

Humans as free animals: transcendental idealism and the grounds of responsibility

Álvaro Rodríguez-González Barredo

1. Introduction

Among the events that routinely take place around us, actions stand out as ones we especially care about. While we figure most things occur in a clockwork fashion, one state of affairs following another according to the laws of nature, that is not where the story ends with actions; they have authors, to whom they belong, and who are responsible for them in a deep and relevant sense. Making sense of why and how agents are responsible for what they do is a problem that cuts through metaphysics and ethics; a problem that seems of the precise sort Kant's philosophy is set up to tackle. The core tenet of transcendental idealism is the distinction between phenomena and noumena; the interests of the natural sciences can be secured amid deterministic phenomena, while those of morality can find a haven in the noumenal, where we can consider ourselves to be free, and, thus, as absolutely responsible for our actions – we can have *imputation* at the noumenal level.

In this paper, I will argue that Kant's reckoning with imputation cannot be that simple; if we try to stick to the sphere of the intelligible in accounting for the imputation of actions, we run into unsolvable issues that undermine our practices. I will start by presenting some of these problems, of which I will focus on one in particular. Namely, Kant's moral commitments as they regard self-improvement present a fatal dilemma for the noumenal account: either we sever the link between our actions and ourselves in a manner unsustainable for our practice of imputation, or we surrender the possibility of profound moral change. I then briefly consider the option of dissolving this conundrum through a less metaphysical approach: a two-standpoints reading. I conclude, however, that the problem becomes all the more unsolvable if we accept such an interpretation. Afterwards, I present a possible solution to the problem: we impute actions to phenomenally unified beings we judge to have the relevant sort of noumenal ground. Even though Kant does not explicitly characterize his theory of imputation in those terms, I present several examples that support it as his underlying model. Finally, I address some possible concerns with

this model, and I push forward the most plausible way of interpreting it within the parameters of Kant's philosophy: we are phenomenally unified beings to whom we can attribute noumenal grounds because we are organisms.

2. A moral problem with noumenal imputation

If mentioned in passing, few would bat an eye at the claim that imputation, according to Kant, transpires at the intelligible level, left as a matter for the *homo noumenon*. Let us start with explicit definition of the notion, which we can find in the Introduction to the *Metaphysics of Morals*:

“An action is called a *deed* insofar as it comes under obligatory laws and hence insofar as the subject, in doing it, is considered in terms of the freedom of his choice. By such an action, the agent is regarded as the *author* of its effect, and this, together with the action itself, can be *imputed* to him, if one is previously acquainted with the law by virtue of which an obligation rests on these.” (6: 223)

“*Imputation (imputatio)* in the moral sense is the *judgment* by which someone is regarded as the author (*causa libera*) of an action, which is then called a *deed (factum)* and stands under laws.” (6: 227)¹

It is true that we can only be considered free causes of our actions *qua* intelligible beings; Kant is explicit about that matter, not only throughout his earlier work², but also in the very pages prior to his exposition of the concept of imputation: “in reason's practical use the concept of freedom proves its reality by practical principles, which are laws of a causality of pure reason for determining choice independently of any empirical conditions (of sensibility generally)” (6: 221).

And it makes sense that Kant would not find the possibility of imputation amid phenomena. Imputation requires “a free action and a [practical] law” (*Coll.* 27: 288). Though this

¹ We find an essentially identical definition in the *Collins Lectures on Ethics*: “All imputation is the judgment of an action, insofar as it has arisen from personal freedom, in relation to certain practical laws. [...] In imputation the action must spring from freedom” (27: 288)

double requirement may turn out to be an unnecessary reiteration, given that “every effective cause must have a character, i.e., a law of its causality, without which it would not be a cause at all” (KrV A 539/B 567), and “freedom and unconditional practical law reciprocally imply each other” (KpV 5: 29), we can make independent sense of why phenomena are not cut for either job.

