

KANT ON MORAL FEELING AND PRACTICAL JUDGMENT

NICHOLAS DUNN

Introduction

Commentators have shown a steady interest in the role of feeling in Kant's moral and practical philosophy over the last few decades. Much attention has been given to the notion of 'moral feeling' in general, as well as to what Kant calls the 'feeling of respect' for the moral law. My focus in this essay is on the role of feeling in practical judgment. In contrast with the above topics, practical judgment has received comparatively little attention. There are, of course, some excellent and well-known accounts of practical judgment (Herman 1993; O'Neill 2018). However, these accounts tend to focus more on what practical judgment looks like in practice—e.g., what to do in the face of moral dilemmas, conflicting obligations, hard cases, and the like—and less on the nature or structure of practical judgment itself.

My claim in what follows is that the act of judging in the practical domain—i.e., determining what one ought to do, or what action one ought to perform, in a specific case—crucially involves feeling. Put more simply: I argue that practical judgment has an essentially affective dimension. The upshot of the account I will give is that it provides us with a richer and more complex account of moral feeling than has previously been appreciated in the literature. While it is recognized that feeling plays a certain role in moral motivation, what I hope to demonstrate here is that feeling is involved much earlier in the exercise of moral agency. Far from entering only at the point at which we are trying to muster the strength of will to carry out what we know we ought to do, feeling is present the moment we begin to deliberate about what it is that we ought to do.

The view I put forward here builds on previous work I have done concerning the nature of judgment, for Kant. I argue elsewhere that reflection is at the heart of Kant's conception of judgment, which is to say, that judgment is fundamentally reflective in nature. I begin by briefly rehearsing this view (section I). Having discussed the idea that all judgment involves reflection, I then spell out what this looks like in the specific case

of practical judgment (section II). After this, I move from the claim that practical judgment is *reflective* to the claim that practical judgment is *affective* (section III). While I take this claim to hold true for the activity of judgment in general, my focus here is restricted to judgments in the practical domain. I then connect my account to the literature on moral feeling in Kant, showing that it presents us with a new and previously unnoticed dimension of feeling within the etiology of moral action (section IV). I conclude by noting an affinity between the reading of Kant that I present and two subsequent views which attribute a role to affects and emotions in moral judgment and decision-making (section V): one in post-Kantian philosophy (J.G. Fichte's ethical theory), the other in contemporary neuroscience (Antonio Damasio's somatic marker hypothesis).

I. Judgment as Reflection

Commentators who discuss Kant's theory of judgment usually focus on the first *Critique*. Those who consider his account in the third *Critique* are usually interested in showing how his discussion of aesthetic judgment sheds light on his account of cognition, i.e., the cognitive judgments whose possibility he believes he has secured in the first *Critique*. Rarely is there a consideration of what is common to judgment 'in general' [*überhaupt*]—which would include the practical judgments of the second *Critique*. Is there some feature that all judgments possess in virtue of which they can all be called judgments? I have argued that there is—and that this feature is reflection (Dunn 2021). In this section, I summarize this view.

It is important to make a distinction at the outset between judgment as an *activity* [J1] and judgment as a *product* [J2] (of this activity). My primary concern here is with the former. For example, a situation I find myself in might require me to exercise practical judgment [J1], while the output of this may be a practical judgment [J2]. When speaking of Kant's conception of judgment in general, I am thus speaking of his conception of the overall activity of judgment [J1]. Kant defines judgment [J1] in terms of a specific faculty that he calls the 'power of judgment' [*Urteilkraft*], which is responsible for bringing about any judgment [J2] at all.¹

The power of judgment is defined in two main places in Kant's Critical philosophy. In the first *Critique*, it is "the faculty of subsuming under rules,"

¹ Note that this power is not the same as the 'faculty of judgment' or 'capacity to judge' [*Vermögen zu urteilen*] that Kant discusses in the Metaphysical Deduction of the first *Critique* (KrV A69/B94). I cannot take up the distinction between *Vermögen* and *Kraft* here.

which is to say, “determining whether something stands under a given rule or not” (KrV A133/B172). Notably, the power of judgment is not guided by rules in its activity—a point Kant makes by appealing to the infinite regress that would ensue if it were (there would need to be rules for those rules, and so on, *ad infinitum*). In the third *Critique*, the power of judgment is “the faculty for thinking of the particular as contained under the universal” (KU 5:179). Kant’s third *Critique* account includes a distinction within the power of judgment that did not appear in the first *Critique*—namely, between two uses of the power of judgment, which he calls ‘determining’ [*bestimmend*] and ‘reflecting’ [*reflectirend*] (EEKU 20:211). Insofar as judgment in general is a matter of bringing together particulars (i.e., concrete cases) and universals (i.e., general representations), the difference between these two uses of judgment is characterized in terms of whether both a universal and a particular are given. When they are, Kant says, the task of the power of judgment is to subsume the latter under the former. However, when only a particular is given, the power of judgment reflects on the particular as such. It may be tempting to see this distinction as mutually exclusive—i.e., judgment is either determining or reflecting but not both (Allison 2001, p. 17-18; Guyer 2003, p. 2; Zuckert 2007, p. 72). However, there are reasons to see a certain amount of continuity between determining and reflecting judgment. For example, insofar as the empirical concepts that are applied to objects in a determining judgment are themselves a product of reflection, determining judgment seems to presuppose a prior act of reflecting judgment (Longuenesse 1998, p. 163, 197; 2003, p. 145-146).

Moreover, in the third *Critique* (which, it should be noted, is a critique of the power of judgment), Kant argues that it is only the reflecting power of judgment that undergoes critique and has its own *a priori* principle (Nuzzo 2005, p. 166; Macmillan 1912, 39-59; Teufel 2012). I have argued that we should take this to mean the following: the power of judgment *just is* reflecting judgment (Dunn 2021). That is, the autonomous and independent faculty of the mind that is the subject of the third *Critique* is solely the reflecting power of judgment. By extension, determining judgment is not in fact a faculty of the mind at all, but rather something that takes place when the reflecting power of judgment assists another faculty (in the case of practical judgment: reason) in applying its laws. Accordingly, reflecting judgment takes precedence over determining judgment insofar as it operates according to a law that it gives itself (the principle of purposiveness), rather than on a law that is given from elsewhere (e.g., a concept of the understanding or a principle of reason). More to the point: an act of reflecting judgment is always present, even in a determining judgment. For

while our other cognitive faculties bring forth universals, they are unable to apply them to particulars on their own.

The insight that I want to bring forward for the purposes of this discussion is that the act by which we determine whether a rule applies in a given case, or whether a particular belongs under a universal, is an act of reflection. Kant defines ‘reflection’ immediately after introducing the notion of reflecting judgment. I think we should take this to mean that reflection is an activity of the power of judgment. It is defined as the act of comparing and holding together one’s representations (EEKU 20:211). In light of the above distinction between an act and its product, we can thus distinguish the act of reflection from a judgment of reflection. When I speak of reflection as being common to all judgment, I am referring to the former—namely, the activity of the reflecting power of judgment. The latter refers specifically to the aesthetic and teleological judgments that Kant treats in the third *Critique*; these arise when the power of judgment is not assisting another faculty in applying its determining principles. Kant calls these ‘merely’ reflecting judgments, for in them the activity of reflection persists. By contrast, in a determining judgment (on my view) the activity of reflection is brought to a close when one representation (a particular) is deemed to belong with another representation (a universal).

