Kantian Review, 19, 1, 71–91 © Kantian Review, 2014
doi:10.1017/S1369415413000307

Throwing Oneself Away: Kant on the Forfeiture of Respect

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Abstract

Surprisingly often Kant asserts that it is possible to behave in such a degrading way that one 'throws oneself away' and turns oneself 'into a thing', as a result of which others may treat one 'as they please'. Rather than dismiss these claims out of hand, I argue that they force us to reconsider what is meant and required by 'respect for humanity'. I argue that to 'throw away' humanity is not to lose or extinguish it, but rather to refuse or otherwise fail to *claim* the respect that it *authorizes* one to claim. If I refuse or fail to make this claim, there is a sense in which I become a thing, and I leave others no choice but to treat me as such. This is compatible with their respect for humanity in my person.

Keywords: humanity, respect, contempt, predisposition, good will, duties to oneself, *crimina carnis*, suicide, masturbation, servility, avarice, lying

1. Introduction

Both in his published works and in his lectures, Kant frequently asserts that it is possible to behave in such a degrading way that one 'throw[s] oneself away and make[s] oneself an object of contempt' (*MS*, 6: 420).[1] In his lectures, Kant even says that, as a result of such behaviour, a person 'turns himself into a thing, and then others may treat him as they please (*dann kann ein jeder mit ihm nach Belieben handeln*)' (*V-Mo/Collins*, 27: 346; see also 27: 373, 385, 418–19). Nothing more shockingly un-Kantian can be imagined. Kant is the champion of unconditional respect for persons. The very heart of Kantian ethics, the categorical imperative, commands us to 'use humanity, whether in your own person or in the person of any other, always at the same time as an

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end, never merely as a means' (*G*, 4: 429). Of course, in an anxious moment it might occur to us that, if our humanity could indeed be thrown away, and this meant it were lost or extinguished, this formulation of the categorical imperative would no longer protect or obligate us, since there would no longer be any humanity in us for others to treat 'always at the same time as an end'.[2] But then Kant reassures us that we owe not merely 'humanity' but 'human beings in general' (*dem Menschen überhaupt*) respect and that 'I cannot deny all respect to even a vicious man as a human being .. even though by his deeds he makes himself unworthy of it' (*MS*, 6: 463). Crisis averted. There must be something wrong with these other passages. Perhaps Kant was exaggerating to make an impression on his young students.

Such a reaction to these troubling passages is understandable, but not very illuminating. Ideally, we would like to understand the meaning of these passages without resort to extra-textual speculation; and we would like to know not only whether they can be made consistent with familiar and ennobling Kantian doctrines, but also whether they perhaps cast new light on those doctrines and expose them to reinterpretation.[3] I undertake that here. In section 2 I map Kant's claims that certain behaviour 'throws oneself away' and permits others to 'treat one as they please', and find that there is no easy way to isolate them; they pervade Kant's works and lectures. In sections 3 and 4 I focus on Kant's claim that specifically 'humanity' can be thrown away, and argue that it is not to lose or extinguish a capacity, but rather to refuse or otherwise fail to claim the respect that a moral ideal authorizes me to claim. In section 5 I argue that, if I throw away my humanity, there is a sense in which I do become a thing, but a 'thing' that is responsible for its thing-hood and that retains the more or less distant possibility of claiming its personhood. So long as I am such a 'thing', I give others no choice but to treat me as such. However, because I am never completely lost to morality (even as a 'thing'), others have a narrow duty to refrain from planting obstacles to my reform, and a wide duty to encourage it. In section 6 I return to the section in *The Metaphysics of Morals* on the respect due to human beings in general (6: 462–4), which contains the universal proscription of contempt, and show how our understanding of it is transformed by our taking seriously the possibility of throwing oneself away.

2. Surveying the Terrain

To begin, we can distinguish Kant's claim that one can 'throw oneself away' and become a thing from the claim that, as a result of this, others may treat one 'as they please'. From the 1770s through the 1790s, in

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The Metaphysics of Morals as well as in his lectures, Kant asserts that violations of duties to oneself, in particular, 'crimes of the flesh' (*crimina carnis*), 'throw away' one's humanity and make one into a thing. In the Powalski lectures (from 1782–3), the *crimina carnis* are introduced specifically as transgressions 'of the duties that concern the personal worth of human beings' (27: 214). Submitting to another person's sexual appetite or having a tooth extracted from a slave to be implanted in one's own jaw[4] 'make [one's] person into a thing' and are a 'desecration of the humanity in [one's] own person' (27: 215). In the Collins lectures (most likely from 1774–5[5]), not only the *crimina carnis* but all violations of duties to oneself are said to 'throw away humanity' (27: 341). Although the emphasis is still on the *crimina carnis* (see e.g. 27: 342, 346, 373, 385, 391), Kant includes here 'a fawning servility', allowing oneself to be used 'like a ball' for the sake of profit, lying, accepting favours, incurring debts, and being a 'timorous man, who complains of his fate, and sighs and weeps' (27: 341–2). Moreover, having rights is a 'human privilege', and if one fails to claim those rights or fight for them, one throws them away, and so 'throws away [one's] humanity' (27: 435).

The strong rhetoric is not confined to the lectures. In *The Metaphysics of Morals*, Kant says that sexual self-defilement 'surrenders [one's] personality (throwing it away)' (6: 425). The vices of lying, avarice, and servility 'make [oneself] a plaything of the mere inclinations and hence a thing'. They 'make it one's basic principle to have no basic principle and hence no character, that is, to throw oneself away and make oneself an object of contempt' (6: 420). Finally, Kant reserves his strongest condemnation for lying: 'By a lie a human being throws away and, as it were, annihilates his dignity as a human being.' He 'has even less worth than if he were a mere thing'. Telling a lie is 'thus a renunciation by the speaker of his personality, and such a speaker is a mere deceptive appearance of a human being, not a human being himself' (6: 429).

