The dignity of humanity

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ABSTRACT: This paper argues that the normative significance of humanity is not to be understood in axiological terms (and that it is hence somewhat misleading to speak of the 'value of humanity') but is instead to be construed in distinctly deontological terms (and that it is accordingly preferable to speak of the 'status of humanity'). It argues, in particular, that humanity has dignity insofar as humanity is the ground of being a member of the domain over which maxims have to be universalisable.

1 Introduction

Kant argues in Groundwork II that humanity is an end-in-itself (cf. 4:428), that it has absolute worth (cf. 4:428), that it has dignity (cf. 4:435), that it is beyond price (cf. 4:434), that it is never to be used merely as a means (cf. 4:429) and that it functions as the ground of the categorical imperative (cf. 4:428).[1] Whilst there is much debate about how these arguments are to be interpreted and whilst it is unclear how exactly these various claims relate to one another, it is abundantly clear that humanity occupies a central place in Kant's ethical thought. This becomes especially apparent when one considers the second variant of the categorical imperative, namely the formula of humanity:

> *so act that you use humanity, whether in your own person or that of any other, always at the same time as an end, never merely as a means.* (4:429)[2]

Kant's discussion of humanity has led many people (both Kant scholars as well as moral philosophers) to speak of the value of humanity.[3] They construe dignity

[1] These arguments are conditional. At this stage of the Groundwork, it is still an epistemic possibility that morality is nothing but a chimera, a figment of the imagination. Ruling out this possibility and establishing the objective reality of morality is the task of Groundwork III (cf. section 3.5).

[2] Kant's works are cited in terms of volume and page numbers of the Akademie-Ausgabe (Kant: 1900). Translations are my own.

[3] Most notably, Korsgaard: 1996, Wood: 1999, and Guyer: 2000.

as a type of value that functions as the ground of the categorical imperative and that explains why humanity is to be respected.

The first part of this paper argues that the normative significance of humanity is not to be understood in axiological terms (and that it is hence somewhat misleading to speak of the 'value of humanity'). It argues 1. that there is no room for dignity within Kant's axiological theory, since the good will is meant to be the only thing that is unconditionally good, thereby precluding humanity from likewise being unconditionally good, 2. that value bearers are ends to be effected yet that humanity is a self-standing end, 3. that the categorical imperative cannot be grounded in a value, since this would conflict with the priority of the right over the good, 4. that a unified axiological construal cannot simultaneously explain both perfect and imperfect duties, since any attempt to explain the inviolability of persons on axiological grounds will preclude the possibility of accounting for imperfect duties, and vice versa, and 5. that construing dignity as a value conflicts with Kant's argument for humanity at 4:428.

The second part argues that the significance of humanity is to be construed in distinctly deontological terms (and that it is accordingly preferable to speak of the 'status of humanity'). Whereas other critics of axiological approaches have advocated a deflationary reading of the role of dignity,[4] this paper puts forward a deontological reading and argues that dignity does play an important role. Dignity is construed as a deontological status that consists in humanity being a self-standing end that is to be respected. In particular, dignity turns out to play a crucial role in Kant's ethics by determining the domain over which maxims have to be universalisable.

2 Dignity as value

Is the dignity of humanity to be construed as a type of value? Moreover, should we think of this value as being the ground of the categorical imperative? Do we have to respect humanity because it has value?

This section argues that axiological readings, which answer these questions in the affirmative, run into difficulties and are to be rejected. The next section develops an alternative deontological reading, according to which dignity is not a type of value but a deontological status.

2.1 Humanity and the good will

For Kant, the good will is the only thing that is unconditionally good (cf. 4:393). In fact, the good will is the supreme good: it is the condition of everything that is

[4] Deflationary readings of dignity treat it as being derivative and not capable of doing justificatory work, cf. "'dignity' is not itself a concept that carries any justificatory weight" (Sensen: 2009, p. 331).

good (cf. 5:110). This precludes humanity from likewise being unconditionally good, which means that the absolute worth (or dignity) of humanity cannot be a type of unconditional goodness.

1. the good will is the only thing that is unconditionally good

2. humanity has absolute worth

3. good will $\neq$ humanity

These three claims are inconsistent on an axiological reading. If the absolute worth of humanity is a type of unconditional goodness,[5] then a contradiction arises unless one rejects claim 3. and identifies humanity with the good will.[6] This, however, would be misguided. After all, they have different extensions. Although all rational beings have humanity, it is not the case that all rational beings have a good will.[7]

The inconsistency can be avoided by a deontological reading of humanity that distinguishes the axiological property of something that is unconditionally good from the deontological status that something has that possesses dignity. On such a reading, 1. attributes an axiological property to the good will, whereas 2. asserts of (bearers of) humanity that they have a distinctive deontological status (what exactly this status consists in will be discussed in section 3). This does not involve a contradiction, since these two attributions belong to different domains that do not conflict. The status vs. value distinction, in this way, allows us to resolve this seeming conflict.

2.2 The objects of practical reason

Relatedly, there is no room for humanity construed as something that is good within Kant's theory of value, which he puts forward in the second chapter of the analytic of pure practical reason in the Critique of Practical Reason. To be intrinsically good is to be an (immediate) object of practical reason. Given Kant's dualistic theory, there are two such objects. Happiness, or more precisely the state of affairs consisting in the agent being happy, is the object of empirical practical reason and is, as such, the natural good. The good will, or more precisely the state of affairs consisting in the agent having a good will, is the object of pure practical reason and is the moral good. Happiness and the good will, accordingly, turn

[5] Something that is absolute "holds without restrictions" (A326/B382) and is contrasted with that which is restricted to certain conditions.

[6] Dean: 2006 endorses this approach.

[7] A good will is not to be confused with a pure will (= Wille), which every human being has. A good will is a good disposition ('Gesinnung'), which is only had contingently when self-love is subordinated to duty and which is contrasted with a bad will, which someone has when they are self-conceited and prioritise self-love over duty.

out to be the only possible intrinsic goods.[8] Since these two objects of practical reason exhaust what is intrinsically good, one can only find a place for dignity (which is meant to be of intrinsic significance) by construing it in deontological rather than axiological terms.

Kant's theory of value, moreover, implies that it is a category mistake to consider humanity to be good. Since being good amounts to being an object of practical reason and since the objects of practical reason are states of affairs that are to be brought about, it follows that value bearers are states of affairs. As Kant makes clear at 5:57 these objects are possible effects that can be brought about by means of the causality of freedom. Whilst the immediate objects of practical reason are intrinsically good and are ends that are to be effected ("*bewirkenden* Zwecke" 4:437)[9], the mediate objects are extrinsically good and are means to be taken. Humanity, however, is not a state of affairs that is to be brought about but a self-standing end ("*selbstständiger* Zweck" 4:437). Such ends are prior to action. Instead of being brought about by the causality of our actions, they precede our actions. The problem is thus that value only applies to ends that are to be effected (as well as the means that are to be taken to effect these ends), since only they are objects of practical reason, and not to self-standing ends. Since humanity is a self-standing end, it does not have a place in the realm of value.[10]

Furthermore, the objects of practical reason are not shared. Although all of us have the same objects when considered as types, the tokens differ from person to person. Both in the case of empirical and pure practical reason, the object is an end for me, i.e. an end that I am to bring about. My being happy is the object of my empirical practical reason, whereas my having a good will is the object of my pure practical reason. These are the objects of my will, the objects that I can bring about by means of my freedom. This is particularly clear in the case of the good will. My having a good will is something that only I can bring about, since an agent's disposition ('Gesinnung') is the result of a free choice on the part of the agent. Accordingly, it is not something that can be the object of another's will (but at most the object of another's wish, cf. 6:213). Even the highest good is to be understood as an object of each person's will. It is only the highest good of the world (as opposed to the highest good in a person) that is not restricted in this way. Yet, the highest good of the world is not an object of any finite rational creature's will, but only the object of God's will (cf. Bader: 2015a, section 5). Humanity, however, is not an end for a particular agent that is to be brought about by him or her. It is a shared end, in particular an objective end that is to

[8] Strictly speaking, happiness and the good will are not good but are good-makers. They are not value bearers but properties that are such that their instantiation is good, i.e. the state of affairs in which someone is happy or in which someone has a good will is something that is good.

