

# Transcendental idealism and Kant's reconciliation of determinism and libertarianism

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*Kant famously argues that transcendental idealism allows us to solve the problem of free will. The basic outlines of the solution are as follows: while freedom and determinism are incompatible, we can consistently predicate them of one and the same being if we take the former to be a quality of the human being as it is in itself and the latter a quality of the human being as it appears. In this paper, I look at three different readings of transcendental idealism—the two-object reading, the two-property reading, and the epistemological reading—and argue that none of them—at least in their standard forms—are able to make sense of this solution. I then draw on my alternative, semantic reading of transcendental idealism to propose a new way of understanding Kant's solution.*

**Keywords:** Kant; transcendental idealism; libertarianism; determinism; mode of presentation.

## I. Introduction

The distinction between appearances and things in themselves (henceforth, 'the transcendental distinction') is at the heart of transcendental idealism, the philosophical system put forward by Kant in the *Critique of Pure Reason*.<sup>1</sup> The transcendental distinction figures prominently in a number of key doctrines

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<sup>1</sup>References to the *Critique of Pure Reason* adhere to the customary practice of citing the page number in the A edition of 1781, followed by the page number in the B edition of 1787. References to other works by Kant give an abbreviation of the title of the source, followed by the volume and page number in the 'Akademie' edition of Kant's works, *Kants gesammelte Schriften*, edited by the Berlin-Brandenburg Academy of Sciences. The following abbreviations have been used:

associated with the first *Critique*, including the doctrine of noumenal ignorance, according to which we can only cognize things as they appear, not as they are in themselves, and the doctrine of the transcendental ideality of space and time, according to which space and time are nothing but the forms of our sensibility, and, thus, are features of only appearances, not things in themselves. The transcendental distinction also plays a key role in Kant's resolution of the Antinomies of Pure Reason in the *Transcendental Dialectic*, where, among other things, it is enlisted in Kant's solution to the problem of free will.

Readings of the transcendental distinction generally fall into two camps. *Metaphysical* readings take the transcendental distinction to be a metaphysical distinction, while *epistemological* readings deny that it is a metaphysical distinction. The claim that the transcendental distinction is a metaphysical distinction tends to be fleshed out in one of two ways. *Two-object* readers take the transcendental distinction to be a distinction between different classes of entities, while *two-property* readers take the transcendental distinction to be a distinction between different classes of properties.<sup>2</sup> Epistemological readers, by contrast, take the transcendental distinction to concern, not different classes of entities or properties, but merely different ways of considering things.<sup>3</sup> Insofar as they do not take the transcendental distinction concern different classes of entities, both two-property readers and epistemological readers can be characterized as 'one-object' readers.

In this paper, I aim to examine the viability of these different readings with an eye to Kant's solution to the problem of free will. I will start by looking at Kant's formulation of the problem of free will and his solution to it (Section II). I will then argue that none of the three kinds of reading listed above can—at least in their standard forms—make sense of the basic outlines of Kant's solution (Section III). Finally, I will draw on an alternative, semantic reading of the transcendental distinction to propose a new way of understanding the solution (Section IV). The semantic reading is a kind of cross between the epistemological and two-property readings: in the theoretical context, it advocates a deflationary understanding of the transcendental distinction, akin to that put forward by the epistemological reading. In the practical context,

*KpV* (*Critique of Practical Reason*); *ProI* (*Prolegomena*); *GMS* (*Groundwork to the Metaphysics of Morals*); *KU* (*Critique of the Power of Judgment*); *ÜE* (*On a Discovery*); *Met-L<sub>1</sub>* (*Metaphysik L<sub>1</sub>*); *Met-K<sub>3</sub>* (*Metaphysik K<sub>3</sub>*). Unless otherwise noted, all translations will be from *The Cambridge Edition of the Works of Immanuel Kant* (edited by Paul Guyer and Allen Wood, 1992–).

<sup>2</sup>See Van Cleve (1999) and Jauernig (2021) as examples of two-object readings, and Langton (1998) and Allais (2015) as examples of two-property readings.

<sup>3</sup>See Allison (2004), Bird (1962), and Matthews (1969) as examples of the epistemological reading. While Prauss (1974) can't straightforwardly be characterized as an epistemological reader, his textual argument for the view that the locution 'things in themselves' [*Dinge an sich* or *Dinge an sich selbst*] should be read as a shorthand for 'things considered as they are in themselves' [*Dinge an sich selbst betrachtet*] has been widely taken up by epistemological readers.

it takes the transcendental distinction to be a distinction between two classes of intentional properties, those which things have as the objects of sensible intuition and those they have as the objects of intellectual intuition.

## II. Kant's Solution to the Problem of Free Will

As is well-known, Kant thinks that moral responsibility presupposes freedom.<sup>4</sup> He also thinks that freedom of the kind required for moral responsibility is incompatible with causal determinism of the kind found in the natural world.<sup>5</sup> (Following Kant, I will refer to this kind of determinism as 'natural necessity'.) Different notions of freedom can be found in the Critical writings, including transcendental freedom, practical freedom, positive freedom, and negative freedom. There are interesting and intricate connections between these different notions: practical freedom seems to presuppose transcendental freedom (A534/B562), and positive freedom seems to presuppose negative freedom (*GMS* 4:446).<sup>6</sup> Insofar as we are concerned with Kant's solution to the problem of free will, the notion we are going to be preoccupied with is *transcendental* freedom, which Kant characterizes as 'absolute spontaneity' (A448/B476) and 'independence from everything empirical and so from nature generally' (*KpV* 5:97). Because transcendental freedom is the only kind of freedom that is going to concern us, I am going to drop the 'transcendental' qualifier and just refer to it as 'freedom'.