In sum, over several decades, in his lectures and published works alike, Kant asserts that the violation of duties to oneself (and, interestingly, not *to others*) 'throws away' humanity, one's dignity or personality. In the *Metaphysics of Morals*, the duties to oneself forbid actions contrary to the essential ends of one's own humanity (6: 419), i.e. those actions contrary to freedom as moral autonomy and its necessary conditions. Such actions not only impair one's ability to achieve those ends (*MS*, 6: 420), but also set a value on humanity that is beneath its incomparable dignity; they put a price on it (*G*, 4: 434–5), or otherwise put it on par with or even below the value of mere animal existence. The estimation

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of my own worthlessness, expressed in the actions that fail to respect my humanity, makes me an object of contempt not only in my own eyes, but also in the eyes of others (e.g. *V-Mo/Collins*, 27: 341; *V-PP/Powalski*, 27: 192–3). On the other hand, when I fail to respect the humanity in another person, I do not thereby throw away the other's humanity or even my own; I only '*demand* that another throw *himself* away' (*MS*, 6: 450; my emphasis), which the other may refuse to do. As Kant says, the duties of respect for others are duties 'not to detract anything from the worth that the other, as a human being, *is authorized to put on himself*' (*MS*, 6: 450; my emphasis). Our dignity depends on how we treat ourselves, and not directly on how we treat or are treated by others, although others may encourage us to treat ourselves respectfully or contemptuously.

Kant's further claim, that if I throw away my humanity others may treat me as they please, is not as widespread. He makes it most frequently and forcefully in the Collins lectures. The most startling of these passages is the following condemnation of suicide:

> But he who takes himself for [a beast], who fails to respect humanity, who turns himself into a thing, becomes an object of free choice for everyone; anyone, thereafter, may do as he pleases with him; he can be treated by others as an animal or a thing; he can be dealt with like a horse or dog, for he is no longer a man; he has turned himself into a thing, and so cannot demand that others should respect the humanity in him, since he has already thrown it away himself.[6] (*V-Mo/Collins*, 27: 373)

Another well-known passage from the Collins lectures that is commonly cited *against* the view that a person may be treated like an animal or a thing is mistranslated in the Cambridge edition, and the German actually supports the view it is cited to refute. I quote the mistranslation. In a discussion of our duties of love, Kant explains that we must love the humanity in others, even if the human being is a great rogue. For this reason,

> even judges, in punishing crime, should not dishonor humanity; they must, indeed, penalize the evil-doer, but not violate his humanity by demeaning punishments; for if another dishonors a man's humanity, the man himself sets no value on it; it is as if (*es sei denn wenn*) the evil-doer had himself so demeaned his humanity, that he is no longer worthy of being a man, and must then be treated as a universal object of contempt. (*V-Mo/Collins*, 27: 418)

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However, *es sei denn* means 'unless', and *es sei denn wenn* means 'unless if' or perhaps 'except if', not 'it is as if'. Kant in fact says one should not violate the humanity of a criminal by demeaning punishments *unless* he has himself already demeaned his own humanity, in which case he must be treated as a universal object of contempt. This may appear inconsistent with the main point of the passage, that one must love humanity even in 'a great rogue'. However, I argue below that moral contempt is not only compatible with love of (and respect for) humanity in the person, but even implies it and is incoherent without it.

Passages like those from the Collins lectures become harder to find in the 1790s, and they lose much of their vehemence. In the Vigilantius lectures of 1793–4 Kant says that if we violate the perfect duties to ourselves, 'we lose all inner worth, and can *at most* be regarded as an instrument for others, whose chattel we have become' (*V-MS/Vigil*, 27: 604). In *The Metaphysics of Morals*, however, while Kant still says that the vices of lying, avarice and servility make one into a thing (6: 420), he stops short of saying one may be *treated* like a thing. The only passages that explicitly endorse treating persons like things are in the Doctrine of Right. The head of the household may not 'behave as if he owned [his servants]', *unless*, Kant then implies, the servant has forfeited his or her personality by a crime, and become a bondsman (6: 283, 358). In his discussion of punishment, forced labour is mentioned as a punishment for stealing (6: 333). Of course, the punishment of crimes by a state is different from the violation of ethical duties to oneself.

There is no doubt that Kant became more reluctant *to say* that, as a result of certain vices, others may 'treat one as they please'. And the new, strongly worded proscription of contempt in *The Metaphysics of Morals* (6: 462–4) might suggest that Kant now in fact rejects his earlier claims that others may 'treat one as they please'. However, there are other reasons to think that Kant's view remains unchanged (in this respect) from the 1770s. First, Kant still says, even in *The Metaphysics of Morals*, that some vices throw away humanity and make one into a thing, and this is the *condition* (in the lectures) of others treating one as they please. Since he continues to assert the condition, one may suspect that he continues to endorse (if silently) what it permits. Furthermore, even in the Collins lectures Kant asserts the universality of our obligation to respect humanity. Indeed, even after he says that a person 'can be dealt with like a horse or dog' (27: 373), in the very next

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sentence he says: 'Humanity, however, is worthy of respect, and even though somebody may be a bad man, the humanity in his person is entitled to respect' (27: 418, which I discuss above). If Kant did not see an inconsistency between these claims in the Collins lectures, if treating someone like a horse or dog is somehow compatible with treating the humanity in his or her person with respect, then he may see no conflict between treating someone like a horse or dog and the proscription of contempt in *The Metaphysics of Morals*, or with the claim there (which repeats the claim from the Collins lectures) that 'I cannot deny all respect to even a vicious man' (6: 463).

3. The Meaning of 'Humanity'

To investigate the possible compatibility of contemptuous treatment of persons and respect for humanity, we must understand more precisely what it means to 'throw away' one's humanity, dignity, or personality. Kant uses the three terms interchangeably in these contexts. For the present, I will focus on 'humanity' (*die Menschheit*). Of course, the meaning of 'humanity' in Kant's texts is a greater controversy than can be resolved here. I consider humanity only with respect to Kant's claims that it can be 'thrown away', which could be only one part of a broader investigation into the meaning of 'humanity' all things considered.