On the one hand, no empirically determined practical principle can be a practical law. A practical law holds “for the will of every rational being” (5: 19), but “no experience can give occasion for inferring even the possibility of such apodeictic laws” (4: 408). Insofar as having our actions fall under³ the purview of such a law is a necessary condition for their being imputable deeds, they will need to find a ground outside the scope of the phenomenal. Furthermore, even if we could make sense of an empirical practical law, it is only as *free causes* that an action can truly be said to be imputed to us. Empirical causation is a temporal though necessary connection between appearances⁴. As appearances, they “are themselves nothing other than an empirical synthesis (in space and time) and thus are given only in this synthesis” (KrV A 499/B 527). They are not fully determined⁵ in the sense that they cannot be assumed to have their entire series of conditions given, which is left as “a problem” for the observer to pursue. When an action we did not freely choose is attributed to us, its series of conditions is left undetermined in the past; when we freely choose it, however, we are then “talking of an absolute beginning, not as far as time is concerned, but as far as causality is concerned” (KrV A 450/B 478), requirement that can only be met by the subject insofar as it is a noumenon (KrV A 541/B 569).

In light of the unfitness of phenomena to accommodate for the two essential features of imputation, seeking its possibility amid noumena seems sensible⁶. We could venture, then, to sum up Kant’s theory in a thesis such as the following:

³

⁴

⁵ Watkins

⁶ Pun unintended!

(Noumenal Imputation) An action is a deed, and thus imputed to a subject, if and only if it is grounded in that subject as noumenal self.

But doing so brings forward a wealth of unintended problems. First of all, we run into the sort of epistemic issue Saunders (2016, 2022) detects as plaguing Kant's theory of freedom. If actions are granted the status of deed through their being noumenally grounded alone, and given that we do not have access to any noumenal intuition, on what grounds could we claim that an action given to us as entirely phenomenal – in particular, those of others (2016: 171) – qualifies as a deed? If an Augustinian mysterianism about our freedom does not sit well in general with our practices (2022: 280), it is especially the case with a concept with the legal ramifications of imputation. In a similar vein, if all we have to work from is the noumenal self, an atemporal being we are only aware of without actually *knowing* it, it appears concerningly plausible that we have as much cause to ground my getting up of bed this morning in my noumenal self, as we have to ground the birth of the solar system or the assassination of Julius Caesar in it (Pereboom, Wood). After all, nothing assures us that there will be a neat correspondence between things in themselves and appearances⁷; from the point of view of an atemporal being, there is nothing wild about grounding events spanning aeons, since there is no such thing as “spanning aeons” that concerns noumena⁸.

These are mighty problems that have spurred much discussion around the tenability of Kant's theory of freedom, but I am going to leave them aside for the purposes of this paper. Instead, I will present a further concern that applies, specifically, to the cogency of Kant's account of imputation. In his 1797 work, *Religion within the Boundaries of Mere Reason*, Kant develops his theory of moral agency with an exploration of evil. According to Kant, for someone to be evil, they must have incorporated an incentive contrary to the moral law in their maxim of action (6: 24). This incentive is that of self-love, and we act on it by subordinating our fulfilment of the moral law to it, rather than, as morality would demand, the other way around (6: 36). Two points

⁷ I know there is a neat reference about this but i can't remember it rn

⁸ Maybe something NE about the noumenal interpretation of time

about this assessment of evil stand out for our current purposes. First, the ground of evil must specifically be a maxim, i.e., a freely adopted subjective principle of action, so that evil deeds can still be imputed to us:

“Hence the ground of evil cannot lie in any object *determining* the power of choice through inclination, not in any natural impulses, but only in a rule that the power of choice itself produces for the exercise of its freedom, i.e., in a maxim” (6: 21)

Secondly, we can only have one such fundamental maxim to our actions, we cannot be partially good and evil. This is so because, insofar as the moral law cannot stop being an incentive for us, we cannot simply disregard it, but must oppose it to some other principle (6: 23n). These two points, put together, lead to a remarkable consequence. Since our free actions are grounded in maxims, and there can only be one fundamental maxim atop which our more particular maxims stand⁹, we cannot, from within our intelligible characters, modify our fundamental maxim. This is reminiscent of some pre-critical remarks, where Kant held that all determinations need a ground for them to be true (1: 393). We can then see how, in a context where we are forced to think about intelligible objects, Kant could still be committed to requiring that any change to our maxims be properly grounded¹⁰. But, of course, if our noumenal selves could modify their fundamental maxim, and if that modification were free, then it would need to be grounded in another maxim – therefore, what we thought to be fundamental would turn out to not be so.

