

## Middle Theory, Inner Freedom, and Moral Health

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### I

In her book, *The Practice of Moral Judgment*, Barbara Herman defends an interesting interpretation of Kant's ethical theory that emphasizes the centrality of a theory of value in Kant's view and the need for a "middle theory" that "lies between the high theory of value and the low theory of application"<sup>1</sup>. A developed middle theory, she writes, should "articulate the contingent structure of rational agency" in human beings and detail the various particular vulnerabilities to which our nature and circumstances make us prone, allowing us to apply formal principles of pure practical rationality in actual moral judgment (Herman 1996, 233-234). Herman notes that Kant explicitly recognizes the need for this kind of information in *The Metaphysics of Morals* when he talks about the need for "principles of application" requiring us "to take as our object the particular *nature* of human beings .. to *show* in it what can be inferred from universal moral principles" (MM, 6: 216-7)<sup>2</sup>. This paper argues that Kant's discussion of duties of virtue owed to ourselves and others in *The Metaphysics of Morals* affords us the basic elements of a promising and systematic middle theory.

As Nelson Potter suggests<sup>3</sup>, Kant regards duties of virtue owed to ourselves as duties concerned with ensuring our capacity to constrain ourselves on the basis of reason rather than self-love (our *inner freedom*) and with our ability to effectively exercise this kind of inner freedom in choice and action. Reflecting this difference in orientation, Kant divides these duties into *perfect* ("negative" and "formal") and *imperfect* ("positive" and "material") duties, suggesting that:

The first belong to the moral **health** (*ad esse*) of a human being as object of both his outer sense and his inner sense, to the *preservation* of his nature in its perfection (as *receptivity*). The second belong to his moral *prosperity* (*ad melius esse, opulentia moralis*), which consists in possessing a *capacity* sufficient for all his ends, insofar as this can be acquired; they belong to his *cultivation* (active perfecting) of himself (MM, 6:419).

Kant distinguishes these duties from duties owed to others, associating the latter with a different necessary end (the happiness of others rather than their moral perfection) and classifying them differently as duties of respect and love. Potter therefore suggests that while duties of virtue owed to ourselves share a common concern with ensuring or promoting our moral powers, this common rationale “cannot possibly be shared by the other part of duties of virtue” and we require “an entirely distinct account of how we can happen to have duties of virtue to others” (Potter, 378).

This paper analyzes the way in which concerns with ensuring our *inner freedom* can be understood in terms of the notions of *moral health* and *prosperity* and argues that duties owed to others can naturally be interpreted as reflecting the same general concerns. Viewed in this way, there is an underlying unity in Kant’s discussion of duties of virtue and the resulting account is an interesting one responsive to a broad range of social and psychological facts about human agency that affords us a natural starting point for the development of the middle theory Herman envisages.

## II

Defined as “the capacity for self-constraint not by means of other inclinations but by pure practical reason” (MM, 6:396), the notion of *inner freedom* plays a central role in Kant’s application of the *Groundwork’s* formal treatment of morality to the particular circumstances and

nature of human agency in *The Metaphysics of Morals*. This kind of freedom is described as the basis of virtue (MM, 6:408) and as the “condition of all *duties of virtue*” (MM, 6:406) and differs importantly from the negative and positive senses of freedom that Kant discusses elsewhere. Kant distinguishes negative freedom consisting in the freedom from simple *determination* by sensible impulses from the more positive notion of freedom associated with the legislative capacity of pure practical reason (MM, 6:213; CPrR, 5:33). As Stephen Engstrom<sup>4</sup> notes, this metaphysical account of practical freedom already directly implies the basic capacity for rational self-constraint constitutive of inner freedom: to the extent that we are free from causal determination by sensible impulses and subject to the moral law, we already have the basic capacity to choose to constrain ourselves on the basis of reason characteristic of inner freedom. Reflecting the specifically practical orientation of *The Metaphysics of Morals*, however, the notion of inner freedom adds the distinctive element of *self-constraint* and the idea that rational agents subject to other incentives have to *master these influences*.

Familiarly, Kant regards moral requirements as requirements of reason but thinks that while we are capable of determining ourselves in choice on the basis of our reason, doing so does not already “inhere” in us “by an inner necessity” (MM, 6:222). As rational but also natural beings we are susceptible to other incentives associated with our sensuous nature and may prioritize these incentives and interests deriving from them above the requirements of pure practical reason manifested in the moral law. The determination of our choice on the basis of rational principles is therefore a contingent matter requiring an affirmative exercise of our capacity for inner freedom in terms of which we choose to prioritize the requirements of reason over ends associated with self-love.

Kant does not, however, think that realizing inner freedom in choice and life comes easily for human beings. We are subject to a range of disruptive affects and passions and are naturally “frail” and “dishonest” in that we tend to lack the strength necessary to resist often powerful desires of self-love and are prone to failing to properly distinguish our incentives in choice (RR, 6:37). As Kant sees it, the realization of inner freedom therefore requires *vigilance* and *strength of will*, and he defines the “the state of health in the moral life” in terms of the possession of a “tranquil mind” capable of deliberating properly (free from undue influence by affects, passions, and strong desires) joined with a “considered and firm resolve to put the law of virtue into practice” (MM, 6:409).