In various places, Kant gives reason to think that 'humanity' is (1) a general, not specifically moral, rational capacity to set and pursue ends,[7] (2) a specifically moral capacity to act for the sake of duty,[8] (3) a moral ideal[9] and (4) an actual commitment to moral principles, not a mere capacity.[10] Although initially (1), (2) and (4) seem to account most easily for the possibility of humanity being 'thrown away' (capacities can be undermined and destroyed; commitments can be disavowed), they have the unfortunate consequence that persons, having thrown away their humanity, lose all moral standing. This cannot be Kant's view, despite his 'horse or dog' rhetoric, since Kant obviously thinks such people are still *blameworthy* for persisting in their vices, and still have an obligation *to reform*, which they would not be or have if they really had become mere animals or things.

Option (3) avoids this result, since a moral ideal cannot be lost in the way a capacity or commitment can be. However depraved a person might become, the moral ideal remains as the standard to which the person is held, as the measure of the depth of the person's fall, and as the constant source of an obligation to reform. However, it is difficult to understand what it would mean to 'throw away' a moral ideal.

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After considering options (1) and (4) in more detail, I will propose a teleological conception of humanity that combines the moral capacity in (2) understood as a developmental possibility or germ (what Kant calls a 'predisposition' or *Anlage*) with the moral ideal in (3) understood as the *telos* of that germ. I explain what it would mean to 'throw away' such a germ and *telos* in section 4.

There is considerable evidence in favour of option (1). In a well-known passage in the *Metaphysics of Morals*, Kant says that the 'capacity to set oneself an end – any end whatsoever – is what characterizes humanity (as distinguished from animality)' (6: 392). We have a duty, Kant continues, 'to make ourselves worthy of humanity by culture in general, by procuring or promoting the *capacity* to realize all sorts of possible ends' (6: 392). This echoes a well-known passage in the *Religion* where Kant defines the 'predisposition to humanity' in similar, non-moral terms (6: 26). Humanity in these passages is apparently not a specifically moral capacity; it is rather (as Korsgaard concludes) 'a more general capacity for choosing, desiring, or valuing ends' (1996: 114).

To 'throw away' such a general rational capacity for setting ends would mean apparently that my capacity for rational choice is compromised in some way, perhaps by its subjection to animal instinct. There is good evidence, which I discuss in more detail in section 5, that indeed Kant thinks the vices that throw away humanity compromise the power of choice in this way. Suicide uses 'choice to destroy the power of choosing itself' (*V-Mo/Collins*, 27: 369). Masturbation is 'complete abandonment of oneself to animal inclination' (*MS*, 6: 425), which suggests the subjection of rational choice to mere inclination. Drunkenness and gluttony impair our powers (and presumably our power of rational choice) for a time (*MS*, 6: 427). Lying, avarice and servility make one 'a plaything of the mere inclinations and hence a thing' (*MS*, 6: 420), which suggests again that the power of rational choice has been abandoned or subjected to inclination. It might seem implausible to claim that one lie or one obsequious moment compromises our power of rational choice and makes us a 'plaything' of the inclinations. But recall that for Kant inclination is *habituated* desire, and vice is not merely moral weakness but *principled* transgression of moral law.

Although Kant believes the vices contrary to self-regarding duties undermine rational choice in this way, there is reason to doubt that this is what Kant means by 'throwing away humanity'. First of all, if the capacity for rational choice is understood as a functional capability, and

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if throwing away humanity is the loss or degradation of this capability, then it would seem that throwing away humanity could admit of degrees. My capability of rational choice could be degraded to some minimal degree by two glasses of wine, degraded even further by a third glass, and perhaps lost altogether after the fourth or fifth glass. But Kant never speaks of degrees of humanity; throwing it away always seems to be an all or nothing affair. Either I show proper respect to the humanity in my person, or I throw myself away and become an animal or a thing. In the second place, if it is possible to throw away entirely my capability of rational choice (and thus my humanity), at least for a time, then the second main formulation of the categorical imperative (the so-called formula of humanity) would no longer apply to me, and I would no longer be morally culpable, and thus no fitting object of moral blame or contempt. Even if it is possible to restore my humanity in the future, I would have no moral obligation to do so, and others would have no obligation to help me, since the moral law would simply not apply to me in my degraded condition. Of course, this makes sense of Kant's claim that once we have thrown away humanity, others may 'treat us as they please'. But it does not account for the blameworthiness or repugnance of such behaviour.

Option (4), according to which 'humanity' is not a general rational capacity or even a moral capacity but rather 'the will of a being who is committed to moral principles' or 'a good will' (Dean 2006: 18), runs into similar difficulties. According to this view, one can easily see how morally degrading behaviour could throw away humanity, and why, as a result, others may treat us as they please. Ordinarily, there might be some ambiguity about one's true motives, in which case others would best err on the side of charity. But there will be some cases in which the principled subordination of morality to inclination is so obvious that others may be justified in showing contempt. However, this view also implies, as option (1) did, that a person could opt or fall out of morality altogether. If one's humanity (good will) is lost, one is no longer subject to the moral law (like horses and dogs and other animals without humanity), and thus one is no longer a fitting object of moral blame or contempt. Children and adolescents, who are not born with a good will, would have no obligation to acquire one. Wayward adults would have no obligation to reform.

The third understanding of 'humanity' avoids these problems. If 'humanity' is a moral ideal, it cannot be lost or destroyed like a capacity; it persists as the immutable standard to which human beings

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are held, no matter how depraved. Kant's most explicit and thorough discussions of the meaning of 'humanity' in the 1790s support this view of humanity as a moral ideal. In the Vigilantius lectures on the metaphysics of morals (from 1793–4), Kant describes humanity at great length as an 'ideal, as [one] ought to be and can be, merely according to reason', a 'personified idea' (*V-MS/Vigil*, 27: 593). Humanity is 'our intelligible self' and 'the law-giving party', by which 'rights and duties themselves are determined' and 'dictated' to us (27: 579–80; Lara Denis also cites these passages and advances the same conception of humanity, 2010: 129–30). These same themes recur throughout *The Metaphysics of Morals*. In the words of Byrd and Hruschka, 'humanity becomes an "ideal",[11] a "duty"[12] we all have. The name "humanity" thus no longer designates the human being *as he is*, but rather the human being *as he should be*'[13] (2010: 286).[14]