[9] In the case of the good will, it is good because it is to be brought about. In the case of happiness, it is to be brought about because it is good (cf. section 2.3).

[10] Section 3.7 explains in what sense both ends to be effected (relative ends) and self-standing ends (ends-in-themselves) classify as 'ends'.

be respected by everyone (cf. 4:431). Instead of being an end for someone, it is an end-in-itself.

2.3 The priority of the right over the good

Kant argues in the second chapter of the analytic of pure practical reason that the law has to come first and that value comes second in the case of morality. Unlike in the case of prudence, where value comes first and determines the principle, the law has priority when it comes to moral value (cf. the paradox of method 5:62-63).[11] Something is morally good because it is to be brought about, rather than to be brought about because it is good. Value thus cannot play a foundational role in morality.[12] Accordingly, it is not possible for the 'value of humanity' to function as the ground of morality. Morality is grounded in pure practical reason, not in values.

2.4 Perfect and imperfect duties

The categorical imperative is a single principle that generates both perfect and imperfect duties. If one is to ground the categorical imperative in a value, then one needs to provide a unified explanation of both perfect and imperfect duties in terms of this value. Axiological accounts, however, have difficulties in explaining these two types of duties and are unable to provide a unified explanation that underwrites both of them.

On the one hand, problems arise in the case of imperfect duties, both when it comes to explaining their strength and their content. First, value-based explanations of imperfect duties, such as the duty of beneficence, render this kind of duty too rigorous and demanding. The pursuit of self-love will no longer merely be limited by considerations of duty but will be ruled out altogether, since one will then be required to always act from duty and never on the basis of self-love whenever beneficent actions are possible.[13] This conflicts with its being a wide duty that allows for latitude. Second, they will have difficulty in explaining why the duty of beneficence is restricted to helping those who are in need rather than being an unrestricted duty to help others in general. Imperfect duties, when explained axiologically, thus risk being both too demanding and not suitably restricted.

[11] The case of prudence shows that there is no problem as such with grounding a principle in a value, but only with grounding a principle of morality in a value. Whilst hypothetical imperatives can be grounded in the value of happiness, the categorical imperative cannot be grounded in the (supposed) value of humanity. The (natural) good is prior to prudence, yet the right is prior to the (moral) good.

[12] Although the unconditional goodness of the good will occupies a prominent role at the beginning of the Groundwork, the order of exposition in the Groundwork is the inverse of the order of justification, since Kant proceeds analytically in sections I and II of the Groundwork, beginning with an analysis of common rational cognition (cf. 4:392).

[13] Cf. "Kantian beneficence: material or formal" (Bader: manuscript).

On the other hand, axiological accounts of perfect duties also face difficulties. Since values allow for commensurability, an axiological reading conflicts with the idea that dignity is inviolable and does not admit of trade-offs. To preclude trade-offs one can try to bring in infinite or incomparable values.[14] Either way, one can at best ensure that humanity is not to be traded off against mere things, i.e. against what merely has price and lacks dignity. However, one cannot rule out trade-offs at the level of humanity, given that dignity would seem to be commensurable with itself. Accordingly, one ends up with a 'utilitarianism of rights'. As Nozick notes, "[h]ad Kant held [an axiological, or end-state, view], he would have given the second formula of the categorical imperative as, 'So act as to minimize the use of humanity simply as a means,' rather than the one he actually used" (Nozick: 1974, p. 32). As a result, one ends up with an account of perfect duties that is too permissive and does not underwrite inviolability.[15,16]

It might be objected that an axiological approach can avoid these difficulties as long as it recognises that there are different ways in which one can respond to value. If one holds that not all values are to be promoted, in the sense that one is to bring about the greatest possible instantiation of these values, but that some values are to be honoured or respected, then one can underwrite inviolability by claiming that dignity is a value that is to be respected rather than promoted and hence does not allow for trade-offs.

Even if one grants that there are both values that are to be promoted and values that are to be respected,[17] it is not possible to simultaneously generate both perfect and imperfect duties on the basis of a single value. They cannot both be grounded in the value of humanity, since it is not possible for one and the same value to require both promotion and respect. For Kant, what is to be respected and what is to be promoted belong to different ontological categories. Whereas respect can be required in the case of existing objects, promoting can only be an appropriate way of responding to states of affairs that are to be brought about. Objects and states of affairs are distinct ontological categories, making it impossible for anything to belong to both of them. Since nothing can simultaneously be both an existing

[14] Incomparability approaches run into difficulties since the incomparable values cannot be integrated into an overall evaluation (cf. Bader: 2015b).

[15] This approach might underwrite something in the vicinity of what Cummiskey: 1996 calls Kantian consequentialism but cannot constitute a foundation of Kant's deontological ethics.

[16] Inviolability can be generated by appealing to agent- and time-relative values. This, however, involves assigning value, not to humanity, but to the agent's actions. Moreover, one is no longer dealing with objective ends that are shared by everyone, but with agent-relative orderings that vary across agents. Instead of being based on the agent-neutral value of humanity, the resulting theory would be based on the agent- and time-relative disvalue of disrespecting humanity.

[17] Whilst it is crucial to distinguish between promoting and respecting, this distinction should not be construed as a distinction within the axiological realm. Instead of there being two ways of responding to value, there are two different things to which one is to respond. Whereas value is to be promoted, status is to be respected. The contrast is not to be found in the axiological realm but rather separates the axiological from the deontological.

object and a state of affairs that is to be brought about, it is not possible for one and the same thing to be such that it is both to be respected and to be promoted. It can only be one or the other, but not both.

Since perfect duties would have to be explained in terms of a value that is to be respected, whereas imperfect duties would have to be explained in terms of a value that is to be promoted, it follows that a single value cannot underwrite both of these types of duties. Either the value of humanity is a value that is to be respected. In that case, one can account for perfect duties, yet imperfect duties fall by the wayside. Or it is a value that is to be promoted, in which case one might be able account for imperfect duties (though, as we have seen, difficulties arise regarding both the strength and the content of imperfect duties), but is unable to explain perfect duties. When proponents of the 'value of humanity' interpretation indiscriminately refer to 'respecting', 'preserving', 'enhancing', 'furthering' and 'promoting' humanity, they are grouping together radically different responses that cannot be required with respect to one and the same thing. It is, accordingly, not possible to ground both perfect duties (duties of respect) and imperfect duties (duties of promotion) in one and the same value.

