, can be viewed as a sort of negative act since in its case it is the avoidance or abolishment of an object that the action is directed towards. However unremarkable this phenomenon may seem to us, sensible affective perception arising from receptivity alone is not enough to explain the totality of human behavior and we must inquire more deeply into the intelligible constitution of human drives and desires.

This question is one with which psychology is quite concerned.<sup>1</sup> In that science we find terms such as motives, impulses, incentives, drives, needs, and so on used to attempt to classify and bring order to what can broadly be called the psychology of emotions. In *Critique of Practical Reason* and his lectures on metaphysics Kant employs two terms to express the idea of an Object for such as these. The first is called a *Triebfeder* or **mainspring**. The second term is *elater animi* or “driver of mind”. Kant uses this Latin term conjointly with his word *Triebfeder*. A *Triebfeder* is a representation and an *elater animi* is its object. Kant then poses the question of whether, in addition to sensuous mainsprings that arise from the power of receptivity, there might also be a mainspring having as its transcendental place *pure* practical Reason.

Kant’s discussion of this issue [KANT4: 62-75 (5:71-89)] has historically proven to be rather hard to follow, at least in English renditions of Kant’s work, if the amount of scholarly debate on the subject is a reliable indicator. I think there are two things that account for this. The first is that it is during this discussion where Kant seems to be moving quickly from his discussion of the metaphysics proper of practical Reason and making his segue into the applied metaphysic of morals. The second is that in this section we find Kant using several different German words to draw particular fine technical distinctions among different ideas and, unfortunately, these words have multiple and overlapping translations into English where these distinctions can become blurred or even lost. What we must do here is not only sort out the metaphysics proper from the applied metaphysic but also keep the technical distinctions clearly presented.

We begin with the sensuous mainspring of inclination which in the general case Kant called *Selbstsucht*. This could literally be read as “self-passion” but is better rendered, from the context of Kant’s usage of the term, as both Gregor and Abbott did – namely, as self-regard.<sup>2</sup> He discusses this idea in terms of two other ideas: *Eigenliebe*<sup>3</sup> (self-love) and *Eigendünkel* (self-

---

<sup>1</sup> We take this up in detail in Chapter 15.

<sup>2</sup> In the modern German-English dictionary, *Selbstsucht* is rendered as selfishness or as egoism.

<sup>3</sup> He also equates *Eigenliebe* with another word, *Selbstliebe*, which also translates into English as “self-love.”

conceit). He describes self-love as the satisfaction of an “overall goodwill coming up in one’s self.” Self-conceit, on the other hand, he describes as a satisfaction with oneself amounting to arrogance.

As is often the case, Kant provided little further explanation of these terms in *Critique of Practical Reason*, but we find them amplified somewhat in his lectures on ethics.

The love of the satisfaction in oneself, or self-love, is an inclination to be well-contented on account of the judgment of the perfection with oneself. *Philautia*<sup>4</sup> or moral self-love is to be set against arrogance, or moral self-conceit. The difference of *Philautia* from arrogance is that the former is only an inclination to be contented with one's own perfection, but the latter makes an undue presumption to merit [KANT11a: 135 (27: 357)].

While it might be tempting to think that self-conceit is merely an exaggerated form of self-love, this is not what Kant means. Self-love is a particular *inclination* and is therefore an *appetite* with a general state of contentment as its object. Acting on self-love is none other than **the pursuit of happiness**, and its achievement is judged by the satisfaction that comes from what the Subject can perceive as a state of contentment in which he is conscious of no imperfection marring the state of his *Existenz*. Self-conceit, on the other hand, is not an inclination at all but an attitude that makes the inclination for self-love the overriding determining factor of choice. The word conceit originally denoted an idea (and this usage was still current in Kant’s day), and a self-conceit therefore denotes an idea of one’s self. Teamed up with the idea of arrogance, self-conceit is an exaggerated idea of the importance of one’s self – a connotation that today’s typical use of the word conceit carries.