This conception of humanity as an ideal must incorporate conception (2) of humanity as a moral capacity. Without a corresponding capacity in human beings for approximating the ideal, the ideal would not obligate us, as it does not obligate other animals, plants or inanimate things. The term 'capacity' is rather broad. In one sense, an acorn has the capacity to become an oak tree, but not in the same sense that a calculator has the capacity to multiply numbers. The capacity for multiplication is an immediate, functional capability (like rational choice or end setting in an adult human being), whereas the acorn's 'capacity' to become an oak tree is a more distant possibility. Human beings are more like acorns than calculators, and when Kant discusses our constitutive capacities (including our moral capacities) he uses the term *Anlage* or 'predisposition' (rather than another term like *Vermögen*, 'faculty'), which suggests a latency requiring stimulation and development before a functional capability is actualized.

'The predisposition to the good' (*die Anlage zum Guten*) is Kant's term for the collection of capacities constitutive of human nature (*RGV*, 6: 28),[15] and he sometimes identifies them with our 'humanity' (e.g. *MS*, 6: 441).[16] In *Religion within the Boundaries of Mere Reason*, these capacities are grouped according to their ends: animality, humanity[17] and personality (6: 26). Only the last is distinctively moral and bestows any dignity on human beings; it is Kant's term for our 'susceptibility to respect for the moral law *as of itself a sufficient incentive to the power of choice*' (6: 27–8; Kant's emphasis). It is important to remember that the predisposition to personality is a mere 'susceptibility', and is not any actualized good; it is no actual respect for the moral law as a sufficient incentive (6: 44).

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These predispositions constitutive of human nature are initially only germs (*Keime*) that will develop under the right conditions and with proper cultivation (e.g. *Päd*, 9: 445, 448). A squalling infant, a sullen teenager and a mature adult all have predispositions for the good, but in different stages of development. To say then, as Kant does, that a human being never completely loses her predisposition to the good (*MS*, 6: 463–4), is not saying as much as one might think. An infant has a predisposition to the good, but is many years from fully activating it. Likewise, if one has led an undisciplined life, or been corrupted by one's guardians or peers, one may not be completely lost to morality, but one may be very far from it indeed—so far, in fact, that it may be difficult or impossible for others to treat one as a moral agent (as one cannot treat an infant as a moral agent, but only as a developing or potential moral agent).

Emphasizing the developmental or teleological nature of our human (especially moral) capacities clarifies their intimate relation to the ideal of humanity. Our capacities are not lifeless mechanisms, but living seeds or germs that already contain potentially and are governed by the ideal towards which they develop. The natural environment and genetic inheritance determine to what extent plants and animals approximate their (strictly natural) ideal. To be sure, human beings as physical or animal beings (*homo phaenomenon*) are also determined by environment and heredity. But as intelligible or moral beings (*homo noumenon*) we at some point develop the capacity to represent to ourselves a moral ideal, an ideal of our intelligible nature, and the freedom to embrace or reject it. Although freedom gives us a reflective distance from our ideal, that ideal is not something alien to us or arbitrarily imposed from without; it lies already within and is an expression of, and law to, our human nature (as intelligible beings). As Kant says, the moral law arises from 'our will as intelligence and so from our proper self (*aus unserem eigentlichen Selbst*)' (*G*, 4: 461). This is why morality, for Kant, is *autonomy*.

Understanding 'humanity' as a moral ideal and corresponding predisposition avoids the chief difficulties that beset the other interpretations when we tried to understand how humanity could be 'thrown away'. If 'humanity' is an active commitment to moral principles or a functional capability for rational or moral choice, it is easy to see how it could be lost; but we are left with the implausible result that the offender, having lost his humanity, is no longer subject to the moral law and, as a result, his degrading behaviour would no longer be morally contemptible (as a horse or dog's behaviour cannot be morally contemptible), and he

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would have no obligation to reform. However, if humanity is a moral ideal and predisposition, it cannot be lost in the same sense. Degrading behaviour is unworthy of an ideal, but it does not annihilate the ideal; the ideal remains as the standard by which the behaviour is found contemptible, and by which the offender is obligated and encouraged to reform. Likewise, a predisposition is not a functional capability that can be lost;[18] it is a constitutive potential of human nature, which could be lost (if at all) only in death.[19] This leaves us with a new problem, however: if neither the ideal nor the predisposition can be lost, what would it mean to throw them away?

4. Throwing Away Humanity

Kant's discussion of servility in *The Metaphysics of Morals* provides a clue to the sense in which our moral predisposition and ideal might be 'thrown away'. Kant opens the section by contrasting a human being's merely extrinsic value considered as a natural being (*homo phaenomenon*) with a human being's absolute dignity considered as an intelligible being (*homo noumenon*). This language places us squarely within the context of the Vigilantius lectures and other passages in *The Metaphysics of Morals* where 'humanity' is considered as a moral ideal. As a 'person', a being subject to this moral ideal, a human being has a dignity 'by which he exacts *respect* for himself from all other rational beings in the world' (*MS*, 6: 435; emphasis in the original). Kant's language here is noteworthy. Respect must be *exacted* (*abnötigt*), or one could also say *wrung*, from other rational beings. This is confirmed in the next paragraph, where Kant writes: 'Humanity in his person is the object of the respect which he can *demand* from every other human being, but which he must also not *forfeit*' (*MS*, 6: 435; my emphasis; recall also *V-Mo/Collins*, 27: 435). This implies that respect can be forfeited, apparently by failing to demand it from others, and perhaps also by treating oneself like an animal or a mere thing (i.e. by violating the duties of self-respect). We found the same language in the condemnation of suicide cited earlier from the Collins lectures: the suicidal person 'cannot *demand* that others should respect the humanity in him, since he has already thrown it away himself' and as a result anyone 'may do as he pleases with him' (*V-Mo/Collins*, 27: 373; my emphasis).[20] In this light, what Kant means by throwing away one's humanity is not that one's humanity has been somehow extinguished, expelled, or lost, but that one has failed to *claim* the respect one's humanity 'authorizes' one to claim.[21]