Nevertheless, deep moral change away from evil must be possible, since it is our unconditional duty. The solution Kant gives is as radical as required by the metaphysical puzzle he finds himself in. The moral “revolution” required in shifting our fundamental maxim of action takes the form of “a kind of rebirth” (6: 47); “in his new disposition (as an intelligible being), in the sight of a divine judge for whom the disposition takes the place of the deed, he is *morally* another being” (6: 74).

⁹ In the form, for instance, of a practical *sorites*, as McCarty proposes.

¹⁰ Insole on noumena

The problem is, then, clear. If deeds are imputed by virtue of their being grounded in our noumenal selves, and moral improvement requires that we shed off our old, corrupted noumenal selves to allow for an actual revolution in our intentions, we end up with an incredibly unappealing and hardly defensible view of imputation. To begin with, even if we vicariously take on hardships to account for the misdeeds left behind, this is a voluntary penance for wrongs that, strictly speaking, are no longer ours; even though we can clean after others, we cannot become responsible for their actions *post hoc*. After all, one of the core reasons for adopting this noumenal theory of imputation, we said earlier, was that we could find no other way for us to be proper grounds of our actions. Not only is the transfer of accountability, then, contrary to any reasonable theory of imputation; it is *especially* contrary to *this* theory.

Note, additionally, that reparation of our past injustices would, under this view, become essentially equal to altruistically making up for the damages of others. A virtuous act, for sure, but nothing that can be particularly demanded of us¹¹. Finally, if there were epistemic issues before, they become devastating now. We have to add to the fundamental unknowability of noumena an awareness that, not only could intelligible grounds suddenly change, but they *must* do so. The prospect for a stable practice of imputation, if it is understood as mere grounding by noumenal selves, seems hopeless.

3. The two-standpoints impasse

In the last section, I presented the reasons why we may be tempted to say Kant understood imputation as grounding by our noumenal selves, and then argued that, by doing so, we run into hardly surmountable problems. In particular, we seem stuck in a dilemma between securing the noumenal grounding of our actions at the cost of making deep moral change impossible, or safeguarding our duty of moral betterment by severing the imputative link. Something about this argument that can be of concern, however, is its reliance on a heavily metaphysical model of the relation between phenomenal and noumenal selves, against the family of deflationary readings of

¹¹ Something in the Rechtslehre about making up for one's misdeeds? Collins on imputation of consequences?

Kant's philosophy known as *two-standpoints* interpretations. In this section, I will argue that the two-standpoints strategy cannot, by itself, bypass the challenge we have encountered with regards to imputation.

Two-standpoints interpretations of Kant's theory of freedom, by and large, adhere to two core theses¹²: (i) we need to assent to contradictory propositions with regards to human action – viz. we are subject to necessary physical laws, and we are independent from empirical determination – and (ii) we can do so rationally because we only hold those propositions from different “standpoints”, pertaining to different interests of reason: theoretical and practical. Under such a model – for instance, Christine Korsgaard's (1996) – what would be meant by noumenal imputation is significantly different. Insofar as we act as deliberating agents, rather than mere spectators, we have to regard our decisions “as springing ultimately from principles that we have chosen” (1996: 163). It is this internal requirement of our deliberative stance that makes such a concept as imputation possible.

It appears problematic, at first glance, to advocate for a “radical split between the theoretical and practical points of view” (1996: 183) if we intend to impute actions that transpire in the theoretical sphere, which are the only ones we actually experience and can issue judgments on. We could, nonetheless, plausibly overcome this hurdle by adopting a two-standpoints model like that espoused by Frierson (2003; 2010), by which each standpoint effectively makes reference to the other, rather than existing in isolation: the theoretical leaves room to the practical by leaving open the ultimate need for a more fundamental outlook into reality, and the practical asserts itself as holding primacy over the theoretical. Thus, Frierson says:

“if a volition is considered as experienced, it must be considered according to the perspective of empirical investigation. This does not mean that the empirical perspective is the proper perspective for moral evaluation; it clearly is not. [...] We can privilege the

¹² I follow Nelkin (2000: 566) in this.

moral perspective for the purpose of evaluation only because we consider the moral perspective more fundamental than the empirical one” (2003: 21-2).