Self-love, as understood above, is one of man’s innate dispositions since it carries no reference to the consciousness of the Self but only to a state of *Existenz*. Self-conceit, on the other hand, requires an idea of the Self and must therefore be seen as a *developed* disposition. Indeed, the primary purpose of what we call the moral upbringing of a child is directed in large part at preventing the child from developing on his own a system of maxims and hypothetical imperatives that place selfishness and egotism in the first rank in the determination of choices. This process has somehow failed in the case of those individuals whom psychology terms antisocial personalities, it seems to succeed to some degree in most of us, and once in a great while we encounter individuals in whom it seems to have succeeded in great degree. Kant clearly recognized that a moral upbringing and a process of moral learning is necessary if a *society* of mankind is to be possible, and he included in *Critique of Practical Reason* a table of “practical material grounds of determination in the principle of morality” [KANT4: 36 (5: 40)]. I suggest that his science of morals was intended to be precisely a doctrine by which people could perfect

---

<sup>4</sup> Kant equated this Greek term with *Selbstliebe* and with *Eigenliebe*. The term originally comes from Aristotle’s *Nichomachean Ethics*.

both themselves and the society they live in.

If, however, self-love were the only inclination at work in the formulation of maxims and hypothetical imperatives, it would be impossible to account for those selfless acts which, rare as they may be in the commerce of everyday life, are nonetheless *facts* of human experience. Some followers of Rand hold it to be true that there in fact are no truly selfless acts – that all choices are, in one way or another, choices made on grounds of self interest. In one sense they are correct: all physical actions take place on the stage of the sensible world and here self-love, as the inclination to pursue happiness, is clearly at work. In another sense, however, this thesis is too vulgar and over-simplified. A clerk in a store makes an error and gives me back too much change, let us say one dollar, from my purchase. He does not know he has done so, and it will be hours before reconciling the cash register will reveal that an error has been made. By then I will be long gone and no one would ever know that it was I who, in effect, was the petty thief. Why, then, do I return the excess change? Out of concern for a stranger who may indeed have been rather rude in our transaction? Because one dollar doesn't matter enough to put up with a guilty conscience? If it doesn't matter enough, why indeed would I think I might feel guilty in the first place?

Those who hold with Rand's view (attacked by others as a philosophy of greed) would be correct if they were to say that choices are made on the grounds of *practical* interest. The fact is that the great majority of humankind are not antisocial personalities, and something must be at work if this is to be properly accounted for. As we saw in the previous section, the earliest maxims begin to form in infancy, and at a time when the infant has not yet come to form the idea of a Self. The increasingly more sophisticated maxims build upon the earlier ones and somewhere in this process the seeds of the child's moral realism we examined earlier must be planted. The question is: how is such a phenomenon possible in the first place? How, for example, is it possible that baby Jacqueline should come to feel distress unto tears because she could not finish her vegetables when she was sick and her parents took them away? Clearly, she was not *enjoying* her food; it was her failure to "eat like she ought to" that distressed her.

Evidence such as this betrays the *Dasein* of another and non-sensuous type of affective perception in the feeling of *Lust* or *Unlust*. Kant called this "non-sensuous feeling" **respect**:

But though respect is like a feeling, nevertheless it is not *received* through influence<sup>5</sup> but is *self-produced* feeling through an idea of reason and therefore specifically distinguished from all feelings of the former kind, which are brought by inclination or fear. What I know immediately as a law for myself I know with respect, which merely means the consciousness of the *subordination* of my will under a law without intervention of other influences on my sense. Immediate determination of will through law and the consciousness of the same is called respect, so that this is regarded as *effect* of the law on the subject and not as cause of the same. Respect is properly the representation of a value prejudicial to my self-love. Hence it is something which is regarded neither as object of inclination nor fear, though it has at the same time something analogous to both. The *object* of respect is hence

---

<sup>5</sup> That is, through influence from the external environment via receptivity.

exclusively the *law* and indeed that which we lay upon *our self* and yet as in itself necessary [KANT4b: 56fn (4: 401fn)].