2.5 The argument for humanity

Kant argues that there must be an end-in-itself if there is to be a categorical imperative. He considers various candidates and argues by elimination that only persons can be ends-in-themselves.[18] A puzzling feature of this argument is that Kant considers neither happiness nor the good will.[19] Their absence is rather conspicuous, especially so if one construes the idea of an end-in-itself axiologically, i.e. as something that is valuable. After all, the good will is unconditionally good and happiness, though being only conditionally good, is nevertheless good in itself, i.e. it has conditional intrinsic value.[20] The two things that are good in themselves are both absent. This should be rather puzzling if an end-in-itself is something that is good in itself.

(The absence of the good will and of happiness is puzzling not only on the elimination reading but also on the regress reading. A regress argument that starts with something valuable and then regresses to either the source or the condition of value, should consider the two prime candidates for intrinsic goods. Depending on whether the regress is to the source or the condition of value, one would end up either with happiness or with the good will. On the one hand, a regress from derivatively valuable things to the source of their value, i.e. from extrin-

[18] Whilst agreeing with Timmermann: 2006, Kerstein: 2006, and Allison: 2011, in rejecting the regress readings put forward by Korsgaard and Wood and opting instead for the traditional elimination reading, I disagree with them on how the elimination reading is to be construed.

[19] Nor does he consider one's own perfection as well as the happiness of others, which are the two ends that are duties, i.e. the ends that are set by morality.

[20] Cf. "Kant and the conditional intrinsic value of happiness" (Bader: manuscript).

sic value to intrinsic value, ends up with happiness. This is because things that are extrinsically good, in particular instrumentally good, derive their value from the intrinsically good things that they bring about, namely happiness.[21] On the other, a regress from something the value of which is conditioned to the condition of this value and ultimately to that the value of which is unconditioned, ends up with the good will, which is the supremum bonum, the unconditioned condition of everything that is conditionally valuable (cf. 5:110). In neither case does one end up with humanity.)

The fact that neither happiness nor the good will are considered in the argument for humanity can be explained on a deontological reading. This argument is not concerned with what is good in itself. Instead, it is concerned with what has dignity, construed as a deontological status. Whereas something that has value is to be brought about and is an end that is to be effected, something that has dignity is a self-standing end that needs to be respected. Since Kant is concerned, not with what is valuable, but with what has the status of an end-in-itself, all the candidates that he is considering are existing objects. Only existing objects can be candidates for being pre-existing ends (i.e. something that "*exists* as an end in itself" 4:428) that can precede and hence constrain the action (which allows them to function as the ground of the categorical imperative, cf. section 3.5). It is for this reason that happiness and the good will are excluded. They belong to the wrong ontological category. My being happy as well as my having a good will are not pre-existing objects but states of affairs that are to be brought about by my actions. Accordingly, they cannot be self-standing ends, but only ends that are to be effected.

This reading needs to overcome two difficulties. First, the claim that Kant only considers existing objects in this argument might be thought to conflict with the first option, namely objects of inclinations ('Gegenstände der Neigungen'). Many have construed this option as referring to ends that are to be effected (e.g. Allison: 2011, pp. 220-221 & Timmermann: 2006, pp. 74-75). However, when Kant speaks of 'objects of inclinations' he is only concerned with existing things, not with states of affairs that an agent desires and intends to bring about. What he is considering are objects that we can use as means in fulfilling our desires, where a means is an object that constitutes the ground of the possibility of acting in such a way as to bring about an end, i.e. the means is a thing that can be used and thereby makes possible an action that has as its effect the realisation of an end.[22] "That, by contrast, which contains merely the ground of the possibility of the action, the effect of which is the end, is called the *means*" (4:427). In the introduction to the Feyerabend lectures, Kant gives the moon as an example of

[21] Whilst the good will is intrinsically good, it cannot be caused but issues from an uncaused cause, namely freedom, and hence cannot be the end of a regress that proceeds from what is instrumentally valuable to the intrinsic value from which it derives its goodness.

[22] Things that can be used have price, where price is distinct from value, cf. section 3.4.

such an object that has worth (as a means) insofar as it illuminates the earth.

The second problem is to make sense of inclinations ('Neigungen'), which come up in the second sentence of the argument.

> [1] All objects of inclination have a merely conditional worth; since if the inclinations and the needs that are based thereon were not to exist, then their object would be without worth. [2] Inclinations themselves, however, as sources of needs, are so far from having an absolute worth, such that one would wish them themselves, that being wholly free of them has to rather be the universal wish of every rational being. [3] Thus the worth of all objects *to be acquired* through our actions is always conditioned. (4:428)

It is usually thought that Kant considers four candidates, namely: 1. objects of inclinations, 2. inclinations themselves, 3. non-rational beings, and 4. rational beings.[23] By eliminating the first three options, we end up with persons/rational beings as the only suitable candidate. This traditional reading conflicts with the proposed interpretation. The second candidate does not fit in. Since inclinations are not objects that exist, they are not plausible candidates for being self-standing ends. The traditional interpretation, however, is misguided in treating inclinations as one of the candidates that needs to be eliminated. Kant only considers three candidates, not four. Inclinations are not meant to be an alternative in their own right.[24]

Rather than being put forward as a possible candidate for being ends-in-themselves, inclinations are only brought in to explain why inanimate objects are not ends-in-themselves. It is for this reason that the third sentence of the argument reads: "Thus the worth of all objects *to be acquired* through our actions is always conditioned." This sentence is expressed as a conclusion ('Also') that is meant to follow from the previous two sentences. What is concluded in this sentence corresponds pretty much directly to what is asserted in the first part of the first sentence. This causes difficulties for the standard interpretation, which takes the claim that objects of inclinations are eliminated due to only having conditional worth to be already established by the first sentence. The third sentence would then be out of place. It would be nothing but a re-assertion of what was meant to have been established two sentences earlier. What reason would Kant have for eliminating options 1 and 2 in the first two sentences, respectively, and then restating in the form of a conclusion the rejection of option 1 in the third sentence?

We can avoid this problematic reading and instead treat the third sentence as stating a conclusion that does follow from the prior two sentences. The first part of the first sentence states what is to be established (objects have 'bedingten Wert'). Kant then starts his argument ('denn') for this claim in the second part

[23] On rational nature = rational being, cf. Timmermann: 2006, pp. 71-72.

[24] For a similar reading cf. Stern: 2015, p. 98 (thanks to Nandi Theunissen for this reference).

of the sentence. Objects of inclinations derive their worth from inclinations and would be without any worth were it not for the inclinations. The second sentence argues that the things which condition the worth of these objects, namely the inclinations, do not have absolute worth. The conclusion stated in the third sentence then follows. Since inclinations do not have absolute worth, their objects cannot derive absolute worth from them. Accordingly, objects that can be acquired can only have conditional worth.

The Feyerabend lecture notes (which were taken during the winter semester 1784, i.e. around the time when Kant submitted the manuscript of the Groundwork to his publisher) provide further support for the two claims that (i) objects of inclinations are existing things and not ends to be effected, and that (ii) Kant is concerned with only three rather than four candidates. In the opening paragraph of his lecture course, Kant puts forward an analogous elimination argument in which he only considers 1. inanimate things, 2. animals and 3. humans. Objects of inclinations are identified with inanimate things and inclinations themselves do not come up at all.[25,26]

This interpretation, moreover, allows us to establish the exhaustiveness of the candidates under consideration. An argument by elimination only succeeds when the set of candidates is exhaustive. Exhaustiveness, however, has been called into doubt: "might not Kant have overlooked some other candidate for absolute goodness?" (Kerstein: 2006, p. 204). Kerstein puts forward the state of affairs in which all rational beings are happy as an alternative candidate. This state of affairs, however, can be excluded on the grounds that it is an end that is to be effected. Since Kant is concerned with self-standing/pre-existing ends rather than with ends that are to be effected, the range of possible candidates is drastically reduced.

