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THE ANTINOMIES OF PRACTICAL REASON

Abstract

The official antinomy in the Transcendental Dialectic of the *Critique of Practical Reason* concerns the highest good. But the entire Transcendental Analytic of the first half of the *Critique* also concerns an antinomy, namely the antinomy between freedom and determinism that was the topic of the third antinomy of the *Critique of Pure Reason*. These facts raise two questions: what does the treatment of freedom and determinism in the second *Critique* add to that of the first? And how does transcendental idealism, which is supposed to be the key to the resolution of all antinomies for Kant, play into his solution to the question of the highest good? I argue that we need to look to Kant's previous works, especially Section III of the *Groundwork*, to answer the first question, and to his subsequent works, especially the *Critique of the Power of Judgment*, to answer the second: the second *Critique* clarifies that we do have a certain kind of insight through pure reason into our noumenal will, and clarifies that the postulate of pure practical reason of the existence of God as the ground of the possibility of the highest good has to be understood through transcendental idealism.

Keywords:

Kant, antinomy, practical reason, determinism, freedom, fact of reason, highest good, apperception, transcendental idealism

INTRODUCTION

Most of the *Critique of Practical Reason*, that is its Analytic and the Critical Elucidation thereof, aims to prove the actuality of the freedom of the human will in the face of the thoroughgoing determinism of human action in the natural world. The Third Antinomy of Pure Reason in the *Critique of Pure Reason* concerns the possibility of human freedom in the face of the thoroughgoing determinism of human action in the natural world. But

Kant does not pose an antinomy about freedom in the second *Critique* nor present his treatment of the relation between freedom and determinism there as the resolution of an antinomy. Instead, he reserves the title of antinomy for the problem of the possibility of the highest good as the complete object of morality in the Dialectic of the second *Critique* and presents two postulates of pure practical reason, those of immortality and the existence of God but not that of freedom, as the solution to that Antinomy. These facts raise two questions. First, why does Kant not pose an antinomy about freedom in the second *Critique* and present his treatment of freedom there as the solution to that antinomy? Second, is the problem of the possibility of the highest good really an antinomy, and even if it is, does Kant resolve it by means of his preferred tool for resolving antinomies, namely his doctrine of transcendental idealism?

The answer to the first of these questions may seem obvious and indeed given away by my opening statements. Kant does not formulate an antinomy about freedom in the second *Critique* because he had already done so in the first, in the Third Antinomy, and had used transcendental idealism there to prove the *possibility* of freedom; the second *Critique* is meant to add a proof of the *actuality* of freedom that *presupposes* the proof of its possibility and thus the resolution of the antinomy. There is certainly text that speaks in favor of that solution, but there are also problems with it, namely, that Kant actually anticipates the second *Critique's* proof of the *actuality* of freedom in the first and also suggests that the second *Critique* adds something other than a proof of actuality to the first *Critique's* conception of freedom. As for the second question, whether the resolution of the official antinomy of practical reason, that concerning the highest good, employs transcendental idealism, there the problem is that it does not really do so, rather employing traditional metaphysical-religious ideas, namely the immortality of the soul and the existence of God, that had been entertained by many human cultures for millennia without the need for or benefit of transcendental idealism. But he *could* have appealed to transcendental idealism to resolve the problem of the highest good, and in works subsequent to the *Critique of Practical Reason*, both the *Critique of the Power of Judgment* and *Religion within the Boundaries of Mere Reason*, Kant takes some steps in that direction.

I will suggest, then, that it is best to read the *Critique of Practical Reason* as addressing *two* antinomies, the antinomy about freedom raised in the first *Critique*, about which more needs to be said, and the antinomy of the highest good.¹ Once we see how Kant could have appealed to tran-

¹ Allen W. Wood (1970) claimed that there are two antinomies concerning the *highest good*, one concerning immortality as one condition of the possibility of the highest good

scendental idealism for a solution to the second antinomy more clearly than he did in the second *Critique*, we will see that the solutions to the two antinomies of practical reason are related: in fact they both turn on the application of transcendental idealism to human choice or will, or at least part of the resolution of the antinomy about the highest good does. But we will not be able to appreciate this point unless we recognize that the *Critique of Practical Reason* is addressing two separable antinomies in the first place.

THE THIRD ANTINOMY AND THE SECOND CRITIQUE

The ideas of pure reason are generated from “the concept of the unconditioned, insofar as it contains a ground of synthesis for what is conditioned” (KrV: A 322/B 379),² more precisely by the assumption that “when the conditioned is given, then so is the [...] unconditioned” (KrV: A 308/B 354). Kant attributes this assumption to the faculty of reason, without any initial distinction between theoretical and practical uses of reason. The idea of the highest good will eventually be explained as the idea of “the unconditioned totality of the object of pure practical reason” (KpV, V: 108). The Transcendental Dialectic of the *Critique of Pure Reason*, however, is presented as concerning only ideas of pure theoretical or speculative reason (although part of my argument will be that in the case of the Third Antinomy this is misleading). The Transcendental Dialectic’s treatment of “dialectical inferences” is divided into three parts, the Paralogisms of Pure

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and the other concerning the possibility of happiness as the other component of the highest good (chapter 4, pp. 104–105). I agree that Kant treats rational belief in the immortality of the soul and the existence of a divine author of nature as two separately necessary conditions for rational belief in the possibility of the highest good. But I do not think that it is necessary to say that there are two separate antinomies concerning the highest good; in any case, that is not what I am suggesting, but rather than the second *Critique* should be read as continuing the resolution of the antinomy concerning freedom of the will as well as posing and resolving an antinomy about the highest good.

² Quotations from the first *Critique* (KrV) are from Kant (1998), and are located by the pagination of the first (“A”) and second (“B”) editions. Quotations from the *Critique of Practical Reason* (KpV) are from Kant (1996a), and are located by volume and page number of the *Akademie* edition of Kant’s collected works, reproduced in the margins of the Cambridge edition. Quotations from the *Critique of the Power of Judgment* (KU) are from Kant (2000), and those from *Religion within the Boundaries of Mere Reason* (RGV) are from Kant (1996b). Quotations from these works are also located by *Akademie* volume and page numbers.