I discuss the structure of practical judgment in more detail in the next two sections, both as a determining judgment that has a reflective basis *and* as something which feeling has a role in making possible. For now, I have simply wished to note how the view according to which all judgment involves reflection explains both determining and reflecting judgment. A further part of the story, which I will also have occasion to discuss shortly, concerns the special principle of the power of judgment. Kant calls this the principle of purposiveness. In the case of aesthetic judgment—the paradigmatic act of reflecting judgment—Kant characterizes this in terms of the suitability of nature for our cognitive faculties. As a principle governing all operations of the power of judgment, I suggest a broad characterization in terms of which we recognize the suitability of one thing for another, or that two things belong together. Such recognition, I claim below, can only take place through feeling, i.e., affectively.

II. Reflection and Reason: Kant’s Account of Practical Judgment

We can now consider the specific case of practical judgment. In the ‘Typic’ section of the second *Critique*, Kant describes practical judgment [*praktische Urteilskraft*] as the act by which we determine “whether an

action possible for us in sensibility is or is not a case that stands under [a rule of reason]” (KpV 5:67).² It is therefore the act “by which what is said in the rule universally (*in abstracto*) is applied to an action *in concreto*” (ibid). Drawing on Kant’s definition of judgment in general (the subsumption of a particular under a universal), we can say that practical judgment involves subsuming a possible action under an abstract moral principle (i.e., the moral law). Practical judgment is thus an instance of determining judgment, for both a universal and a particular are given.³ The universal is a rule provided by the faculty of reason, yet it is the power of judgment that makes possible its application.

If I am right that judgment is always reflective, then this means that determining judgments are also reflective. The proper distinction, then, is between judgments that are merely reflecting and those that are both determining and reflecting.⁴ In a merely reflecting judgment, there is no universal under which to subsume a particular. Instead, we reflect on the particular as such, and judge by means of a feeling that we have in engaging with our representation of it. The kind of reflection that takes place in a determining judgment is different insofar as a universal is also given in addition to a particular. In such an instance, we hold up and compare the particular to the universal in order to determine whether the former ought to be subsumed under the latter.

On this picture, then, the activity of practical judgment involves, first, reason providing a general moral rule, and, second, the power of judgment holding up and comparing this rule to a possible action. In doing so, the power of judgment reflects on whether an action that I *could* perform ought

² Cf. Kant’s remarks in the *Religion*, where he distinguishes practical judgment from conscience: “[To] pass judgment upon actions as cases that stand under the law...is what reason does so far as it is subjectively practical” (RGV 6:186). As I show in this section, reason’s ability to be subjectively practical requires the co-operation of the reflecting power of judgment.

³ Some commentators deny this. For example, O’Neill (2018, p. 123-124) argues that practical judgments are neither determining nor reflecting. She does this by claiming that it is because no particular is given (p. 82, 89, 91, 111). I cannot engage with O’Neill on this point here, but simply wish to highlight Kant’s language of ‘possible action,’ as well as of ‘subsumption’ and ‘application’—all of which suggest that he conceives of practical judgment on the model of determining judgment. Commentators who see practical judgment as strictly determining include Beck (1960, p.154fn) and Westra (2016, p. 24). The view I am defending here comes closest to Grandjean, for whom practical judgment is both reflecting and determining (2004, p. 48-51).

⁴ This is a point first made by Longuenesse (1998), with whom I agree—though for very different reasons (see Dunn 2021).

to be subsumed under the former, which is to say, whether this is an action I *should* perform. Bound up with this reflection, I will soon show, is feeling. But we can first pause to appreciate the distinction between these two faculties. Again, the universal is provided by reason. Reason finds within itself the moral law, and legislates this for the will (KU 5:178, 198). Yet this law on its own (and insofar as it is a general representation) is insufficient for determining the cases in which it applies, or how precisely it is to be applied. More to the point: reason alone is unable to bring about practical judgments. For this, the power of judgment is required. Kant invokes the power of judgment in the ‘Typic’ to explain how it is that human beings can apply the moral law to specific situations. What sets the power of judgment apart from reason (as well as the understanding, which provides its own kinds of universals in the case of theoretical judgment) is its ability to bring general representations to bear on particular ones. Just as there can be no rules for the application of rules *ad infinitum* (a point Kant makes in the first *Critique* regarding the understanding and its concepts), there can be no principles for the applications of principles. This being the case, we can think of determining judgment as a matter of the reflecting power of judgment assisting, or cooperating with, another faculty (in this case, reason) in applying its laws or principles.

I now want to discuss the extent to which reflection is involved in practical judgment. Recall that reflection is a matter of holding up and comparing representations. On my view, this can equally explain ‘merely’ reflecting judgment and determining judgment. In the latter case, the salient representations are that of a particular and a universal. Here, the act of reflection has a particular aim—namely, to determine whether the particular belongs with the universal. One might resist thinking of practical judgment as determining because it may seem to imply that they are mechanical, leaving no leeway for the exercise of judgment. Attending to the reflective basis of all judgments, however, allows us to avoid this conclusion. For there is not only the question of what one’s duty *is*, but also the matter of how one is to fulfill one’s duty—not just a matter of the major premise in the practical syllogism, but the matter of how to subsume a possible action under the former in the minor premise. That lying is always wrong, for example, does not mean that the specific action I must take in order not to lie will always be readily apparent or uncontroversial in every case.⁵ Not

⁵ One might think that the need for judgment only arises in the case of wide or imperfect duties—but not for strict or perfect duties. There are certainly important differences between the two. However, I do not think that they differ with respect to whether judgment is required. The gap between the universal and the particular exists in both cases, even though we might see this gap as comparatively small in

only must we determine if a situation we are in is one that involves a duty, we must also (if we answer affirmatively) determine which course of action would best satisfy this duty. Again, a grasp of the relevant rule is not enough; judgment is needed to apply the rule—that is, determine the action that is to be done.

As early as the first *Critique's* Amphiboly section, Kant states that all judgments require reflection (KrV A261/B317). Kant's remarks in the second *Critique* suggest that he sees a role for reflection in practical judgment. In supplying a 'type' of the moral law (the practical analogue of the schemata), Kant says that one engages in a "comparison of the maxim of [one's] actions with a universal law of nature" (KpV 5:69; emphasis mine). In addition, Kant says that in making a practical judgment, "reason...always holds the maxim of the will in an action up to the pure will, that is, to itself in as much as it regards itself as *a priori* practical" (KpV 5:32; emphasis mine). Put in terms of the practical syllogism: I hold up and compare a possible action (the particular) against the concept of the good (the universal), reflecting on whether the former ought to be subsumed under the latter. The latter is the condition of the rule asserted in the major premise. Yet this rule itself cannot instruct me on how to subsume. Reason is legislative, and the power of judgment (in its co-operation with reason) is guided by the moral law, which it seeks to apply. In this way, judgment is reflecting even when it is determining.