Not only is the range of candidates reduced but also their heterogeneity. The more heterogeneous the candidates under consideration, the more difficult it is to show that they result from a number of exhaustive divisions and consequently exhaust the set of possible candidates. If the set of candidates were to include objects of inclinations, where these are construed as ends to be effected, as well as inclinations themselves, then the candidates would form a rather heterogeneous bunch. It would then be unlikely that the entire set of possibilities could be exhausted by four candidates. This problem of heterogeneity is avoided if (i) objects of inclinations are construed as existing things rather than as states of affairs that

[25] Additionally, considering inclinations as potential candidates for being ends-in-themselves is rather strange (as Allison: 2011, p. 220 recognises).

[26] August Friedrich Müller, who is an important precursor of Kant in this context (cf. Hruschka: 1990), develops a similar position. He argues that persons are ends-in-themselves and that both inanimate objects and animate yet non-rational objects are mere means. "Other substances, both living and non-living, …that do not exist for their own sake and do not have their own ends, but are destined to be only means for the service of the first type of substances, namely persons" (Müller: 1733, Vol. II p. 401). Here, it is particularly clear that what is being considered are only substances, i.e. pre-existing objects.

are to be brought about, and (ii) inclinations themselves are not a candidate in their own right but are only brought in to rule out objects of inclinations.

By excluding states of affairs that are to be brought about, as well as inclinations themselves, and thereby restricting the candidates for self-standing ends to existing things, i.e. substances, one ends up with a suitably homogeneous set of candidates that can be generated by two exhaustive divisions. The set of existing things can be exhaustively and exclusively divided: things are either inanimate (= option 1) or animate, and if animate then either non-rational (= option 2) or rational (= option 3). The exhaustiveness of this division ensures that by eliminating options 1 and 2, one can establish that option 3 is the correct option, i.e. that rational beings are ends-in-themselves.[27,28] Construed in this way, the contrast between 'Sachen', which lack dignity, and 'Personen', which have dignity, constitutes a sharp dichotomy amongst existing things.

3 Dignity as status

Humanity is not an end that is to be brought about, but a self-standing end that is to be respected. This means that dignity is not to be construed axiologically but deontologically. It is not a value but a status. Speaking of the 'value of humanity' is, accordingly, misleading and to be replaced by the 'status of humanity'. Being an end-in-itself is a distinctly deontic phenomenon. The key question then is: What is the role of self-standing ends? The answer is that they determine the domain of universalisation.

3.1 The domain of universalisation

The categorical imperative requires our maxims to have universal validity. It must be possible for them to become laws. Although it is clear that our maxims have to be universalisable, it is not so clear with respect to whom they have to be universalisable. For whom is the maxim meant to be valid? For whom is it meant to become a law? These questions might seem to have an easy answer: something is universally valid if it is valid for everyone. A law is something that governs everyone without exception. 'Everyone', however, is a universal quantifier over

[27] Even when exhaustiveness is guaranteed, there is still the question whether all members of the class of rational beings are ends-in-themselves, cf. sections 3.2 and 3.3. As it stands, the elimination argument does not suffice for establishing that the class of ends-in-themselves is to be identified with the class of rational beings. Yet, it does establish that the former are amongst the latter, i.e. that they constitute a proper or improper subclass.

[28] As noted in footnote 1, the arguments in Groundwork II are conditional, insofar as the objective reality of morality is taken for granted. This means that the elimination argument only establishes that rational beings are ends-in-themselves on condition that the categorical imperative has objective reality.

a given domain. This means that we need to be given a domain. Without a domain, the requirement of universalisability does not make sense.

There needs to be something that determines which entities are members of the domain of universalisation. The members of the domain need to share certain features with the agent. There needs to be something that they share in common that makes all of them members of the domain. What is the condition that they must satisfy? What are the features that something needs to share with me such that I need to act towards that thing in ways that are universalisable?

There is an important sense in which maxims by themselves do not suffice. One needs both maxims and status. Whether x's maxim needs to be universalisable with respect to y depends on the status of both x and y. Both x and y have to have dignity for this requirement to be applicable. The status of the agent together with the status of the patient explains the normative relation between them. Both of them have to belong to the domain of universalisation in order for the categorical imperative to apply to their interactions. The categorical imperative governs interactions amongst members of the domain and does not concern relations to things that are outside of the domain. No restrictions are imposed on how mere things are to be used, nor are there restrictions on how mere things are to act towards us. The normative significance of dignity is thus restricted to others who likewise have this status, i.e. to other agents with whom one can stand in relations of reciprocity.

In order for the categorical imperative to be applicable to the actions of the agent x, he has to be capable of acting morally.[29] This means that he has to have pure practical reason, which tells him how to act, namely on maxims that are universalisable, and which provides him with an incentive, namely respect for the law, to act accordingly. Since, as we will see in section 3.2, the capacity to act morally, i.e. act on the basis of the categorical imperative, is the ground of dignity, i.e. it is that in virtue of which someone has dignity, it follows that an agent to whom the categorical imperative applies is someone who has dignity.

The patient y likewise has to have dignity. It is y's status that determines whether y, who is affected by x's action, needs to be able to act on the very same maxim as x. If y has dignity, then y is included in the domain of universalisation, such that x's action towards y needs to be reciprocally implementable. Otherwise, y is a mere thing that is excluded from the domain. It is for this reason that it is possible for an action to be permissible when done to a mere thing, yet to be impermissible when done to a person. The same kind of action, involving the

[29] It is for this reason that, for instance, the killing of a person by an animal does not amount to an infringement of dignity. (By contrast, from an axiological point of view this would seem to be equally problematic as the killing by a person, at least when considered from the perspective of the person being killed, since the value of humanity would be undermined in each case. Although one can argue that animals cannot wrong anyone, as far as the person being killed is concerned the value of humanity is nevertheless compromised.)

same maxim, is permissible in one situation but impermissible in the other.[30] The difference between these cases is due to the status of the thing being acted upon. The maxim needs to be universalisable in the case of a person but not in the case of a mere thing. How x ought to treat y thus depends on y's status.

Mere things are not members of the domain of universalisation. They have an inferior status, in that they are subordinated to ends-in-themselves and do not have to be respected by them. Either they lack wishes, desires and volitions (= inanimate objects), or they have them but they can be ignored (= non-rational animals). As a result, they can be treated as mere means. Ends-in-themselves, by contrast, are elevated above things that merely have a price. They have to be respected and cannot be treated as mere means. Instead of the asymmetric relationship between an end-in-itself and a mere thing, the relationship amongst ends-in-themselves is symmetric. Here we are dealing not with subordination but coordination.

The domain of universalisation is fixed by dignity. Something that has dignity is included in the domain of universalisation, rather than in the domain of things (which can be ignored when universalising maxims). Since rational beings have dignity, they have to respect each other. The categorical imperative requires them to act on maxims that have universality over the domain of universalisation. They have to treat humanity (whether in their own person or in that of others) as an end-in-itself, where an end-in-itself is something that belongs to the domain over which maxims have to be universalisable. They are required to not elevate themselves above other rational beings by treating them as being subordinate and on a par with a mere thing. Instead, they have to respect that they all have the same status and belong to the same domain and hence are to relate to each other reciprocally. Accordingly, they are not allowed to make exceptions for themselves (/for this once), but have to act in ways that are reciprocally implementable, i.e. universalisable.