There is, in other words, another source of affective perception arising from the spontaneity of the Organized Being instead of from receptivity. As the Organized Being comes to be able to construct, from experience, the intellectual practical formulas we call hypothetical imperatives, the laws it has made for itself can, of course, be prejudicial to self-love and in this context we can say, with Kant, that this feeling of respect is to be called “respect for the moral law.” Let us recognize, though, that when we add the word “moral” in front of the word “law” we are no longer speaking of metaphysics proper but, rather, Kant’s applied metaphysic of morals. The type of respect with which we are concerned here is more primitive than this and the law it involves is the categorical imperative orienting the determination of choice toward the Ideal of equilibration.

The occasion for the affective perception of respect always arises in the course of making a determination of choice, and therefore this occasion always involves material elements. As said earlier, no positive criterion for a reflective judgment of a pure and *a priori* ground of determination of choice can be made when the matter of this judgment is empirical and contingent. Only a *negative* criterion – something prejudicial to self-love – can have objective validity in such circumstances.

Respect and not pleasure or enjoyment of happiness is thus something for which no feeling preceding reason is possible as a fit ground (because this would be aesthetic and pathological), as consciousness of immediate constraint of will through law is hardly an analog of the feeling of *Lust*, although in relationship to the appetitive power it does just exactly the same thing but from another source [KANT4: 98 (5: 117)].

This “other source” is pure practical Reason, specifically the *Triebfeder* or mainspring of the categorical imperative, the regulating for the on-going perfection of equilibration, acting when the determination of choice fails to stand up to the criterion of practical universality. Piaget and the other psychologists whose works he cites talked of respect for the child’s authority figure (heteronomy) and for the child’s social companions (mutual respect). These are both derivative ideas since both must necessarily presuppose the formation of the child’s concepts of Self and not-Self. To these two denominations of the word respect we can now add a third, this one springing from pure practical Reason. In order to avoid the ambiguity of an admixture of metaphysics proper with Kant’s moral theory, we will use the term **self-respect** to denote the affective perception of the constraining regulation of pure practical Reason upon the inclinations of self-love. Kant did not employ this particular terminology; instead he moved back and forth between the terms respect and respect for the moral law, often somewhat ambiguously. By the adjective “self” in the term we will use hereafter, I do not mean self-respect in the usual sense of self-esteem but, rather, to denote that this affective perception originates solely from the

regulation of equilibration under the categorical imperative.

Vague terminology notwithstanding, Kant was very clear that the idea of respect is the idea of a spontaneous effect registered in affective perception that acts to confine the inclination toward self-love within limits so far as the determination of choice is concerned. To use his words, it “infringes upon self-love” when an action determined from the mainspring of the inclination to self-love is accompanied by the consciousness that this action is not expedient for practically universal equilibrium. For example, the activity may involve something unpleasant which, although this unpleasantness may be outweighed in the judgment of the Organized Being by whatever positive well-being it achieves, nonetheless constitutes a *disturbance* in the Organized Being’s effort to assimilate experience. The presentation of such a disturbance is presented in reflective judgment by a feeling of *Unlust*.

Pure practical Reason does not legislate how to solve this problem. It merely directs that the Organized Being attempt an accommodation in the structure of the act to re-equilibrate its practical structure. Here we have a connection between self-respect and Piaget’s type  $\alpha$  compensation behavior. The accommodation of *Unlust* is, at the most primitive level, cancellation since the purpose of Reason here is prevention or abolition of an object or state. What will be the manner of this accommodation rests in large part with the Subject’s knowledge of experience. In some cases, it may be the action itself is canceled; the Subject simply chooses not to do the action. In other cases, the structure of the act might be modified by a reciprocal assimilation (type  $\beta$  compensation behavior). Here in some cases it may simply be a matter of doing the action somewhat differently than originally structured; in other cases, though, this reciprocal assimilation may take an uglier form, e.g. conjoining the original activity with a determinant judgment that “justifies” the action. We see this, for instance, when someone justifies physically assaulting someone else “because he was asking for it” or “because he deserved it.”