Reason, concerning ideas of the unconditioned self or soul, the Antinomies of Pure Reason, supposedly concerning ideas of the unconditioned world-whole (although this too is misleading, precisely since the Third Antinomy concerns the idea of unconditioned freedom, thus an idea of the human self, which is part but not the whole of the world), and the Ideal of Pure Reason, concerning the idea of an unconditioned ground of all reality, that is, God. The dialectical, that is, plausible-seeming but ultimately fallacious, inferences concerning the soul and God are resolved simply by pointing to the need for sensible intuitions as well as pure concepts for human cognition and the *absence* of the former in the case of the claims about unconditioned soul and God; thus the critique of these inferences depends on what Henry Allison calls Kant's "discursivity thesis," (cf. Allison, 2004: e.g., 11–17 and 2015, *passim*) the claim that human knowledge always requires both intuitions and concepts, but does not actually depend on transcendental idealism, Kant's distinction between spatio-temporal appearances and the non-spatio-temporal things in themselves that appear to us spatio-temporally. The dialectical inferences diagnosed in the Antinomies, however, concern *conflicts* or *contradictions* between reason's idea of the unconditioned and the always conditioned character of the sensibly given, contradictions which Kant argues can be resolved only by appeal to transcendental idealism and which thus function as an indirect proof of that doctrine (KrV: A 506–507/B 534–535). The first two, "mathematical" antinomies concern the extent and divisibility of space and time, pitting the theses that space and time must be finite in extent and divisibility against the antitheses that they must be infinite, and Kant argues that both sides *falsely* apply the idea of the unconditioned (the unconditioned as either a completed finite series or as a completed but infinite series) to what are mere forms of sensible intuition, which are merely *indefinitely* extendable or divisible, and do not concern things in themselves at all. In the third and fourth, "dynamical" antinomies, however, the third concerning causation and the fourth necessity, Kant apparently argues that transcendental idealism allows for the *truth* of both sides, more precisely for the actual truth of the antitheses when interpreted to concern appearances and the possible truth of the theses when interpreted to concern things in themselves. In the Fourth Antinomy, Kant argues that the unending chain of appearances comprising the phenomenal world in which each state is necessitated by another but the whole of which appears contingent can nevertheless have a necessary ground outside of it if things in themselves can be different from their appearances. And in the Third Antinomy, which is our concern, he apparently argues that even though all appearances, including those of human actions, are causally determined by others, such events or actions can nevertheless be grounded in absolute spontaneity or freedom outside

of the series, again if the distinction between appearances and things in themselves is recognized. Let us look at that argument more closely.

The Third Antinomy is the conflict between the thesis that “Causality in accordance with laws of nature is not the only one from which all the appearances of the world can be derived,” thus “It is also necessary to assume another causality through freedom in order to explain them,” and the antithesis that “There is no freedom, but everything in the world happens solely in accordance with laws of nature.” The concept of the unconditioned is not mentioned in the argument for either thesis or antithesis, but it is easy to see how it is at work on both sides. The argument for the antithesis may be considered an unconditioned application of the principle of the second Analogy of Experience that an event can be determined to have occurred only by the application of a causal law, yielding the premise that “Every beginning of action” (*jeder Anfang zu handeln*) “is determined in accordance with constant laws,” with which the supposition of a “dynamically first beginning of action presuppos[ing] a state that has no causal connection at all with the cause of the previous one, i.e., in no way follows from it,” is incompatible. The argument for the thesis, by contrast, interprets the idea of the unconditioned to require completeness in the series of explanation, thus a first cause that is not itself further conditioned by anything antecedent, and thus argues that “completeness of the series on the side of the causes descending one from another” requires “a cause sufficiently determined *a priori*,” that is, a cause determined in and of itself and not by something else (KrV: A 444–446/B 472–474). The resolution of this conflict then requires transcendental idealism, understood as the doctrine that appearances are necessarily spatiotemporal but things as they are in themselves are not spatio-temporal.³ Kant’s argument is that the antithesis is correct about appearances, that is, that there can be no uncaused cause in the series of events in nature, but there is no problem with this idea if we are talking about things in themselves, that is, as long as we are “talking of an absolute beginning not as far as time is concerned, but as far as causality is concerned” (KrV: A 450/B 478). In the case of the extent and divisibility of the world, the parts that are to be synthesized or divided are always “homogeneous,” spatio-temporal extensions, and the most that can be said is that the composition or decomposition of such extensions is always indefinitely extendable. But in the case of causation, the items to be synthesized, that is, the causes and effects, do not have to be homogeneous, thus the idea of “a synthesis of **things not homogeneous** [...] in causal connection” is not problematic, therefore “the dynamic series of sensible conditions [...] allows a further condition different in kind,

³ For this interpretation, cf. Guyer (1987: 354–69 and 2017a: 71–90).

one that is not a part of the series, but, as merely **intelligible**, lies outside the series [...] and the unconditioned can be put before [*vorgesetzt*] the appearances without confounding the series of the latter, as always conditioned" (KrV: A 530–531/B 558–559).⁴ Thus both antithesis and thesis, "taken in such a corrected significance, may **both be true**" (KrV: A 532/B 560): there can be no uncaused and thus first cause within the temporal series of appearances, but the idea of a non-temporal, intelligible or noumenal uncaused cause or "absolute spontaneity" is not problematic. This is the idea of a non-temporal cause of the entire series of temporal causes and effects.

Of course there are issues with Kant's argument. One objection that leaps to mind is that it is incoherent because it allows for a non-temporal noumenal or intelligible cause of the temporal series of causes and effects when the concept of causation is inherently temporal, the idea of temporal "succession of the manifold insofar as it is subject to a rule" (KrV: A 144/B 183; see also B 234, A 193/B 238, and A 200–201/B 245–246). Throughout the discussion of the Third Antinomy Kant speaks of a "causality [...]" which does not in turn stand under another cause determining it in time in accordance with a law of nature" (KrV: A 533/B 561), or an "intelligible cause, with its causality [...]" outside the series" but with "its effects [...]" encountered in the series of empirical conditions" (KrV: A 537/B 565); but the objection would be that this is an impermissible use of the concept of causality. The response is that this objection depends merely on Kant's characteristic terminological sloppiness. The definition of causality as temporal succession in accordance with a rule is the definition of the *schema* of the category of "Causality and Dependence" that Kant had introduced in the original Table of Categories (KrV: A 80/B 106), but the distinction between pure category and schematized category collapses if that original category is already taken in a temporal sense. In fact, what Kant should have included on the original table of categories, as corresponding to the hypothetical function of judgment, is the more abstract category of *ground and consequence*, which could be instantiated by non-temporal as well as temporal relations, as it would be, for example, in the case of if-then judgments in geometry, which concerns spatial but not temporal relations. He would have spared two centuries of interpreters many fits had he done so. He would even have spared himself some fits. In the *Critique of Practical Reason*, he will argue that practical reason can use the concept of *causa*