Dignity thus plays a crucial role by fixing the domain over which maxims have to be universalisable. It specifies with respect to which entities I need to coordinate my actions, as well as which entities are such that I can subordinate them to my purposes and use as mere means.

3.2 The capacity to act on maxims

It might be objected that the appeal to dignity in fixing the domain of universalisation is redundant since one can simply consider this domain to consist of all agents. The reciprocal implementability of maxims does not apply when an agent acts towards a non-agent. Something that cannot act on maxims is by its

[30] Maxims are proposed by instrumental reasoning, which is not sensitive to distinctions in moral status, but operates at the descriptive level of causal connections, where human beings and mere things can be similarly causally implicated in our actions. Accordingly, the relevant differences are not at the level of maxims.

very nature excluded from considerations of reciprocity. It makes no sense to ask whether something that is incapable of acting on maxims can reciprocally act on the same maxim. Things that are incapable of acting on maxims are, accordingly, excluded from universalisation. This restriction follows from the very idea of universalising a maxim. The logic of universalisation excludes mere things and restricts the domain to agents, that is, to beings that can act on maxims.

Something that is not capable of acting on maxims is not something with respect to which the universalisability of maxims can be assessed. This, however, leaves it open that there could be additional restrictions on the domain. That is, there could be restrictions that are imposed by pure practical reason rather than by the very idea of acting on maxims. To address this issue we have to supplement our account of what dignity consists in, i.e. what it is to have dignity and what role this status plays in Kant's theory. We have to investigate what the ground of dignity is, i.e. in virtue of which features something has dignity. This amounts to giving an account of what humanity, i.e. the ground of dignity, consists in.

The crucial question for our purposes is whether the ability to act on maxims is the ground of being an end-in-itself (in which case the domain consists of all agents and the only things that are excluded are things with respect to which it makes no sense to universalise), or whether a more demanding condition such as having pure practical reason has to be met (leading to a more restricted domain, the specification of which does not follow from the very idea of universalising maxims). Put differently, the question is whether the capacity to act on maxims is too thin as a ground of dignity.

Some interpreters have thought that the capacity for end-setting suffices (most notably Wood and Korsgaard). However, there is a great deal of textual evidence that Kant thought otherwise. In the Metaphysics of Morals, Kant notes: "Even the fact that he has the advantage over them [= the other animals] that he has understanding and can set himself ends does not give him anything but an *outer* value due to his usefulness (*pretium usus*), namely of one man over another, i.e. a price" (6:434). Having understanding and being capable of setting ends does not suffice for dignity. What is needed instead is pure practical reason ("moralisch-praktischen Vernunft" 6:434). Humanity has dignity because it is capable of acting morally (cf. 4:435 & 5:87). This is because agents who are capable of acting morally partake in the dignity of morality.[31,32]

[31] It is for this reason that respect for persons is really respect for the law, cf. 4:401 fn.

[32] This interpretation might seem to conflict with 4:437, where Kant claims that "rational nature is set apart from the others by this, that it sets itself an end". This passage has often been cited in support of taking the capacity to set ends as the ground of dignity, e.g. Wood: 1999, pp. 118-119. Allison goes so far as to claim that "[t]his view receives its most direct support from Kant's statement [at 4:437]" (Allison: 2011, p. 210). However, this involves a twofold misreading of this passage. First, it is not concerned with a general capacity to set ends, but instead with a particular end, namely an end of morality that rational nature sets for us. This is why Kant speaks of 'an end' in the singular and not 'ends' in the plural. Second, the end in question is not even

Dignity is not grounded in the capacity to set ends and act on maxims, but rather in the capacity to be moral. We have to distinguish between a 'Vernunftwesen' and a 'blos vernünftiges Wesen' (6:418; also cf. 6:456).[33] The latter, though being a rational being, lacks pure practical reason and hence does not have dignity (cf. 6:28). Dignity requires not only that one can engage in instrumental reasoning but that reason by itself can be practical.[34] Reason has to provide its own incentive and thereby enable us to act out of respect for the law. The capacity to be moral requires not only empirical but also pure practical reason, since this involves an entirely different source of incentives from that which is operative in the instrumental case.[35] "It does not at all follow from the fact that a being has reason that it [i.e. reason] contains the capacity to unconditionally determine the faculty of choice by means of the mere representation of its maxims as qualifying for universal law-giving and thereby be practical by itself: at least as far as we can see" (6:26 fn).

If there are beings that can engage in instrumental reasoning, yet that lack pure practical reason, then there are beings that can set ends and act on maxims yet nevertheless are not owed respect and are not members of the domain of universalisation.[36] This means that we have to universalise across all those rational

an end to be effected, i.e. an end that is chosen and that we can pursue insofar as it constitutes the matter of our maxims, but a self-standing end that functions as the limiting condition of our actions. In short, whereas the ends that we set ourselves are ends to be promoted, the end that rational nature sets for us is one that we have to respect.

[33] This corresponds to Kant's distinction between the different predispositions in the Religion, in particular the contrast between the predisposition to humanity vs. to personality (cf. 6:26, esp. the footnote). Also cf. R7308 where being an end-in-itself is explained in terms of personality. ('Humanity' in the formula of humanity is not to be understood in the narrow, technical sense given to this term in the Religion but as encompassing personality.)

[34] Since there is a good case to be made to the effect that the normativity of hypothetical imperatives presupposes being subject to the categorical imperative, the type of instrumental reasoning of which beings who lack pure practical reason are capable may well be of a purely theoretical nature and be devoid of normativity, which would ensure that such beings would not be capable of practical (ir)rationality but only of theoretical (ir)rationality (cf. "Pragmatic imperatives and the value of happiness" Bader: manuscript, section 3.4).

[35] Asserting that reason can be practical in this way is in fact a highly troublesome commitment, given that it is impossible for us to explain how one can act without presupposing a prior interest. As Kant notes at the very end of the Groundwork this is incomprehensible and goes beyond the boundaries of human reason (cf. 4:463).

[36] Even if these notions should only come apart in principle and should be co-extensive in practice (such that all beings capable of acting on maxims have dignity), the classification, though being extensionally adequate, would nevertheless not achieve the right result for the right reason (i.e. they would not have dignity because of having this capacity). Similarly, whilst the claim that "[t]hings cannot act, so can have no maxims" (O'Neill: 1989, p. 138) would be false if there should be such beings, since they would be able to act on maxims yet nevertheless not be persons having dignity but mere things that only have price, even if these notions should be co-extensive in practice the truth of the claim could not be established by analysing the concept of a thing or by analysing what it is to act on maxims.

beings who are capable of acting morally. Rather than having to act only on maxims that one can will at the same time to become a law for everyone who can act on maxims, one has to act only on maxims that one can will at the same time to become a law for everyone who is capable of acting morally.

It might be suggested that this domain restriction follows from the very idea of universalisability, insofar as one is required to act reciprocally with respect to all those who are likewise required to act reciprocally. However, there is an important distinction between those who can act on maxims that are universalisable and those who can act on universalisable maxims because they are universalisable (i.e. those who can act according to duty vs. those who can act out of duty). The former merely presupposes the capacity to act on maxims. The latter, in addition, requires pure practical reason. It is not clear whether the very idea of universalisability can decide between these two possibilities and privilege the latter over the former, which suggests that the specification of the domain is imposed by pure practical reason.