Since he thinks freedom requires the absence of causal determinism, Kant would be classified as an incompatibilist in the contemporary taxonomy of positions in the free will debate.<sup>7</sup> But while incompatibilists normally divide into two mutually exclusive groups—libertarians, who deny determinism, and determinists, who deny freedom—Kant wants to affirm *both* that we are free

<sup>4</sup>This is most clear in the second *Critique*, where Kant characterizes freedom as the '*ratio essendi*' of the moral law (5:5n). See also Bxxix, A555/B583; *GMS* 4:447; *KpV* 5:47, 5:96–7. There are philosophers who disagree with the view that moral responsibility presupposes freedom—see Arpaly (2006). In this paper, I am not concerned with the question of the correctness of this view; only with how, assuming it is correct, we can make sense of Kant's reconciliation of determinism and, as we will momentarily see, a libertarian conception of freedom.

<sup>5</sup>See, for instance, A533-4/B561-2, where transcendental freedom is characterized as requiring the absence of 'another cause determining it in time in accordance with the law of nature', and practical freedom is characterized as presupposing transcendental freedom. See also Bxxvii, where subjection to natural necessity is said to entail the absence of freedom.

<sup>6</sup>See Wood (1984) for a more detailed discussion of how these different notions relate to one another.

<sup>7</sup>Because Kant claims that the transcendental distinction allows us to consistently predicate freedom and subjection to natural necessity of the human being, he has been characterized as a compatibilist by some readers—for example, Hudson (1994). But whether or not one is a compatibilist is a matter of one's conception of freedom, and it is clear that Kant had an incompatibilist conception of freedom: he famously likens the kind of freedom left to our will in a deterministic system to 'the freedom of a turnspit' (*KpV* 5:97).

in a libertarian sense, *and* that the natural world is deterministic through and through. This may sound like an impossible goal, but Kant maintains that the transcendental distinction allows us to accomplish it. He maintains, in other words, that the transcendental distinction allows us to reconcile libertarianism with determinism.<sup>8</sup> To see how this solution is supposed to work, let us look at a few passages from the *Critique of Pure Reason* and the *Critique of Practical Reason*, beginning with the former.

[I]f we were to assume that the distinction between things as objects of experience and the very same things as things in themselves, which our critique has made necessary, were not made at all, then [...] I would not be able to say of one and the same thing, e.g., the human soul, that its will is free and yet that it is simultaneously subject to natural necessity, i.e., that it is not free, without falling into an obvious contradiction. (Bxxvii)

In this famous passage from the B preface, Kant says that if we did not distinguish between appearances and things in themselves, we would not be able to say of the human soul both that its will is free and that its will is subject to natural necessity without falling into a contradiction, because being subject to natural necessity entails not being free. This is just a restatement of the problem: it is contradictory to say that the will is subject to natural necessity and the will is free, and if we neglect to distinguish between appearances and things in themselves, this contradiction is unavoidable. Kant goes on:

But if the critique has not erred in teaching that the object should be taken in a twofold meaning, namely as appearance or as thing in itself [...] then just the same will is thought of in the appearance (in visible actions) as necessarily subject to the law of nature and to this extent **not free**, while yet on the other hand it is thought of as belonging to a thing in itself as not subject to that law, and hence **free**, without any contradiction hereby occurring. (Bxxvii – Bxxviii)

If we distinguish between appearances and things in themselves, Kant goes on to say, then we can avoid the aforementioned contradiction. In other words, the contradiction between the claim that the will is subject to natural necessity and the claim that the will is free disappears if we qualify our claims, such that what we're saying is that, *as belonging to an appearance*, the will is subject to natural necessity, and *as belonging to a thing in itself*, the will is free. In keeping with Kant's own terminology, we can adopt the following, more simplified reformulation of the resulting claims:

- (1) The human being is subject to natural necessity as it appears.
- (2) The human being is free as it is in itself.<sup>9</sup>

<sup>8</sup>This helpful framing is adopted from Kohl (2016).

<sup>9</sup>Note that this reformulation does not prejudge the matter in favor of a particular reading of the transcendental distinction: depending on what part of the sentence we take the 'as it appears' and 'as it is in itself' qualifiers to modify, we end up with different readings of the transcendental distinction.

The discussion in the B preface is a preview of Kant's more extensive treatment of the problem of free will, which happens in a section of the first *Critique* called 'The Antinomies of Pure Reason'. The antinomies are pairs of contradictory claims about the nature of the world that, according to Kant, reason's demand for complete explanations gives rise to.<sup>10</sup> Kant's claim in this section of the *Critique* is that the transcendental distinction (and only the transcendental distinction) allows us to resolve or otherwise overcome these conflicts (A506/B534; see also *Prolegomena* 4:339–40).

Each antinomy is comprised of a thesis and an antithesis, which express, broadly speaking, rationalist and empiricist approaches to metaphysical questions, such as the question of whether the world is finite or infinite in size, or whether matter is infinitely or only finitely divisible (A415/B443). The antinomy that concerns us is the third one, with a thesis that states that not all causality in the world is deterministic, but there is also nondeterministic causality, or causality through freedom (A444/B472), and an antithesis that states that there is no freedom, and everything in the world happens solely in accordance with the laws of nature (A445/B473). There are a number of puzzles as far as Kant's arguments (on behalf of the rationalist and the empiricist) for the thesis and antithesis sides are concerned, but, for the purposes of this paper, I'm going to assume the arguments go through, and just look at the resolution of the antinomy.

Kant takes his arguments in the earlier parts of the *Critique* to have established that something like the antithesis is true of the empirical world, which is to say, the world of appearances: in the section known as The Analogies of Experience, he claims to establish that it is a condition of the possibility of experience that every event has a cause from which it follows in accordance with a rule (A189/B232). Since things in themselves are not objects of experience, however, we can consistently take the antithesis to be true of appearances and the thesis to be true of things in themselves—in particular, we can take the thesis to be true of beings with reason, since, according to Kant, rationality is a prerequisite of freedom (A534/B562).