Most accounts of practical judgment that invoke reflection (Kantian or otherwise), however, see it only in terms of one's perception of the particularities of the situation. For example, Herman provides an explicitly Kantian account of the 'rules of moral salience,' while McDowell provides a more Aristotelian conception of deliberation as "a capacity to read the details of situations in light of a way of valuing actions" (1993, p. 78-98; 1996, p. 23, 26). For both Herman and McDowell, reflection is a matter of reflecting on the specific circumstances one finds oneself in, with an eye towards its morally relevant features. Now, understanding one's context is undoubtedly an important aspect of moral agency (and, indeed, one that bears on the process of practical judgment). Yet it cannot explain the precise sense in which practical judgment is reflective, for Kant. Reflecting

the case of strict or perfect duties. We might also think of there being an additional step in the case of wide or imperfect duties. For example, in determining how to act on the duty of beneficence (wide/imperfect), one must first determine an act-type that instantiates this duty and *then* an act-token—whereas in determining how to act on the duty not to lie (strict/perfect), one already has the act-type in hand. This may give the illusion that judgment is not necessary in the latter case. Yet we should recognize that the move from the act-type to the act-token must still take place.

judgment is a matter of reflection on a particular. In its determining use, judgment reflects on a particular for the sake of subsuming it under a universal. The particularities of one's situation, however, cannot be subsumed under a universal. The relevant particular in a practical judgment is a possible action—not the background conditions for such an action. Keeping in mind the structure of the activity of practical judgment will be important in considering the role that feeling plays in what follows.

To avoid confusion in what follows, it is also important to note what the moment of practical judgment consists in. There is a crucial difference, as I see it, between practical reason and practical judgment—though this is not a distinction that is often drawn. I suggest that we think of this difference in terms of the distinction between act-types and act-tokens. Practical reason would thus specifically concern the move from the categorical imperative, the most abstract moral principle, to a specific action-type, as expressed in a maxim—for example, from the concept of duty to the idea that all lying is wrong. But we can note that a maxim is still a “general determination of the will” (KpV 5:19). It refers to all lies, and it says that they are all wrong. On its own, a maxim does not specify which actions are lies—which is to say, how one is to recognize whether a particular, possible action is a lie. This is the task of practical judgment. Just like the doctors and lawyers that Kant speaks of in his account of judgment in the first *Critique*, who contain much theoretical knowledge and many rules in their head, but are unable to apply it *in concreto*, one may be an excellent practical reasoner but a lousy practical judge. Practical judgment, Kant says, concerns “the case at hand” (MS 6:313). Kant points to such a division of labour (between reason and judgment) when he says that “the law can prescribe only the maxim of actions, not actions themselves; this is a sign that it leaves a playroom (*latitudo*) for free choice in following (complying with) the law, that is, that the law cannot specify precisely in what way one is to act and how much one is to do by the action from an end that is also a duty” (MS 6:390). Such latitude is connected to the need for judgment: “Ethics...unavoidably leads to questions that call upon judgment to decide how a maxim is to be applied in particular cases” (MS 6:411). In other words, reason can tell us that certain kinds of actions (act-types) are required, wrong, etc., but it cannot tell us which specific action (act-token) to perform.

By distinguishing practical reason from practical judgment, we can appreciate the ineliminable role of judgment in closing the gap between the universal and the particular—between abstract moral rules and concrete (possible) actions. What's more, in claiming that feeling plays a role in practical judgment, which I am about to do, I am referring only to the moment in which we determine which precise action would instantiate a

general moral rule—and not the prior moment in which we derive a general moral rule from the categorical imperative. As we will see, Kant does not admit a role for feeling in practical reason. We also will see, however, that Kant *does* attribute a role to feeling in the subsequent moment—once I know exactly what it is that I ought to do, but have not yet decided whether to act in such a way. This moment, which concerns the determination of the will, is where almost all of the discussion on moral feeling in the literature has focused. My interest in this paper is precisely on the moment that lies in the middle.

III. Reflection and Affection: The Role of Feeling and Judgment

A correlate of the claim that all judgments are *reflective* (discussed in section I) is that they are also all *affective*. This is the case, as I will show in this section, because of the close relationship between judgment and feeling. These faculties are connected via the principle of purposiveness, which is legislated by the power of judgment for feeling. Moreover, it is specifically the *reflecting* power of judgment which generates this norm. While I cannot lay out the relationship between judgment and feeling in detail, I will briefly describe the view—namely, that what it means for judgment to provide a law for feeling is for feeling to function as a norm for our judgments, and, thus, for all judgments to be made by means of feeling. Then, with a general idea of how feeling plays a role in the activity of judgment in general, we can then turn to the specific role for feeling in the case of practical judgment.

One might be tempted to have a view of the relationship of feeling to judgment according to which feeling is involved in aesthetic judgment, but does not play a role in the kinds of judgments that are at issue in the first and second *Critique* (theoretical and practical, respectively). After all, Kant says that the determining ground of an aesthetic judgment is a feeling, while that of a cognitive judgment is a concept. Such a view follows from thinking that these latter two types of judgments are strictly determining, and, consequently, that reflecting judgment has its place only in the third *Critique*. In other words, restricting the role of feeling in this way presupposes that determining and reflecting judgments are mutually exclusive. But, as I have suggested, there are good reasons for thinking that all determining judgments also involve an act of reflecting judgment. If I am right concerning the reflective basis of all judgments, then it follows that there is also an affective basis to all judgments. I suggest that we understand it in the following way: in reflection, we hold up and compare representations to each other and affectively respond to them. When the power of judgment

is determining, it reflects specifically on whether these representations belong together. This, I claim, it can only do by means of feeling.

To appreciate this view, we must first consider in more detail what feeling is, for Kant. The topic of feeling in Kant has, until recently, received almost no direct attention.⁶ This is even more true of Kant's decision to connect the faculties of feeling and judgment. Kant sees each of the higher cognitive faculties (understanding, reason, and the power of judgment) as related to a 'fundamental' faculty [*Grundvermögen*] (cognition, desire, and the feeling of pleasure and displeasure). Such a relation consists in the former providing an *a priori* principle for the latter (KU 5:196-198; EEKU 20:245-246). We have already noted that reason legislates the moral law for desire (i.e., the will). Our interest is now in the power of judgment's legislation of the principle of purposiveness [*Zweckmäßigkeit*] for feeling.

Kant defines a fundamental faculty in terms of its inability to be "reduced" to a further faculty. That there are three fundamental faculties can be seen, Kant thinks, by the distinct kinds of representations generated by each. The kinds of representations that issue from the faculty of feeling pleasure and displeasure [*Gefühl der Lust und Unlust*] have a "relation merely to the subject," rather than to an object that we cognize or desire (EEKU 20:206). While one is hard pressed to find an explicit definition of feeling from Kant, we find something close to an actual definition in the *Metaphysics of Morals*, written several years after the third *Critique*. There, Kant defines 'feeling' as the "susceptibility" of a subject to be affected by a representation (MS 6:211). Still, feeling is almost always defined negatively: it has "no relation at all to an object...[and] expresses nothing at all in the object but simply a relation to the subject" (MS 6:211-212). "Nothing at all in the object is designated," but only the way in which the subject is affected by an object (KU 5:204).