⁴ I have departed from the Cambridge edition in translating *vorgesetzt* as "put before" rather than "posited prior" to try to avoid the suggestion that the intelligible cause of the sensible series of appearances precedes it in time. Of course, since the temporal form of our intuition so thoroughly pervades our language as well, it is difficult to talk about the (supposedly) non-temporal things in themselves in language that has no temporal connotations whatsoever.

noumenon “from whose application to objects for theoretical cognition it can here abstract altogether (since this concept is always found *a priori* in the understanding, even independently of any intuition) — not in order to cognize objects but to determine causality with respect to objects in general, and so for none other than a practical purpose” (KpV, V: 49), as if we have to arrive at a practical concept of noumenal causality by abstracting from the temporality of the ordinary, theoretical concept of causality. But in fact the schematized concept of causality is an *instantiation* of the abstract concept of ground-and-consequence, which is what, as Kant’s parenthesis suggests, is found entirely *a priori* in the understanding. Too bad he did not just say this.

The second issue is that although the application of the idea of the unconditioned to the series of events in the natural world, or the idea of completing that series with a cause of it that does not itself have a further cause, would seem to call for the posit of a *single* uncaused cause of the series, Kant immediately takes the thesis to allow for *multiple* uncaused causes or spontaneous actions, in the form of “the absolute spontaneity” of *human* action “as the real ground of its immutability.” He makes this move thus:

We have really established this necessity of a first beginning of a series of appearances from freedom only to the extent that this is required to make comprehensible an origin of the world, since one can take all the subsequent states to be a result of mere natural laws. But because the faculty of beginning a series in time entirely on its own is thereby proved (though no insight into it is achieved), now we are permitted also to allow that in the course of the world different series may begin on their own as far as their causality is concerned, and to ascribe to the substances in those series the faculty of acting from freedom (KrV: A 450/B 478).

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In other words, if God, as the cause of the entire world, is free, we can be too. Kant’s thought seems to be that once conceptual space has been opened for noumenal, non-caused causality, it can be occupied by multiple instances. This inference might seem unexceptionable were it not for the age-old theological conundrum whether human freedom is even compatible with the omnipotence of God, even if the latter can be characterized as a form of freedom. Kant sidesteps this issue in his published works although he discusses it extensively in his notes and lectures (cf. Insole, 2013: esp. chapter 4). Leaving that problem aside, however, Kant’s argument in the passage just quoted seems to be that he has proven the *actuality* of the absolute spontaneity of noumenal causation in the case of the divine and that he can infer from this at least the *possibility* of absolute spontaneity in the case of human causation at the noumenal level, thus that he has demonstrated the *possibility* of human freedom of the will.

This is a standard reading of what Kant supposes that he has accomplished in the resolution of the Third Antinomy in the first *Critique*, and leads to the view that he has left the task of proving the actuality of human freedom to the second *Critique* (anticipated, of course, by the *Groundwork for the Metaphysics of Morals*).⁵ Kant himself encourages this interpretation when he concludes his discussion of the Third Antinomy by saying that “It should be noted here that we have not been trying to establish the **reality** of freedom, as a faculty that contains the causes of appearances in our world of sense.” He similarly encourages this interpretation when he says in the second *Critique* that “the moral principle [...] itself serves as the principle of the deduction of an inscrutable faculty which no experience could prove but which speculative reason had to assume as at least possible (in order to find among its cosmological ideas what is unconditioned in its causality, so as not to contradict itself), namely the faculty of freedom, of which the moral law, which itself has no need of justifying grounds, proves not only the possibility but the reality in beings who cognize this law as binding upon them” (KpV, V: 47). However, the first of these statements needs careful interpretation, for Kant continues it by saying that

510 Further, we have not even tried to prove the **possibility** of freedom; for this would not have succeeded either, for from mere concepts *a priori* we cannot cognize anything about the possibility of any real ground or any causality. Freedom is treated here only as a transcendental idea, through which reason thinks of the series of conditions in appearance starting absolutely through what is sensibly unconditioned, but thereby involves itself in an antinomy following its own laws, which it ascribes for the empirical use of the understanding. That this antinomy rests on a mere illusion, and that nature at least **does not conflict with** causality through freedom — that was the one single thing we could accomplish, and it alone was our sole concern (KrV: A 558/B 586).

Here Kant is drawing on his distinction between logical and real possibility; logical possibility is purely conceptual, requiring merely the absence of contradiction within a concept; real possibility always requires that plus something more than a coherent concept, some basis in reality itself. But what I want to emphasize about this passage is that Kant’s initial claim not to have proven the actuality of any freedom, human or divine, is belied by his previous arguments. We have already seen that he has claimed that the necessity of at least one first and uncaused cause for the entire series of appearances has been *proved* (KrV: A 450/B 478). That seemed to leave *human* freedom a mere possibility, which is itself more than he claims in the last passage. But in fact Kant has gone even further;

⁵ For a typical version of the standard view, cf. Reath (2006: 275–290, at 277, 286, 289–90).

he has claimed that the *actuality* of human freedom is proven on both *theoretical and practical grounds*. Here is the crucial passage:

The human being, who is otherwise acquainted with the whole of nature solely through sense, knows himself also through pure apperception, and indeed in actions and inner determinations which cannot be accounted at all among impressions of sense; he obviously is in one part phenomenon, but in another part, namely in regard to certain faculties, he is a merely intelligible object, because the actions of this object cannot at all be ascribed to the receptivity of sensibility. We call these faculties understanding and reason [...].

Now that this reason has causality, or that we can at least represent something of the sort in it, is clear from the **imperatives** that we propose as rules to our powers of execution in everything practical. The **ought** expresses a species of necessity and a connection with grounds which does not occur anywhere else in the whole of nature [...].