Without entering into the debate of the merits of this account over the more metaphysically costly ones, let us grant that the attribution of actions is possible by means of such a setup. Can this help us overcome the difficulties we encountered earlier?

It seems unlikely. Even if we make do without hefty metaphysical grounding, our problem remains essentially untouched. Morality demands that we be able to issue a radical revolution in our intentions. From the practical standpoint alone, however, we are defined as moral beings by these maxims; we acquire a practical identity, Korsgaard says, not through any metaphysical facts, but constructing an agential identity in deliberation and in our prolonged projects (1996: 371). If the identity that is relevant for imputation is underpinned by an evil maxim, that maxim will have to contend with the possibility – or, rather, moral necessity – of undergoing a revolution in our intentions. Once the dust settles, how can we be said to be the same, practically speaking? If we cannot, our problems resurge, strong as ever.

A final ray of hope for the two-standpoints programme may come from what, admittedly, would be an amendment to Kant’s own theory. The idea that we need a single fundamental maxim to underpin our whole practical identities is *prima facie* suspicious, and even more so if we no longer have metaphysical reasons to uphold it. Can we not do with more complex practical identities that might accommodate reformist, rather than revolutionary, change? Though this may be a much more appealing model of agency than Kant’s, it does not take much more to break it. If we grant Kant what he sees as blatantly obvious, namely, that there is evil¹³, we can easily see that we could encounter twisted life-projects or structures of practical agency which would allow for no internal reform, and would rather need to be shed off and rebuilt according to the exigencies of morality. So long as this remains a possibility, the challenge will still stand.

¹³ “We can spare ourselves the formal proof that there must be such a corrupt propensity rooted in the human being, in view of the multitude of woeful examples that the experience of human *deeds* parades before us.” (6:32-3)

4. Intelligible grounds, sensible wholes

If imputation cannot be accounted for at the phenomenal or at the noumenal level, it may appear that we have run out of options. However, we should recall that the sort of noumenal grounding that caused problems with regard to the possibility of moral improvement was a notoriously strict one. We had preliminarily characterized grounding by our noumenal selves as a necessary and sufficient condition for imputation. There is, nevertheless, an intermediate option between leaving things to phenomena or to noumena alone, which is my proposal:

(Intelligible Ground-Sensible Whole) An action is a deed, and thus imputed to a subject, if and only if (i) it is attributed to a subject as an empirical whole, (ii) the subject is judged to have the relevant sort of noumenal ground (intelligible character), (iii) the action is grounded in the relevant sort of noumenal ground (intelligible character).

Let us now re-evaluate the scenario of a moral revolution. Say Roger, a failed gardener, used to systematically step on his neighbour's poppies just out of spite. One day, in a way inscrutable for us, his moral disposition changes and he no longer subordinates the moral law to his petty self-love. We impute those crimes against botany to Roger, since we attribute the action to that persistent empirical being who was born at a certain date and will die in the future; he is judged to be a rational being, thus in possession of a will and a faculty of choice; and, at time of committing his misdeed, he was not under the influence of any mind-altering drugs, he acted as a free cause, so his intelligible character grounded such action. After his conversion, he still checks all of these boxes, since he still has the relevant *sort* of noumenal ground, his action was grounded in it, and his identity is preserved as an empirical being.

This solution may seem suspicious for several reasons, but a closer look at Kant's actual account of moral agency at the relevant parts of his work may dispel these doubts. Starting with (i), is attribution to beings in their merely empirical capacity possible according to Kant? It is. In the same paragraph from the *Collins Lectures* where Kant discusses the conditions for imputation, he remarks:

“We can attribute a thing to someone, yet not impute it to him; the actions, for example, of a madman or drunkard can be attributed, though not imputed to them. In imputation, the action must spring from freedom” (27: 288)

The actions of “madmen” or “drunkards” fail to check (iii), they do not “spring from freedom.” But we can still make an attribution and say that they did something even though they were not (could not) be responsible. This prior step of attribution seems, in fact, necessary to make sense of imputation; we first identify an action a person did, and only then can we ask ourselves whether they were in their right mind and the right conditions to be *imputed* with it.