The categorical imperative, as the formula of pure regulation, is not *per se* a moral law. It does, however, make possible the conceptualization of an idea of moral law as an ideal of speculative reasoning. The nature of such a law (an “I ought to”) and the possibility of learning to make a habit of adapting one’s intellectualized maxims toward consistent compliance with this idea, is what Kant’s moral philosophy attempts to explain and for which it attempts to provide a doctrine.

Now, a mere affective perception is not an appetite. If the perception of self-respect is to affect choice, this affective perception must be paired with a corresponding appetite. If this were not so, the inclinations of self-love could never be restrained by the mere affective perception of self-respect. This brings us to the topic of **conscience**:

Conscience is an instinct to direct oneself according to moral laws. It is no mere capacity but an instinct, not to judge but to direct oneself. We have a capacity to pass judgment on ourselves

according to moral laws. Yet of this capacity we can make use as we please. But conscience has a driving might to summon us before the tribunal against our will on account of our acts. Thus it is an instinct and not merely a capacity for judgment<sup>6</sup>. It is on its own an instinct to direct and not to judge [KANT11a: 130-131 (27: 351)].

In this quote, taken from Kant's 1784-1785 lectures on ethics, we have something of an admixture of ideas, partly directed at moral philosophy, partly involving metaphysics proper. When we "pass judgment on ourselves according to moral law," that which we call conscience is a manifestation of a pure instinct (conscience proper) responding to a cognition of a developed concept of right and wrong. If I think something is wrong to do but I do it anyway, the free play of imagination and understanding fails to harmonize, and this presents a disturbance to the practical structure of my system of maxims. The feeling of *Unlust* that results (self-respect) is the effect of the categorical imperative at work. The *instinct* of conscience is an appetite for actions in which the expedience is vested in bringing about some sort of accommodation, e.g. a *ratio-expression* (for instance, "rationalizing one's actions"), to restore equilibrium.

Kant was quite aware that there are people in this world (criminals) of whom it is said, "He has no conscience." In his lectures and his critical work he explains that this phenomenon is the product of that person making a habit of ignoring the voice of conscience. I think that here Kant gives in to the popular views of his day. Reason's interest is in a *practically* universal structure of laws, *howsoever this is achieved*. I have little doubt Kant thought everyone was subject to a conscience in the *moral* philosophy sense of that word. Modern psychological evidence indicates that the antisocial personality in fact does not hold the same regard for social *mores* as most people exhibit. This, however, is not a contradiction of our theory but, rather, is merely empirical evidence supporting the view of the categorical imperative we have taken here. So far as judgmentation is concerned, *we each make our own laws*, and the phenomenon of human diversity testifies to the variety with which a person's various dispositions must be expected to differ from one person to another. Our theory equally acknowledges, with Greenspan, that the early course of *affective* experience and upbringing cannot help but play an important role in the form that an individual's manifold of constructed laws and their conditions will take on.

### § 8.5 Conceptualizing Maxims and Hypothetical Imperatives

Cognitions enter in to the structuring of maxims at a very early stage of sensorimotor intelligence. For example, the infant learns after only a few weeks to distinguish the feel of skin from that of other objects in connection with the sucking reflex. Consider the following examples:

*Observation 4.-* Laurent at 0;0 (9) is lying in bed and seeks to suck, moving his head to the left and

---

<sup>6</sup> *Beurtheilung*. This is judgment in the sense of "rendering a judgment" and does not refer to one of the processes of determining, reflective, or practical judgment. It is the cooperation of all three.



to the right. Several times he rubs his lips with his hand which he immediately sucks. He knocks against a quilt and a wool coverlet; each time he sucks the object only to relinquish it after a moment and begins to cry again. When he sucks his hand he does not turn away from it as he seems to do with the woolens, but the hand itself escapes him through lack of coordination; he then immediately begins to hunt again.

*Observation 5.-* As soon as his cheek comes in contact with the breast, Laurent at 0;0 (12) applies himself to seeking until he finds drink. His search takes its bearings: immediately from the correct side, that is to say, where he experienced contact.