Now this “ought” expresses a possible action, the ground of which is nothing other than a mere concept, whereas the ground of a merely natural action must always be an appearance. Now of course the action must be possible under natural conditions if the ought is directed to it; but these natural conditions do not concern the determination of the power of choice (*Willkür*) itself, but only its effects and result in appearance [...] (KrV: A 547–548/B 575–576).

To be sure, one paragraph further Kant says “Now let us stop at this point and assume it is at least possible that reason actually does have causality in regard to appearances” (KrV: A 548–549/B 576–577), but the genie is already out of the bottle: he has asserted the existence of human spontaneity both on the ground of our capacity for apperception and on the ground of our capacity to choose to act in accordance with moral imperatives rather than anything in mere appearance. Thus, while in the first of these paragraphs from the first *Critique* Kant has anticipated the central argument of Section III of the *Groundwork for the Metaphysics of Morals*, that our subjection to the moral law as the law of reason may be inferred from the noumenal fact of our self-activity (GMS, IV: 451–452), in the second paragraph he has also already anticipated what is often taken, and indeed presented by Kant himself, as if it were the innovation of the second *Critique*, namely the inference of our freedom from the “fact of reason” that consists in our consciousness of the moral law (KpV, V: 543). Kant’s proof of freedom in the second *Critique* is thus already included in the resolution of the Third Antinomy of the first, and the supposedly novel treatment of freedom in the second *Critique* must be regarded as a continuation of the resolution of the first Antinomy of practical reason broached in the first. But that also means that if the treatment of freedom in the second *Critique* adds anything to the resolution of the Third Antinomy of the first *Critique*, it must be something other than the proof of the actuality of our freedom.

What that addendum might be is revealed in the “fact of reason” passages to which I have just alluded. First Kant says that “the moral law [...] provides a fact absolutely inexplicable from any data of the sensible world and from the whole compass of our theoretical use of reason, a fact that points to the pure world of the understanding and, indeed, even *determines* it *positively* and lets us cognize something of it, namely a law” (KpV, V: 43). This does imply that it is our consciousness of the moral law that first proves the actuality of freedom, but also adds that the fact that freedom is proven by the moral law allows us to say something about the intelligible world, specifically about our intelligible selves, that we could not otherwise say, namely that they are governed by the moral law. Only pure practical reason gives any determinate content to our conception of the noumenal. Similarly, Kant concludes the passage on the deduction of freedom from the moral law by saying that “the moral law thus determines that which speculative philosophy had to leave undetermined, namely the law for a causality the concept of which was only negative in the latter, and thus for the first time provides objective reality for this concept” (KpV, V: 47). By proving the objective reality of a concept Kant ordinarily means establishing that a concept applies to a genuine object or has a genuine instance (KrV: A 84/B 117), but here he must mean something more like providing a concept with sufficient content to be a candidate for instantiation at all, or at least providing that before proving that it is instantiated. So even if the proof of our freedom from the moral law has been anticipated in the first *Critique*, the second adds the claim that it is only from the moral law that our concept of our own noumenal freedom can be made determinate.

This claim is hardly free of problems. If the moral law is what makes our concept of our own freedom determinate, the question naturally arises, how can our freedom ever be supposed to operate in accordance with anything other than the moral law? In other words, how can a human action be both free yet immoral? This was the question that Johann August Heinrich Ulrich was to raise as soon as the *Critique of Practical Reason* was published, and to which first Carl Christian Erhard Schmid in 1790 and then Karl Leonhard Reinhold and Kant himself would respond in 1792 with versions of the distinction that Kant formulated as that between *Wille*, the source of the moral law identical to pure practical reason, and *Willkür*, the faculty of choice (Ulrich, 1788; Schmid, 1790; Reinhold, 1790: Eighth Letter; Kant, RGV: *Of the radical evil in human nature*). This issue has received extensive discussion, and I will not pursue it further here.⁶

⁶ Modern discussion begins with John Silber’s introduction (1960: lxxix–cxlii, esp. xicv–cvi). Cf. also Guyer (2017b: 120–37). Henry Allison (1990: 244) deals with it by saying that “the moral law supposedly describes the decision procedure or *modus operandi* of

Instead, in the remainder of this section I focus on the way that the second *Critique* continues not only a proof-strategy for the reality of human freedom already present in the first *Critique*; it also continues the first *Critique*'s transcendental idealist strategy for the resolution of the antinomy between freedom and determinism. The resolution of the Third Antinomy was that the threat that any exercise of human freedom must be an interruption of the series of "natural causes" by beginning "an absolutely new series" *within* the continuous course of time (KrV: A 450/B478) can be averted by the supposition that the exercise of freedom takes place *outside* the series of events in time but grounds or noumenally causes that series. Kant puts this point in the form of a rhetorical question: "Is it not rather possible that although for every effect in appearance there is required a connection with its cause in accordance with laws of empirical causality, this empirical causality itself, without the least interruption of its connection with natural causes, could nevertheless be an effect of a causality that is not empirical, but rather intelligible"? (KrV: A 544/B 572). Specifically, Kant makes a distinction between "empirical" and "intelligible character": The empirical character of an individual agent sums up the causal dispositions that fully explain her actions at the empirical law, which causal dispositions are themselves the effects of antecedently valid laws of nature and antecedent initial conditions, *ad infinitum* and thus back past any obvious point for individual choice and responsibility; but the intelligible character of an agent is the spontaneous act of choice of her noumenal self which is the cause or ground of the series of her appearances but "**outside** the series of appearances" (KrV: A 552/B 580). There is no room for freedom within the empirical series of human actions: "Even before it happens, every one of these actions is determined beforehand in the empirical character of the human being." But there is room for freedom "In regard to the intelligible character, of which the empirical one is only the sensible schema," for there "no **before** or **after** applies, and every action, irrespective of the temporal relation in which it stands to other appearances, is the immediate effect of the intelligible character of pure reason" (KrV: A 553/B 581). To be sure, Kant already opens himself up to Ulrich's objection by equating intelligible character with reason, thus saying that "reason therefore acts freely," which seems to preclude the possibility of a freely *irrational* or immoral choice. But as I said, I am not going to worry

a hypothetically perfectly rational agent," a kind of agent we are not but which we can and should aspire to be; I do not think this irenic statement does justice to the extent to which Kant committed himself to the claim that the moral law is the causal law of our own actual noumenal selves in the *Groundwork* and the second *Critique* and the effort he made to break from this position in the *Religion*.

about that here; what I want to show is only that Kant adopts precisely the same model of the relation between freedom and determinism in the second *Critique*.