As it regards points (ii) and (iii), Kant is consistent in claiming that our moral relevance comes from the fact that we are rational beings¹⁴, fact which “makes me a member of an intelligible world” (4: 454), but not any particular noumenal identity, since “I have not the slightest acquaintance with such a world and can never attain such acquaintance by all thee efforts of my natural faculty of reason. This intelligible world signifies only a *something* [emphasis added] that remains over when I have excluded from the determining grounds of my will everything that belongs to the world of sense” (4: 462). Any empirical demonstrations of an evil or good deed, after all, do not suffice to give insight into these grounds, which have to be “cognized *a priori* from the concept of evil, so far as the latter is possible according to the laws of freedom (of obligation and imputability)” (6: 35). Indeed, we have such a tendency to deceive ourselves as to the true motives of our actions, that it “hinders the establishment in us of a genuine moral disposition” (6:38)¹⁵.

A further reason to think that that Kant had such a model of imputation in mind despite not saying so explicitly is the ubiquity of references to phenomenal beings as noumenally grounded, rather than bare noumenal grounds, throughout his practical philosophy. For a start, and most tellingly, in the same section of the *Religion* we discussed earlier, Kant explicitly makes reference to our remaining the same empirical being through moral conversion in a way that

¹⁴ KrV

¹⁵ And makes imputability uncertain! What to say about this?

preserves liability, which is the closest we find to a full of endorsement of the model I am arguing in favour of:

“*Physically* (considered in his empirical character as a sensible being) he still is the same human being liable to punishment, and he must be judged as such before a moral tribunal of justice and hence by himself as well. Yet, in his new disposition (as an intelligible being), in the sight of a divine judge for whom the disposition takes the place of the deed, he is morally another being.” (6: 74)

And, despite this last comment about a divine judge only caring about one’s intelligible character, this is only meant as a way to understand that, after our moral revolution, we can be dispensed with grace for our true change, rather than being doom regardless of what we do. That, as far as empirical actions go, it is the unity of one’s life that matters, even when pondering our summons before the Supreme Judge, we can see that a few pages later:

“[S]ince he can derive no certain and definite concept of his real disposition through immediate consciousness but only from the conduct he has actually led in life, he shall not be able to think of any other condition of being delivered to the verdict of a future judge [...] than that *his whole life* be one day placed before the judge’s eyes, and not just a segment of it, perhaps the last and to him still the most advantageous.” (6: 77)

It is our lives, understood as wholes, that make up our history as moral beings. In them our moral dispositions manifest through our actions and, when we undergo a moral revolution, they take the sensible form of a progressive change towards the better. Our practice of imputation applies to these empirical unities and, even when assessing our hopes for an otherworldly judgment, it is this entire history of actions that make up our time on Earth as free beings that we have to look at.

This notion that we should focus on phenomena we can judge to be somehow intelligibly grounded, as I mentioned, appears time and again in Kant’s practical philosophy. To use an

example from each part of the *Metaphysics of Morals*, let us briefly look at the role this scheme plays in Kant's theories of private property and virtue.

As it pertains to the first point, though Kant is consistent that property is a non-empirical kind of possession “(*possessio noumenon*)” (6: 253), precisely to distinguish property from mere holding, he does not characterize property as a merely noumenal affair. On the contrary, the first step for *original* acquisition (that is, acquisition of something that was not previously anyone's) is “apprehension”, i.e., “taking possession of an object of choice in space and time, so that the possession in which I put myself is *possessio phaenomenon*” *(6: 258). Without this first act of physical apprehension, noumenal property would lack an actual object, similar to how we needed an act of phenomenal attribution to precede our noumenally grounded imputation. Not only that, but, in his section on “acquisition by prolonged possession”, Kant concedes that failure to *phenomenally* assert one's property may result in a rightful extinction of the noumenal property claim (6:292-3). Much like how, under a purely noumenal account of imputation, we could have sudden unknowable changes undermine our practices, so would the institution of property be undermined if potential claimants could appear from amidst noumena at any moment: “That a hitherto unknown possessor could always get something back (recover it) when his possessory act has been interrupted (even through no fault of his own) contradicts the above postulate of practical reason with regards to rights (*dominia rerum incerta facere*)” (6: 293).

