

# Kant

## on Moral Autonomy



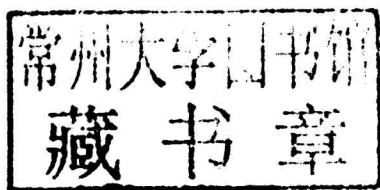
EDITED BY  
OLIVER SENSEN

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# KANT ON MORAL AUTONOMY

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OLIVER SENSEN

*Tulane University*



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*In honor of Onora O'Neill*  
*Admired colleague, friend, and mentor*

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## *Abbreviations*

The following abbreviations are used in this volume to refer to Kant's texts. Page citations refer to *Kants gesammelte Schriften*, Deutsche Akademie der Wissenschaften (formerly: Königlich Preußische Akademie der Wissenschaften), Berlin: Walter de Gruyter (1902–). Only references to *KrV* refer to the “A” and “B” pages of the first and second editions; all other references list volume, page number and sometimes the line number of the Prussian Academy edition of Kant's works, e.g.: *GMS* 4:420.17. All translations are taken – unless otherwise stated – from *The Cambridge Edition of the Works of Immanuel Kant*, Cambridge University Press.

|                |   |
|----------------|---|
| <i>AA</i>      | <i>Akademie-Ausgabe</i> (Academy Edition)   |
| <i>Anth</i>    | <i>Anthropologie in pragmatischer Hinsicht</i> ( <i>Anthropology from a Pragmatic Point of View</i> )                                   |
| <i>Collins</i> | <i>Moralphilosophie Collins</i> ( <i>Lectures on Ethics Collins</i> )   |
| <i>EaD</i>     | <i>Das Ende aller Dinge</i> ( <i>The End of All Things</i> )  |
| <i>EEKU</i>    | <i>Erste Einleitung in die Kritik der Urteilstkraft</i> ( <i>First Introduction to the Critique of the Power of Judgment</i> )          |
| <i>GMS</i>     | <i>Grundlegung zur Metaphysik der Sitten</i> ( <i>Groundwork of the Metaphysics of Morals</i> )   |
| <i>GSE</i>     | <i>Beobachtungen über das Gefühl des Schönen und Erhabenen</i> ( <i>Observations on the Feeling of the Beautiful and Sublime</i> )      |
| <i>Herder</i>  | <i>Praktische Philosophie Herder</i> ( <i>Lectures on Ethics Herder</i> )   |
| <i>IaG</i>     | <i>Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht</i> ( <i>Idea for a Universal History with a Cosmopolitan Aim</i> ) |
| <i>Kaehler</i> | <i>Moralphilosophie Kaehler</i> ( <i>Lectures on Ethics Kaehler</i> )   |
| <i>KpV</i>     | <i>Kritik der praktischen Vernunft</i> ( <i>Critique of Practical Reason</i> )  |
| <i>KrV</i>     | <i>Kritik der reinen Vernunft</i> ( <i>Critique of Pure Reason</i> )  |
| <i>KU</i>      | <i>Kritik der Urteilstkraft</i> ( <i>Critique of the Powers of Judgment</i> )   |