The perfect duties owed to oneself that Kant describes in the latter half of the Doctrine of Virtue prohibit vices incompatible with preserving this kind of moral health<sup>5</sup>. He begins by distinguishing between perfect duties owed to oneself as an “animal and moral being” and “as a moral being only.” The former take into account the fact that we are also animal (natural) beings, emphasizing concerns with ensuring the functioning of our physical organism in a manner consistent with the possibility of rational self-control. So, for example, gluttony and drunkenness are regarded as vices contrary to perfect duties because “brutish” excesses of this sort constitute a “misuse of the means of nourishment that restricts or exhausts our capacity to use them [the means of nourishment] intelligently” and incapacitates us, “for a time, for actions that would require [us] to use [our other] powers with skill and deliberation” (MM, 6:427). Similarly, mutilating or killing oneself is regarded as contrary to perfect duty because doing so deprives one of “certain integral organic *parts*” and thus the “*capacity* for the natural (and so indirectly for the moral) *use* of one’s powers” (MM, 6:421).

Of course, being able to use our powers purposively in pursuit of our ends does not exhaust the scope of concerns required with our moral health. I can manage my bodily needs and appetites in a manner consistent with my capacity to choose and act purposively for the sake of my ends but still be unable to govern myself appropriately on the basis principles of practical reason associated with the moral law. Our perfect duties are therefore said to include duties we owe to ourselves as “moral beings only” concerned more directly with ensuring our capacity for inner freedom. These duties prohibit self-deception, servility, and miserly avarice because such vices compromise our capacity to understand properly what we do and our ability to be appropriately receptive to the requirements of our reason and nicely illustrate the kind of subtle consideration of the psychological dynamics of human agency required under the rubric of concerns with ensuring our moral health. The first, however, stands out, both because of the weight that Kant attaches to it and because of its initial obscurity and is therefore emphasized in the discussion that follows.

Kant singles out the vice of lying for particularly strong repudiation – describing it as the “greatest violation of a human being’s duty to himself” (MM, 6:429) – and he makes it clear that he regards this self-regarding duty as encompassing concerns with both *internal* and *external lies*. An “external” lie told to another can be a violation of duties owed to the other person but, even when it is not, Kant claims that these lies remain a violation of a perfect duty requiring truthfulness *owed to ourselves*. To understand the breadth and strength of the prohibition here, we need to begin with a little background about the form that Kant thinks moral self-appraisal and deliberation takes in human beings.

Given the fact that there are other things we want to do, moral choice and action requires

a conscious effort on our part to reflect on the choices we make and govern ourselves appropriately. More generally, understanding our own character – what we are like and how we tend to respond to situations – enables us to anticipate when we are particularly prone to the influence of our desires and to cultivate our strengths and avoid our weaknesses. This kind of self-appraisal and deliberation requires thinking and reflection and these involve a kind of internal dialogue or conversation with oneself. Kant thinks that language is deeply involved in thinking. In his *Anthropology from a Pragmatic Point of View* he suggests that language “is the means par excellence of intellectual signification” and “the most important way we have of understanding ourselves and others,” and describes thinking as a matter of “talking with ourselves” and “listening to ourselves inwardly” (PA, 7:192). In particular, he thinks that moral self-appraisal takes the form of a “conversation” with our conscience – the “voice” of our reason – in which we articulate to ourselves a conception of what we propose to do and why we intend to do it and submit this account to the scrutiny of our conscience (our “inner judge,” “holding man's duty before him for his acquittal or condemnation in every case that comes under a law” (MM, 6:400-401)).

Against this background, the vice associated with internal lying is regarded as a kind of *insincerity* or lack of *conscientiousness*<sup>6</sup> in thinking about oneself and one's actions, and the special problem posed by this vice lies in the way that it compromises our capacity for inner freedom at the deepest level by corrupting the reflective and deliberative process on which it depends. For example, take my act of kindness towards a rich relative. I think of myself as a good person who recognizes that I have a duty to help others, but I also very much desire to inherit my rich relative's estate. Given this mix, the danger is that I may fail to properly distinguish my

motives in choice in deciding what to do and represent *to myself* a merely prudential act of kindness towards her as one of moral beneficence. Similarly, desiring to help a friend but confronted with another in greater need of my assistance, I may fail to properly describe to myself the facts at issue, representing my friend's need as being more urgent when this is not really the case.

In these cases, I do not consciously lie to myself in the sense that I expressly set out to deceive my conscience as though it were another person. Rather, *preoccupied with my desire*, I fail to impartially consider what I propose to do, allowing my desire to dictate the understanding of my motives and actions that I submit to my conscience for judgment. I may do this consciously: Finding myself aware of some tension between what I desire to do and what my conscience tells me I ought to do, but failing to properly appreciate the strength of my desire, I may *persuade myself* that a different description of my motive or action – one that dispels the appearance of conflict – is, in fact, more appropriate (and, reasoning in this way, I believe I acted well). Alternatively, this may happen without this kind of rationalization in cases where my desire is sufficiently pressing that it causes me to bring to my conscience a distorted account of what I am doing without any explicit awareness of any conflict. Nonetheless, since I am ordinarily responsible for the present state of my character and my desires are still under my control, both remain failings on my part which I could have avoided and for which I am culpable.

Understood in this way, we can make sense of this concern without risking the apparent schizophrenia associated with the idea of deliberate self-deception, and the form of the problem is relatively clear. Rather than deliberately setting out to deceive ourselves, we fail to properly appreciate what we are doing and why we do it, and, allowing our desires to dictate how we

understand our motives and actions, *succumb to them without even being aware that we are doing so*. Moreover, the experience of a certain kind of moral regret associated with reflecting on past actions and realizing that we cast them in an unreasonably favorable light is familiar enough to make this concern seem a real and pressing one.