Kant also often speaks of feeling in terms of subjectivity: it pertains to the "merely subjective" aspect of a representation and is "only the receptivity of a determination of the subject" (MS 6:211; EEKU 20:208). Kant attributes to the power of judgment a certain degree of subjectivity as well. While understanding and reason both "relate their representations to objects...the power of judgment is related solely to the subject" (EEKU 20:208). For this reason, Kant observes, there is "a certain suitability of the power of judgment to serve as the determining ground for the feeling of pleasure" (ibid). Hence, he continues: "if the power of judgment is to determine anything for itself alone, it could not be anything other than the

⁶ See Sorensen & Williamson (2018) for the first edited volume devoted to the topic of feeling, in Kant.

feeling of pleasure, and, conversely, if the latter is to have an *a priori* principle, it will be found only in the power of judgment” (ibid). Kant thus affirms that the faculty of feeling “grounds an entirely special faculty for discriminating and judging”—referring, of course, to the reflecting power of judgment (KU 5:204).⁷

Aesthetic judgment is the paradigmatic instance of merely reflecting judgment in at least the following respect: with no rule in hand, we judge the particular only by means of the feeling that we have when it affects us. The ground of this judgment is not a determinate concept of an object, but rather the feeling of pleasure we experience in engaging with the object. In an aesthetic judgment, the power of judgment and feeling stand in “immediate relation” to each other—a relation that precludes mediation by a concept (KU 5:169). What we get from the aesthetic case is a feeling that arises from the activity of reflecting on a representation in the absence of a rule, one that manifests itself when we perceive that our faculties are in agreement with each other.⁸ Such an agreement, Kant says, is “felt, not understood” (EEKU 20:232). In this way, feeling, for Kant, can be defined as a non-discursive capacity, while feelings are representations which pertain to the way in which a subject is affected. One can, of course, be affected by external objects (as in the case of sensation), but also internally, that is, by the activity of one’s own mind and its faculties. In an aesthetic judgment, this feeling arises from the free play of imagination and understanding. In a practical judgment, I contend, this feeling arises from the holding up and comparing of moral rules to possible actions.

With this understanding of feeling in hand, we can return to the question of how feeling plays a role in all judgments. While the norms of understanding and reason are discursive and determinate, Kant describes the principle of purposiveness as a norm that is affective and “indeterminate” (KU 5:239). In my view, norms of the latter type require norms of the former

⁷ Cf. Kant’s description of feeling, in the ‘Orientation’ essay, as “an obscure discrimination of the power of judgment” (GMS 4:451).

⁸ In a recent paper, Alix Cohen (2020) argues that feelings are “affective appraisals of our activity,” which “mak[e] us aware of the way our faculties relate to each other and to the world” (p. 430). Such an account concurs with mine insofar as it sees feeling as, among other things, a response to the activity of our faculties, and, moreover, a mode of awareness. However, for Cohen, feelings require reflecting judgment in order to be “interpreted”: “we cannot make sense of their meaning until we reflect on them...” (p. 437-438). The view I am putting forward here is, in a sense, the inverse: it is not judgment through which we determine the content of our feelings, but rather feeling through which we determine the content of our judgments.

type in order to be applied to particulars. To speak of the cooperation between the power of judgment and another faculty, one in which the former assists the latter in applying its laws or principles, is to say that purposiveness, and thus affectivity as such, is also always at play—not only in aesthetic judgments, but in theoretical and practical judgments as well. This does not collapse the distinction between these faculties and their norms, or reduce that of one to the other. For we can distinguish between, on the one hand, the law that is being applied (in the case of practical judgment: the moral law), and, on the other, the law that is governing the power of judgment in doing the applying.

That feeling has a principle or norm, then, means that feeling itself functions as a distinct (non-discursive) mode of judging. Feeling and judgment are connected in that we can only recognize the fitness of two things for each other through feeling, which is, in turn, the only way that we can engage in the activity of reflecting judgment. In other words, we *just see* (indeed, feel) that certain representations belong together, or that one representation is suitable for another.⁹ This agreement we perceive not because we judge by means of a rule (for, again, how could we judge *this* if not by a further rule?) but by means of feeling. Allison expresses a similar sentiment when he says: “one [must] simply be able to see whether or not a datum or state of affairs instantiates a rule,” something that requires “the capacity for...nonmediated ‘seeing,’ or... ‘feeling’” (2001, p. 14). Allison continues: “feeling serves as the vehicle through which we perceive the aptness or subjective purposiveness (or lack thereof) of a given representation” (ibid, p. 71). While Allison is only making this point with respect to aesthetic judgments, I contend that this is true of all acts of judgment—namely, that feeling is the vehicle (or mode) through which we perceive the aptness of two (or more) representations for each other. These representations may be multiple particulars, or they may be particulars and universals.

There are at least three reasons to find this view attractive. First, it provides a straightforward way of understanding Kant’s solution to the regress problem generated by discursive rules: namely, that it can only be stopped by non-discursive means. Insofar as rules are inherently general, which is to say, can be applied to more than one case, there must exist a

⁹ My view is very similar to that of A.W. Moore, who argues that Kant’s solution to the regress problem is an affective response, which he calls ‘the Feeling of Unity’ and characterizes as a kind of “inexpressible knowledge” (p. 477). In other words, the question of how rule-governed objective judgement is possible is answered by appealing to a non-rule-governed subjective element: “grounded in a feeling that certain elements of experience constitute an integral, satisfying whole” (p. 476). See also Bell (1987).

faculty that is distinct from those which generate rules (understanding and reason) and is capable of recognizing when a rule applies in a given case. As Kant notes, such a faculty cannot itself be governed by rules that would direct it in its application of rules, for this would only create a regress problem: as noted above, there would need to be rules for those rules, and so on, to infinity. Kant conceives of the power of judgment as a regress-stopping faculty, though his account in the first *Critique* never quite addresses the question of how this happens. There, he only refers to it as a special “talent” or skill, which “cannot be taught but only practiced” (KrV A133/B172). At this stage in the development of the Critical philosophy, Kant has not yet assigned to the power of judgment its own special principle. By the time he writes the third *Critique*, however, judgment does have its own principle—a principle, we have noted, that it legislates for feeling. What I am suggesting here is that this means we can see judgment as a faculty that can apply rules without itself being rule-guided only insofar as it is guided by feeling.