This account of the rights of humanity parallels the account of the rights of a creditor. That I have incurred a debt authorizes my creditor

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to demand payment. When that payment is demanded, I have a moral obligation to pay; if I do not, my creditor may treat me with contempt (*V-MS/Vigil*, 27: 605). Since it is also a legal obligation to pay one's debts, the creditor may sue for the amount I owe and perhaps for penalties. However, notice that the creditor must claim payment, or call in the debt. If the creditor does not call in the debt, but forfeits or forgives it, then I am not obligated to pay (morally or legally). All perfect duties have the same structure; they are conceived as debts that are owed to specific human beings, in contrast to wide or imperfect duties, which are meritorious (*verdienstlich*) and not owed to specific human beings but only to humanity in general. The humanity in my person authorizes me to demand the rights or respect corresponding to these duties; but others owe me that respect only insofar as I claim it. If I fail to claim it, it is no longer strictly owed to me. I have thrown it away. This is similar to our own use of the phrase. When we say that someone is 'throwing his life away', we do not mean he is literally killing himself, but rather that he is squandering the legitimate opportunities a life provides.

5. Becoming a Thing and Being Treated like one

If I fail to claim the respect that is owed to me by virtue of the humanity in my person, have I really turned myself into a thing, and may others really treat me 'as they please', 'like an animal or a thing', or 'a horse or dog' (*V-Mo/Collins*, 27: 346, 373, 418–19)? Kant's distinction between *homo phaenomenon* and *homo noumenon* will be helpful here.[22] The human being within the system of nature (*homo phaenomenon*) is, like other animals, 'nothing more than a thing' (Byrd and Hruschka 2010: 280; *MS*, 6: 434). The instrumental use of reason sets and coordinates ends, but ultimately remains yoked to natural laws by sensible inclination. Only considered as an intelligible being (*homo noumenon*) is a human being subject to the moral ideal of pure *practical* reason, 'by which he raises himself above all other beings in the world that are not human beings and yet can be used, and so over all *things*' (*MS*, 6: 462). In other words, only our humanity (understood as the self-subjection of our moral predisposition to its own law or moral ideal) distinguishes us from mere things. But now our moral predisposition and ideal are, as such, no actual or realized moral worth (*Päd*, 9: 446; *RGV*, 6: 44). They are only possibilities. Humanity is given to me as a task, which I must accomplish. I must 'raise myself up' above all things; I am not passively 'raised up'. Because I am free (in the negative sense of free choice, not moral autonomy, *MS*, 6: 213–14), I may refuse or fail to embrace this ideal. Rather than submit to the law

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of my own reason, I may 'make [myself] a plaything of the mere inclinations and hence a thing' (*MS*, 6: 420). To be sure, I am a thing that still has a predisposition to the good as a more or less distant possibility of reform. Inclination is habitual desire (*MS*, 6: 212), and long-standing habits are hard to break. I may also have enfeebled, corrupted or simply failed to develop my powers of reason and moral deliberation through long neglect, bad company or drug use. There may be a long road to recovery. So long as I remain in thrall to my inclinations, I am a moral being only potentially; in actuality I am an animal or a thing.

We may balk at this use of the word 'thing'. By definition, we may say, if I remain morally responsible for my condition, and if I retain the possibility of moral reform, then I am not a thing. But for Kant the salient issue appears to be the law that currently governs us. Determination by natural laws constitutes mere things as such. I escape thing-hood only by escaping natural laws, and I do this by willing according to a law of pure practical reason. Only in this way can I 'raise myself up' above everything in nature. If I fail to do this, if I am not sufficiently moved by the moral law, then I am trapped again by sensible inclination, and ruled by laws that make me a thing. Sometimes Kant implies that such a person is not exactly a thing, but 'has even less worth than if he were a mere thing' (*MS*, 6: 429); at least a thing is useful, Kant says here. Aside from considerations of usefulness, however, such a person is not a 'mere thing' because he is responsible for his own thingness, and has an opportunity to be much more. Whether or not we follow Kant's usage here, the important point is that the 'thing' we may become remains responsible for its thingness, and retains the more or less distant possibility of moral reform, which (we will see) constrains others' treatment of us.

When we throw away humanity in this way and submit to the rule of inclination, we give other people no choice but to treat us like animals or things.[23] This does not mean they may abuse us; there are indirect duties against cruelty to animals (*MS*, 6: 443) and, unlike other animals, we retain a predisposition to the good, which will further constrain others' treatment of us. Just as war must be waged with a view towards a future peace, so that assassinations and poisonings and other acts are forbidden that would make a future trust impossible (*ZeF*, 8: 346–7), we must be treated with a view towards a future reconciliation. So we may not be raped, mutilated, killed or otherwise treated in a way that would make a conversion to the good impossible.

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Others even have an imperfect or wide duty, similar to the duty of beneficence, to treat us in a way that encourages our reform. To this extent, we cannot wholly endorse Kant's claim that others may treat us 'as they please'. Even so, others will not be able to rely on moral incentives to move us; we must be coaxed with carrots and sticks (like a horse). Others must appeal to our appetites (for wealth, food or prestige) and aversions (to poverty, physical discomfort or shame). Considered in this way, one must admit that we are treated like animals more often than we realize, not just when we are drunk or stupefied after a large meal (*MS*, 6: 427). The more power we grant to inclination, and the more deaf we become to moral incentives, the more we behave like animals and the more we require others to treat us accordingly.[24]

The influence of habit on rational choice raises difficult questions for Kant's account of freedom. On the one hand, Kant certainly recognizes that habits can make moral action easier or more difficult, and because of this we have an obligation to cultivate morally helpful habits and to avoid those that can be moral impediments. On the other hand, a person as an intelligible being must always be regarded as free of the determination of inclinations, and thus always capable of acting morally, regardless of her habits or condition (at least, this is the impression one gets from passages like those in the *Critique of Practical Reason*, 5: 30, 98).[25] Regardless of how this difficulty is resolved (and I cannot resolve it here), the commitment to a maxim that subordinates moral incentives to inclinations, whatever degree of influence inclination may have, both *expresses* contempt for humanity in one's person, and *results* in behaviour that is governed by inclination rather than by moral incentives, and thereby requires others to treat one as so governed (like an animal or thing) for so long as one holds to the maxim. The contempt for humanity in one's own person expressed by the maxim makes the action degrading and repugnant, no matter how easily one could renounce the maxim. However, the fact that degrading behaviour also exposes one to the contempt of others, and to the risk of developing habits that undermine the pursuit of one's morally obligatory ends, increases the *severity* of the transgression in Kant's eyes.