With regards to the second part, Kant is committed to the claim that virtue only applies to imperfectly rational beings, so far as they need to constrain themselves to follow the moral law rather than lending primacy to the incentive of self-love. (6: 379-80). As Longuenesse notes, “[f]or such an evaluation to make sense, it has to be the case that the person whose action is thus being evaluated is a particular living entity, which has to bear up under the pressure of natural drives and keep in sight the demands of rational self-determination” (2009: 161). If imputation follows the Intelligible Ground-Sensible Whole model, this is very much cogent; actions belong to empirical beings who, inasmuch as they are free, have the right sort of noumenal ground for

their actions. Otherwise, the notion that our bare noumenal selves could be liable for the impulses of sensibility would be, not only incomprehensible as Kant puts it, but absurd.

In short, I have argued that, even if we reject that imputation could be accounted for either at the mere phenomenal level, or within the bare noumenal sphere, there is still another option available for us to go for: we impute actions to phenomenally unified beings we judge as being noumenally grounded in the relevant way. I have contended, further that this model does not just solve the problem of moral improvement, but it fits comfortably within Kant's explicit claims regarding noumenally grounded phenomena, both in his remarks on imputation and in his practical philosophy in general.

5. Making the model work

One last loose end that merits, at least, a brief overview, brings us back to the epistemic worries that haunt Kant's ideas on moral agency in general. Imputation requires of us that we judge certain empirically unified beings as having the right sort of noumenal ground, but how can we do this without breaching the limits of reason? The category of substance, which could seem apt for identifying particular persistent objects amid phenomena, for instance, does not work. It is "nothing other than [a] principl[e] of the determination of the existence of appearances in time, in accordance with [the *modus*] of the relation to time itself, as a magnitude" (A 215/B 262), and so gives us no clue as to whether there should be a noumenal ground that corresponds to it in particular. Neither will our empirical character help, since such a character is merely a "law of [an effective cause's] causality, without which it would not be a cause at all" (A 539/B 567). This is not an empirical being, it is the law that rules over it as an effective being, and, thus, presupposes the unity of the subject rather than facilitating it. What is more, Kant claims that we attribute a dual character to the subject, not an intelligible character to the empirical character: "one would also have to allow *this subject* [emphasis added] an intelligible character, through which it is indeed the cause of those actions as appearances". We still need to find a subject.

Luckily, there is one case Kant analyses at length in which a phenomenal unity requires us to posit a suprasensible ground without which we could not understand its possibility: organisms¹⁶. The peculiar way in which organisms appear to us, namely, the way in which in them “everything is an end and reciprocally a means as well” (5: 376) is unexplainable by merely mechanical causes. As such, the experience of natural ends authorises us to posit a supersensible teleological ground for nature, of which, however, “from a theoretical point of view, we cannot form the least affirmative determinate concept” (5: 412). But, then, what is it we can do with it?

Kant makes a distinction between *suppositio relativa* and *absoluta* in the section “On the final aim of the natural dialectic of human reason” in the *Critique of pure reason* that will help us here. Even though we cannot theoretically cognize any determinate object to occupy this intelligible ground, as a *suppositio absoluta* would have; we can allow for a relative supposition, as our only chance to make a need of our cognitive faculties, if not comprehensible, at least thinkable: “I think only the relation which a being, in itself unknown to me, has to the greatest systematic unity of the world-whole, and this is solely in order to make it into the schema of a regulative principle for the greatest possible empirical use of my reason” (A 679/B 707). In the 1793 *Prize Essay*, Kant puts the same point in terms of “symbolization”: “if [a pure concept] cannot be exposed [through schematism], but merely by its consequences, the operation can be called a symbolization of the concept” (8: 279).