This problem is particularly insidious. Rather than renouncing our moral personality by deliberately choosing to prioritize what we want over what we think we should do, we *relinquish* it by failing to properly appreciate the subtle and pervasive influence of our desires<sup>7</sup>. Moreover, avoiding this kind of corruption of our inner freedom is not a simple matter. Kant repeatedly reminds us that we are limited beings and cannot know with certainty what our motives are. Nor, similarly, can we be completely confident that we properly appreciate all the relevant facts in particular cases of deliberation. In addition, as we have already seen, Kant regards us as naturally “frail” and “dishonest” and hence as tending to lack the strength necessary to resist our desires and prone to not properly distinguishing our incentives in choice. Guarding against this kind of insidious influence exerted by our desires is therefore a particularly difficult task requiring an *ongoing* vigilance and a generally *scrupulous* commitment to honesty in thinking about our character and the choices we make.

Understood in this way, a similar commitment to being honest with others is of central importance on the same general grounds. Given our frailty and fallibility, honesty in expressing our thoughts to others serves an important role in facilitating the kind of self-knowledge necessary to resist the influence of our desires. For instance, we often discuss our choices with trusted friends or peers, seeking their opinion in an effort to gain some distance from our own particular interests and a better understanding of ourselves and what we propose to do. More



generally, being truthful with others at large forces us to “own” our character and our actions, facilitating the kind of impartial perspective essential for us to resist the distorting influence of other interests by confronting us with the way others see us. Conversely, lying to others in communicating our thoughts compromises these important sources of self-knowledge, allowing us to avoid the kind of public accountability that forces us to take responsibility for our character and the choices we make<sup>8</sup>. Because they may tend to compound the insidious influence of our desires, an otherwise harmless lie told to another (one that does not violate any duty owed directly to them) will thus remain a violation of the perfect duty of truthfulness owed to ourselves. And, this will be true even when the lie seems not to be particularly self-serving because we may not be aware of or fully appreciate the influence of our desires on the way we think of our character or actions.

The vice here therefore involves a failure on our part to honestly confront and be responsible for our character and actions either in private deliberation and reflection or in our public discourse with others. Because it corrupts the deliberative processes on which the proper functioning of our conscience (and hence our inner freedom) depend, this vice is regarded as particularly problematic. And, since the influence of other interests is often subtle and hard to notice, avoiding this vice requires an ongoing *active* commitment to honesty in communicating our thoughts to ourselves and others. This kind of concern does not, however, exhaust the range of concerns associated with preserving our moral health. In addition to our having the kind of “tranquil mind” capable of effective moral deliberation, our capacity to constrain ourselves on the basis of reason also depends upon our being capable of the resolve necessary to respond to the demands of our conscience and hence on our being at least minimally receptive to these

demands and psychologically capable of responding to them.

Kant identifies two concerns that are relevant in this respect. Firstly, constraining ourselves in choice in accordance with reason requires a conscious effort that is routinely opposed by the influence of our desires. Ensuring our capacity for inner freedom therefore requires the preservation of a sense of our own special value or dignity as rational agents that serves as a bulwark against these temptations by giving weight and urgency to the “voice” of our conscience. Reflecting this concern, Kant emphasizes the importance of preserving a proper sense of self-esteem grounded in the recognition of one’s rational nature and directs us to avoid attitudes that threaten this sense of moral self-esteem and vices like false humility that are incompatible with it. Thus, we are to conduct our affairs with others in a manner consistent with this sense of self-worth and not allow ourselves to become another’s “lackey” or let others “tread with impunity on [our] rights.” In particular, we are to avoid the kind of explicit improper ordering of values seen in vices like false humility where the value placed on other ends is such that the agent is willing to abrogate the dignity and respect owed to him as a rational being by “belittling [his] own moral worth merely as a means to acquiring the favor of another” (MM, 6:435) in an effort to satisfy his desires<sup>9</sup>.

The second vice relevant here is miserly avarice which Kant characterizes in terms of an obsessive preoccupation with the acquisition of material goods reflecting a profoundly distorted sense of values. Much of Kant’s discussion of this vice is devoted to differentiating between greedy and miserly avarice and arguing that these vices should be distinguished by their different principles rather than regarded as opposite extremes on an Aristotelean continuum. Contrasted with greedy avarice that violates duties of beneficence, miserly avarice is described as an

obsessive concern with the acquisition and hoarding of material goods with no intention of actually using them for enjoyment. Kant claims that this vice involves a “slavish subjection of oneself to the goods that contribute to happiness” (MM, 6:434) that restricts “*one’s own* enjoyment of the means to good living so narrowly as to leave one’s own true needs unsatisfied” (MM, 6:432), “depriving oneself of the comforts necessary to enjoy life” (MM, 6:433).

These themes of distorted values and self-imposed neglect are developed a little more explicitly in *The Lectures on Ethics*. Here Kant notes that miserly avarice often begins with a reasonable effort at prudent resource management that becomes distorted over time. We start out accumulating goods with a view to the enjoyment they can bring later, but begin to continually defer their actual enjoyment and to content ourselves, instead, with the prospect of future pleasure. Over time, this can become a habit until we reach a point where we come to value the mere possession of goods over all else and lose touch with their proper value as means to other ends:

.. [W]e wean ourselves entirely from all the pleasures, and their presence and enjoyment is a matter of indifference to us. Since we have got used to dispensing with all of them, in acquiring means, we also do so once we have already acquired them in actuality, and have them in our power. On the other hand, once we have again got used to hoarding, we keep on doing so afterwards when we no longer have any need to save and put aside (LE, 27:402).