At 0;0 (20) he bites the breast which is given him, 5 cm. from the nipple. For a moment he sucks the skin which he lets go in order to move his mouth about 2 cm. As soon as he begins sucking again he stops. In one of his attempts he touches the nipple with the outside of his lips and he does not recognize it. But, when his search subsequently leads him to accidentally touch the nipple with the mucosa of the upper lip (his mouth being wide open), he at once adjusts his lips and begins to suck.

The same day, same experiment: after having sucked the skin for several seconds, he withdraws and begins to cry. Then he begins again, withdraws again, but without crying, and takes it again 1 cm. away; he keeps this up until he discovers the nipple [PIAG1: 26].

For an infant of this age, we certainly cannot say the baby has any well-defined object concepts. In other words, the body of evidence tells us that no such thought as, "Now, where is that nipple?" is going through the baby's mind. The child's cognition at this stage is a general and syncretic perception, most likely involving postural sensations as well as sensations of touch with the cheeks and lips and, quite likely, sensations of taste and smell as well. Put another way, the baby's cognition is a global *Obs.OS* (using the notation of Chapter 9). The child obviously has a purpose: he is hungry, a state of ill-being, and this state either is or has become connected with the sucking reflex. Previous successes and failures are teaching him to distinguish cognitions that do not suit the satisfaction he seeks (e.g. the sensations accompanying sucking the wool blanket) from those that have been associated with success in the past (e.g. the sensations experienced when sucking skin), and he soon even learns to distinguish the features of the nipple from other types of skin.

Sooner or later the child comes to develop higher levels of equilibration in the form of Type II interactions, as we discussed in Chapter 9. It is at this point where something new enters in to the overall structure of his schemes, namely the construction of inferences. Piaget calls these *Coord.S* and *Coord.O*, and they are not themselves Piagetian observables.

The coordinations are characterized by the inferences, implicit or explicit, which the subject considers or uses as if they imposed themselves on him, with all the indeterminate possibilities between subjective evidence and logical necessity. These necessary or pseudo-necessary inferences are not simply the result of inductive generalizations, hence the extension of a few verifications of observable relations to "all," but rather are constructions of new relations which go beyond the boundaries of the observable [PIAG19: 44-45].

For at least the first year to eighteen months of life, there is no question but that these inferences are of a completely practical nature. The baby does not engage in logical thinking in the adult sense of that word, and Piaget has shown very convincingly that, to use our terminology rather

than his, cognition is the servant of practical Reason in this stage. The child is not only a naive realist; he is a *practical* naive realist.

It is perhaps obvious enough why cognitions of the *Obs.OS*, *Obs.O*, and *Obs.S* varieties are necessary for practical acts to be possible. All our objective knowledge begins with experience and those elements of our knowledge *a priori* (the innate know-how of the Organized Being) lie dormant until called up through the receptivity of effects of the environment on the Organized Being. But what is the practical basis for inferences *Coord.S* and *Coord.O*? Given the infant's entirely practical focus on his world, it would be absurd to propose that the baby forms cognitions of inference for the pure and simple pleasure of making inferences; even toddlers and children up to the age of about 7 years do not appear to do that. What we commonly call logical reasoning is an acquired skill involving what we have been calling maxims of thinking. Therefore, it is clearly in evidence that we must seek a practical ground for the construction of inferences by determining judgment.

We can find the factual clues we need in those behavioral appearances that are indicative of what Piaget calls *nonbalance* in equilibrium. Like Kant, Piaget had an annoying habit of not providing definitions for many of his technical terms, but we can extract the meaning of the idea of nonbalance from the context of his use of the term. Piaget likens the equilibrium of a structure to the balance attained in biological systems by homeostasis (e.g. the regulation of body temperature, blood pressure, etc.) by which an organism maintains a stable internal milieu in the face of wide variations in the conditions of its environment. By analogy, the regulation of mental structures requires a balance between the process of assimilation (which is integrative) and that of accommodation (which differentiates). Assimilation incorporates substructures within the over-all structure and can do so, in effect, only by ignoring differences in the details between, say, a substructure  $A_1$  and another substructure  $A_2$ . Accommodation, on the other hand, is responsible for the making of these two substructures in the first place and in doing so takes into account the same differences in details that spawned this differentiation in the first place. Accommodation succeeds, however, only when the integrity of the cycle of the main structure,  $A$ , can be conserved in the process.