This is the point of the “Critical Elucidation” of the Analytic of Pure Practical Reason. Here Kant addresses the “apparent contradiction between the mechanism of nature and freedom in one and the same action” by explicitly recalling “what was said in the *Critique of Pure Reason* or follows from it”: namely, “the natural necessity which cannot coexist with the freedom of the subject attaches merely to the determinations of a thing which stands under conditions of time and so only to the determinations of the acting subject as appearance,” in which “the determining grounds of every action of the subject [...] lie in what belongs to past time and *is no longer in his control*”;

But the very same subject, being on the other side conscious of himself as a thing in himself, also views his existence *insofar as it does not stand under conditions of time* and himself as determinable only through laws that he gives himself by reason; and in this existence of his nothing is, for him, antecedent to the determination of his will, but every action — and in general, every determination of his existence changing conformably with inner sense, even the whole sequence of his existence as a sensible being, — is to be regarded in the consciousness of his intelligible existence as nothing but the consequence and never as the determining ground of his causality as a *noumenon*. So considered, a rational being can now rightly say of every unlawful action he performed that he could have omitted it even though as appearance it is sufficiently determined in the past [...]; for this action, with all the past which determines it, belongs to a single phenomenon of his character, which he gives to himself and in accordance with which he imputes to himself, as a cause independent of all sensibility, the causality of those appearances (KpV, 5: 97–98).

The single phenomenon of the agent that he imputes with all of its causality to his causality as a noumenon, independent of all sensibility, is nothing other than the empirical character that is grounded in her intelligible character. The former is fully subject to natural law, but the latter is free — although the question remains how that noumenal causality can be free to choose either morality or immorality, and now the additional question might also arise, how the freedom of *each* agent to choose her own empirical character is consistent with the freedom of *other* agents to choose theirs, when surely at the empirical level one agent’s character is to some extent determined by the choices that others make, as for example the character of children is to some extent determined by their parents’ choices. But I am no more going to attempt to resolve this question than the previous one. I only want to have established that the second *Critique* resolves the antinomy between determinism (“the mechanism of nature”) and freedom precisely the same way the first *Critique* does: the “Critical Elucidation” is just the continuation of Kant’s commentary on the Third Antinomy.

What I want to argue now, however, is that Kant's resolution of what is in effect the first antinomy of practical reason raised in the *Critique of Practical Reason* ought also to provide the basis for the officially designated Antinomy of Pure Practical Reason, namely the antinomy concerning the highest good, which is in effect the second antinomy of the second *Critique*. This antinomy is posed immediately following the resolution of the first in the "Critical Elucidation," and does not appear to follow that transcendental idealist model for the resolution of an antinomy as it should have. The question is thus whether it *could* have done so.

THE ANTINOMY OF THE HIGHEST GOOD

There are two steps involved in the formulation of what Kant explicitly labels the "Antinomy of Practical Reason" (KpV, V: 113). First Kant introduces the highest good as the complete good or complete object of pure practical reason or morality, next he claims that the highest good threatens the moral law with an antinomy that would render the moral law or morality itself "fantastic and directed to empty imaginary ends" and therefore false unless resolved (KpV, V:114). Kant then claims that the resolution of the antinomy depends upon the transcendental idealist distinction between appearance and noumenon (KpV, V:114). Our ultimate task is to see whether his resolution of the antinomy does employ transcendental idealism in a manner similar to his previous resolution of the antinomy concerning freedom, and if not, as I will argue it does not, then whether Kant should have and could have properly used transcendental idealism to resolve the antinomy. But before we reach that point, we must see what the concept of the highest good and the antinomy concerning it are supposed to be.

Kant generates the concept of the highest good by a double application of the concept of the unconditioned. First he reminds us that "*virtue* (as the worthiness to be happy) is the *supreme condition* of whatever can even seem to us to be desirable and hence of all our pursuit of happiness" and that therefore "virtue is a condition which is itself unconditioned, that is, not subordinate to any other" end, including that of happiness. He says that this has been proven in the Analytic of the *Critique of Practical Reason* (KpV, V: 110) and could have added that this had also been asserted at the outset of the *Groundwork for the Metaphysics of Morals* when he maintained that the good will is the only thing that is good "without limitation" and is of "unconditional worth" (GMS, IV: 393–394). But then he adds that the *object* of morality is only unconditioned in the further sense of being "whole

and complete” when happiness is included in it, although happiness as conditioned by virtue, thus not in itself unconditionally good (KpV, V: 110). From this he infers that

[I]nasmuch as virtue and happiness together constitute possession of the highest good in a person, and happiness distributed in exact proportion to morality (as the worth of a person and his worthiness to be happy) constitute the *highest good* of a possible world, the latter means the whole, the complete good, in which, however, virtue as the condition is always the supreme good, since it has no further condition above it, whereas happiness is something that, though always pleasant to the possessor of it, is not of itself absolutely and in all respects good but always presupposes morally lawful conduct as its condition (KpV, 5: 110–111).

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These claims raise numerous questions. Why is happiness part of the object of morality at all, as opposed to a merely natural good that has nothing to do with morality? Whose happiness is part of the highest good for an individual, her own or that of all human beings? Why is virtue equivalent to worthiness to be happy? What does it mean for the pursuit of happiness to be conditioned by virtue? The points that will be crucial for our subsequent discussion can be introduced by beginning with the last question. It might seem that each individual will see her own happiness as her natural good, but should recognize that morality places a constraint on her pursuit of her own happiness, namely that she can pursue it only insofar as doing so is consistent with satisfying the claims of morality. Kant’s way of formulating the fundamental choice between good and evil in the *Religion*, for example, could suggest that model: the choice that each individual faces is whether to subordinate self-love — the pursuit of her own happiness — to morality, or morality to her self-love (RGV, VI: 36). But the demands of morality include making the happiness of others one’s own end, and the argument for this duty is that one can *morally* gratify one’s natural desire for one’s own happiness and for the assistance of others in the pursuit of it only if one is prepared to universalize and actively promote the happiness of others when they need one’s assistance in their pursuit of it, of course only to the extent that *their* pursuit of happiness is itself conditioned by morality (e.g., MS/TL, § 27, VI: 450–451). Thus, while the way in which virtue is a condition on the pursuit of happiness may be described abstractly as subordinating the pursuit of one’s own happiness to the demands of morality, whatever they might be, more concretely the supremacy of virtue means that each may pursue her own happiness as part of the larger project of promoting the happiness of all, thus the moral task for all of each perfecting her own virtue does not merely *constrain* but *includes* the collective project of all promoting the happiness of all. Thus, while Kant’s statement in the *Critique of Practical Reason* might suggest that there are two different conceptions of the highest

good, the “highest good in a person” and the “highest good” in the world, the former consisting in an individual experiencing happiness in proportion to her own virtue and the latter consisting, as Kant puts it in the 1793 essay on “Theory and Practice,” in “universal happiness combined with and in conformity with the purest morality throughout the world” (TP, VIII: 279), in fact morality’s fundamental requirement of universalizability leads to the recognition of the promotion of the happiness of all as an end that is also a duty and therefore leads to the universalistic rather than individualistic conception as the only concept of the highest good.