|           |  |
|-----------|--|
| MAM       | <i>Mutmaßlicher Anfang der Menschengeschichte (Conjectural Beginning of Human History)</i>   |
| Mrong II  | <i>Moral Mrongovius II (Lectures on Ethics Mrongovius II)</i>  |
| NF        | <i>Kants Naturrecht Feyerabend (Lectures on Natural Law Feyerabend)</i>  |
| Prol      | <i>Prolegomena zu einer jeden künftigen Metaphysik (Prolegomena to Any Future Metaphysics)</i>   |
| RezHerder | <i>Recension von Herders Ideen zur Philosophie der Geschichte der Menschheit (Review of Herders Ideas on the Philosophy of Human History)</i>  |
| RezSchulz | <i>Recension von Schulz Versuch einer Anleitung zur Sittenlehre (Review of Schulz's Essay on the Moral Instruction of all Humans)</i>  |
| RezUlrich | <i>Kraus' Recension von Ulrich's Eleutheriologie (Kraus' Review of Ulrich's Eleutheriology)</i>  |
| RGV       | <i>Die Religion innerhalb der Grenzen der bloßen Vernunft (Religion within the Boundaries of Mere Reason)</i>  |
| RL        | <i>Metaphysische Anfangsgründe der Rechtslehre (Doctrine of Right)</i>   |
| SF        | <i>Der Streit der Fakultäten (The Conflict of the Faculties)</i>   |
| TG        | <i>Träume eines Geistersehers (Dreams of a Spirit Seer)</i>  |
| TL        | <i>Metaphysische Anfangsgründe der Tugendlehre (Doctrine of Virtue)</i>  |
| TP        | <i>Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis (On the Common Saying: That May Be True in Theory, but it is of No Use in Practice)</i> |
| Vigil     | <i>Die Metaphysik der Sitten Vigilantius (Lectures on Ethics Vigilantius)</i>  |
| WA        | <i>Beantwortung der Frage: Was ist Aufklärung? (An Answer to the Question: What is Enlightenment?)</i>   |
| WDO       | <i>Was heißt sich im Denken zu orientieren? (What Does it Mean to Orient Oneself in Thinking?)</i>   |
| ZeF       | <i>Zum ewigen Frieden (Toward Perpetual Peace)</i>   |

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## Introduction

Oliver Sensen

The concept of moral autonomy is one of Kant's central legacies for contemporary moral thought. Today autonomy – understood as individual independence from coercion in making decisions – is variously considered to be a capacity all normal adults have, a goal one should strive for, and especially a moral right one can claim from others (cf. Hill 1991: 44–51). To violate a person's autonomy is considered to be a serious moral offence. Autonomy is put forth as a fundamental principle of medical ethics (cf. Beauchamp and Childress 2008), and sometimes even as the justification for human rights (cf. Griffin 2008: 151–52.). For an explanation and justification of this idea, scholars commonly refer to Immanuel Kant, the “inventor” of moral autonomy (cf. Schneewind 1998: 3).

But how does Kant conceive of autonomy? What is the relation of Kant's conception to contemporary notions of autonomy? And what exactly is the significance of Kantian autonomy for morality? These three questions are at the heart of this volume, which brings together new contributions from many distinguished experts on Kantian autonomy. In their thoughtful engagement with these important questions, the fifteen essays in this volume shed light both on the history of an important contemporary idea, and on the philosophic grounds for taking autonomy seriously.

The essays in the first part of this volume focus on clarifying Kant's conception of autonomy. Given the complex and multi-faceted character of his conception, it is not surprising that the contributors' answers to these questions do not always agree. For while Kant presents moral autonomy not merely as individual independence but literally as self-legislation (*Selbstgesetzgebung*), it is far from simple to pin down precisely which ‘self’ and which ‘legislation’ Kant designates with this term, and what is the precise relation between these two components of autonomy.

For instance, in the context of autonomy, does Kant use ‘self’ to refer to an empirical self, the way we know ourselves in deliberating and making

decisions? Does he refer, in other words, to a conscious decision to adopt a particular moral rule? This is one way of interpreting 'self' in the literature, but the challenge for this interpretation is to explain how a law that is legislated by an empirical self could be binding, since "the one imposing obligation ... could always release the one put under obligation" (*TL* 6:417). Indeed this obvious problem tends to make the very idea of self-legislation sound paradoxical. Second, then, perhaps in speaking of self-legislation Kant refers to legislation not by an empirical self, the self one knows through introspection, but a transcendental or noumenal self; perhaps it is one's own pure reason that legislates a law independently of one's desires and inclinations. However, this interpretation faces the challenge that it is not clear how this self is to be understood metaphysically. Is this a plausible understanding of 'self,' or merely 'panicky metaphysics' (Strawson) to rescue moral obligation? As a third candidate, perhaps there is a way to understand 'self' that can avoid both of the challenges facing the previous two readings: The 'self' in self-legislation might refer not to a person – whether empirical or noumenal – but to 'legislation.' It might specify that the law to which Kant is referring is not conditioned upon something else, but is its own legislation. 'Self' would then qualify principles, not persons (cf. O'Neill 2003: 11–19).