Of course, given that we can't cognize things as they are in themselves, we don't have any warrant for *affirming* that the thesis is true of things in themselves. Kant's reconciliation of freedom and natural necessity merely involves showing that freedom and natural necessity *can* co-exist, not that they *do* co-exist. What the resolution establishes is, thus, that affirming causal

<sup>10</sup>Seeking 'complete explanations' (A616/B644) is the imperative of what Kant calls the 'supreme principle of pure reason' (A308/B365), according to which 'when the conditioned is given, then so is the whole series of conditions subordinated one to the other, which is itself unconditioned, also given' (A307–8/B364). The Antinomies in particular are the results of applying this demand to the objective synthesis of appearances in hypothetical syllogisms (A406–7/B433).

determinism in the natural world *need not come at the cost of* denying human freedom.<sup>11</sup>

This is where Kant picks up his discussion of freedom in the second *Critique*. But whereas the first *Critique* left us in a position of agnosticism regarding human freedom—it established the *possibility* of human freedom in a deterministic world, but not its *actuality*—in the second *Critique* Kant gives *practical proof* of the reality of human freedom. Very briefly, Kant takes our consciousness of the moral law to be what he calls ‘a fact of reason’ (*KpV* 5:31), and takes our freedom to follow directly from that fact:

[T]he moral law, which itself has no need of justifying grounds, proves not only the possibility but the reality [of freedom] in beings who cognize this law as binding upon them. (*KpV* 5:47)

This is a *practical* proof of freedom because it does not involve any data from the sensible world, but rather draws on data from practical reason (namely, our consciousness of the moral law). The notion of a practical proof might strike readers unfamiliar with Kant as odd: as we just saw, in the first *Critique* Kant makes the case that our inability to cognize things as they are in themselves means that we cannot know whether or not we are free. In the Critical framework, however, this stricture only concerns *theoretical* knowledge: it means that we can have no *theoretical* grounds to affirm or deny human freedom. It turns out, however, that we can have *practical* grounds to affirm our freedom: while the question of our freedom is, as Marcus Willaschek has put it, ‘theoretically undecidable’, we have practical license, according to Kant, to answer it in the positive (2010: 169). The important thing to note here is that the claim that we are free as we are in ourselves is a claim with a theoretical content, but our justification for affirming it is practical. (The content is theoretical insofar as it concerns what *is* the case, not what *ought* to be the case.) Since our grounds for affirming human freedom are only practical, human freedom is not supposed to play any role in our theoretical explanations of the world: we are supposed to go on explaining the natural world purely deterministically (*KpV* 5:57,133–5).<sup>12</sup>

<sup>11</sup>According to readers like Allison (1990), Ameriks (2000), and Guyer (2021), contrary to what he seems to suggest in his resolution of the third antinomy, Kant is still committed to the possibility of a theoretical proof of transcendental freedom when writing the first *Critique*. It’s certainly true that the *Groundwork of the Metaphysics of Morals*—written in 1785, between the publication of the first and second editions of the first *Critique*—seems to offer just such a proof (*GMS* 4:447–8). There is broad consensus, however, that by the time he writes the second *Critique* (1788), Kant thinks that transcendental freedom can only be established on practical grounds.

<sup>12</sup>It should be noted that Kant complicates this picture in the third *Critique* by denying that organized beings can be explained in purely mechanical terms and arguing that teleological considerations must be invoked in accounting for them (*KU* §§64–65). This results in an ‘antinomy of the power of judgement’, which he resolves by characterizing the conflicting mechanical and teleological principles for the explanation of material things as regulative rather than constitutive (*KU* §§70–1).

Beyond this practical proof of the reality of freedom, Kant adopts more or less the same model of the relation between freedom and determinism in the second *Critique*: he suggests that the human being as it appears is subject to natural necessity, and the human being as it is in itself is free, though he typically states this using the language of 'the sensible world' and 'the intelligible world'. Here is a representative passage:

[Consciousness of the moral law] is inseparably connected with, and indeed identical with, consciousness of freedom of the will, whereby the will of a rational being that, as belonging to the sensible world, cognizes itself as, like other efficient causes, necessarily subject to laws of causality... is also conscious of itself on another side, namely as a being in itself, conscious of its existence as determinable in an intelligible order of things. (*KpV* 5:42)

Kant is saying that as a member of the sensible world, the human being is subject to natural necessity, and as a member of the intelligible world (or the intelligible order), the human being is free. Since talk of the sensible and the intelligible worlds is largely a proxy for talk of appearances and things in themselves, this basically amounts to saying that the human being is subject to natural necessity as it appears, and the human being is free as it is in itself.

### III. Making Sense of Kant's Solution: Three Unsuccessful Attempts

In this section, I am going to look at the three different readings of the transcendental distinction mentioned in the introduction, and make the case that none of them—at least in their standard forms—can make sense of the basic outlines of Kant's solution to the problem of free will. I will start with the two-object reading (III.1), and then go on to look at the two-property reading (III.2) and the epistemological reading (III.3).

#### III.1 The Two-Object Reading

On the two-object reading, recall, the transcendental distinction is a distinction between different classes of things. On this reading, when we consider humans as they appear, we are concerned with one class of things—call them *phenomenal humans*—and when we consider humans as they are in themselves, we are concerned with another class of things—call them *noumenal humans*. Phenomenal humans are appearances and members of the sensible world. Noumenal humans, by contrast, are things in themselves and members of the intelligible world. On this reading, when we say 'as a member of the intelligible world, the human being is free' what we mean is that *the noumenal human* is free, and when we say 'as a member of the sensible world, the human being

is subject to natural necessity' what we mean is that *the phenomenal human* is subject to natural necessity.