There is much more to say on the interpretation of the highest good, but this will have to suffice for present purposes (cf. Guyer, 2011: 88–120, reprinted 2016b: 275–302). Our next question is how the highest good gives rise to an antinomy. Kant’s argument is the following.⁷ It is a mistake to think that virtue and happiness are analytically equivalent, whether by this one might mean that virtue consists in the prudent pursuit of happiness, as did the Epicureans, or that happiness consists simply in the achievement of virtue, as did the Stoics (KpV, V: 111–112). Rather, the connection between virtue and happiness “must be thought synthetically, and, indeed, as the connection of cause and effect, because it concerns a practical ground, that is, one that is possible through action.” Either virtue must cause happiness or happiness must cause virtue. The latter would mean that the “desire for one’s happiness” would be the motive for virtue, which has been disproven since the *Groundwork*; the former would mean that the achievement of virtue is a sufficient or complete cause for the attainment of happiness. That too seems impossible, because even though simply being virtuous does bring its own kind of contentment (*Selbstzufriedenheit*, KpV, V: 119), that is not the same as happiness in the sense of satisfaction of some maximal coherent set of one’s natural desires, and the achievement of that requires “knowledge of the laws of nature and the physical ability to use them for one’s purposes” (KpV, V: 113) that goes far beyond what is involved in achieving a good will or being virtuous and even, so Kant will assume, goes far beyond natural human capacities. So “no necessary connection of happiness with virtue in the world, adequate to the highest good, can be expected from the most meticulous observance of moral laws.” And now comes the antinomy:

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[S]ince the promotion of the highest good, which contains this connection in its concept, is an *a priori* necessary object of our will and inseparably bound up with the moral law, the impossibility of the first must also prove the falsity of the second. If, therefore, the highest good is impossible in accordance with practical rules, then the moral law, which commands us to promote it, must be fantastic and directed to empty imaginary ends and must therefore in itself be false (KpV, V: 113–114).

⁷ For more detail, see Watkins (2010: 145–67).

Whether this is really an antinomy is debatable. An antinomy is constituted by apparently sound arguments for contradictory propositions. An antinomy of practical reason should thus consist of apparently sound arguments for the propositions that morality is possible and morality is impossible. But here Kant is not stating any argument for the possibility of morality. He rather seems to be asserting only that the possibility of morality requires or includes the possibility of the highest good, so that the impossibility of the highest good would entail the impossibility of morality. In other words, the possibility of morality seems threatened by a simple *modus tollens*, and this threat needs to be averted in turn simply by a proof of the possibility of the highest good after all. Perhaps Kant conceives of the resolution of the unstated *first* antinomy of practical reason, namely the antinomy of freedom, as a proof of the possibility of morality itself, thus as the proof that should be required for the thesis side of an antinomy of practical reason, with the apparent proof of the impossibility of the highest good and therefore of morality itself as the apparent proof of the antithesis side of the antinomy. But he does not explicitly say that. Alternatively, perhaps Kant conceives of the preceding argument that morality itself demands the possibility of the highest good as the argument of the thesis, and then the antinomy would simply be between that proof of the possibility of the highest good and the present apparent proof of the impossibility of the highest good. Kant does not explicitly say that either. But in any case, whether there is really an antinomy about the highest good or not, the possibility of morality is threatened by a *modus tollens*: if morality demands the possibility of the highest good but the highest good is not possible, then morality is not possible either. That threat needs to be averted.

A second question to be faced before we turn to the main question of whether Kant's resolution of this problem really involves transcendental idealism is whether the supposed proof of the impossibility of the highest good does not turn on an individualistic conception of the highest good of the sort that I have argued Kant should not have countenanced in the first place. Kant himself concludes his argument against the analytical conceptions of the highest good found in Epicureanism and Stoicism with the claim that "it is clear from the Analytic that the maxims of virtue and those of one's own happiness are quite heterogeneous with respect to their supreme practical principle" (KpV, V: 112). This is certainly right, but if my argument that the universalistic conception of the highest good can be generated directly from the fact that the happiness of all is an end that is also a duty is correct, then it might seem as if happiness and virtue are analytically connected in the universalistic conception of the highest good after all. It might be objected to this objection that the premise that the maxim of seeking the assistance of others in one's own pursuit of hap-

piness that has to be universalized to yield this duty is itself based in an empirical fact about human nature, as we should expect in the *Metaphysics of Morals* (see *Introduction*, Section I, VI: 217), so the connection between the moral law and the duty to promote the happiness of all is not entirely analytic after all. However, the claim that the connection between virtue and happiness must be synthetic is not actually necessary for the threat to morality with which Kant is concerned. In fact, if the connection between the concept of morality and the demand to promote the happiness of all is analytic, the threat posed to morality by the apparent impossibility of successfully promoting the happiness of all is even more obvious: the more directly morality demands the promotion of the happiness of all, the more is the possibility of morality threatened if the promotion of the happiness of all is beyond our powers. The threat to morality supposedly coming from the fact that the achievement of the highest good requires “knowledge of the laws of nature and the physical ability to use them” for the promotion of universal happiness that may be beyond our powers remains if morality analytically demands the possibility of such happiness to be resolved.