Second, granting feeling an essential role in reflection provides a degree of continuity between determining and reflecting judgment. These would have otherwise seemed likely markedly different exercises of the power of judgment—insofar as one involves applying a given universal to a particular, while the other involves searching for a universal for a particular. More specifically, if, as I claim, the power of judgment is essentially reflective, then one might wonder what this means for the status of determining judgment (i.e., how it could be assimilated into an account of the former). For unlike reflection, where the imagination and understanding are in free play (owing to the absence of a rule on the part of the understanding), a determining judgment is a case of the understanding providing a universal and the imagination apprehending the sensible given in a way that allows it to be subsumed under it. Yet the presence of a rule does not abrogate the necessity of reflection to hold our representations up to each other, affectively respond to them, and judge whether they belong together. This is easy to see in the case of an aesthetic judgment, where, in reflecting on a particular in the absence of a universal, I have no other resources at my disposal except the feeling that my response is appropriate. But it is also the case in a determining judgment (theoretical or practical). I hold up my intuition of a flower against my concept of a flower. There can be no rule instructing me on how to subsume the former under the latter. I *just see* (indeed, I *feel*) that this intuitive representation belongs with this discursive representation. Again, the power of judgment is reflecting even when it is determining.

Third, this points to a dimension of moral feeling that has not yet been appreciated in discussions of Kant's ethics. Most discussions of moral feeling in the literature pertain to the issue of moral motivation and the specific feeling of respect for the moral law. However, if feeling is needed for the ability to make judgments about whether my representation of a possible action ought to be subsumed under the concept of moral goodness, then we can locate feeling much earlier in the process of moral agency: it does not just enter at the point where we need the motivation to perform some action that is required, but rather at the moment we begin to determine *what* action is required. The cultivation of moral feeling, then, is not limited to the moment in moral agency where strength of will is called for, but includes the capacity to improve one's ability to discern the goodness of an action that one could perform. I discuss this, and its implications for how we think about moral feeling, in the next section.

IV. A New Kind of Moral Feeling?

As I just noted, the vast majority of the discussions of feeling in the context of Kant's ethics and practical philosophy are indexed to the specific feeling of respect for the moral law and the issue of moral motivation. This is not the kind of moral feeling that I am interested in here. I will briefly describe this in order to set it aside and distinguish it from the kind of moral feeling that I *am* interested in. I will then identify what I take to be some distinctive features of this new kind of moral feeling—namely, that it is a higher, or intellectual, feeling which is produced by the power of judgment, and can thus be thought of as a kind of skill or capacity that one can cultivate. In addition, it shows up in-between the moments of practical reason, on the one hand, and choice or action, on the other—*after* I have become aware of the moral law or discovered any general moral laws, but *before* I have made any decision regarding my will. These features set it apart from other affective states that show up in the course of Kant's moral theory.

In both the *Groundwork* and the second *Critique*, Kant speaks of a peculiar kind of feeling that he calls both 'moral feeling' and 'respect for the law.' This feeling is unlike other feelings in that it is "not received by influence" but rather "self-wrought" (GMS 4:402). The moral law, Kant thinks, is able to "produce a feeling," which he describes as "a special kind of feeling" and which is "perhaps the only case" of an *a priori* feeling (KpV 5:73, 75-76, 92). Kant clarifies that this feeling is not "antecedent" to the moral law, something that makes us "attuned to morality," but is instead

something that is produced by reason insofar as we recognize the bindingness of the moral law on us (KpV 5:75).

The primary debate in the literature concerns the question of whether this feeling plays a direct role in motivating moral action. There are two main positions on this question, which are usually referred to as affectivist and intellectualist. Affectivists see feeling as necessary for moral action, while intellectualists deny this and see reason as the sole motivator. Put another way: affectivists see the feeling of respect as a feeling as much as any other kind of feeling, while intellectualists see it as a cognitive recognition.¹⁰ Because I am interested in a different kind of moral feeling, one that arises earlier on in the process of moral agency, I will not take a position on this debate.

We have seen that there is a particular kind of feeling that Kant calls ‘moral feeling,’ which arises in relation to whether one determines one’s will in accordance with the moral law. Kant even calls this moral feeling ‘strictly speaking’ (KpV 5:38). Given that this seems to be the only kind of moral feeling that Kant talks about *and* the only kind that commentators have paid attention to, one might wonder how it could be that there is another kind of moral feeling—one that has not only gone unnoticed by interpreters of Kant but also seems to be given no mention by Kant himself. The position I put forward here is admittedly reconstructive. Kant never explicitly describes the moment of practical judgment as involving feeling—much less does he call this feeling ‘moral.’ Yet I believe that Kant is committed to such a view, based on what I have laid out in the preceding sections. To recap: all judgments involve reflection, and feeling is the mode of reflective judging. Since practical judgment is an instance of judgment, it thus involves feeling.

Such an account faces two main challenges. The first concerns whether this commits Kant to something like moral sense theory, a position he is known for rejecting. I will argue that it does not by noting that Kant is critical of feeling forming the basis of morality as such, but has no problem with granting feeling a role in making specific moral judgments. The second concerns whether we should call this feeling ‘moral.’ I will argue that we should, but with qualification. The kind of moral feeling that is operative in practical judgment should not be considered moral in the same sense as the other, better known kind of moral feeling—nor should it be seen as akin to related notions, such as virtue, character, or conscience. Still, it can be treated as moral in that it is a capacity that can be cultivated, one that has as its object moral rules and cases.

¹⁰ See McCarty (1993), especially p. 423.

We can start by considering Kant's criticism of moral sense theory and the moral sentimentalist tradition. Kant rejects the accounts given by the likes of Hutcheson and Shaftesbury, according to which the fundamental principles of morality are grounded in feeling. As is well-known, the Critical Kant instead holds that moral principles are grounded in reason. Feeling comes after our awareness of these, not before; it is an effect of our recognition of the moral law, not the foundation of it. This is partly because feelings are subjective, and differ greatly not only between each other but among individuals. Accordingly, they could not serve as a "uniform measure of good and evil" (GMS 4:443; cf. KpV 5:58). But it is also because all feelings are sensible, and only knowable through experience; yet the moral law must be able to determine the will *a priori* (KpV 5:71, 75). In short, feelings are empirical and contingent, but morality is universal and necessary.¹¹

Sensen (2012) helpfully distinguishes between at least three possible roles for feelings in Kant's moral philosophy, which he calls: metaphysical, epistemic, and motivational (p. 48).¹² The first concerns the grounding of morality. The second concerns knowledge of what is morally right and wrong. The third pertains to the psychological incentives for moral action (which we have just discussed). Sensen rightly notes that if the first were true, Kant would be a sentimentalist. However, he inaccurately (in my view) suggests that if the second were true, Kant would also be a moral sense theorist. This is because of an ambiguity contained within the notion of what is morally right and wrong, which Sensen does not acknowledge.

We can recall the distinction I drew earlier between practical reason and practical judgment and note that both, in some sense, concern what is morally right and wrong. Practical reason is concerned with this at the level of act-types; it issues maxims which state which kinds of actions are right

¹¹ It should be noted that this forms the basis for Kant's rejection of a moral *sense*, but not moral *feeling*. He rejects the former (in Hutcheson, et al.) insofar as it is construed as a kind of perception of good and evil.