The main issue with this way of reading Kant's solution to the free will problem is that it goes against his insistence that it is 'one and the same' or 'the very same' being that can be characterized as both free and subject to natural necessity depending on how we consider it (Bxxvii; *KpV* 5:6, 95, 97, 114.). This is not merely a textual point: there are important philosophical reasons for wanting to preserve the identity of the phenomenal and noumenal subject. After all, we wanted to resolve the contradiction between free will and determinism in order to preserve moral responsibility. If we take the noumenal subject to be distinct from the phenomenal subject, then, it would seem, we can only impute moral responsibility to the former, not the latter. Even if we follow most present-day two-object readers in taking the noumenal subject to be the ground of the phenomenal subject, so that the actions of the latter could ultimately be imputed to the former, it is still not clear why we should treat the phenomenal subject as in any way responsible for its actions if it is only doing the bidding of the noumenal subject.<sup>13</sup>

A more promising version of the two-object reading maintains that the human being is a complex entity, made up of phenomenal and noumenal parts.<sup>14</sup> Such a picture is better able to accommodate Kant's contention that it is one and the same thing that can be considered both as it appears and as it is in itself. However, it still sits uncomfortably with his insistence that the human being is both free and subject to natural necessity depending on how we consider it: a property had by a proper part of a whole cannot, on that account, be attributed to the whole itself. On the modified two-object picture, there is a proper part of the human being that is free, and a (distinct) proper part that is subject to natural necessity, but the human being itself is neither free nor subject to natural necessity. The proponent of the modified two-object reading might object that it is not the human being that Kant characterizes as free, but the human being *as it is in itself*, and that the modified two-object picture delivers on this claim by equating the human being as it is in itself with the noumenal part of the human being. This is true, but Kant maintains that there is some one thing such that *it* is free or subject to natural necessity depending on how we consider it; only on such a picture, it seems to me, would we be able to coherently ascribe moral responsibility to the phenomenal subject.

<sup>13</sup>As Beck puts it, 'We assume the freedom of the noumenal man, but we hang the phenomenal man' (1987, 42). While he makes no reference to moral responsibility *per se*, Adams (1997, 820) also seems to think that Kant's solution to the problem of free will requires us to identify the noumenal and phenomenal subjects.

<sup>14</sup>Walker (2010, 836) and Jauernig (2021, 286–9) both propose such an account, though for different reasons. Walker's proposal follows his observation that the preservation of moral responsibility requires positing 'something very like an identity' between the noumenal agent and the phenomenal human being. Jauernig, by contrast, is primarily concerned with the intuition that 'each one of us is only one and not two' (286).



The modified version of the two-object reading is no more suited to meeting this demand than the original version was.<sup>15</sup>

### III.2 The Two-Property Reading

So much, then, for the two-object reading. I am now going to look at whether standard formulations of the two-property reading can make sense of Kant's solution to the free will problem. The two-property reading, recall, is the reading according to which the transcendental distinction is a distinction between different classes of properties. This means that in considering the human being as it appears, we are concerned with one class of properties—call them *phenomenal* properties—and in considering the human being as it is in itself, we are concerned with another class of properties—call them *noumenal* properties. Being subject to natural necessity is a phenomenal property of the human being, and being free is a noumenal property of the human being.

Now, as we've seen, Kant thinks that being free and being subject to natural necessity are incompatible, and he also thinks that the transcendental distinction somehow allows us to consistently predicate freedom and natural necessity of the same subject. The way the standard two-property reader construes the transcendental distinction is by taking phenomenal properties to be the relational or extrinsic properties of things, and taking noumenal properties to be the categorical or intrinsic properties of things.<sup>16</sup> So, on the standard two-property reading, being subject to natural necessity is a relational or extrinsic property of the human being, and being free is a nonrelational or intrinsic property of the human being. But if, as Kant maintains, freedom and subjection to natural necessity are incompatible, why would classifying the former as intrinsic and the latter as extrinsic allow us to consistently predicate them of the same subject? That is, why would reclassifying two incompatible properties render them compatible?

To get a better idea of the problem here, it would be helpful to consider a superficially similar case as a point of contrast. Consider the difference be-

<sup>15</sup>There are other reasons to be skeptical of the view of the human being as a composite of phenomenal and noumenal parts. We might, for instance, find the idea that a ground and what it grounds can be parts of a single whole intuitively questionable. (In this connection, see Marshall (2013, 435), who argues that even extremely permissive conceptions of composition fall short of what the two-object reader needs in order to claim that distinct phenomenal and noumenal parts compose a single self.) Moreover, Kant typically speaks of composition as a relation that can only hold between spatiotemporal objects: in the Paralogisms, for instance, he writes that terms like extended, impenetrable, and composite [*zusammengesetzt*] are 'predicates that pertains only to sensibility and its intuition,' going on to suggest that such terms are 'predicates of outer appearances' and 'cannot be applied to' things considered in themselves (A358; see also B201n). If that is right, then there is no straightforward sense in which phenomenal and noumenal parts can be said to jointly 'compose' an object.

<sup>16</sup>As examples, see Langton (1998) and Allais (2015), who model the transcendental distinction on the extrinsic/intrinsic and relational/intrinsic distinctions, respectively.

tween intrinsic and extrinsic value or goodness. If we fail to specify whether an instance of goodness is intrinsic or extrinsic, we might be mistakenly led to take two otherwise compatible claims to be incompatible. For instance, suppose that I believe reading Kant is intrinsically valuable, and you believe that reading Kant has no extrinsic value. If we fail to specify the kind of value that we each take reading Kant to have and lack, we might be led to think that we have incompatible beliefs. But this is simply a case of ambiguity: being good intrinsically is not really incompatible with not being good extrinsically.