So now let us finally turn to the question of whether Kant’s resolution of this question, whether or not it should be called an antinomy, really involves transcendental idealism, and if it does not, whether it should have and could have. Kant states that the resolution of the “similar conflict between natural necessity and freedom in the causality of events in the world” “in the antinomy of pure speculative reason” required the distinction between “one and the same acting being as *appearance* (even to his own inner sense)” and “the acting person [...] at the same time as *noumenon* (as pure intelligence, in his existence that cannot be temporally determined),” so that one and the same act of the agent could be regarded as both determined in accordance with laws of nature and yet as an act of spontaneity on the part of the part of the intelligible subject, and then states that “It is just the same with the foregoing antinomy of pure practical reason,” that is, the antinomy about the highest good (KpV, V: 114). He then claims that while the proposition that “the endeavour after happiness produces a ground for a virtuous disposition” (Epicureanism) is “*absolutely false*,” the claim that “a virtuous disposition necessarily produces happiness, is false *not absolutely* but only insofar as this disposition is regarded as the form of causality in the sensible world, and consequently false only if I assume existence in the sensible world to be the only kind of existence as a rational being.” But since I can and must also think of my own existence “as a noumenon in a world of the understanding,” where “I have in the moral law a purely intellectual ground of my causality (in the sensible world), it is not impossible that the morality of disposition

should have a connection, indeed a necessary connection, as cause with happiness as effect in the sensible world, if not immediately yet mediately (by means of an intelligible author of nature)" (KpV, V: 114–115). Thus the threat to the possibility of the highest good and therefore to morality itself will be averted by the distinction between ourselves as agents in the sensible world and in the noumenal world.

This is indeed a proposal for the resolution of the antinomy of the highest good through the transcendental idealist distinction between phenomenon and noumenon. But it is not clear that Kant's further explication of the resolution of the antinomy does turn on transcendental idealism. For what Kant next argues is that the possibility of the perfection of (individual) virtue (but the possibility of the universalistic highest good will surely depend on the possibility of the perfection of the individual virtue *of each and all*) depends upon the possibility of an "*endless progress*" toward "completely conformity of the will with the moral law," which "endless progress is, however, possible only on the presupposition of the *existence* and personality of the same rational being continuing *endlessly* (which is called immortality of the soul)" (KpV, V: 122), and then that the possibility of happiness "as the state of a rational being in the world" — or of *all* rational beings in the world — "in the whole of whose existence *everything goes according to his wish and will*" requires the "existence of a cause of all nature, distinct from nature, which contains the ground of this connection, namely of the exact correspondence of happiness with morality," thus "the highest good in the world is possible" (or can be believed to be possible) "only insofar as a supreme cause of nature having a causality in keeping with the moral disposition is assumed" (KpV, V: 125), who can thus assure that the happiness of each and/or all follows from the virtue of each and/or all even if our own "knowledge of the laws of nature and the physical ability to use them" is not sufficient to directly achieve this result. *But the possibility of neither of these postulates really depends upon transcendental idealism.* To be sure, neither the immortality of the soul nor the existence of God is anything that we directly perceive or can confirm by the senses. Yet Kant is here conceiving of the immortality of the soul as a non-perceivable *but nevertheless temporal continuation* of our existence, not as the noumenal ground of our phenomenal actions, and he is likewise conceiving of the existence of God, in a traditional way, surely not as something perceivable, but nevertheless as the ground of a nature that includes us, *not as our own noumenal causality or grounding of nature.* But a transcendental idealist solution of the antinomy would be that *our own agency if understood noumenally is capable of the perfection of virtue* and that *our own agency if understood noumenally is capable of causing happiness.* The postulation of the immortality of the human soul and of the existence of God as the author of nature

is *not* a transcendental idealist solution to the possibility of the highest good. It is a traditional metaphysical solution, although of course the epistemological status of this solution has been transformed — or downgraded — from that of speculative assertion to that of practical postulate.

So now the question becomes whether Kant should have and could have provided a genuinely transcendental idealist solution to the antinomy of the highest good. In fact, Kant clearly did provide a transcendental idealist account of the possibility of the perfection of virtue that does not require the postulate of immortality, and at least suggests the possibility of a transcendental idealist account of the possibility of happiness resulting from virtue that does not involve the postulate of the existence of God. I refer first to Kant's thesis in the *Religion* that conversion from evil to good depends solely on an act of free choice available to each of us *at any time and always*, one that does not have to be deferred until some later moment in an afterlife or never reached at all, because it is an act of the noumenal self that is not constrained by the temporality of appearance at all. The argument of the *Religion* is that evil is never a product of natural inclinations but of a free choice to subordinate morality to self-love, but precisely because that choice is free "it must equally be possible to *overcome* this evil, for it is found in the human being as acting freely" (RGV, VI: 37), that is, to choose the opposite ranking of fundamental maxims. Kant rests his insistence upon this possibility upon an unabashed appeal to the principle that "ought implies can": "However evil a human being has been right up to the moment of an impending free action (evil even habitually, as second nature), his duty to better himself was not just in the past: it is still his duty *now*; he must therefore be capable of it" (RGV, VI: 41). He makes it clear that this choice is always open to us because it does not take place at the level of phenomena governed by ordinary temporality and ordinary causal laws: "To look for the temporal origin of free actions as free (as though they were natural effects) is therefore a contradiction; and hence [it is] also a contradiction to look for the temporal origin of the moral constitution of the human being [...] [where] constitution here means the ground of the *exercise* of freedom which (just like the determining ground of the free power of choice in general) must be sought in the representations of reason alone" (RGV, VI: 40). "Hence we cannot inquire into the origin in time of this deed but must inquire only into its origin in reason" (RGV, VI: 41). But as Kant also makes clear, we really have no way of representing the possibility of free noumenal choice except in the temporal terms that constrain our imagination and thus our powers of description, so we represent this ever-present possibility of free choice *as if* it were "a continuous advance *in infinitum* from a defective cause to something better." But even if we can only *imagine* this choice in terms of continual progress, which

would require infinitely extended existence for infinite but uncompleted progress toward it, we must *think* of this choice as always open to us and something we could always complete, even if we cannot picture how that can be. As Kant writes,

But because of the *disposition* from which it derives and which transcends the senses, we can think of the infinite progression of the good toward conformity to the law as being judged by him who scrutinizes the heart (through his pure intellectual intuition) to be a perfected whole even with respect to the deed (the life conduct). And so notwithstanding his permanent deficiency, a human being can still expect to be *generally* well-pleasing to God, at whatever point in time his existence be cut short (RGV, VI: 67).