3.3 Dignity and the good will

We have seen that dignity is possessed by all those who have the capacity to act morally. It might be wondered why dignity is not only had by those who do in fact act morally, i.e. those who have a good will?[37] Kerstein, for instance, asks: "What justification does Kant have for holding that it is beings with rational nature who constitute the ground of a categorical imperative, rather than maintaining that it is merely beings with a good will who do so? What, for example, permits Kant to reject the view that it is not all of us, but rather only those of us with a good will, who never ought to be treated merely as means?" (Kerstein: 2006, p. 218).

The proposed interpretation allows us to answer this question. Something can be treated as a mere means if it belongs to the domain of things. The question then becomes: why do people who have a bad will not belong to the domain of things? The answer is that those who have a bad will are equally subject to the categorical imperative and must hence likewise be members of the domain of universalisation. The categorical imperative addresses itself to the members of this domain, requiring them to treat each other in ways that are universalisable. If one were to exclude those who have a bad will from the domain of universalisation, then one would not only get the problematic result that those who have a good will do not need to respect them, but also that they do not need to respect those who have a good will. This is because morality is reciprocal. The requirement of universalisation only applies to members of the domain vis-à-vis other members of the domain. Both the agent and the patient need to belong to this domain.

Agents who are subject to the categorical imperative need to be members of

[37] Kant suggests this in the Metaphysik Mrongovius: "man has dignity only insofar as he is morally good" (29:846).

the domain, independently of how they choose. Acting in a non-universalisable manner would, otherwise, ensure that one would not be a member of the domain and hence not be subject to the requirement. As a result, a good will cannot be the relevant feature that makes someone a member of the domain. An agent does not have a good will prior to choice but as a result of the choice. Having a good will consists in giving priority to duty over self-love. This is something that the agent does by making a choice. The agent determines whether he has a good will or a bad will by freely ordering the sources of incentives. Since a good will does not precede the choice of maxim, the agent does not have a good will at the stage of evaluation, which ensures that this cannot be a feature that is required for belonging to the domain of universalisation.

The problem is particularly pressing when it comes to duties to the self. In that case the agent is also the patient. If the good will were to be a requirement on being a member of the domain of universalisation, then one would end up with contradictions. By treating oneself as a mere means and violating a duty towards oneself, one makes it the case that one has a bad will. This then would ensure that one is not a member of this domain. As a result, it would not be necessary that one treats oneself as an end, which contradicts the assumption that one violated a duty to oneself.

We, consequently, need to appeal to features that the agent has independently of how he chooses. Unlike in the case of the hypothetical imperative, where the imperative is grounded in an end that is to be effected and that does not precede the choice but is only brought about by the choice, self-standing ends that precede the choice are required in the case of the categorical imperative. Whereas ends guide choice in the case of hypothetical imperatives, ends constrain the agent's choice in the case of the categorical imperative. In order to constrain the choice, we need something that precedes it. It is for this reason that the domain of universalisation cannot be fixed by the property of having a good will. Instead, it is fixed by humanity, i.e. the capacity of acting morally.

3.4 Dignity and price

Like dignity, price applies to objects. It applies to pre-existing things rather than to states of affairs that can be brought about. Unlike dignity, it is not restricted to objects that have a distinctive deontic status, but applies to all objects. Everything has a price. Price applies to things insofar as they can be used as means in bringing about various states of affairs. A means is something that is useful, something that can be used to bring about various effects. The price of a thing is a function of its usefulness. It is determined by the potential effects that can be brought about by means of this thing. Things that can bring about the same effect are equally useful and are hence equivalent qua means (cf. 7:292). Accordingly, it does not matter which one is used. One gets the same result either way. Accordingly, they have the same price, no matter how heterogeneous they might otherwise be. "Things

that are heterogeneous can have the same worth as long as they are homogeneous in their usefulness" (Feyerabend, p. 75).

Things that lack dignity merely have price. Something that is merely a means is not of significance in its own right but matters only insofar as it is useful. Things that matter only because of the effects that they can bring about are exchangeable when having the same price. Given their equivalence, they can be replaced by each other (cf. 4:434). As long as they have the same effects, they can be treated interchangeably.

Something that has dignity, by contrast, matters not merely because of how useful it is. Things that have dignity matter in their own right and not merely because of what they can effect. They are beyond price in the sense that they matter beyond their usefulness and thus, unlike mere means, cannot simply be replaced by something that is equally useful, which means that they do not have equivalents. Humanity is thus above things that merely have price, not in the sense of having a greater worth, but in the sense of being elevated above them. Humanity belongs to a different sphere, namely to the domain of ends rather than the domain of mere means whose significance is exhausted by their usefulness.

The distinction between mere price and dignity is one amongst existing things and aligns with the distinction between things and persons. The relevant contrast is not between those things that have price and those that have dignity, but between those that merely have price and those that, in addition, also have dignity. Existing things are either mere means (that only have price) or ends-in-themselves (that have dignity in addition to price). Both things and persons can be used as means and hence have price. Yet, whereas objects that merely have price can be treated as mere means, persons have dignity and are to be respected. It is for this reason that one can treat the former as mere means, whilst having to treat the latter as ends-in-themselves. Persons are useful and can be treated as means, but not as mere means, since, in addition to having price, they also have dignity (cf. 6:434, R8066, R1517-1518).

The fact that human beings have both price and dignity, i.e. they are both useful yet are also to be respected, shows particularly clearly that the distinction between price and dignity does not correspond to that between ends that are to be effected (= what is to be promoted) and self-standing ends (= what is to be respected). These different types of ends belong to different ontological categories (namely, valuable states of affairs that can be brought about vs. existing objects that have dignity) and hence cannot apply to one and the same thing. This means that we should not identify, as some have done (e.g. Velleman: 2006, pp. 99 & 101), dignity with what is to be respected and price with what is to be promoted. Like dignity, price is not concerned with what is to be effected.[38] Things have

[38]Accordingly, the good will and happiness neither have dignity nor price (but instead have value). They are neither self-standing ends, nor are they means. They belong to the wrong ontological category for price and dignity to be applicable.

price, yet things are not to be promoted. Instead, it is valuable states of affairs that are to be promoted. What has price is something that is useful in promoting those things that are to be promoted (namely states of affairs that have intrinsic value).[39] Instead of being an end that is to be effected, something that has price is a means that can be used in bringing about various ends.

3.5 The ground of the categorical imperative

At 4:428 Kant claims that something that is an end-in-itself is the ground of the categorical imperative. Ends that are to be effected function as grounds of hypothetical imperatives, insofar as the having of the end explains why the means are to be taken. The categorical imperative, however, cannot be grounded in an analogous way, since it is not based on a means-end relationship. Accordingly, an altogether different explanation is required when explaining how a self-standing end can function as a ground of an imperative.