We, then, cannot know what the ground is, but we know what it must do. In the case of the “legal unity” that we must suppose as underlying nature (5: 180), it must, among others, account for the particular whole-to-parts unity that organisms exhibit. Thus, our unity as empirical beings – given that we, too, are living beings – cannot be entirely irrelevant to the noumenal ground that we must posit “underneath” nature; rather, inasmuch as we are justified in positing

¹⁶ Exactly what it is about organisms that is incomprehensible to us has been a matter of long debate among scholars, but, in general, there seems to be agreement, with different nuances, that something about how they appear to be wholes over and above their parts is the crucial aspect of it. See Ginsborg (2004), Zuckert (2007), Geiger (2022). Also: “because of the peculiar constitution of my cognitive faculties I cannot judge about the possibility of [natural ends] and their generation except by thinking of a cause for these that acts in accordance with the analogy with the causality of an understanding” (KU 5: 397-8).

such a teleological ground at all, we are justified in positing one that accounts for the unity of the sort of beings we are. Having, then, established that noumena must be, at least, such as to account for our empirical unity, it is a job for reason to provide “determination for the [supersensible] substratum through its practical law *a priori*” (5: 196). The exigencies of judgment have opened up a special space for some intelligible ground to apply to certain empirical beings, and our moral commitments give us a certain intelligible ground – our noumenal selves – we need to place somewhere. This way, we can, at least, make sense of how we could go about judging an empirical unity as having a noumenal ground of a certain sort.

Admittedly, Kant never comes anywhere close to claiming that this is the sort of empirical unity that his theory of freedom, let alone imputation, demands. My goal in this section is to assess whether, and how, using Kant’s own available tools, we can amend some pressing problems with his theory as written. Having said that, there are two extant issues with this account that I would like to mention to conclude. First, it could be objected that, while we have theoretical reasons to posit an intelligible ground that accounts for the legal unity of nature, this is a ground completely unlike the type that we need to account for freedom. On the other hand, one could protest that, if the point of this discussion was to make sense of the possibility of moral change while assuring the stability of imputation, we have just replaced one unchanging noumenal ground for another; how can this new legal ground of nature be any better at accounting for a moral revolution?

I mention these two points together because both can be tackled in one go. Indeed, the grounds elicited by the legal unity of nature are not the same as our noumenal selves. But that is how we can account for the fact that our empirical unity needs to, plausibly, encompass several different noumenal selves. Though, once more, we cannot assert anything as to how the intelligible ground actually would work, Kant claims that, due to the discursive nature of our understanding, we can only understand how contingent diverse wholes such as organisms exist by thinking that they are an effect of the *representation* of their whole (5: 408).

What characterizes a representation of a systematic whole is that, much as it would be the case if we had an intuitive understanding, the parts of the whole *follow* from the representation.

When we build a house, our adding a door here, a window there, etc., follows from our starting representation of a house. Analogously (and only analogously, since art is no match for nature), we can figure how, from the representation of the whole of the universe in its legal unity, the particular unity of what manifests as our empirical lives could follow; and, from that sub-representation that is our unity as living beings, several moral characters could follow, articulating our life as a whole. Speculative as this is, it boils down to an otherwise unremarkable claim: our unity as empirical beings *needs* to be broader than any one moral character, not only because we must accept moral change as possible in one's life, but because there are points in our life when we are not free. Thus, if the unity of our life must be grounded in a representation, it will forcibly be broader than any noumenal self, and, thus, it will possibly encompass several of them.

How these grounds interact with each other is categorically beyond our possible knowledge, but that is precisely in line with Kant's doctrine: how we actually are free, and how we can shed an old noumenal self to bring in a new one, those are incomprehensible things for us. However, we must, and we can, regard ourselves as living beings that can be free.

6. Conclusion

I have argued that Kant's account of imputation cannot be reduced to the phenomenal or to the noumenal level. While the first option is not up to much debate, the second one brings in some notoriously hard problems as well. In particular, I have argued that, if imputation were merely noumenal, we could not account for the deep sort of moral change Kant is committed to. Instead, I have argued that, following Kant, we impute actions to phenomenally unified beings we judge to have the right sort of noumenal grounds. I have suggested that we can make sense of these judgments of noumenally grounded phenomenal units by looking at Kant's theory of organisms; we can judge humans as such insofar as they are living beings who can be free.