Having thus reduced his life to the empty hoarding of material goods, the miser becomes obsessively concerned with keeping what he has and increasing his stock, and approaches all decisions with these overriding interests to the fore. Thus, Kant suggests that in forgoing the normal range of social pleasures, the miser finds himself always “occupied with anxious cares” about his possessions. To assuage these, he will frequently turn to religion for comfort but, in doing so, approaches this too as a matter of profit and loss. Thus, he calculates that it would be

“good and profitable if [he] were to get God on [his] side” and that he should pray to God “to preserve all men from danger” but only so that he will not be called upon to provide for others in time of distress (LE, 27:401). The picture here is therefore one of a radically disordered life oriented around the obsessive acquisition and hoarding of goods whose proper value lies in their use as means to the end of enjoyment: A life of “slavish subjection” to material goods in which all the agent’s decisions are weighed in terms of this overarching and distorting goal, and one in which their capacity for rational reflection and action in general, and moral reasoning in particular, will therefore be profoundly compromised.

The perfect duties that Kant discusses here are therefore understood to be concerned with matters of moral health in the negative sense that they prohibit vices that tend to compromise our *capacity* for inner freedom. These duties include duties owed to ourselves as animal and moral beings concerned with our capacity to use our general powers purposively and duties we owe to ourselves as moral beings only prohibiting vices like self-deception and miserly avarice concerned more directly with ensuring we have the kind of “tranquil mind” capable of understanding and responding to the requirements of our reason. Compared with these negative and perfect duties, imperfect duties we owe to ourselves are described as duties concerned with ensuring our *moral prosperity* or *flourishing* and are thought of as duties concerned more positively with promoting the *effective exercise* of this kind of inner freedom. Kant discusses two duties like this. Firstly an imperfect duty owed to oneself “for a pragmatic purpose only” requiring us to develop natural talents that will make us more effective as agents in general and hence also more effective in securing ends we seek on the basis of duty. The second imperfect duty he discusses is then concerned more directly with the perfection of our moral agency,

requiring us to promote our effectiveness as moral agents by actively cultivating our receptiveness to the voice of duty (the “purity” of our moral disposition) and our ability to follow through properly on commitments we set for ourselves on this basis.

### III

Kant distinguishes between these duties of virtue owed to ourselves and those we owe to others, classifying the latter differently as duties of respect and love and arguing that duties owed to others have a different necessary end – the happiness of others (rather than their perfection). He also does not explicitly classify duties owed to others as being oriented around concerns with inner freedom and moral health and prosperity. There are, however, reasons to think it is appropriate to do so. The distinction here is one between the subjects to whom duties are owed and does not reflect any difference in the derivation or ground of these duties. These different classes of duty are both classified as duties of virtue and share a common origin in a general ground of obligation– the CI. This principle requires that maxims not yield contradictions in conception or in the will on universalization (or, equivalently, that they be consistent with and actively harmonize with the absolute value of humanity) and these constraints are regarded as *general* requirements binding on *all* rational willing<sup>10</sup>. Duties to self involve the application of these general constraints to a particular case and therefore ought not to differ in their underlying form (though they may in their content)<sup>11</sup>.

If, as the present analysis suggests, self-regarding duties of virtue require a basic concern with our inner freedom, it therefore seems reasonable to assume that we will be required to respect this same freedom in others. If we start with this assumption and allow for an important difference in orientation in the case of concerns with others’ inner freedom, the various particular

duties that Kant discusses can readily be understood as reflecting the same basic concerns with inner freedom and moral health and prosperity. The new classification of these duties as duties of respect and love and differences in necessary ends and content associated with them can then be regarded as reflecting the *essentially* different form taken by concerns with others' inner freedom and moral health. And, thus understood, Kant's account of duties of virtue can be regarded as a systematic one organized around a unifying concern with inner freedom.

To think of duties of virtue owed to others as reflecting the same general underlying concern, we need to begin by appreciating that we do not realize our capacity for inner freedom merely by *conforming* to the requirements reason imposes, subordinating our pursuit of other interests instrumentally in order to realize some desired good or because we are moved by affects like fear, sympathy, love, etc. Nor do we exercise this kind of self-constraint if our choice of principles accords with reason merely accidentally (by coincidence) or arises *only* from an unreflective and ingrained habitual response to various situations. Instead, we realize inner freedom in conscious acts of *self-constraint* reflecting *our own internal ordering of values and priorities* in terms of which we take the representation of a choice as one required by reason to give us a sufficient reason to choose and act and determine ourselves accordingly. Moreover, we cannot transcend our dual nature, transforming ourselves into purely rational agents free from any further influence by desire and interests of self-love who naturally will as reason enjoins. We always remain susceptible to these other influences and must therefore actively cultivate and sustain an ongoing commitment to the priority of reason.

Realizing the capacity for inner freedom and preserving and strengthening it over time is therefore *strictly* a personal affair. I can realize and promote the *external* freedom of others at

issue in the Doctrine of Right by effectively protecting life and property and others' general liberty to pursue ends, but I cannot *directly* realize and promote another's inner freedom. Doing so essentially involves an internal ordering of values and ends on the part of the agent and a strengthening and deepening of their personal commitment to ongoing self-governance.