In short, one can reformulate the question about Kant's usage of 'self' in self-legislation by asking: the autonomy *of what*? Does Kant's conception refer to the legislation of empirical persons, of pure reason, or of a specific kind of principles?

To shed light on this question, one might seek to clarify how Kant uses 'legislation' in connection with autonomy. But here too there is controversy in the literature. In other contexts Kant distinguishes two aspects of legislation: the formulation of the content of a law, and the authority or bindingness of the law. For instance, a parliament can formulate a law, but it is the head of state who signs it into law and thereby makes it authoritative (cf. *RL* 6:313). In which sense does Kant speak about self-legislation? The contributions to the first part of this volume explore different answers to this question.

The essays in the second part of this volume focus on the development of Kant's conception of autonomy and its relation to contemporary conceptions. This issue is connected to the first question of how Kant conceives of autonomy; for if his understanding of self-legislation turns out to be very different from contemporary conceptions of autonomy, it will be difficult to draw a direct line between present-day appeals to the principle of moral 'autonomy' and the explanation and justification of this

principle offered by Kant. The contemporary usage of 'autonomy,' for instance, seems to focus on the decision of an empirical person. If it turns out that this is not Kant's understanding, then how does his view relate to the contemporary understanding, and in which sense might Kant be an inspiration for present-day thought?

The third part of this volume focuses on the question of how relevant Kant's conception of autonomy is to contemporary debates. If Kant's conception turns out to be different from contemporary views of autonomy, why should it be relevant for thinking about moral issues today? Contemporary usage of autonomy is sometimes criticized for being overrated in its moral relevance. For instance, if one decides for oneself which course of action is right, this could yield morally good or neutral actions, but it might also lead to evil ones (cf. O'Neill 2003: 5–6). But if one argues that Kant's notion of autonomy is different from contemporary conceptions, why is it morally significant? For instance, if Kantian autonomy is understood to refer to a principle that is not conditioned upon external elements, what is morally important about that? Even if Kant's conception of autonomy is very different from contemporary conceptions, are there ways in which the study of Kant's view of autonomy can inform and enrich contemporary debates?

These are the broad questions with which the fifteen essays in this volume engage. The remainder of this Introduction will offer a preview of the more specific concerns and claims of each contribution.

#### PART I: KANT'S CONCEPTION OF AUTONOMY

In Chapter 1, "Kantian autonomy and contemporary ideas of autonomy," Thomas Hill argues that contemporary notions of autonomy differ from Kant's conception. Hill distinguishes three commonly recurring themes regarding autonomy in contemporary ethics: autonomy is often considered to be (1) a *right* to make one's own decisions without undue interference by others; (2) a *capacity* to make decisions with due reflection and independence of mind; but also (3) an *ideal* of living an autonomous life. While these themes often appear in applied ethical discussions of informed consent in medicine, of paternalism in law, and of the aims of education, Hill notes that Kant addresses autonomy in the context of abstract and foundational questions of moral theory. For Kant, autonomy is a necessary presupposition of all morality, and the main features of rational beings with autonomy is that they (a) have a *will* as a form of causality of rational beings; (b) are *free in a negative sense*, as not being

determined by prior physical or psychological causes; and (c) are *free in a positive sense*, by being able to act on a law of pure reason, the moral law or Categorical Imperative. But while Kant's conception of autonomy differs from contemporary ones, Hill argues that it can – as the core of a framework of moral deliberation – inform more concrete answers in the three contemporary contexts of applied ethics. Regarding the first view of autonomy as a right (1), Hill notes that Kant's framework provides the idea of the Categorical Imperative, according to which deliberation about specific moral principles must find principles acceptable to everyone, and thereby affirm each person's right to govern his or her own life. Regarding the second view of autonomy as a capacity (2), Kant's framework affirms the existence of a *capacity* for self-determination and as something others should respect. Finally concerning the third view of autonomy as the *ideal* of an autonomous life (3), Kant's framework supports the idea that all human beings have a disposition to such a life and the presumptive reason to support it in a context-sensitive manner.