This conservation is required for equilibrium at the level of individual schemes, in the reciprocal assimilation and accommodation of subsystems, and in the integration of subsystems in the totality of the overall system of which they are a part. In all three cases of equilibrium, there is an element of negation implied. For example, Piaget described the equilibrium of a scheme  $A$  with its subschemes symbolically as:  $A = A_1 + A_2$ ;  $A_2 = A \cdot non - A_1$ ;  $A_1 = A \cdot non - A_2$  [PIAG19: 8-12]. However, the mere fact that negations such as Piaget represents with his *non- $A_1$*  notation are inherent in a structuring of systems that contain integrated subsystems does not mean that the negations underlying the differentiation are either recognized or well-represented.

Negations are not Piagetian observables. If I see you wearing a green sweater, my cognition is not, “My friend is wearing a non-red sweater”; if I burn myself by brushing against someone’s lit cigarette, my perception is not, “Ouch! That is non-cold.” From the practical Standpoint, it does not matter if the structure we’re talking about is a motor scheme (which is not a conscious representation) or if we’re talking about a cognitive structure such as the manifold of concepts. The regulation of structures through interactions proceeds first from the Type I interaction structure and only later to the Type II structure with its inferences *Coord.S* and *Coord.O*.

The answer [to the question of the origin of nonbalance] follows from the preceding remarks on negation and our previous research on contradiction; because the mind spontaneously concentrates on the affirmations and positive characteristics of objects, actions, or even operations, the negations are neglected or are constructed only secondarily and laboriously. Since they are required for every form of equilibration . . . they are achieved only after multiple difficulties and their elaboration requires long periods of time. We have no need, therefore, to postulate activity to produce the existence of initial profound nonbalance, as we postulate the necessity of an equilibrium by mutual conservations between differentiated elements. Nonbalance at the beginning is a fact, and since the search for coherence is another . . . we must explain the passage from the first to the second, which is the proper task of a theory of equilibration [PIAG19: 15].

Nonbalance, then, is a state of disequilibrium that results when the process of assimilation is resisted. Practically, this means that the existing structure (e.g. a sensorimotor action or a cognitive scheme) proves to be inadequate for dealing with or accomplishing the realization of the object of appetite. If the adaptation of the scheme fails, the cycle of adaptation is ruptured and the effort is abandoned (type  $\alpha$  compensation behavior); if it succeeds, then the accommodation produces re-equilibration in what Piaget calls a higher equilibrium. What this amounts to, in effect, is saying that the former equilibrium structure was in some sense only conditionally stable. In addition, this conditional stability can be traced directly to a previous failure to construct an adequate representation of the negations (differences) that differentiate the substructures.

This general characteristic of regulations - for lack of which we would be unable to see how the actions could be improved by their adjustment - makes it possible to give compensations a synthetic and formal definition: there is compensation when, in reply to a disturbance, a subject attempts to coordinate a situation's positive and negative characteristics; the compensation is complete when the implied negations correspond to all the affirmations . . .

. . . First, the reason for the initial nonbalance, resulting in the necessity for compensations, is the systematic primacy of the positive characteristic of observables and the assimilation at the beginning of affirmations almost exclusively, without negations. The first negations are imposed from without, in the form of exogenous disturbances, and the subject's first behaviors consist in countering them by suppressions or accommodations; hence we see type  $\alpha$  behaviors . . . Next the disturbances and the compensations are gradually internalized and integrated into the system (behavior types  $\beta$  and  $\gamma$ ).

First, the functional reason for the internalization is simple: the initial compensations are always incomplete because of the considerable spread between the affirmations and the negations and because of the necessity initially to construct them by means of inferential and logical coordinations . . . In other words, the regulations are insufficient, and the additional compensations which they require then produce the regulations of regulations whose existence constitutes *ipso facto* an internalization [PIAG19: 189-190].