Nonetheless, while we cannot directly realize others' inner freedom, our actions can make it harder or easier for them to realize this capacity and sustain a commitment to choice governed in this way. My actions can adversely affect the deliberative capacities of others in the same way that they can undermine these capacities in myself: I can drug others, I can try to make them fearful or misanthropic or deliberately put temptations in their way, and generally, can act in a variety of ways that tend to make it harder for them to reflect on their choices and lives and deliberate effectively. Alternatively, I can make rational self-constraint easier for individuals by doing what I can to ensure a secure public culture conducive to reflection and introspection, by encouraging and valuing proper moral respect for others, and by otherwise making it easier for individuals to develop and sustain the kind of personal choice of values and commitments in which their inner freedom is realized and strengthened.

Concerns with inner freedom in the case of other agents will therefore take a different form. Rather than being focused directly on the realization and perfection of the capacity for rational self-constraint, an interest in the inner freedom of others will be more indirect. It will require an effort to secure the personal and social "space" within which individuals are able to come to make the kind of personal conscious commitment essential to inner freedom. Included here will therefore be a range of concerns with the capacity of individuals to order and control their lives according to their own choice of interests and priorities, and to choose *for themselves*

to constrain their pursuit of interests of self-love in terms of the requirements of their reason. This will require a range of concerns with ensuring the same basic capacities necessary for moral deliberation involved in perfect duties of virtue owed to ourselves (those associated with the idea of ensuring the kind of “tranquil mind” capable of moral deliberation). However, a more indirect approach will be required when it comes to concerns with ensuring the agent’s responsiveness to the requirements of her reason and her resolve to live under its guidance. To the extent that these are essentially matters of the agent’s internal ordering of values and ends in the sense described above, the most we could be required to do here is to avoid actions that make this harder for others and to do what we can to encourage this kind internal commitment (taking care not to promote a merely instrumental regard for rational self-government motivated only by a desire to please others, avoid sanctions, etc.).

Recognizing this different orientation in the case of other agents, the duties of virtue owed to others that Kant discusses can then naturally be seen to reflect the same kind of concerns with inner freedom and moral health and prosperity apparent in the case of duties owed to ourselves. As he did in the case of duties of virtue owed to ourselves, Kant divides these duties into negative duties emphasizing a range of prohibited vices and positive duties enjoining the active cultivation of virtues. The former are described as duties of *respect* and prohibit the vices of defamation, arrogance and ridicule while the latter are classified as duties of *love* and require the active cultivation of beneficence, sympathy and gratitude.

In the case of negative duties of *respect*, the underlying concern can be regarded as similar in form to that apparent in the case of the duty we owe to ourselves prohibiting servility. Kant thinks that the victim of arrogance, defamation or ridicule is likely either to internalize the



criticism of others at the cost of her own proper self-esteem or to succumb to bitterness and anger towards others for leveling it. More generally, actions like defamation and ridicule “cast a shadow of worthlessness over our race itself,” “dulling” our natural moral disposition by repeatedly exposing us to human frailty, and thus contribute to the creation of a public culture of alienation and contempt incompatible with the respect for humanity “on which the impulse to the morally good rests” (MM, 6:466). Just as *humbling ourselves* compromises the sense of our own dignity that gives “weight” to the voice of our conscience in reflection and deliberation, *humbling others* by ridiculing or defaming them (or, more indirectly, by being arrogant in one’s dealings with others) therefore erodes both the individual’s self-esteem and the community’s sense of the natural dignity of others as persons, and can be expected to have similar results. Conversely, Kant claims that showing others respect by “softening” our judgments (being tactful and considerate in the way in which errors of reasoning or judgment are brought to another’s attention) and sometimes keeping these judgments to ourselves “can arouse their striving to deserve it” (MM, 6:466) and thus improve their condition.

More positively, our actions can make it easier for others to develop and sustain an effective and ongoing commitment to rational self-government and duties of love are naturally interpreted as being oriented around this kind of concern, and hence around concerns with other’s moral prosperity. The central obligation in this case is the duty of beneficence requiring us to aid other moral agents in their pursuit of ends they seek on the basis of duty and other non-moral interests they associate with their happiness. We cannot contribute directly to the moral prosperity of others in the sense that we can make them better people, but we can do so indirectly by aiding them in securing ends they seek on the basis of duty. This contributes to their

effectiveness as rational agents and serves to promote their sense of themselves as such agents, capable of governing their lives and conduct and realizing the commitments they have set for themselves. More generally, given the natural connection between their sense of subjective satisfaction with their lives and their capacity to govern themselves on the basis of their reason, we can also promote their moral prosperity by furthering their non-moral ends and interests. Given that human agents naturally have *other* interests they identify with and cherish, aiding them in securing these will serve to enrich their lives and make a commitment to govern themselves on the basis of their reason easier to sustain.

The additional obligations we owe to others as duties of love requiring sympathy and gratitude can then be seen as serving to secure the conditions under which a culture of effective and appropriate beneficence will prosper. We are to cultivate our natural capacity for sympathy, not in order to be moved to kindness by “pity” or “compassion” but to enable us to better understand others’ situations and interests and respond appropriately to these with “active and rational beneficence” (MM, 6:456-7). Similarly, appropriate gratitude serves to sustain and foster the practical love of others associated with beneficence and to promote a culture in which needed help can be offered and received in the spirit in which it is intended. Conversely, ingratitude (being unappreciative of the help of others or resenting and even hating them for it) tends to deter others from further acts of kindness and undermines the practice of beneficence (MM, 6:459).

Recognizing the different orientation of concerns with others’ inner freedom, duties of virtue owed to others can thus readily be regarded as sharing the same underlying concerns with inner freedom seen in the case of duties of virtue we owe to ourselves. Understood in this way, the new classification of duties owed to others as duties of *respect* and *love* then serves simply to

emphasize the different form taken by concerns with inner freedom in the case of duties owed to others. We cannot directly realize or perfect inner freedom on another's behalf. Instead, we are obligated to conduct ourselves towards them with respect and love by refraining from acts that tend to make the realization of their moral nature harder and by doing what we can to ensure conditions favorable to the effective realization of this nature.