By contrast, Kant clearly takes freedom to be *really* incompatible with subjection to natural necessity: he has a libertarian conception of freedom. However we flesh out the transcendental distinction, we need to be able to make sense of the idea that, in the case of freedom, the property that the subject has as it is in itself is *the very same property* that it lacks as it appears. By contrast, intrinsic and extrinsic values are distinct properties: only ambiguity and under-specification can lead us to think that they are the same property. It seems to me that all cases of removing contradictions by reclassifying properties must involve ambiguities of this kind. If that is right, then the standard two-property reading is unable to make sense of Kant's solution to the third antinomy. Either it must maintain that freedom and natural necessity are not, in fact, incompatible, and were only thought to be so due to ambiguity, or else it fails to actually overcome the contradiction that Kant tells us the transcendental distinction allows us to overcome.<sup>17</sup>

### III.3 The Epistemological Reading

Let us now consider the epistemological reading. To refresh your memory, the core claim of the epistemological reading is that the transcendental distinction is not a metaphysical distinction but a distinction between different ways of considering things. The proponents of this claim mean the 'not metaphysical' part quite literally: they deny there being any metaphysical import to Kant's transcendental idealism, and treat it as a doctrine exclusively

<sup>17</sup>Readers might wonder if Andrew Chignell's one-world phenomenalism (2022), according to which the transcendental distinction is a distinction between the properties things 'really' have and the properties they only appear to have, is better able to make sense of Kant's solution to the problem of free will. I do not think that it does. According to Chignell, moral properties like freedom are 'straddlers', meaning they are both noumenal and phenomenal. Insofar as being subject to natural necessity is a phenomenal property—albeit a non-straddling, *merely* phenomenal one—Chignell's reading has the unwelcome consequence that the human being has incompatible phenomenal properties. Recognizing that this is a problem, Chignell notes that the judgement that we are subject to natural necessity is 'noumenally false' (354). It's not clear how this solves the problem, though, since, as Chignell himself recognizes, it leaves intact the incompatibility at the phenomenal level: the human being appears free, and the human being appears subject to natural necessity, and, thus, not free.

concerned with our epistemic access to the world.<sup>18</sup> What this means in practice is that they very much deflate Kant's talk of 'things in themselves', and take such talk to only play a methodological role: on Henry Allison's canonical formulation of the epistemological reading, to consider things as they are in themselves is to simply consider them in abstraction from 'the conditions of our cognition'.<sup>19</sup>

The standard way these readers have made sense of Kant's solution to the problem of free will is by appeal to the notion of standpoints. According to readers from Lewis White Beck to Henry Allison to Christine Korsgaard, the distinction between the sensible and the intelligible worlds that Kant invokes in the practical writings is to be understood as a distinction between two standpoints.<sup>20</sup> These two standpoints, typically called the theoretical and the practical standpoints, have been understood as the standpoints that we assume as, respectively, 'spectators' and 'actors' in the world, the first 'explanatory' and the second 'normative'.<sup>21</sup> On this reading, Kant solves the free will problem by indexing freedom and subjection to natural necessity to different standpoints: we are subject to natural necessity from the theoretical standpoint, and we are free from the practical standpoint. The two standpoints cannot be occupied at once, so there is never a context in which we have to both affirm and deny that we are free.

The deflationary picture defended by such readers might seem innocuous enough, though we may be uneasy about the fact that it leaves no room for a standpoint-independent fact of the matter about human freedom.<sup>22</sup> I'd like to suggest, though, that it faces a more serious difficulty. The problem starts to appear if we try to flesh out what exactly a standpoint is. According to Allison, we can understand standpoint talk in terms of Michael Dummett's notion of warranted assertability: to say that we are free from the practical standpoint is to say that 'freedom is only assertible from a practical point of view'.<sup>23</sup> Allison goes on to suggest that the warrant in question concerns the justification of our assertions: to be warranted in asserting something from the practical standpoint is to assert it on the basis of practical justification. As we

<sup>18</sup>Thus, Allison (2006) suggests that transcendental idealism should not be understood as a metaphysical doctrine, and argues that Kant's solution to the problem of free will is not metaphysical in nature but simply concerns norms of assertion (18). Likewise, Korsgaard (1996) seems quite concerned with showing that accepting Kant's account of agency does not hinge on buying into any 'spooky' metaphysical claims.

<sup>19</sup>Allison (2004, 18).

<sup>20</sup>See Allison (2006), Korsgaard (1996), and Beck (1975).

<sup>21</sup>See Beck (1963, 193) and Korsgaard (1996, 173), respectively. Beck develops this reading of Kant into an independent account of rational agency in his *The Actor and the Spectator*. For another account of agency inspired by an epistemological reading of the transcendental distinction, see Bok (1998).

<sup>22</sup>According to Allison (2004, 47–8) and (2013, 296–8), this is precisely the point of a non-metaphysical reading of Kant's account of freedom.

<sup>23</sup>Allison (2004, 48).

saw earlier, Kant does, indeed, claim that our justification for affirming our freedom is practical, and distinguishes such justification from theoretical justification. But if we take our freedom as members of the intelligible world to consist in the fact that we are free from the practical standpoint, and take the claim that we are free from the practical standpoint to mean that we are practically justified in believing that we are free, then we fail to actually resolve the conflict between freedom and necessity. After all, the contradiction between P and not-P does not disappear if we simply maintain that our justification for affirming P is different in kind from our justification for denying it: whether or not two propositions are contradictory is not a matter of our justification for holding them.