There are three points Piaget makes in this conclusion that we need to clearly understand. First, it is precisely because Piagetian negations – the “things that are different” between schemes or substructures that make up the greater structure – are *not* observables that results in inferential coordinations (*Coord.S* and *Coord.O*) being required to achieve greater stability of structures. In the phenomenon of mind there is only one process capable of providing these coordinations, and that is the process of determining judgment. Practical Reason “has a need” to call upon speculative Reason in the service of the purpose of achieving the equilibrium mandated by the categorical imperative. In this context it is worthwhile for us to recall the general transcendental Ideas:

- 1) the general psychological Idea: the Idea of absolute unity of the thinking Subject;
- 2) the general cosmological Idea: the Idea of absolute completion in the series of conditions;
- 3) the general theological Idea: the Idea of absolute unity of the condition of all objects of thinking in general.

These Ideas are the regulative principles for speculative Reason’s employment of determining judgment. Earlier we called them schemata of reasoning. We can now see that, considered from the practical Standpoint, they are Ideas that not only serve the process of equilibration but, indeed, *express* through action in the cognitive sphere the mandates of the categorical imperative. Thus we may call the acts of speculative Reason *ratio-expression*.

Nothing in the immediately given data of the senses impels the construction of coordinations by the process of determining judgment. The rational *Triebfeder* for ideas is the categorical imperative acting through the regulation of understanding via the transcendental Ideas. The psychological Idea regulates for absolute (i.e. unconditioned) unity of the thinking Subject, and this Idea is one which requires unity of the subjective factors (affective perceptions and the judgments of the process of reflective judgment) with the objective factors (manifold of concepts). When the object of an idea is an activity, the idea presents the Organized Being’s answer to the practical interest of Reason expressed by Kant as the question, “What should I do?” These types of ideas are representations of actions, either as a rule of skill (“how should I do it?”) or as a pragmatic rule (rule of prudence). In either case, such ideas conceptualize maxims and representations of practical laws and we call them *theoretical* hypothetical imperatives.<sup>1</sup>

Furthermore, under the regulation of the psychological Idea these theoretical imperatives

---

<sup>1</sup> There is an important albeit subtle distinction we must make between ideas that conceptualize practical hypothetical imperatives and tenets constructed by practical judgment. The latter are obscure representations, the former representations of understanding. One can have an idea of a theoretically categorical imperative, but the tenet that is the object of this idea is a law under the formula of a practical hypothetical imperative. We will discuss this more in Chapter 20.

must stand in connection with the representations of reflective judgment and consequently they acquire significance for the judgment of the well-being and ill-being of the Subject as these are conceptualized in relationship to acts. Now, the Critical idea of good is the idea of a necessary Object of the appetitive power; evil is the idea of a necessary Object of detestation (appetitive power determined to oppose the actuality of the object). But here we must remember that the word “necessary” in this *Realerklärung* denotes necessitation. The practical tenet is *held-to-be-binding* by the Subject. We can see here that good and evil are not only Objects of practical Reason but, operationally, they are *functions* of the causality of freedom.

The object of an idea can never be completely exhibited in cognition (because such an object is always a *noumenon*). In regard to the hypothetical imperatives, these ideas help to regulate and structure the Organized Being’s practical maxims and their effect is to achieve what Piaget called higher and better equilibrium in the Organized Being’s system of structures. Improved balance (i.e. the higher equilibrium) does not, however, mean complete balance. Compensation behaviors work only toward the resolution of the current disturbances by improvement of the scheme, but this alone cannot guarantee that the resulting structure will prove capable of assimilating all future events that may arise in experience. This is another of the points Piaget alluded to above. A hypothetical imperative that is interiorized as the representation of a rule of regulations is productive for the planning of action schemes that are more generalized, but not necessarily universalized. This works through cognition of the negations that inherently accompany the positive character of *specific* observables. Consider Kant’s first verbal description of the categorical imperative: “Act so that the maxim of your will always can hold good at the same time as a principle of universal legislation”. This statement of a *theoretical* principle for evaluating maxims contains an implication that the thinking Subject can evaluate negations, i.e. be conscious of possible results arising from the application of a maxim that would contradict the universality of the maxim. Although this theoretical “law” is stated positively and derived by abstracting from the material representations of specific actions, it carries an implied negation: “if *x* then non-universal.” *Theoretical* categorical imperatives are *practically hypothetical*.