Chapter 2, "Kant's conception of autonomy of the will," focuses on the precise nature of Kant's claim that autonomy "is the property of the will by which it is a law to itself" (*GMS* 4:440). Andrews Reath gives a close analysis of what prompts Kant to introduce autonomy, of his notion of will, of the law involved, and of the sense in which will is a law to itself. Reath points out that autonomy is introduced by Kant specifically in order to explain the authority of moral principles in ordinary thought – that is, the fact that moral requirements are said to hold unconditionally. In discussing self-legislation, the law Kant talks about is then the moral law or Categorical Imperative. The categorical nature of moral laws cannot be achieved if they are based on an interest the agent has or on some feature of a potential object of volition in which we have an interest, for then the law would be conditioned. The unconditional authority of the moral law can be achieved only if the law arises from the will as pure practical reason. Reath carefully distinguishes between different aspects of the will in the wider sense – Kant's distinction between *Wille* and *Willkür* – and explains how the Categorical Imperative can arise from the will, or how the will is a law to itself. Reath explains that the will is a kind of causality particular to rational beings, in which the representations that guide a being's activity to realize its objects are based in reason. Reath describes the Categorical Imperative as the internal constitutive principle that arises from the nature of the will, and as an expression of what it is to exercise the will. The will has the formal aim of reasoning correctly from principles to practical judgment that carries a claim to universal validity, which

means that it is guided by the moral law. Based on this normative conception of autonomy, Kant can then speak about autonomy as a capacity of free will or a moral status in a derivative sense.

In Chapter 3, "Vindicating autonomy: Kant, Sartre, and O'Neill," Karl Ameriks sheds further light on how one should understand Kant's conception of autonomy. He focuses on the two components of autonomy: *auto* as independence or negative freedom, and *nomos* as lawfulness or positive freedom. The first component could be described as 'deciding on one's own,' and the second as 'following a law of one's own making.' Ameriks distinguishes between an empirical and transcendental reading of each component, and warns against two misunderstandings of Kant. The first misunderstanding would be that 'deciding on one's own' amounts to a radical existentialism; the second would be that 'a law of one's own making' requires a panicky metaphysics, in alluding to a metaphysical self that demands uniform behavior. Ameriks refers to Sartre in discussing the first component of autonomy and for the second component he refers to O'Neill – in addition to many writings of Kant's – to show that there are significant positions in-between a radical choice and authoritarian metaphysical self; and he argues that Kant occupies the middle ground between the two. On Ameriks' account, for the *auto* component Kant does not refer to an empirical freedom from particular empirical forces, but to transcendental freedom as a will that is a unique cause wholly independent of empirical determination. Similarly, Ameriks explains that the 'law of one's own making' component does not commit Kant to either an empirical choosing of rules, or to an authoritarian metaphysical self. Rather Kant emphasizes the absolute necessity of moral lawfulness, which cannot be founded on spatiotemporal grounds. 'Of one's own making' is then a shorthand for emphasizing the structure of what is necessarily reasonable as such, not a description of an empirical process.

Chapter 4, "Progress towards autonomy," shows that there is also an important empirical side to Kant's notion of autonomy. Paul Guyer argues that it does not reflect Kant's full view to say that one either has or does not have autonomy – in the sense that one's fundamental maxim is either (1) to be governed by the moral law only if it fits with one's self-love, or (2) only to follow self-love if it complies with the moral law. Rather, Guyer notes that there is an empirical side to autonomy, in that compliance with the moral law can only be hard-won and achieved gradually. Guyer's account makes use of the distinction between a negative and a positive aspect of autonomy – that is, of not being determined by outside forces, but of being determined by the moral law of one's own reason. He

first argues that these are not two separate forms of autonomy, but rather two aspects of one unified form. An agent can achieve independence from outside determination only through positive autonomy; and since independence from outside determination can only be realized progressively, the same is true of the whole of autonomy. To further support his argument, Guyer discusses Kant's claim in the *Religion* that adopting a fundamental maxim concerning the subordination of morality to self-love, or the reverse, is an all-or-nothing decision; and he shows that it would at most capture an aspect of autonomy that is not given in experience. But on a psychological level, Guyer argues, being governed by the moral law is a gradual affair. This comes out in Kant's discussion of self-mastery in the *Lectures on Ethics*, as well as in his discussion of the aesthetic preconditions of morality in the *Doctrine of Virtue*.