¹² Walschots (2017) also distinguishes between feeling as an issue of moral motivation as opposed to the basis for morality. Walschots contends that the "core feature" of Hutcheson's moral sense theory is that feeling is "the foundation of moral judgment," and that this is something Kant rejects (p. 37). Kant's reasons for doing this, he says, are "because [feeling/moral sense] is incapable of issuing sufficiently universal and necessary judgments of moral good and evil" (ibid). However, it is unclear what Walschots means by 'moral judgment'—in particular, whether it is the same as practical judgment, as I have described it, or something closer to the verdicts of practical reason. Like Sensen, he seems to equivocate being principles and laws, on the one hand, and actions, on the other.

and wrong. Practical judgment is concerned with this at the level of act-tokens; it says that some concrete action is right or wrong. It is true that Kant does not grant a role to feeling in the process of what I am calling practical reason, the derivation of general moral rules from the pure law. Sensen seems to have only this stage in mind when he rejects the epistemic role of feeling in Kant's moral theory—and not practical judgment. For he speaks only of feelings being used to “discover” moral laws (p. 51-52). This suggests that he has in mind things like maxims and not the specific act-tokens that are the product of practical judgment.

In addition, Sensen leans on the same reasons Kant gives for rejecting the idea of feeling as the basis for morality (the metaphysical role) to claim that he also rejects the idea of feeling as an aid in discerning what is morally right and wrong (epistemic role). These, which we saw above, have to do with the subjective nature of feelings; feelings are private and vary among individuals. Grounding morality on feeling would be problematic at least because different people would arrive at different moral rules; insofar as feelings are incommunicable, there would be no way of settling the matter. But as a way of explaining the activity of practical judgment, there is no issue—and, in fact, this accords with Kant's conception of judgment as a skill that varies among persons. That one person may be better able to discern whether a specific action is right or wrong than someone else does not undermine the nature of morality itself.

We can now begin to consider the content of such a feeling. Moral feeling of the sort I have been describing is an intellectual or higher feeling—specifically, one that is produced by the activity of the power of judgment. Kant distinguishes between each of the fundamental faculties a higher and a lower part. Lower faculties involve representations of objects that we are given, whereas higher faculties are capable of bringing forth representations independently of objects. In the case of feeling, this is either a capacity for feeling pleasure and displeasure in objects that affect us or for producing feelings on one's own (VM 28:228-229). Moral feeling in the better known sense is produced by reason. This other kind of moral feeling also has its source in a higher faculty: the reflecting power of judgment. Whereas the former is the effect of our recognition of the moral law, the latter is the effect of our reflection on some possible action in light of the moral law. Both feelings are intellectual or higher in that they are instances of affection by the activities of our mind.

This kind of moral feeling relates to what Kant describes as the principle of appraisal of an action as morally good or evil, as distinct from the principle of execution (the incentive or motivation to perform such an action). He refers to the first as the objective ground, the second as the

subjective ground. The more commonly described notion of moral feeling pertains to the second. What I am interested in here relates to the first: “whereby I judge the goodness or depravity of actions,” rather than “what impels me to do the thing” (VE 27:274-275). The latter (moral feeling ‘strictly speaking’) “cannot be confused with the principle of judgment” (ibid). Kant’s insistence that we judge actions “by reason [and] not through mere feeling” may make it seem as if there is no room for the kind of moral feeling I am pointing to (KpV 5:58). At one point, he even says that moral feeling can “not [serve] as a principle for the judgment of moral action” (VE 29:625). That “the judgment of morality consists in objective principles,” as Kant goes on to say in this passage, does not rule out feeling in the application of such principles (ibid). That is, we need not interpret these remarks to mean that feeling is unrelated to the principle of judgment—so long as we keep in mind that a principle of reason is still the salient norm, which the power of judgment seeks to apply via its own norm (feeling).

Kant treats the issue of appraisal in the short but important section of the second *Critique*, entitled the ‘Typic.’ It is here that Kant discusses practical judgment, and outlines the process by which we determine whether an action can be subsumed under a moral rule. Without delving into the details, this procedure involves considering whether a maxim (the outcome of the process of practical reasoning) could be thought of as a law of nature. In the *Groundwork*, Kant refers to this as an ability “to bring an idea of reason closer to intuition (according to a certain analogy) and *thereby to feeling*” (GMS 4:436; emphasis mine). In other words, while one cannot have “a feeling of a law as such,” there seems to be room for a feeling of whether an action is a correct application of the law (KpV 5:38).¹³

But what, if anything, is distinctively moral about such a feeling? If we zoom out and recall the more general claim that all acts of judgment—the thinking of a particular under a universal—involve feeling, then we might start to wonder: (i) whether there is just one kind of feeling that is operative in any and all acts of judging, or (ii) whether each kind of judgment has its own kind of feeling. This would only raise further questions about what

¹³ As Geiger (2011) observes, Kant seems to also recognize a distinct moral feeling that arises *after* one recognizes some specific action as morally required (p. 293). Geiger points to the following passage from the *Metaphysics of Morals*: “Every determination of choice proceeds *from the representation of a possible action* to the deed through the feeling of pleasure or displeasure...” (MS 6:399). We can note Kant’s talk of a ‘possible action’ here, as the particular which we subsume under a moral rule in a practical judgment. This moral feeling is thus distinct from the one effected by recognition of the moral law in general, but is instead the effect of a practical judgment.

these different kinds of feeling have in common with each other. For example, if (ii) were true, then it would follow that there was also a distinctive feeling associated with making ordinary perceptual judgments (the kind Kant is concerned with in the first *Critique*), which we could call ‘empirical feeling.’

Of course, Kant *does* recognize a distinctive feeling associated with making aesthetic judgments, which he characterizes as disinterested pleasure. If aesthetic judgment is the paradigmatic act of reflecting judgment, then it may be the case that aesthetic pleasure is the paradigmatic kind of feeling. Still, to say that all judgments involve feeling is not to say that all judgments involve this specific kind of pleasure. In this way, I want to distinguish the notion of ‘aesthetic’ from that of ‘affective.’ What I have suggested is common to all acts of judging is the feeling of the suitability of one thing for another. We can indeed think of this as a *pleasurable* feeling in the sense that, as Kant says, “The attainment of every aim is combined with the feeling of pleasure” (KU 5:187). In this way, it is a more general kind of feeling that obtains insofar as we recognize fitness—of which we can take aesthetic pleasure to be a species. This leaves open the question of content of such feelings within different domains—e.g., whether there is something distinctive about feeling the suitability of a possible action for a moral rule, or an intuition for an empirical concept.