This explains why Kant thinks masturbation is even worse than suicide, and a violation of duty to oneself 'in the highest degree' (*MS*, 6: 425). Over his career, Kant vacillates over the relative severity of suicide, and to what extent it throws humanity away. In *The Metaphysics of Morals* he ultimately claims that suicide at least is not a 'feeble surrender to

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animal impulse'; it 'requires courage, and in this disposition there is still always room for respect for the humanity in one's own person' (*MS*, 6: 425). Unnatural lust (by which here he chiefly means masturbation), however, 'is complete abandonment of oneself to animal inclination' (*MS*, 6: 425). As Thomas Laqueur explains in *Solitary Sex: A Cultural History of Masturbation*, this was recognized as the great danger of masturbation not only by Kant, but also by a cultural consensus in Europe and the Americas that lasted from the early eighteenth century until the middle of the twentieth. The pleasure of masturbation is intense and, unlike sex with other persons, has 'no regulating economy' or check on its consumption (Laqueur 2003: 55; see also *Päd*, 9.497–8). Self-referential and potentially endless, it is an abyss; 'it can enslave a soul with a nearly unbreakable habit' (Laqueur 2003: 56). For this reason Kant even says, if one had to choose, it would be better for adolescents to have sex with each other than for them to masturbate (*Päd*, 9: 498). Whether or not masturbation actually becomes 'a nearly unbreakable habit', the willingness to expose oneself to this risk for no moral purpose makes this vice especially severe.

To a lesser degree than masturbation (at least according to Kant), avarice and servility constitute a subjection to things or other people that makes it difficult if not impossible for others to treat one as an autonomous moral agent. If a person *refuses* to assert her own dignity as a moral being and *insists* on deferring to others in all things, even in matters that morally ought to be her own prerogative, there is little that others can do about it. To the extent that others must interact with such a person, they must assume command and direct her, since she refuses to direct herself. Miserly avarice, as Kant understands it, may be even worse than servility. It is the maxim 'to acquire as well as maintain all the means to good living, but *with no intention of enjoyment* (i.e., in such a way that one's end is only possession, not enjoyment)' (*MS*, 6: 432). As such, avarice is not merely mistaken thrift, but 'slavish subjection of oneself to the goods that contribute to happiness, which is a violation of duty to oneself since one ought to be their master' (*MS*, 6: 434).

In his lectures, Kant explains at greater length how the miser's subjection to the means of enjoyment (e.g. to money) is based not merely on an error, but on a *delusion* that is beyond the reach of rational persuasion. The miser mistakenly believes that, so long as he retains the means, all pleasures can be his (*V-Mo/Collins*, 27: 400). He enjoys the anticipation of all pleasures collectively, but does not see that this is

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only 'an agreeable daydream', for he must expend his means disjunctively, either for this pleasure *or* for that one. The possibilities he enjoys at the expense of his actual enjoyment are not collectively possible for him (*V-Mo/Collins*, 27: 403). According to Kant, this is not an error that is easily corrected, but a kind of insanity: 'This dream cannot be corrected by reason, for it would already be a crazed man who would wish to speak prudently and rationally to the crazy one' (*V-Mo/Collins*, 27: 402). If Kant were right about this, if one could not reason with the miser at least about his avarice, in this respect he cannot be treated as a moral being, but only handled or manipulated like an animal. It does no good to reason with people in the grip of a delusion, though we try to treat them, and when necessary confine or constrain them.

Finally, lying does not obviously involve the same subjection to inclination or to things or other people that masturbation, servility or avarice do, but one may yet see how it forces others to treat us as mere animals or things. A principled liar, who will say anything to achieve his own advantage, cannot be engaged in genuine conversation. One can treat such a person only as a 'speaking machine' (*MS*, 6: 430), and try to divine his true intentions from other sources. The conversation, so far as one must engage in it, can no longer have a moral purpose; it is only an arena of manipulation. However, language is the medium of reason for beings like us, and as such it distinguishes us from other animals. When that medium is corrupted, we lose a principal, perhaps even a necessary, means of treating each other as moral beings.

In all of these cases, it is not merely that others are permitted to treat us like animals or things – rather, we have given them no other choice. We force others to deal with us as if we were not morally capable agents. To some degree, Kant thinks we even become animals and things, so far as we succeed in subjecting ourselves to inclination or delusion. We are human beings only potentially. Nevertheless, that potential – our predisposition to the good – has itself a dignity, even if we neglect or refuse to aspire to it and claim that dignity for ourselves. This predisposition to the good is the condition both of our moral blameworthiness and worthiness of contempt, and of the possibility of our eventual reform (see also Denis 2010: 123). That possibility constrains others' treatment and censure of us, even as they treat us like animals.

6. Rereading *MS*, 6 : 462–4

In conclusion, let us return briefly to the section in *The Metaphysics of Morals* that seems so at odds with the contemptuous treatment

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condoned elsewhere by Kant, the section on the respect due to human beings (6: 462–4), and let us see if it does not appear in a different light. First, Kant's language there about the assertion and renunciation of claims has a new salience. In the first paragraph (§37) Kant refers to the respect 'that another *can require from me*' (my emphasis). In the next paragraph (§38) he says that every human being 'has *a legitimate claim* to respect from his fellow human beings' (my emphasis). We can now see the possibility, quietly left open by Kant, that the other person *will not* require respect from me, or *will not* assert her legitimate claim to respect. The humanity in one's person authorizes these claims, but one must act on that authority, and by it 'raise [oneself] up above all other beings in the world that are not human beings' (6: 462). Left unspoken is the possibility that I refuse to 'raise myself up' and hence remain a mere thing.