Similar considerations explain Kant's claim that duties of virtue owed to others take as their end the happiness of others and not their perfection. Given the *essentially* personal commitment required for inner freedom, the end of these duties *cannot* be the moral perfection of others. As Kant puts it:

[T]he *perfection* of another man, as a person, consists just in this; that he *himself* is able to set his end in accordance with his own concepts of duty; and it is self-contradictory to require that I do (make it my duty to do) something that only the other himself can do (MM, 6:386)

Concerned more indirectly with the preservation and promotion of others' inner freedom, these duties therefore emphasize a range of concerns oriented around the need to respect the personal "space" necessary for individuals to realize this freedom and their efforts to do so on their own behalf. Viewed in this way, they require us to respect the liberty of others to live their lives on their own terms and to aid others in doing so (at least insofar as their ends are permissible) and therefore take as their end the happiness of others rather than their moral perfection.

#### IV

On this analysis, then, duties of virtue owed to ourselves are divided into negative (perfect) duties concerned with matters of moral health in the negative sense of prohibiting vices

that tend to compromise our capacity for inner freedom, and positive (imperfect) duties concerned with the active promotion of our moral prosperity and thus with the *effective exercise* of inner freedom. Allowing for the different orientation of concerns with others' inner freedom, similar concerns can then be seen to underlie the duties of virtue owed to others that Kant classifies as duties of respect and love suggesting that there is an underlying unity in Kant's discussion of duties of virtue obscured by the emphasis on differences in the text. The discussion of particular duties above also suggests that this account is a subtle one that promises to bring to Herman's middle theory exactly the kind of detailed sensitivity to psychological and social facts that she thinks a workable form of Kantian ethics requires.

On Herman's interpretation, the Categorical Imperative requires us to will in ways that are consistent with the "separateness of wills" and the conditions of effective rational agency. She argues that these formal constraints are the rational ground of the distinctive conception of value associated with the other formulations of the CI, and that, although not devoid of content, these formal constraints require application to *our* rational natures. A fully realized Kantian ethics therefore needs a middle theory whose purpose is to articulate the proper form of respect for our own and others' rational agency by connecting these formal constraints with substantive practical implications for moral life. The project of this "empirical moral inquiry" is thus to describe the empirical form of rational agency in human beings and analyze the various ways in which the separateness of wills and the effectiveness of agency may be affected by the contingent structure of our agency and the empirical circumstances of particular agents:

Middle theory is the theory of the practice of moral judgment. It effects the translation of the basic conception of value in the principles of practical rationality into principles that fit the circumstances of human action, judgment, and deliberation (Herman 1996, 236).

The notion of inner freedom and the related idea of concerns with moral health and prosperity represent an obvious and promising place to start in constructing such a theory. Engstrom stresses the differences between negative and inner freedom, emphasizing that the latter is a broader notion involving the idea of freedom from the *influence* of sensible impulses (rather than merely from simple determination by them). Unlike the negative idea of freedom, the concept of inner freedom thus admits of degrees and Engstrom argues that we can therefore distinguish two different but closely related senses of inner freedom:

On the one hand, ‘inner freedom’ can signify the very capacity identified in the positive and negative characterizations of it considered above [i.e., the bare capacity for rational self-constraint implied by Kant’s account of practical freedom]; on the other hand, it can signify that same capacity in so far as it is also strength, where this strength constitutes the independence of the power of choice not only from determination but even from influence by sensible impulses. The two senses differ in that only the latter implies virtue; but they are at the same time intimately related in that inner freedom in the latter sense is inner freedom in the former sense, but inner freedom in so far as it is in a developed condition or state – in so far, that is, as it has been strengthened (Engstrom, 304).

Reasoning in this way, he claims that we can make sense of Kant’s account of virtue as a kind of moral strength by thinking of virtue as “[inner] freedom in its developed, or realized, form” (Engstrom, 305). In a similar vein, we can think of a developed capacity for inner freedom as *being* the material form of human rational agency that Herman thinks it is the business of middle theory to describe and analyse. The susceptibility of our wills to influence by sensible affection is not a contingent aspect of our agency. We *always* remain subject to other incentives and *cannot* simply become purely rational agents for whom the deliberative authority of all principles of pure practical reason is a given. Beings like us therefore realize our rational nature *only* in the conscious choice of rational self-government and hence *only* in the development and affirmative exercise of our capacity for inner freedom.

If this is correct, an analysis of inner freedom and of the various ways it can be compromised or promoted is a natural starting point for a discussion of Herman's middle theory. Moreover, concerns with moral health and prosperity parallel Herman's formal notions of separateness and effectiveness and ought to be useful in informing the practical application of these constraints. Concerns with moral prosperity are explicitly understood in terms of a focus on the conditions of effective rational agency and the parallel in this case is therefore simple and direct. In the case of the separateness (or integrity) of wills, Herman thinks of this as a matter of our acting from reasons that "go all the way down" in the sense that agents can be regarded as the sources of their own choices of ends (as opposed to being moved to act by forces external to their wills). This requires both freedom from external manipulation by others *and* from determination only by desire:

A being whose ultimate grounds of action were given – who truly acted from desire – would not act for reasons all the way down. Its desires would be the cause of its actions (Herman 1996, 229).