A human being can be generally well-pleasing to God at whatever point in time his existence be cut short because freely and completely choosing morality over self-love does *not* take forever but is always noumenally open to us, something that we can only *represent* as being open to us at any moment of our existence but that really cannot be conceived in temporal terms at all. Thus the possibility of perfecting virtue does not require the postulate of immortality; on the transcendental idealist theory of freedom of the will it is always already open to each and every one of us.⁸

522 Of course, this doctrine will have to be reconciled with Kant's account of the relation between noumenal ground and phenomenal consequence in the solution to the antinomy of freedom. Such a reconciliation will have to take the form of supposing that if someone can make the choice to convert to goodness at a moment that *appears* to come after a lifetime of evil, then, since all that evil has appeared to be inexorably entailed by laws of nature, the laws of nature will have to turn out to be different than they appeared, namely to have allowed for such a change all along although the agent never realized it. I will come back to this point momentarily in discussing the second question that I raised, namely whether the solution to the problem of the highest good really requires the postulate of the existence of God.

What I just argued was that the perfection of virtue does not require the postulate of immortality because complete conversion in our choice of fundamental maxim is always already open to us. Kant mentioned God in his account of this theory in the *Religion*, but he did not argue that the postulate of the existence of God was a necessary condition of the possibility of conversion, specifically that God is necessary to assist us in our conversion or help us complete it. He argued only that even if we cannot

⁸ For a more extended exposition of this point, see Guyer (2016a: 157–179) and (2020: 142–164).

ourselves know that we have successfully converted, God can, or could should such a being exist. The basis for the postulate of the existence of God for the possibility of the highest good would thus have to remain the necessity of the existence of an intelligible author of a nature whose laws are in conformity with the moral law as a necessary condition for the realization of human happiness. The obvious reading of Kant's argument is that even the best intentioned, that is, fully moral, human efforts are inadequate for the production of universal happiness, so in this case, unlike the case of the perfection of virtue, the existence of God is necessary to supplement our own efforts. This is the thought suggested, for example, by Kant's remark that "morality of disposition should have a connected, and indeed a necessary connection, with happiness as effect in the sensible world [...] not immediately yet mediately (by means of an intelligible author of nature)" (KpV, V: 115). This suggests that we must believe that if we do our part, namely perfect our morality of disposition, then God will do his part, namely perfect happiness.

But the transcendental idealist theory of freedom at least allows for an alternative. A key consequence of this doctrine, as we saw previously and have just been reminded, is that the laws of at least human nature must be compatible with the possibility of a noumenal choice of the good *even if they do not initially appear that way to human beings*. Kant's explicit point is that the actual laws of human nature must be compatible with the possibility of the noumenal choice in favor of the moral law even they initially appear to entail the choice of self-love. But this thought at least suggests the possibility that the actual laws of human nature must be compatible with the realization of universal happiness even if they do not initially appear sufficient for that end, that is, that the initial appearance that the laws of nature make human efforts insufficient for the achievement of universal happiness is just an appearance. Transcendental idealism would seem to allow for the possibility that human efforts might be sufficient without divine aid for the realization of happiness as well as the perfection of virtue. The question now is whether Kant recognizes this fact.

It must be said that Kant does not appear to recognize this fact as clearly as he recognizes that according to transcendental idealism the perfection of virtue is always open to human beings without immortality as well as without divine aid. Even in the *Critique of the Power of Judgment*, from which any argument for the postulate of immortality as the necessary condition for the perfection of virtue (although not the occasional reference to the postulate) has already disappeared, Kant continues to maintain that "speculative reason cannot understand the realizability of" "the final end of all rational beings (happiness insofar as it is consistent with morality)" "either on the part of our own physical capacity or on the part of the

cooperation of nature" (KU, § 91, V: 471 f.), and that therefore reflective judgment, under the auspices of practical reason, must assume "a **moral** being as author of the world, i.e., a God," in order to have "a basis for assuming [...] its possibility, its realizability, hence also a nature of things corresponding to that end" (KU, § 88, V: 455). Nevertheless, it would seem that Kant could have suggested a solution analogous to his own solution to the antinomy of teleological judgment. That, as I understand it, is that although certain behaviors of organisms do not appear to be explicable in mechanical terms, once we postulate the existence of God as the author of nature whose purposes are to be achieved *through* the laws of nature, we realize that there need be no conflict between mechanical explanation and the purposiveness of nature, and thus that there can be no *a priori* limit on the scope of mechanical explanation even though there initially appears to be precisely such a limit (see especially KU, § 75, V: 398).⁹ But once the possibility that the limits of natural laws need not be what they initially appear to be, which is also crucial to Kant's account of the relation between empirical and intelligible character or phenomenal conduct and the noumenal choice of good, has been introduced, then the way would seem open to Kant to argue that the effects of the noumenal perfection of virtue on the phenomena of happiness might also be greater than they initially seem. The argument about our own power to produce happiness might be that our powers are greater than they seem, that the natural laws that seem to limit our powers to produce happiness are how the laws of nature should be expected to appear as long as we have not ourselves converted from evil to good, but that once we have converted we might discover that the laws of nature are different from what they seemed to be and that happiness is in our own power after all.

Of course, while according to transcendental idealism conversion from evil to good is always in our power, certainty that any or all of us have made the conversion is never in our power, for that happens at the unknowable noumenal level of our reality; so we will never be able to be sure whether a failure of human efforts to produce universal happiness

⁹ This is of course a controversial interpretation of Kant's resolution of the antinomy of teleological judgment that I cannot defend here. I note merely that Kant labels the introduction of the distinction between constitutive and merely regulative interpretations of the maxims of mechanical and teleological explanation, which some, such as Lewis White Beck, have taken to be the solution to the antinomy, merely the "preparation" for the resolution of the antinomy (KU, § 71, V: 388), and that actual resolution begins only with the argument that theism, although "incapable of dogmatically establishing the possibility of natural ends as a key to teleology," is nevertheless the only way we can judge the generation of the products of nature as natural yet also as ends (KU, § 73, V: 395).

is due to the moral failure of humankind or to genuine limits in the laws of nature. Given how far we seem to be as a species from the perfection of virtue, no doubt we should focus our efforts on the perfection of virtue and not spend our time worrying about whether happiness will follow from our efforts alone. But according to transcendental idealism, it should at least be possible that the laws of nature are different than they seem, and that it could.

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