Such an explanation can be provided by considering dignity as what fixes the domain of universalisation. This is because moral laws would be inapplicable if there were no ends-in-themselves, in the same way that the laws of motion would be inapplicable if there were no matter. There must be ends-in-themselves for morality to be objectively real, in the sense of there being anything that is good or right. Otherwise, the domain would be empty and the moral law would not apply to anything. This means that we need something existent to ensure a non-empty domain. Something must exist to which the moral law applies (both qua subject/agent and qua object/patient), namely rational beings that have dignity and are ends-in-themselves.[40]

The fact that the moral law would be empty is in fact even clearer than in the case of the laws of motion, since what is needed in the case of morality is not merely something to which the law applies, i.e. something that can be subsumed under and be governed by the law, but, given that the moral law is self-imposed, someone who applies the law to himself. As Kant argues, we are not authors of the law, but are only authors of the obligation (cf. 6:227). Accordingly, the law

[39] Usefulness is not a type of value (cf. "Price of a thing is something other than value" (29:846)). Useful things are neither intrinsically valuable, nor extrinsically valuable. Something can be useful in the absence of anything that has intrinsic value which means that it cannot be a derivatively valuable thing that derives its value from the intrinsically valuable things to which it is related. Nevertheless, usefulness is related to value insofar as useful things are things that can be used for bringing about valuable states of affairs and thus have the potential for bringing about value.

[40] Kerstein asks: "But why could not a principle be unconditionally binding on us if nothing was unconditionally good?" (Kerstein: 2006, p. 202). This is a genuine problem for axiological approaches, since an unconditionally binding principle does not presuppose the existence of anything that is unconditionally good. The deontological reading, by contrast, can explain why something having dignity must exist for a principle to unconditionally bind something, since nothing would be bound if the domain were empty.

could still be said to exist if there were no one who had dignity. Yet there would be no obligations, since there would not be anyone who would impose the law upon himself. There would not be anyone from whose pure practical reason the obligation could issue. Morality would then not be binding for anyone.

On this account, dignity is not invoked to justify moral principles. We do not derive the requirement of universalisation from the idea of dignity. Dignity does not explain why maxims need to have universal validity. Instead, it explains why x's maxims need to be universalisable with respect to y. By fixing the domain of universalisation and determining across which agents maxims have to be universalisable, dignity provides objective reality to morality. Since the objective reality of morality requires not only the moral law but also a non-empty domain, it is the dignity of humanity that ensures that morality is applicable and not empty.

We can now better appreciate why Groundwork III is needed. Sections I and II are concerned with identifying ('Aufsuchung') the supreme principle of morality. They analyse common moral cognition and proceed on the assumption that morality is objectively real. Section III, by contrast, proceeds synthetically and is meant to substantiate ('Festsetzung') the supreme principle. This latter task amounts to establishing that morality is in fact objectively real, in particular that it is "something" (cf. 4:445) rather than nothing (the type of nothing at issue here is that of an ens rationis, cf. A290-291/B347). The concern that Kant raises at the end of section II and addresses in section III is not that there might be some mistake in the derivation of the categorical imperative, i.e. that he might have misidentified the supreme principle. Instead, the problem is that morality could, for all we know, be empty. It would then be a mere thought entity to which nothing corresponds in reality, a figment of the imagination that lacks any basis in reality.

Groundwork III addresses this worry by establishing that we are free and that pure reason can be practical. This amounts to showing that there are beings that have dignity, that are bound by the categorical imperative and that need to be treated in accordance with it. That there are rational beings to whom morality is applicable shows that morality is not empty. Whereas in section II we can assert the existence of ends-in-themselves only as a postulate, section III identifies the grounds for this assertion (cf. 4:429 fn). Morality then turns out to be not only logically but also really possible. The dignity of humanity, accordingly, gives objective reality to the categorical imperative and hence classifies as its ground.[41]

[41] Freedom is thus the ratio essendi of the moral law (cf. 5:4 fn.). Unlike a ratio fiendi, which is the ground of existence/becoming, a ratio essendi is the ground of the (real) possibility of a thing (cf. 29:809 & R5182).

3.6 Form and matter

The three variants of the categorical imperative are meant to be extensionally equivalent (cf. 4:436). On the face of it, it is difficult to make sense of this equivalence, since the formula of humanity does not seem to be concerned with universalisation (cf. Timmons: 2017, p. 51) and does not, unlike the other formulas, make explicit reference to maxims. However, by construing what it is to treat someone, not as a mere means, but as an end-in-itself in terms of respecting that person's status as a member of the domain across which maxims have to be universalisable, i.e. as a person with whom one has to interact in ways that are reciprocally implementable, we can explain both how this formula implicitly involves maxims and how it is ultimately concerned with universalisation.

Whereas the formula of the law of nature requires our maxims to be universalisable, i.e. they have to have the form of a law of nature, the formula of humanity tells us that humanity is to be included in the domain of universalisation, i.e. that we are to respect the dignity of humanity by interacting with rational beings on reciprocal terms. The two variants thus differ insofar as the former focuses on the universal validity and hence law-like form that maxims are required to have, whilst the latter focuses on the members of the domain with respect to which maxims have to be universalisable.[42]

Whilst being extensionally equivalent, the variants differ insofar as they emphasise different aspects of the way in which the categorical imperative relates to our maxims. By highlighting what the moral law requires with respect to the different aspects of our maxims, they help us to better appreciate its significance and bring morality closer to intuition. They thereby make it easier for the moral law to gain access (cf. 4:437). In particular, they emphasise the way in which the moral law relates to the form and matter of particular maxims taken by themselves, as well as to the complete determination of all maxims taken collectively.

1. Every maxim has a form. The categorical imperative requires maxims to have a certain form, namely universality as opposed to mere generality. This means that they have to be alike to laws of nature, which have universal validity.

2. Every maxim has a matter, namely an end. The categorical imperative does not provide the matter to our maxims. Nor does humanity constitute the relevant matter.[43] The ends of the maxims that are assessed for universalisability are not given by morality, but by inclinations. Our inclinations put forward ends and instrumental reasoning identifies the practical rules that best realise these ends. It

[42] Contra Rawls: 2000, p. 183 and O'Neill: 1989, ch. 7, the contrast between the formula of the law of nature and the formula of humanity does not correspond to the difference between the agent's point of view and the point of view of the person who is being affected, but the difference between the law and the domain that it governs.

[43] Contra e.g. Guyer: 2000, p. 175 "FHE specifies their '*matter* – that is, an end' to be achieved through the adoption of moral maxims", O'Neill: 1989, p. 127 "FEI as determining the *matter* or end that they must have", Korsgaard: 1996, p. 106 "rational nature or humanity as an end in itself gives us the material of the law", also Rawls: 2000, p. 194 & Timmermann: 2007, p. 111.

is these rules that are assessed as to whether or not they are universalisable. The ends in question are, accordingly, the various relative ends that agents have. These are ends to be effected and it is their realisation that the maxims aim at.

Ends-in-themselves are not the ends of our maxims. Instead, they are the restricting condition of all our maxims ("restricting condition of all merely relative and arbitrary ends" 4:436). The second variant assigns priority to self-standing ends over ends to be effected. The relative ends that we pursue are subordinated to and hence constrained by the self-standing ends that have dignity. The pursuit of our ends is in this way limited by self-standing ends. Unlike things, these self-standing ends, i.e. persons, cannot be used as mere means when pursuing our relative ends. Instead, they need to be respected. They need to be treated in a way that is fitting for members of the domain of universalisation. Respecting ends-in-themselves is thus prioritised over effecting relative ends, which is why Kant speaks of the "*end prioritisation* (*Zwecksvorzuges*) of rational beings in themselves" (4:431) when referring back to the second variant.