The various descriptions we quoted earlier that Kant set down for the categorical imperative have been criticized by moral philosophers, and rightly so, as not providing a “truly universal law” for determining what is required for an act to be “morally right.” Nell, for example, holds that Kant’s moral philosophy succeeds in the realm of ethics but is “vulnerable” when it comes to the theory of right [NELL]. He writes:

It was assumed that it could be discovered when an agent's maxim was inappropriate to his situation or to his act, or when the agent was acting on the basis of a mistaken means/ ends judgment. But when we act we are not in that position. Once all reasonable care has been taken to avoid ignorance, bias, or self-deception, an agent can do nothing more to determine that his maxim does not match his situation. Once an agent has acted on his maxim attentively, he can do no more to ensure that his

act lives up to his maxim. We cannot choose to succeed, but only to strive. Once he has taken due care to get his means/ ends judgments right, he can do nothing further to ensure that they are right. Agents are not simultaneously their own spectators. In contexts of actions they cannot go behind their own maxims and beliefs. We can make right decisions, but not guarantee right acts [NELL: 127].

This criticism is correct so far as it goes. However, what we can see from the theory presented here is that it is not the categorical imperative that is presented in understanding in full and complete exhibition. All ideas of imperatives in human understanding are “categorical” only so long as the rule about maxims they represent is not contradicted in the Subject’s experience. As Piaget pointed out, structures can never be *completed* but only *equilibrated*. Absolute completion is perfection, and perfection is an Ideal of Reason.

On the other hand, until experience, either actual or conceptualized as possible, demonstrates “nonbalance” in the theoretical imperative, the Subject will hold that the means this imperative represents are “good means” and universal objects for appetitive power. For the young child, whose cognitions are syncretic and whose reasoning skills are not yet very highly developed in comparison with those of an adult, the holding-to-be-binding leads to the moral realism of the child we discussed earlier. Consider, for example, Piaget’s interrogatory of young Chap who, as we saw earlier, held that he had “lied” when he failed to correctly guess Piaget’s age even though, as he rushed to point out, he “didn’t do it on purpose.” Like other children of his age, Chap fails to morally distinguish between a lie and a mistake. Both ideas are contained under the same more general concept of the rule that “it-is-wrong-to-say-what-isn’t-true.” It is only in relationship to other ideas, such as the “degree of naughtiness” involved or whether punishment should be meted out, where he is able to draw a distinction. These, however, are other and *juxtaposed* theoretical imperatives.

It is the development of ideas of hypothetical imperatives that makes possible the type  $\gamma$  compensation behaviors (anticipation of variations and the reversibility of schemes, which Piaget expresses symbolically as  $T \cdot A \Rightarrow T^{-1} \cdot T \cdot A$ ). This, we recall from Chapter 9, is the compensation behavior that promotes the progressive equilibration between differentiation and integration by which practical subsystems are united. This is a “superior” form of compensation. It is not merely the reciprocal assimilation that coordinates Piagetian subsystems, but rather is compensation via a synthesis of type  $\alpha$  and type  $\beta$  compensation behaviors *uniting* Piagetian subsystems in a systematic organization of the general structure of which they are a part. To put it more simply, theoretical hypothetical imperatives provide the *cognitive* structure needed to fully coordinate the three processes of judgment (practical, reflective, and determining) in structuring the manifold of rules so far as the practical determination of choice is concerned.

But such ideas can mean nothing to the Organized Being without the intervention of affectivity. Let us, therefore, leave the practical Standpoint for now and examine the judicial.