What about the common refrain that the theoretical and practical standpoints cannot be occupied at the same time? If to occupy a standpoint is to simply invoke a certain kind of justification, then to say the two standpoints cannot be occupied at the same time is just to say that the two kinds of justification can't be invoked at the same time. Even if we grant this—which we certainly don't have to—it does not get us very far: even if the original epistemological picture does not commit us to an outright contradiction (in the form of having us simultaneously affirm and deny that we are free) it, at the very least, leaves us vulnerable to the charge of irrationality by saddling us with incompatible beliefs—namely, the belief that we are free (held on a practical basis) and the belief that we are not free (held on a theoretical basis).<sup>24</sup>

Indeed, if we look more carefully at how practical justification is supposed to work in transcendental idealism, we realize that we are practically justified to believe that P only if we are *not* theoretically justified to believe that not-P: that is, we are practically justified to believe only those propositions that are theoretically *undecidable*. If we are practically justified to believe that we are free and theoretically justified to believe that we are not free, then reason is in a stalemate—and Kant's point in claiming that the transcendental distinction resolves the antinomy of freedom and determinism is precisely that the transcendental distinction allows us to *avoid* this kind of stalemate. So, the claim that we are practically justified to believe is not that we are free, *simpliciter*, but that we are free *as we are in ourselves*: this is the claim that is theoretically undecidable. Practical justification only applies to claims about the intelligible world, so the very distinction between the sensible and the intelligible worlds cannot be understood as a distinction between two types of justification. Accordingly, the epistemological reading is not able to make sense of Kant's solution to the free will problem.

<sup>24</sup>See Nelkin (2000, 573–4) for the original formulation of this worry.

#### IV. Making Sense of Kant's Solution: The Semantic Reading

I will now turn to my alternative, semantic reading of the transcendental distinction, and argue that it can make better sense of Kant's solution to the problem of free will. I call the reading 'semantic' because it makes central use of the Fregean notion of mode of presentation, broadly understood to mean *way of representing*. As we will see, the semantic reading has affinities with both the epistemological and two-property readings. Before I point these out, however, let me lay out the basics of the reading.

On the semantic reading, the transcendental distinction is a distinction at the level of sense, not being: it concerns, not different classes of things, but different ways of representing things (with, as we will see, some caveats). The relevant kind of representation here is what Kant calls 'intuition': a singular and immediate representation that involves an acquaintance-type relationship to its object.<sup>25</sup> On the semantic reading, appearances and things in themselves are the same things, but to intuit appearances is to intuit things under a sensible mode of presentation, while to intuit things in themselves is to intuit those same things without the mediation of a mode of presentation. [Such mode of presentation-free intuition is meant to stand for what Kant calls 'nonsensible' or 'intellectual' intuition and attributes paradigmatically to the divine being (B68, A249), who is also characterized as possessing an 'intuitive' (rather than discursive) intellect or understanding (B145, *Met-L*<sub>1</sub> 28:241).<sup>26</sup>] We can only intuit things under a sensible mode of presentation; accordingly, we can't intuit things in themselves. Nevertheless, we can consider things in abstraction from their relation to our modes of sensibility, and this allows us to make certain basic (negative) statements about things in themselves.<sup>27</sup>

On this account, our talk of 'appearances' concerns the objects of sensible intuition; statements of the form 'Appearances are F' are to be parsed as 'the objects of sensible intuition are F'.<sup>28</sup> By contrast, our talk of 'things in

<sup>25</sup>On the immediacy of intuition, see A19/B33; on its singularity, see A24–5/B39–40. For an argument for the claim that Kant's account of intuition should be viewed as a form of acquaintance theory, see McLearn (2016). I find characterizations of intuition in terms of an analogy with demonstratives (as, for instance, in Howell 1973) equally congenial.

<sup>26</sup>For a helpful overview of Kant's theory of the intuitive intellect, see Brewer (2022).

<sup>27</sup>A common misunderstanding of the proposed view is that it is no different from the reading put forward by Tolley (2022), according to which appearances are object-dependent senses for things in themselves. To state the obvious, I am not identifying appearances with modes of presentation. This is not merely a terminological matter: senses are distinct from their referents; by contrast, I am saying the transcendental distinction concerns the same things. Following Prauss (1974) and other epistemological readers, I take 'in themselves' to denote a particular way of *considering* things (namely, in abstraction from their relation to our forms of sensibility, or as the objects of an intuitive intellect), not a particular kind of *thing*.

<sup>28</sup>I am assuming that the sensible intuitions in question have been taken up into consciousness and synthesized in accordance with the categories. For simplicity, I am disregarding the possibility of sensible intuitions different from ours, though Kant thinks we are not in a position to rule them out (A27/B43, B139).

themselves' admits of a twofold analysis: if we are merely making negative statements about things in themselves—if, for instance, we are saying that things in themselves are not in space and time—then something like Allison's analysis in terms of abstraction applies: statements of the form 'things in themselves are not F' are to be parsed as 'considered in abstraction from their relation to our forms of sensibility, things are not F'. If, however, we are making *positive* statements about things in themselves—which we normally should not be able to do, given that we cannot intuit things in themselves, but, as we have seen, we might be justified to do in the practical context—then our talk of 'things in themselves' concerns the objects of intellectual intuition: statements of the form 'Things in themselves are F' are to be parsed as 'the objects of intellectual intuition are F'.<sup>29</sup> (Accordingly, the same *things* can be the *objects* of different *kinds of intuition*: the same things can be the objects of sensible intuition—the kind of intuition that we humans have—as well as the objects of intellectual intuition—the kind of intuition that God, if it exists, has.<sup>30</sup>)

Like the epistemological and two-property readings, the semantic reading is a one-object reading: it does not take the transcendental distinction to concern different classes of things. Moreover, as just laid out, the semantic reading takes on board Allison's analysis of our talk of 'things in themselves' in terms of abstraction, albeit only in the theoretical context. Unlike Allison, however, I do not take such a conception to be devoid of metaphysical commitment. After all, in order to be able to consider things in abstraction from their relation to our forms of sensibility, this relation must not be essential to them: if being *F* is essential to *a*, then it makes no sense to speak of considering *a* in abstraction from its being *F*. For instance, allowing that being human is essential to Socrates, it makes no sense to speak of considering Socrates in abstraction from his being human. So, I think even the deflationary abstraction analysis of our talk of 'things in themselves' has some metaphysical implications. Moreover, as noted above, the Allisonian analysis in terms of abstraction does not exhaust my understanding of our talk of 'things in themselves': in making positive statements about things in themselves, we are considering things, not