3. The third variant, the formula of the realm of ends, combines the prior two ("unites the other two by itself within it" 4:436). It is a synthetic unity that results from their combination, analogous to the way in which the third category under each heading in the table of categories is a (non-derivative) combination of the prior two (cf. B110). Kant models the relation of the three variants on that of the categories of quantity. We have a progression from unity to plurality to totality. In the theoretical case a totality is nothing other than a plurality considered as a unity. Similarly, a realm of ends is a systematic unity that results from considering a plurality of relative ends ("*plurality* of the matter (of the objects, i.e. the ends)" 4:436) as being unified by the form of the will, which consists in universality. The relative ends had by the ends-in-themselves are systematised and unified by the form of universality. The realm of ends, in this way, involves the law-governed pursuit of each individual's relative ends. The maxims taken together, accordingly, form a completely determined system.

A number of commentators have thought that the relevant plurality that is being unified concerns ends-in-themselves rather than the relative ends that various agents are pursuing (e.g. Paton: 1947, p. 185; Timmermann: 2007, p. 111). This, however, is mistaken. Although ends-in-themselves are members of the realm of ends, what is being determined and unified are relative ends. As Kant notes in the Amphiboly, matter is the determinable, i.e. that which can be determined, whereas form is the determination thereof (cf. A266/B322). The ends-in-themselves are not being determined. They are not the determinable. Instead, it is their maxims, in particular the matter of their maxims, that is being determined. Their relative ends are coordinated, subordinated and limited in such a way as to avoid conflicts and ensure universalisability. This is why the realm of ends is concerned with the complete determination of all maxims.

3.7 Relative ends and ends-in-themselves

Relative ends and ends-in-themselves are radically different. The former are states of affairs that are to be brought about. The latter are existing objects that are to be respected. Given how much they differ, it is somewhat unclear in what sense both of them are ends. Since humanity does not constitute but instead only restricts the matter of our maxims, we cannot consider both of them to be ends on the basis that they provide the matter for our maxims. The question is thus: what unifies relative ends and ends-in-themselves, such that it is appropriate to classify both of them as 'ends'?

Although the matter of a maxim is an end, it is not the case that all ends constitute the matter of maxims. In particular, ends-in-themselves stand in a different relation to the matter of maxims. Ends are not to be understood in terms of the matter of maxims, but more abstractly. The relevant definition of what it is to be an end is provided by Kant at 4:427: "Now, that which serves the will as its objective ground of self-determination is an *end*, and it, when it is given through pure reason, must hold equally for all rational beings." An end is an objective ground of the self-determination of the will. It is something that determines how the will should determine itself, i.e. how it should act. Unlike the subjective grounds on which the agent does in fact act, objective grounds determine how an agent ought to act.[44]

There are two sources of ends. On the one hand, ends are set by inclinations. These are the various relative ends that are to be brought about and that together determine what the agent's happiness consists in. They are not ends by their nature but only as a result of being desired by this or that individual. This means that they are not ends for everyone but only relative ends for the persons having the relevant inclinations. Only those who have these inclinations have prudential reasons to bring about these ends. Such ends specify goals that are to be achieved and thereby provide positive guidance. Since the inclinations that set these ends include both desires and aversions, they provide guidance both with respect to what is to be pursued and what is to be avoided.

On the other hand, ends-in-themselves are set by pure reason. Something that is an end-in-itself is an end by its very nature (cf. "as an end according to its nature, and hence as an end-in-itself" 4:436). It is, by its very nature, such as to constitute an objective ground of the self-determination of the will. Ends-in-themselves are, accordingly, objective ends and the moral reasons to which they give rise apply to all agents who are capable of acting morally, independently of what desires they happen to have. Ends-in-themselves are to be respected. They constitute constraints and impose limits on what we are permitted to do in pursuing our relative ends. The guidance that they provide is entirely negative: ends-in-themselves are to be thought "only negatively, i.e. as that against which

[44] This means that ends are things that give rise to reasons. They are not necessarily things for the sake of which we act, contra e.g. Wood: 1999, p. 116.

one must never contravene" (4:437).

The will determines itself negatively by imposing limits on how ends are to be pursued. The negative nature of ends-in-themselves is not to be understood in terms of them requiring omissions.[45] We should not think of relative ends as requiring us to perform certain actions, whereas ends-in-themselves require us to omit certain actions. Instead, relative ends include those set by aversions, which give rise to rules of omission, alongside those set by desires, which give rise to rules of commission. Ends-in-themselves, by contrast, require us to make exceptions to non-universalisable maxims. This amounts to negating the content of the rules proposed by instrumental reasoning when these are not universalisable. Put differently, humanity is not concerned with the copula but with the content of the maxims and thus operates in a way that is analogous to an infinitising negation. This content is limited by humanity in such a way as to ensure universalisability.[46]

Everything that one does, where this includes one's inactions just as much as one's actions, has to be respectful of humanity. None of the practical rules that one is permitted to act upon (which includes rules of omission alongside rules of commission) are to contravene against humanity. If a proposed rule does not conform to this condition, then one has to make an exception to this rule. This amounts to prioritising ends-in-themselves over relative ends, i.e. one subordinates the pursuit of relative ends and makes respecting humanity a condition of their pursuit (= Zwecksvorzug cf. 4:431). It is for this reason that moral rules are characterised as practical rules of exception in the table of the categories of freedom that have the same place as limitation and infinite judgements in the other tables (cf. 5:65-67 and Bader: 2009, pp. 809-811). Since this restricting condition applies equally to both actions and inactions, one ends up with negative as well as positive duties. By requiring an exception to a rule of commission one ends up with a negative duty, whereas one ends up with a positive duty by requiring an exception to a rule of omission.

Accordingly, there is no conflict between the claims that ends-in-themselves are to be conceived only negatively and that they can give rise to positive duties (contra Hill: 1980, p. 89). This means that, unlike in the case of axiological accounts (cf. section 2.4), there is no difficulty in explaining both perfect (negative) and imperfect (positive) duties on the basis of a unified deontic foundation.

[45] E.g. Korsgaard: 1996, p. 108 misconstrues the negative role of ends in this way, illustrating it with an example of an omission which is to be explained in terms of aversions.

[46] Humanity is a a restricting condition that imposes limits. It does not generate content by itself but presupposes content that is independently given and that can then be limited. It is for this reason that morality is reactive and inclination always has the first word (cf. 5:146). Explanations in terms of exceptions are, accordingly, always contrastive. They explain why one ought not follow the rule of omission/commission put forward by instrumental reasoning, i.e. why the relative ends are not to be realised. By reference to the dignity of humanity we can explain why certain actions (whether commissions or omissions) ought not take place, which then plays a role in explaining why certain alternative actions ought to take place.

Correspondingly, we can see that the suggestion that there are two aspects to the formula of humanity, namely that it requires us to 1. treat humanity not merely as a means, and 2. treat humanity as an end-in-itself, such that negative duties correspond to the former and positive duties to the latter, is misguided. Treating something not merely as a means is the very same thing as treating it as an end-in-itself, where this amounts to treating it as a member of the domain of universalisation. There is only one requirement, not two. Negative and positive duties both follow from this single requirement.

4 Conclusion

Dignity is not to be construed axiologically. Instead, it is a deontic status that fixes the domain of universalisation. Ends-in-themselves have dignity and are members of this domain. Rational beings have to respect such self-standing ends, which means that they are only permitted to treat them in accordance with universalisable principles. Since the domain of universalisation would be empty if there should not be anything having dignity, humanity classifies as the ground of the categorical imperative.[47]

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