This possibility that I renounce my claim to the respect of others is explicitly mentioned in §40. There Kant apparently restricts our duty of respect to morally good human beings, to 'a human being as a moral being (holding his duty in highest esteem)'. Kant adds: such respect 'is a right to which he cannot renounce his claim' (6: 464). But Kant does not mean that it is *impossible* to renounce one's claim to the respect of others (perhaps because of the inherent dignity of human nature), but rather that it is morally *impermissible* to renounce one's claim. For in the next sentence Kant introduces the offence against respectability called 'scandal', which is just such a renunciation of the claim to the respect of others. Kant explains:

> The claim [to the respect of others] is called *love of honor*, and its manifestation in external conduct, *respectability* (*honestas externa*). An offense against respectability is called *scandal*, an example of disregarding respectability that might lead others to follow it. (*MS*, 6: 464)

This chain of definitions takes close attention to follow. But in the end Kant appears to say that by giving scandal a person renounces the claim to respect from others. If I 'disregard respectability' then I am not manifesting love of honour, so I am not actively claiming the respect of others.

The dignity of humanity is a double-edged sword. On the one hand, it grants me the authority to claim respect from other persons. On the other hand, if I refuse to assert that claim, if I throw it away, then

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humanity is the ideal by which others find me contemptible (see Denis 2010: 123). To be found contemptible in light of the ideal of humanity, others must concede to me moral capacities, or what Kant calls a predisposition to personality (or, more broadly, to the good). Otherwise the ideal of humanity applies to me no more than it does to a dog, and I am no fitting object of moral contempt. The respect that Kant claims 'must be shown to every other human being' (§38) and that is 'owed to human beings in general' (§39), I suggest, is respect for the predisposition to the good in all human beings and for the ideal that governs it.[26] At the end of the *Remark* to §39, Kant himself says the predisposition to the good prevents us from denying all moral worth to a vicious person (6: 463). I may not 'deny *all* respect' or express '*complete* contempt' for a vicious person (6: 463; my emphasis), but I may deny *some* respect or express *partial* contempt for a vicious person so long as I continue to respect the predisposition to the good that is not only the basis of my contempt, but also a possibility of moral reform, which I am obligated to refrain from undermining, and (as circumstances and competing obligations permit) to encourage.[27]

Notes

1 English translations are from *The Cambridge Edition of the Works of Immanuel Kant*, except for the Powalski and Kaehler lectures, which are not in the Cambridge edition. I translate them myself. Since the Cambridge edition references the volume and page of the standard Akademie edition of *Kants gesammelte Schriften* (Kant 1902), I cite only the Akademie edition to avoid unnecessary clutter. Kant's titles are abbreviated as follows: *Br* = *Briefe*; *G* = *Grundlegung der Metaphysik der Sitten*; *KpV* = *Kritik der praktischen Vernunft*; *KU* = *Kritik der Urteilskraft*; *MPKaehler* = *Vorlesung zur Moralphilosophie* (ed. Werner Stark); *MS* = *Die Metaphysik der Sitten*; *Päd* = *Pädagogik*; *RGV* = *Die Religion innerhalb der Grenzen der bloßen Vernunft*; *V-Mo/Collins* = *Moralphilosophie Collins*; *V-MP/Volckmann* = *Metaphysik Volckmann*; *V-MP-L2/Pölitz* = *Metaphysik L_2 (Pölitz)*; *V-MS/Vigil* = *Die Metaphysik der Sitten Vigilantius*; *V-PP/Powalski* = *Praktische Philosophie Powalski*; *ZeF* = *Zum ewigen Frieden*. In addition to 'oneself', one's 'person' (*V-Mo/Collins*, 27: 341), 'personality' (*MS*, 6: 425), 'dignity' (*MS*, 6: 429) and 'humanity' (*V-Mo/Collins*, 27: 341) are also 'thrown away'. Kant seems to use these terms interchangeably in these contexts. In the lectures, Kant frequently says that degrading behaviour makes us contemptible. See, for instance, *V-Mo/Collins*, 27: 341; *PP/Powalski*, 27: 189; *V-MS/Vigil*, 27: 604–5, 628, 635–6, 642, 667–8, 698, 709.

2 Richard Dean's understanding of 'humanity' as a good will admits this possibility, but Dean is not eager to explore it; he rather emphasizes Kant's reasons for showing respect even to those who may not deserve it.

3 To my knowledge, no one has undertaken such an investigation. Most commentators ignore the troubling passages altogether. When they are not ignored, they are quickly dismissed by appeal to counter-passages; there is no attempt to explain what it would mean to 'throw oneself away' and 'make oneself a thing', or how Kant could say that, as a result of this, others may treat one 'as they please'. Thomas Hill and Allen Wood

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are representative in this respect. Hill dismisses the offending passages in a single sentence: Kant 'sometimes writes *as if* certain acts amount to "throwing away" one's humanity' (Hill 1992: 41; my emphasis). Wood cites a few of these passages in a single paragraph (1999: 134), but ignores the worst of them, and is content to oppose them to a counter-passage at *MS*, 6: 463, without explaining at much length how they are to be reconciled. Neither Hill nor Wood mentions Kant's claim that others, under some circumstances, may treat one 'as they please'.

4 For more on eighteenth-century live-tooth transplantation see Blackwell (2004).

5 See Werner Stark's discussion of the dating of the Menzer group of manuscripts, which includes the Collins lectures, in Kant (2004: 392–404).

6 Kant continues in the very next sentence: 'Humanity, however, is worthy of respect, and even though somebody may be a bad man, the humanity in his person is entitled to respect.' I discuss the significance of this below.