All of this to say: I want to remain agnostic about these two different options. For the following question remains either way: is it not potentially misleading to refer to this as *moral* feeling? That it is the kind of feeling that is present in the making of moral judgments may not be enough. Put another way: the better known kind of moral feeling, discussed above, seems to deserve the modifier ‘moral.’ Whether an agent possesses or lacks this kind of feeling, along with things like strength of will, certainly seems to be a moral matter. Can we say the same about the feeling that is associated with practical judgment? I think we can, but we should qualify this as a relatively thin conception of ‘moral’ as compared with other notions like virtue, character, and conscience.¹⁴

¹⁴ While here is not the place to discuss these other notions in Kant’s ethics, I should note that I see the affective capacity that is bound up with practical judgment as sufficiently distinct from these other things. For example, virtue and character, as strength of will and resolve in carrying out one’s duty, seem more associated with the issue of moral motivation and thus distinct from practical judgment. One might think that conscience, however, is an appropriate name for the kind of feeling I have been describing. While Kant describes conscience in a way that suggests it is a feeling, he distinguishes it from the objective judgment we make about a particular action; it is instead the subjective response to such a judgment in the form of

To see what I mean, we can ask whether an agent who possesses this kind of feeling is one that we would be inclined to call praiseworthy.¹⁵ If so, we would at least not be inclined to place this on the same level as, for example, doing an action solely from duty. But more importantly, we should not think of this as the kind of feeling that one simply either possesses or lacks. This may be true of the other kind of moral feeling, the content of which consists in recognizing (or not) the moral law and its force on us. Instead, this kind of moral feeling seems to come in degrees; it is the kind of thing one can have more or less of. This is because it is the mode of judgment, which is something one can be better or worse at. Recall that Kant calls the power of judgment a talent or skill, which can only be acquired through experience and practice. One way of thinking about what Kant means by this is in terms of the cultivation of a capacity. In terms of what we have been discussing, this would be an affective capacity. What Kant calls a ‘sharpened’ or refined power of judgment, which amounts to a capacity to recognize that a rule applies in a given case, involves exposure to a variety of cases, but also the development of feeling. To cultivate this kind of feeling is not to improve one’s commitment towards the moral law,

“acquittal or condemnation” (MS 6:400). As Geiger (2011) puts it: “it is not the task of conscience to pronounce the right objective judgment of what law holds in a given situation and what action it commands or forbids” (p. 294). Conscience, Geiger says, “is the subjective affective response to judging a particular course of action...” (ibid). Even as ‘the inner judge’ (as Kant will also call it), conscience is a higher-order judgment a subject makes of oneself rather than their action (MS 6:438). How both this and the moral feeling described in the previous footnote relate to the feeling of respect for the moral law is beyond the scope of the present discussion. Cf. Kant’s distinction of conscience, in the *Religion*, from the activity of practical reason (RGV 6:186).

¹⁵ To extend Kant’s example of doctors and lawyers, one may be an excellent practical judge but a bad moral agent—always knowing exactly what one ought to do, but lacking in execution. It is worth noting that this entails that we can judge something to be good without acting on it, which is to say, it commits Kant to the existence of something like weakness of will. As he says in the *Collins* lectures, “When I judge...that an action is morally good, I am still very far from doing this action of which I have so judged” (VE 27:1428). This suggests that the two kinds of moral feeling—the kind involved in practical judgment and the kind involved in moral motivation—are sufficiently distinct. How exactly they relate to each other is not something I can take up here, though I will note that a further remark from Kant in this passage from the *Collins* lectures suggests that they may be connected in some way: “But if this judgment [that an action is morally good] moves me to do the action, that is the moral feeling” (ibid). Whether this means that the moral law’s effect on feeling occurs *via* a practical judgment is not entirely clear.

but rather to improve one's ability to determine precisely what kinds of actions would instantiate such a law.¹⁶

One might think that what I am describing is more of a cognitive virtue than a moral one. And, in some sense, this is correct. After all, the power of judgment is a cognitive faculty—and Kant is clear that we have a duty to cultivate our faculties, especially those related to the use of moral concepts (MS 6:387). Indeed, when distinguishing the principle of appraisal from the principle of execution, Kant refers to the failure of judgment in the former cases as a “theoretical” fault—as opposed to a “practical” fault in the case of the latter (ibid). Still, what we are speaking of here is its specific ability to render judgments in moral matters. Intuitively, the skill of judgment is one that can be improved in one domain and not another. That is, improving my capacity to render moral judgments does not necessarily bear on my capacity to render, say, scientific or aesthetic judgments. Minimally, then, we can call this moral feeling in that it is domain-specific, concerning itself with moral rules and the morally relevant features of specific cases.

V. Conclusion

In closing, I want to discuss two subsequent views on the role of feeling and emotions in moral judgment that have an affinity with the account of Kant I have just put forward. One is found in J.G. Fichte, an immediate successor of Kant; the other is found in contemporary neuroscience research from Antonio Damasio.

In his *System of Ethics*, Fichte contends that only an affective state can put an end to a particular kind of regress problem inherent to moral deliberation. Fichte calls this feeling ‘conscience,’ and assigns to it the role of determining the correctness of one's actions. There is scholarly debate about whether this particular feeling comes after the practical judgment has been made (as in Kant, see footnote 10) or is part of the making of the

¹⁶ The reader may wonder how close this puts Kant to Aristotle, or whether the notion of moral feeling in the context of practical judgment is something akin to practical wisdom [*phronesis*]. There are at least two important differences. First, Aristotle sees this as a quasi-perceptual capacity. However, Kant does not see practical judgment as a kind of perception (MS 6:400). Perception, for Kant, is always of a particular. By contrast, in judging, we are considering the relation between two or more things. This makes feeling the relevant mental act, rather than perception. Moreover, Kant's account is not particularist. Practical judgment is concerned with applying universal moral rules to particulars, not judging particulars on their own.

practical judgment itself.¹⁷ I will not try to resolve the issue here, but only wish to raise it in order to show the potential similarities to Kant.

In any situation where we are deliberating about what to do, we are faced with many possible actions. For Fichte, there is “absolutely only one...that is dutiful” (SL 4:207). To figure out what this is, Fichte sees the need for a theoretical faculty, in addition to a practical one. Whereas the latter supplies the criterion for duty and the basis of morality, the former is required for surveying all of the possible actions we could perform and settle on a singular course of action. While the moral law makes a determinate demand on us, Fichte says, it is not itself a cognitive power and thus cannot tell us what to do on its own: “Instead, it expects it to be found and determined by the power of cognition – the power of reflecting judgment” (SL 4:165).¹⁸ Fichte thus seems to follow Kant in at least two respects. First, he upholds a distinction between a faculty that generates a discursive rule (reason, a practical faculty that gives us the moral law) and a faculty that is concerned with applying this rule in a given case (the power of judgment). Second, he takes the latter faculty to be *reflecting* judgment.

Insofar as there is only one single action that is our duty in any situation, the question can be raised: “Which of these possible ways of acting is the one that duty demands?” We can answer this question, Fichte says, “by referring to an inner feeling within our conscience. In every case, whatever is confirmed by this inner feeling is a duty; and this inner feeling never errs so long as we simply pay heed to its voice (SL 4:207-208).¹⁹ As Ware (2020) notes, one way of interpreting this passage risks reducing the criterion of morality to something subjective—a worry, we have seen, Kant also had—by suggesting that conscience is itself what determines our duty (p. 101). However, Fichte’s definition of conscience simply states that it is “the immediate consciousness of our determinate duty” (SL 4:173). Ware contends that this indicates “that their determination has already taken place” (2020, p. 102).