## PART II: THE HISTORY AND INFLUENCE OF KANT'S CONCEPTION OF AUTONOMY

In Chapter 5, "Transcending nature, unifying reason: on Kant's debt to Rousseau," Richard Velkley argues that Rousseau's influence on Kant's notion of autonomy goes deeper than the widely recognized kinship of autonomy with Rousseau's conception of the general will. Velkley notes that when Kant read Rousseau at about age forty, it led to a fundamental reorientation in Kant's conception of philosophy, a reorientation involving his views on nature, reason, desire, freedom, and history. Rousseau's works made Kant aware of a crisis in the intellectual life of Europe. On Rousseau's account, human life is burdened by luxury, vanity, and factitious desires, and Kant accordingly searches for a firm standpoint to counter these artificial desires. He finds it in freedom, whereby the factitious desires can be corrected by an opposing principle that rests in reason beyond nature. Human reason has an immediate awareness of the injustice of servitude, which includes foreign influences as well as luxurious desires. Therefore Velkley notes that most of the elements of Kant's mature notion of autonomy can be found in his thinking as early as his *Remarks on the Observations on the Feeling of the Beautiful and Sublime* (1764–65), even if he has not yet worked out the internal connection of the different elements and has not developed a motive for adopting the standpoint of reason. Velkley then argues that these early thoughts were not confined to Kant's moral philosophy, but are also of central importance for the theoretical use of reason; and Velkley traces the development of these thoughts from the early *Remarks* to Kant's mature writings.

Chapter 6, “Kant and the ‘paradox’ of autonomy,” traces the development of Kant’s conception of autonomy from his earliest writings on cosmology to the *Groundwork*. Susan Shell describes this development as beginning from Kant’s early question of how separate entities as substances can stand in external relations, and from the paradoxes to which this gave rise. She shows that Kant grapples with this and related moral questions throughout his theoretical and practical writings, as well as his lectures, until he finds a solution in the *Groundwork*. Shell argues that Kant’s conception of autonomy, along with the related concept of a kingdom of ends, allows him in the *Groundwork* to conceive of the possibility of a community of substances that are related not only externally, but also through a reciprocal lawgiving. It is then possible to explain how external relations among substances-in-themselves are possible without positing a ground that is not accessible to human reason. And whereas the paradox of how material substances can interact is merely a metaphysical question, what matters is that one think pluralistically, as one citizen of the world.

In Chapter 7, “Autonomy in Kant and German Idealism,” Henry Allison presents Kant’s conception of autonomy and the modification and criticisms of it by Fichte, Schiller, and Hegel. Allison first describes in a concise way Kant’s conception of autonomy, its importance for morality, and Kant’s attempts to show that human beings have autonomy of the will. Allison then discusses the attempts of Fichte and Schiller to clarify and repair Kant’s conception, and Hegel’s attempt at a radical transformation of it. Fichte, Allison notes, tries to expand Kant’s notion of autonomy into a conception of the self or I. For Fichte, the autonomy of the self is the ultimate starting point of all philosophy, theoretical and practical; everything is to be explained in terms of the self. Autonomy in this sense is not a property of the will, but a pre-conscious activity of self-determining. As Allison observes, Fichte thereby turned Kant’s moral philosophy into an even more rigoristic direction by not allowing any room for inclinations. In contrast, Allison notes that Schiller tries to temper the rhetoric of Kant’s rigorism by emphasizing inclinations. While the imperatival form of Kant’s moral law makes it appear to be a foreign law, Schiller argues that true freedom is realized when there is a harmony between rational and emotional factors, or an inclination to duty. Allison notes that Hegel goes beyond Schiller in arguing for the need of a full integration of rational law and inclinations. According to Hegel, Kant’s notion of autonomy mentions merely one aspect of the will, which conflicts with the possibility of agency; in Hegel’s view, action presupposes an awareness of an ‘other,’ and this ‘other’ stems from particular interests.