We act from reasons that "go all the way down," then, when we act autonomously in ways properly governed by rational principles and thus when we exercise the capacity for rational self-constraint characteristic of inner freedom. While Herman tends to emphasize external manipulation in discussing separateness, this notion will therefore presumably also encompass concerns with our capacity to understand and respond to the requirements of pure practical reason like those seen in the duties prohibiting self-deception and servility, and, more generally, the kind of concerns associated here with the idea of respect for our own and others' moral health<sup>12</sup>.

Lastly, a middle theory based on concerns with inner freedom and moral health and

prosperity will require consideration of just the sort of psychological and social facts that Herman emphasizes and will do so in a way that informs the nature and scope of duties associated with these concerns. Take, for example, the account of duties that we owe to others suggested by this analysis. As we have seen, constraining ourselves on the basis of our reason requires a conscious commitment on our part reflecting our own choice of values and priorities and thus depends on a more general freedom to identify and pursue our own conception of our good based on our own choice of commitments and priorities. A concern with others' moral health will therefore require a broad concern with the general freedom of individuals to adopt, pursue, and revise ends and interests on the basis of their own conception of their value, and with their capacity to subsequently develop and sustain the kind of personal commitment to managing these interests appropriately in which their inner freedom is realized.

In this sense, duties owed to others will therefore require a robust concern with their "natural" (as opposed to fully rational) autonomy, prohibiting acts of manipulation and deception that are indifferent to the importance of this basic liberty. Understood in this way, deliberate falsehoods and selective or partial truths that seek to exploit our common dependence on information from others in an effort to cause someone to act for the sake of another's ends will be regarded as incompatible with the required respect for other's moral health. More positively, it is reasonable to suppose that we also ought to be actively sensitive to the deliberative processes of others, appropriately qualifying responses to requests for information in cases in which we have reason to be uncertain in an effort to avoid accidentally misleading them. Similarly, appreciating that someone has a particular end in mind and realizing that the information they seek is intended to aid them in its pursuit, it will ordinarily be incumbent on us to inform them of

other relevant considerations we have reason to believe would affect their decision but which they have not explicitly asked us about. On the other hand, assuming relevant disclosure, there will be nothing problematic in communicating true information to others explicitly in an effort to get them to act as we desire or in offering them reasonable non-coercive inducements to do so. More generally, the focus here is on acting in ways that are consistent with the capacity of others to order and control their own lives basic to their realization and perfection of inner freedom. This gives me very strong reasons to avoid paternalistic interference with others but it does not obligate me to aid individuals in the performance of acts that wrong themselves or others.

Reflecting Herman's emphasis on the importance of social conditions, this analysis will also take into account differences in social status, power, and opportunity that create avenues of manipulation and other conditions that affect the natural autonomy of agents basic to the realization and development of inner freedom. Concerns with inner freedom will therefore encompass concerns with family relations, working environments, and other basic social structures that define the environment of our agency. More positively, they will give rise to a range of concerns with ensuring a social culture actively conducive to the realization of our moral natures: one in which norms of tolerance and mutual respect will be basic, but in which we will also be expected to show a more positive sensitivity towards others and to aid them in their pursuits.

Finally, this analysis will also readily include a range of subtle concerns with the mental health of individuals, their happiness, and with their capacity to sustain important relationships and interests basic to a decent and flourishing human life. In doing so, it naturally encompasses the kind of concerns with our capacity for effective moral agency that Herman alludes to in her



later work<sup>13</sup> and will allow us to understand the moral boundaries of love and friendship and to critically discuss claims to special status made on behalf of these and other relationships. So, for example, while it seems relatively straightforward to make a case for the centrality of family relationships and friendship, the partial treatment of fellow countryman normally associated with patriotism will be harder to justify and a case will have to be made that national identity in some way bears importantly on issues of our psychological or moral integrity. This model will also lend itself to finer discrimination in particular cases. Thus, it would naturally allow for special room to be given to relationships with family and friends in times of personal crisis where our psychological integrity is in jeopardy but would nonetheless also require us to avoid any pathological dependence on friends and family likely to injure our moral integrity.

In sum, then, the kind of concerns with inner freedom considered here and the analysis of these concerns in terms of the notions of moral health and moral prosperity afford us a unified account of duties of virtue and a promising place to start in the development of a systematic Kantian middle theory. More needs to be said both about the way that Kant understands the ideas of moral health and prosperity and about the relationship between these notions and concerns with the separateness of wills and the effectiveness of agency. It is also unclear how these notions will serve to inform moral deliberation in ways that will aid in the resolution of cases where different moral considerations are implicated. Herman argues that we require a middle theory if we are to frame the questions that arise in these cases in the right way and make some progress in answering them, but also reminds us that deliberation will be a complex matter that cannot be reduced to the weighing of values to be traded off against one another. The emphasis on detailed consideration of human psychology and social conditions required by concerns with moral health

and prosperity does, however, promise a subtle and interesting account of moral life likely to be fruitful in the development of this kind of middle theory and therefore merits further consideration.

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## Endnotes

<sup>1</sup> Barbara Herman, *The Practice of Moral Judgment* (Cambridge, MA: Harvard University Press, 1996), p. 233.