¹⁷ See chapter 5 of Ware (2020) for an excellent overview of the literature on Fichte’s theory of conscience. Ware refers to this debate as whether conscience plays a *contentful* or *noncontentful* role—either telling us what we should and should not do, or simply confirming the correctness of one’s judgments.

¹⁸ Fichte continues in the same vein shortly thereafter: “The practical power is therefore unable to provide us with this [action]; instead, the latter has to be sought by the power of judgment, which is here reflecting freely” (SL 4:167).

¹⁹ I cannot deal here with Fichte’s claim that “conscience never errs” (SL 4:173), as it is controversial and invites worries that Kant was concerned with addressing related to the contingency and subjectivity of feelings.

Ware draws attention to subsequent passages that suggest Fichte sees conscience as stepping in to confirm that we have made the correct judgment. This would place him very close to Kant as regards their respective theories of conscience, but it would also mean that he only recognizes a role for affectivity after the moment of practical judgment. For example, Fichte writes: “As soon as the power of judgment finds what was demanded, the fact that this is indeed what was demanded reveals itself through a feeling of harmony” (SL 4:167-168). And, later: “Conscience, the power of feeling described above, does not provide the material of duty, which is provided only by the power of judgment, and conscience is not a power of judgment; conscience does, however, provide the evidential certainty” (SL 4:173).²⁰ Without settling these interpretive questions in Fichte, it is clear that he picks up on aspects of Kant’s account of practical judgment that I have raised related to the essential role of affectivity.

The view in Kant I have argued for also has an interesting connection to contemporary neuroscientific research related to the role of emotions in decision-making. In his book, *Descartes’ Error*, Antonio Damasio contends that emotions play an essential role in guiding us to determine a course of action. His ‘somatic marker hypothesis’ suggests that there are positive or negative affective states associated with past experiences and particular outcomes. The idea is that when we cognitively furnish a variety of possible actions, emotions step in to steer us towards behaving one way rather than another. A central piece of evidence for Damasio’s hypothesis is the case of patients with damage to the frontal lobe—specifically, the ventromedial prefrontal cortex (vmPFC). Those in whom this part of the brain is impaired seem to lack the emotional responses necessary for making decisions. While they are able to apprehend reasons for and against all the possible actions they are considering, they are unable to settle on one.

Descartes’ error, according to Damasio, was his dualistic separation of reason and emotion, and his failure to recognize the necessary role of the latter for the former. The standard story of Kant’s ethics would seem to go a similar way: reason alone determines what we ought to do, and affective states such as feelings and emotions only get in the way (at most playing a motivational role post-deliberation). This story has, of course, begun to be challenged in recent years, and what I take myself to have done here is

²⁰ Fichte recognizes that this only seems to give rise to a further kind of regress problem, distinct from the one generated by discursive rules—namely, how can I be certain that I am certain? (SL 4:169). Ware sees his solution to the problem as consisting in a particular kind of feeling that can stop the regress: a feeling of harmony which “expresses an actual relation of fit. I stand in harmony with my ethical drive, and I know this...because I feel it” (p. 109).

simply add to this re-consideration of the place that feeling has in Kant's ethical theory. If this is correct, then Descartes' error was not Kant's.

Works Cited

Primary texts

Fichte

SL = System of Ethics

Fichte, J.G. 2005 [1798]. *System of Ethics in Accordance with the Principles of the Wissenschaftslehre*. Translated by Daniel Breazeale and Günter Zöller. Cambridge: Cambridge University Press.

Secondary literature

Allison, Henry. *Kant's Theory of Taste: A Reading of the Critique of Aesthetic Judgment*. New York: Cambridge University Press, 2001.

Beck, Lewis White. 1960. A Commentary on Kant's *Critique of Practical Reason*. Chicago, IL: The University of Chicago Press.

Bell, David. 1987. "The Art of Judgment." *Mind* 96 (382): 221-244.

Cohen, Alix. 2020. "A Kantian Account of Emotions as Feelings." *Mind* 129 (514): 429-460.

Damasio, Antonio. 1994. *Descartes' Error: Emotion, Reason, and the Human Brain*. New York: G.P. Putnam.

Dunn, Nicholas. 2021. "Subsuming 'determining' under 'reflecting': Kant's power of judgment, reconsidered." *Inquiry: An Interdisciplinary Journal of Philosophy*.

DOI: 10.1080/0020174X.2021.1986291.

Geiger, Ido. 2011. "Rational Feelings and Moral Agency." *Kantian Review* 16(2): 283-308.

Grandjean, Antoine. 2004. "Jugement moral en situation et exception chez Kant." *Philosophie* 81: 42-57.

Guyer, Paul. 2003. "Kant's Principles of Reflecting Judgment." In *Kant's Critique of the Power of Judgment: Critical Essays*, edited by Paul Guyer, 1-61. Lanham, MD: Rowman & Littlefield.

Herman, Barbara. 1993. *The Practice of Moral Judgment*. Cambridge, MA: Harvard University Press.

Longuenesse, B. *Kant and the Capacity to Judge: Sensibility and Discursivity in the Transcendental Analytic of the Critique of Pure Reason*. Princeton and Oxford: Princeton University Press, 1998.

- Longuenesse, Béatrice. 2003. "Kant's Theory of Judgment, and Judgments of Taste: On Henry Allison's *Kant's Theory of Taste*." *Inquiry* 46 (2): 143-163.
- McCarthy, Richard. 1993. "Kantian Moral Motivation and the Feeling of Respect." *Journal of the History of Philosophy* 31: 421-35.
- McDowell, J. 1996. "Deliberation and Moral Development in Aristotle's Ethics." In *Aristotle, Kant, and the Stoics: Rethinking Happiness and Duty*. Edited by Stephen Engstrom and Jennifer Whiting, 19-35. Cambridge: Cambridge University Press.
- Moore, A.W. 2007. "Is the Feeling of Unity That Kant Identifies in his Third *Critique* a Type of Inexpressible Knowledge?" *Philosophy* 82(321): 475-485.
- O'Neill, Onora. 2018. *From Principles to Practice: Normativity and Judgement in Ethics and Politics*. Cambridge: Cambridge University Press.
- Sensen, Oliver. 2012. "The Role of Feelings in Kant's Moral Philosophy." *Studi Kantiani* 25: 45-58.
- Sorensen, Kelly, & Williamson, Diane (eds.). 2018. *Kant and the Faculty of Feeling*. Cambridge: Cambridge University Press.
- Walschots, Michael. 2017. "Hutcheson and Kant: Moral Sense and Moral Feeling." In *Kant and the Scottish Enlightenment*. Edited by Elizabeth Robinson and Chris W. Suprenant, p. 36-54. New York/London: Taylor & Francis.
- Ware, Owen. 2020. *Fichte's Moral Philosophy*. Oxford: Oxford University Press.
- Westra, Adam. 2016. *The Typic in Kant's Critique of Practical Reason: Moral Judgment and Symbolic Representation*. Berlin: de Gruyter.
- Zuckert, Rachel. 2007. *Kant on Beauty and Biology: An Interpretation of the Critique of Judgement*. Cambridge: Cambridge University Press.