7 See, for instance, Allen Wood: 'Humanity contains our rational capacity to set ends and devise means to them, and our rational self-love, giving us grounds for forming a conception of our happiness and pursuing it' (2008: 88). Wood is guided primarily by Kant's distinction between the predispositions to 'animality', 'humanity' and 'personality' at *RGV*, 6: 26. Christine Korsgaard may also understand 'humanity' as a general capacity to set ends, although there is some ambiguity. She writes that 'humanity' is 'a more general capacity for choosing, desiring, or valuing ends; ends different from the ones that instinct lays down for us, and to which our interest is directed by the operations of reason' (1996: 114). However, she immediately adds: 'At the same time, of course, it is important to emphasize that this capacity is only completed and perfected when our ends are fully determined by reason, and this occurs only when we respond to moral incentives' (1996: 114). Richard Dean discusses the coherence of this view (2006: 27–9).

8 Some understanding of 'humanity' as a moral capacity is the dominant view among Kant scholars today. See Dean's helpful survey of the literature on this point (2006: 24–33). Thomas Hill, John Rawls, Barbara Herman, Onora O'Neill, Roger Sullivan, H. J. Paton and W. D. Ross hold some version of the 'capacity for morality' view of humanity.

9 Byrd and Hruschka (2010) hold this view, as does Lara Denis (2010).

10 See Dean (2006).

11 *MS*, 6: 405; see also *MS*, 6: 386. These notes are Byrd and Hruschka's. They have been renumbered and reformatted.

12 E.g. *MS*, 6: 386–7.

13 *MS*, 6: 404–5, 480.

14 Even in *Religion*, where Kant gives 'humanity' as the name for a non-moral predisposition (6: 26–7), he identifies (on the very next page) the 'idea of the moral law alone, together with the respect that is inseparable from it' with 'the idea of humanity considered wholly intellectually' (6: 28). Even when 'humanity' (I think misleadingly) labels a non-moral predisposition, it still has the other sense of a moral ideal. The conception of humanity as a moral ideal finds its way into other accounts of humanity. For example, although Dean begins his book by claiming that 'humanity' refers to 'the will of a being who is committed to moral principles' (2006: 18), he quickly slides to the claim that humanity is 'an ideal toward which we should strive', 'a moral ideal of acting rightly and giving priority to moral law' (2006: 47; see also 45, 48, 63, 254, 260; Denis notices this, but makes nothing of it, 2010: 119). Like Dean, Korsgaard incorporates a moral ideal into her account of humanity. Immediately after she claims that 'humanity' is a 'general capacity for choosing,

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desiring, or valuing ends', she introduces this important qualification: 'At the same time, of course, it is important to emphasize that this capacity is only completed and perfected when our ends are fully determined by reason, and this occurs only when we respond to moral incentives' (Korsgaard 1996: 114).

15 'All these predispositions in the human being … are *original*, for they belong to the possibility of human nature. … By the predispositions of a being we understand the constituent parts required for it as well as the forms of their combination that make for such a being' (*RGV*, 6: 28).

16 'It is only through the noble predisposition to the good in us, which makes the human being worthy of respect, that one can find one who acts contrary to it contemptible (the human being himself, but not the humanity in him)' (*MS*, 6: 441). In addition to apparently identifying 'humanity' with the 'noble predisposition to the good in us', this passage also supports my claim that contempt for the person is compatible with respect for humanity.

17 In my view, the non-moral sense of 'humanity' here is distinct from its meaning elsewhere, where it refers either more broadly to the complete collection of capacities and ends that constitute human nature (including the moral capacities and ends) or more narrowly to our moral capacities and ends. I cannot argue for this here.

18 Kant is explicit about this. In an oft-cited passage, he says one 'can never lose entirely' one's predisposition to the good (*MS*, 6: 464).

19 If Kant is earnest about his 'practical postulates' (the morally necessarily beliefs in the existence of God, personal immortality and freedom), then we must believe that even in death we cannot escape our constitutive predispositions (not even the predisposition to animality, if the future life is another sensible existence, a thought Kant sometimes entertains; see Kant's lectures on metaphysics from 1784–5: *V-MP/Volckmann*, 28: 446; see also *V-MP-L2/Pölitz*, 28: 593).

20 I take Kant to mean that the suicidal person *as such* cannot demand that others respect the humanity in him. Were he to abandon his suicidal maxim, he could then demand others' respect.

21 The following passages also contain this kind of language: 'I keep myself within my own bounds so as not to detract anything from the worth that the other, as a human being, is *authorized* to put upon himself' (*MS*, 6: 450; my emphasis). 'Every human being has a *legitimate claim* to respect from his fellow human beings' (*MS*, 6: 462; my emphasis). Elizabeth Anderson recognizes what she calls Kant's 'forfeiture principle' (2008: 138), but claims it is inconsistent with universal respect for humanity. However, her discussion fails to distinguish the universal *authorization* to claim respect from the actual *claiming* of respect. While the authorization may be universal and inalienable, I argue that for Kant one can nonetheless renounce or fail to make the claim. Stephen Darwall argues that 'recognition respect' is for the *authority* to claim respect from others. However, he does not explore the possibility of forfeiting respect by failing to make the claim (2008: 177, 187–9).

22 See Byrd and Hruschka's explanation of this distinction (2010: 279–93).

23 I am grateful to Barbara Herman, who gave me this idea in conversation.

24 And the more contemptible we become in our own eyes: 'Human beings loathe themselves (*sich selbst verachten*) when they are induced to act more pathologically than practically' (*V-PP/Powalski*, 27: 112–13).

25 See especially this passage: while a person '*explains* his misconduct by certain bad habits, which by gradual neglect of attention he has allowed to grow in him to such a degree that he can regard his misconduct as their natural consequence, yet this cannot protect him from the reproach and censure he casts upon himself' (*KpV*, 5: 98).

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26 Admittedly, Kant uses 'human being' more broadly here than elsewhere to include even those who have thrown away their humanity. When he says a person becomes a thing or is no longer a human being, 'human being' has a narrower, normative sense.

27 I am grateful to Nathan Nicol, Jennifer Uleman and two anonymous reviewers for their comments on previous drafts of this article; to David Sussman for his comments on my presentation of some of this material at the First Biennial Meeting of the North American Kant Society (University of Illinois at Urbana-Champaign, June 2011); and to the other participants of that conference for their helpful discussion.

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