<sup>29</sup>My distinction between negative and positive talk of 'things in themselves' is primarily systematically motivated, but it finds textual support in Kant's discussion of negative and positive noumena in the phenomena/noumena chapter of the first *Critique*, where he distinguishes between 'a thing **insofar as it is not an object of our sensible intuition**, because we abstract from the manner of our intuition of it,' on the one hand, and 'an **object of a non-sensible intuition**, [...] namely intellectual intuition,' on the other, characterizing the former as 'a noumenon in the **negative** sense' and the latter as 'the noumenon in the **positive** sense' (B307).

<sup>30</sup>Stang's (2022) 'ecumenical' reading of transcendental idealism also centers on the idea that appearances and things in themselves are the same *things* but distinct *objects*. However, Stang does not seem to think negative statements about things in themselves ought to be fleshed out any differently from positive statements about them. On my reading, it is only when we are making positive statements about things in themselves that we need to conceive of them as the objects of a different kind of intuition.

simply in abstraction from the sensible conditions of our intuition, but as the objects of a nonsensible, intellectual, intuition.

On the semantic reading, to say that the human being is subject to natural necessity as it appears is to say that, as the object of sensible intuition, the human being is subject to natural necessity. By contrast, to say that the human being is free as it is in itself is to say that, as the object of intellectual intuition, the human being is free. Since the same thing can be the object of different kinds of intuition, it's one and the same thing that is both subject to natural necessity and free, depending on how we consider it. There is no contradiction here, because being subject to natural necessity is a relation that the human being bears to creatures who intuit it under a sensible mode of presentation, such as us, and being free (and, thus, not subject to natural necessity) is a relation the human being bears to an intuitive intellect, which is to say, God—and there is nothing contradictory about things being F in relation to one class of cognizers and not F in relation to another.<sup>31</sup>

To be sure, there are properties in this picture: being subject to natural necessity and being free are different properties that the human being has in relation to different kinds of cognizers. In this sense, the semantic reading can be characterized as a 'two-property' reading. Unlike the two-property readings examined above, however, the relevant properties here are intentional: they are properties the human being is represented as having by different classes of cognizers. This is why the semantic reading can do justice to the libertarian nature of Kant's conception of freedom, where the two-property readings examined above could not: as I argued, given Kant's libertarianism about freedom, any reading of the transcendental distinction needs to be able to make sense of the idea that, in the case of freedom, the property that the subject has as it is in itself is the very same property that it lacks as it appears. There is no way this can be accomplished within a picture on which appearance properties are extrinsic while in-itself properties are intrinsic, since no property can be both intrinsic and extrinsic: *intrinsic* and *extrinsic* are mutually exclusive categories. By contrast, the same property can be represented

<sup>31</sup>The picture I'm putting forward is similar to the one Kohl paints in explaining why he takes Kant to have rejected the Principle of the Indiscernibility of Identicals (PII): 'in Kant's idealist framework, how things are constituted depends on the knowing subjects for which these things are 'something' (namely, determinate objects of cognition)' (2016, 44–5). However, prior to his discussion of the PII, Kohl presents his view as simply a two-property reading according to which 'the distinction between appearances and things in themselves picks out two different sets of properties of one and the same entity: on the one hand, the properties a thing possesses independently of its relation to a knowing human subject; on the other hand, the properties it acquires by entering into a relation of conformity to our cognitive faculties, when it is 'given' to us' (42). Such a picture would not be able to make sense of Kant's solution to the problem of free will, because freedom can't simply be a property that things have 'independently of [their] relation to a knowing human subject': independently of their relation to a knowing human subject things can only *lack* properties; to attribute a positive property like freedom to things in themselves, we need to conceive of them as the objects of an intuitive intellect.

as belonging to a subject by one class of cognizers and not belonging to it by another class of cognizers.

It might be wondered how different kinds of intuition could correctly intuit contradictory things. I will not attempt to give an account of the positive intuition of freedom—that would surely exceed the limits of what we can hope to coherently say about intellectual intuition—but there should be no problem accounting for the fact that we represent the human being as subject to natural necessity, while an intuitive intellect does not: on the Kantian picture, subjection to natural necessity is constituted by being intuited in space and time and synthesized in accordance with the relational categories. The fact that an intuitive intellect does not intuit things in space and time means that it does not represent things as subject to natural necessity—which is to say, things are not subject to natural necessity (or, for that matter, spatiotemporal) in relation to such an intellect. Whatever additional elements go into the positive intuition of freedom should not affect this basic picture.

It might be objected that the proposed account makes whether or not we are free hang on the existence of an intuitive intellect, and that the existence of God is not supposed to play any role in Kant's practical proof of human freedom. In response, it is important to distinguish between (1) our (epistemic) grounds for affirming human freedom, and (2) the (metaphysical) conditions that need to be met for human freedom to obtain. I agree that Kant's proof of our freedom in the second *Critique* relies solely on our awareness of the moral law: the moral law is characterized as the *ratio cognoscendi* of freedom (*KpV* 5:5n). Thus, our grounds for holding that we are free derive solely from our awareness of the moral law. It is an entirely different question, however, what conditions must be met for human freedom to obtain. As we've already seen, Kant thinks that saving freedom requires the transcendental idealist framework set up in the first *Critique* and rehearsed throughout the second *Critique*: to coherently attribute freedom to the human being, we need to distinguish appearances from things in themselves, and to take freedom to be only a property of the human being as it is in itself. Thus, we might say, in order for human freedom to obtain, the human being must be more than just a member of the sensible world: it must be a member of the intelligible world, where the laws of deterministic causality do not hold.