<sup>2</sup> References to Kant's works cite the volume and page number of Kant's *gesammelte Schriften* (published by the *Preussische Akademie der Wissenschaften* (Berlin: Walter de Gruyter, 1902-)). The following translations and abbreviations are used throughout:

- Kant, *Anthropology from a Pragmatic Point of View*, trans. Mary J. Gregor. The Hague: Martinus Nijhoff, 1974. Abbreviated as PA.
- Kant, "Critique of Practical Reason," *Practical Philosophy*, trans. Mary J. Gregor & Allen Wood. Cambridge: Cambridge University Press, 1996. Abbreviated as CPrR.
- Kant, *Lectures on Ethics*, trans. Peter Heath. Cambridge: Cambridge University Press, 1997. Abbreviated as LE.
- Kant, *The Metaphysics of Morals*, trans. Mary J. Gregor. Cambridge: Cambridge University Press, 1991. Abbreviated as MM.
- Kant, "Religion Within the Boundaries of Mere Reason," *Religion and Rational Theology*, trans. Allen W. Wood and George Di Giovanni. Cambridge: Cambridge University Press, 1996. Abbreviated as RR.

<sup>3</sup> Nelson Potter, "Duties to Oneself in Kant's Ethics," in *Kant's Metaphysics of Morals: Interpretive Essays*, ed. Mark Timmons (Oxford: Oxford University Press, 2002), pp. 371-389 (hereafter "Timmons"), p. 375-6.

<sup>4</sup> Stephen Engstrom, "The Inner Freedom of Virtue" (Timmons, pp. 289-315).

<sup>5</sup> The kind of concerns Kant associates with ensuring moral health emphasize negative concerns with ensuring the absence of impairment. More positive concerns are the object of imperfect duties of virtue concerned with ensuring what he thinks of as moral prosperity. Since the

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connection between imperfect duties requiring the development of our talents and the perfection of our moral dispositions and concerns with the promotion of moral prosperity is relatively straightforward, the discussion here concentrates on perfect duties and the idea of moral health.

- <sup>6</sup> Although Kant initially treats “internal” lying as a case of deliberate self-deception he acknowledges the conceptual peculiarity involved in this notion and the examples he cites are more reminiscent of this kind of failing. Similarly, in *Religion Within the Boundaries of Mere Reason*, he describes us as being given by our nature “to a certain *perfidy* on the part of the human heart (*dolus malus*) in deceiving itself as regards its own good or evil disposition” not because we deliberately set out to lie to ourselves but because we fail to “trouble” ourselves about our dispositions and thus fail to honestly consider what we are like and what we do (RR, 6:38).
- <sup>7</sup> Potter suggests that when we think of self-deception as “defeating” morality in this way, we can appreciate the strength of Kant’s repudiation of this vice (Potter, p. 388). See also the discussion of desire and deception and the role of delusion in Alan Wood’s *Kant’s Ethical Thought* (Cambridge University Press, 1999) pp. 265-269).
- <sup>8</sup> Kant writes in *Religion Within the Boundaries of Mere Reason* that when “the dishonesty by which we throw dust in our own eyes ... extends itself also externally, to falsity or deception of others,” it “puts out of tune the moral ability to judge what to think of a human being, and renders any imputability entirely uncertain, whether internal or external” (RR, 6:38).
- <sup>9</sup> Following Hill, we can distinguish between cases of false humility like this in which the agent

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adopts a defferential role *deliberately* in order to secure some perceived advantage, and more complex scenarios like Hill's *Deferential Wife* and *Self-Deprecator* cases (Thomas Hill, Jr., "Servility and Self-Respect": *The Monist*, 57.1 (1973), pp. 87-104). In the case of false humility, the servile attitude is merely a ploy adopted to secure some end of desire and the agent's willingness to employ this as means is indicative of a more general failure to give proper weight to the voice of conscience in deliberation. In the more complex cases, a servile disposition reflects other underlying attitudes about what one deserves or one's proper role in life. To the extent, however, that these attitudes involve a willingness to defer to the interests and judgment of others or otherwise tend to marginalize the voice of conscience in deliberation, they will be of concern on the same general grounds.

<sup>10</sup> Kant emphasizes in the introduction to *The Metaphysics of Morals* that the CI remains the fundamental principle of morality (MM, 6:225) and uses the language of the Formula of Humanity (especially the idea of respect for persons) in discussing *both* duties of virtue owed to ourselves and those owed to others (see, for example, MM 6:435 and 6:462).

<sup>11</sup> Responding to the alleged peculiarity of the notion of self-regarding duties, Andrews Reath emphasises the same underlying commonality in his essay "Self-Legislation and Duties to Oneself" (Timmons, pp. 349-370), p. 349.

<sup>12</sup> It should be noted that a middle theory based on Kant's understanding of the notions of moral health and prosperity will not exactly correspond to the way that Herman understands concerns with the separateness or integrity of wills. For example, Kant associates the prohibition on suicide with concerns with moral health, suggesting that the range of concerns

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associated with this notion will be broader than Herman's more formal notion of separateness with its emphasis on acting on reasons that go "all the way down." Limited space precludes discussion of this issue here, but it can be argued that there are advantages associated with the idea of concerns with moral health. For more discussion of the broader scope and implications of this analysis see Donald Wilson, *Moral Health, Moral Prosperity, and Universalization in Kant's Ethics* (Teorema, Vol. XXIII/1-3, 2004, pp. 17-37).

- <sup>13</sup> See, for example, Herman's "The Scope of Moral Requirement" (*Philosophy & Public Affairs*, Vol. 30 No.3 (2002), 227-256) and *Moral Literacy* (Cambridge, MA: Harvard University Press, March 2007). Herman emphasizes this kind of indirect argument for the moral value of personal relationships in some of her work but also expresses reservations about these arguments in discussing the problem of alienation (Herman, 1996, Ch. 9).