Now, I have proposed that we flesh out the idea of the intelligible world in terms of the idea of the world as represented by an intuitive intellect. This could be taken to mean that, in order for the intelligible world to exist, there must be an intuitive intellect that intuits the world intellectually, and, more specifically, that in order for human freedom to obtain, there must be an intuitive intellect that represents the human being as free. In that case, the existence of an intuitive intellect would be a condition of human freedom obtaining, just as the truth of transcendental idealism is. But just as the transcendental distinction itself does not directly show up in Kant's practical proof



of freedom, there is no need for the existence of an intuitive intellect to be an explicit part of Kant's proof in order for it to plausibly count as a condition of human freedom obtaining.

In fact, however, in saying that we should flesh out the idea of the intelligible world in terms of the idea of the world as represented by an intuitive intellect, I am getting at something weaker: I am suggesting, not that the *existence* of the intelligible world depends on the existence of an intuitive intellect, but merely that in order to coherently *represent* the intelligible world (in the limited way that we are able to)—and more specifically, in order to attribute positive properties to things in themselves—we need to conceive of things as the objects of an intuitive intellect. While Kant never explicitly states this, his remarks about things in themselves in the phenomena/noumena chapter of the first *Critique* strongly suggest it:

[I]n order for a noumenon to signify a true object... it is not enough that I **liberate** my thoughts from all conditions of sensible intuition, but I must in addition have ground to **assume** another kind of intuition than this sensible one, under which such an object could be given; for otherwise my thought is empty, even though free of contradiction. (A252)

[T]he possibility of a thing can never be proved merely through the non-contradictoriness of a concept of it, but only by vouching for it with an intuition corresponding to this concept. If, therefore, we wanted to apply the categories to objects that are not considered as appearances, then we would have to ground them on an intuition other than the sensible one, and then the object would be a noumenon in a **positive sense**. (B308-9)

Because of space, I am not able to discuss these passages in any detail, but I think they both suggest that, in order to make nonempty or synthetic statements about things in themselves, we must conceive of things as the objects of an intuitive intellect.<sup>32</sup> Of course, Kant thinks that we have no theoretical warrant for making any synthetic claims about things in themselves—the negative claims that considering things in abstraction from their relation to our forms of sensibility allows us to make about things in themselves are all, in a sense, analytic. This is obviously not the case with the positive claim that the human being is free as it is in itself: in order to attribute the positive, noumenal property of freedom to the human being, we need to conceive of the human being as the object of an intuitive intellect.

As noted, however, this does not mean that human freedom hangs on the existence of an intuitive intellect: it is one thing to say that our only means of *representing* positive in-itself properties is by conceiving of things as the

<sup>32</sup>Stang (2020) attributes a similar view to Kant, maintaining that, for him, 'our only grip on the thought that there are non-sensible objects is via thinking of a nonsensible form of intuition in which such objects would be given to some intellect (not our own)' (17).

objects of an intuitive intellect, another to say that the only way things can *have* positive in-itself properties is by being the objects of an intuitive intellect. Our only means of representing our freedom might be as a property that we have in the divine mind, but Kant would be the first to distinguish between the ways in which we are constrained to represent things in themselves and what is actually true of them: while he licenses thinking about things in themselves in categorial terms (A147/B186, B305–6), he is agnostic on whether the categories actually apply to things in themselves (B149, *Prolegomena* 4:312).<sup>33</sup> Likewise, while our only means of representing the state of affairs <things in themselves are F> might be as the state of affairs <the objects of intellectual intuition are F>, it need not be the case that, in the absence of an intuitive intellect, things would lack all positive nonsensible determinations.

## V. Conclusion

In this paper, I have offered an overview of Kant's solution to the problem of free will, and made the case that standard versions of the two-object, two-property, and epistemological readings are not able to make sense of the basic outlines of this solution. I have put forward an alternative, semantic reading of the transcendental distinction, according to which our talk of 'appearances' concerns the objects of sensible intuition, while our positive talk of 'things in themselves' concerns the objects of intellectual intuition. On this reading, the transcendental idealist reconciliation of determinism and libertarianism involves taking subjection to natural necessity and freedom to be properties the human being has as the object of sensible intuition, on the one hand, and as the object of intellectual intuition, on the other. The human being is both subject to natural necessity and free, depending on whether it is considered as the object of sensible intuition or as the object of intellectual intuition.

The semantic reading incorporates elements from both the epistemological reading and the two-property reading. From the former, it inherits the idea that—in the theoretical context at least—talk of 'things in themselves' is to be fleshed out in terms of considering things in abstraction from their relation to our forms of sensibility. From the latter, it adopts the idea that—in the practical context at least—the transcendental distinction ought to be understood as a distinction between different classes of properties. The ability of the semantic reading to make suitable sense of Kant's reconciliation of freedom and natural necessity does not hinge on this distinction between the theoretical and practical contexts: a simpler reading that fleshed out all talk of 'things

<sup>33</sup>In this connection, it is also worth recalling Kant's insistence, in the third *Critique*, that while **'the peculiar constitution of [our] cognitive faculties'** requires us to conceive of nature as the product of intelligent design, this does not prove anything about the actual existence of an intentionally acting supreme author of nature (*KU* §75).

in themselves' in terms of the qualities things have in relation to an intuitive intellect would have been able to lay claim to the solution I've proposed as well. However, such a reading would have been less plausible. Distinguishing between theoretical and practical talk of 'things in themselves' allows us to give fair due to Kant's modest characterizations of things in themselves in terms of abstraction in the first *Critique*, while also accommodating the more ambitious claims he seeks to make about them in the practical realm.<sup>34</sup>

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