

ON THE NECESSITY OF DUTY

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Abstract. Kant argues that in order for an action to be morally worthy it needs to be performed out of respect of the moral law - that duty has to be the agent's primary motive for action. If this was the case, acts done in conformity with duty, but from love would not have any moral content, in contrast with our intuitive judgments. For instance, we are prone to argue that a father who acts from love is intuitively morally superior to one who acts from duty only.

I wish to claim that there indeed exists a sense in which an action done from a specific kind of love acquires moral content and that this does not invalidate Kant's theory, for moral worth is produced precisely because acting from this form of love implicitly fulfills the Kantian requirement of acting from duty. I will clarify what is meant by 'duty' and 'love', and show that there is no such thing as a morally worthy action done from a kind of love which does not presuppose duty.

KANTIAN moral philosophy has long been criticized for the extremely strict requirements imposed on the moral agent. Nietzsche, for instance, was surprised “to think that no one has thought of Kant’s categorical imperative as dangerous to life!” and argued that “nothing works a more complete and penetrating disaster than every ‘impersonal’ duty, every sacrifice before the Moloch of abstraction” (Nietzsche 1888 p.11). In other words, Kant has been accused of overemphasizing the role of duty and depriving our inclinations of all moral content. Consider, as an example, the case in which we are presented with two kinds of parents: the first acts toward his son only *from duty*, without any benevolent or loving inclination, while the other recognizes his duty as a father but chooses to act *from love*.

When Kant asserts that the moral content of a maxim resides in acting “not from inclination [...] but *from duty*” (Kant 1785 p.11), he is clearly precluding us the possibility of acting morally in the absence of duty as a primary, effective motive³⁴. Thus, for Kant, an action motivated from inclination, such as pathological love, never has moral worth.³⁵ This implies that the father who acts from duty in absence of inclinations might be acting in a morally worthy way, while the one who is motivated from love does not deserve our esteem.

This conclusion is in conflict with our instinctive preference for the loving father over the cold hearted parent, and two separate questions naturally arise from such contrasting judgments. The first one stems from our reluctance to grant approval to a non-loving father, and makes us query the sufficiency of the motive of duty in the production of morally worthy actions. Secondly, our instinctive endorsement of the fond parent’s motives urges us to cast doubt on the role of duty as a necessary condition to morality. If we place

³⁴Acting *from duty* as ‘an effective and primary moral motive’ however, does not exclude the presence of inclinations as secondary motives (Herman 1981).

³⁵This is true regardless of its conformity with duty: if the action is done from inclinations and in conformity with duty, it deserves praise but not esteem (Kant 1785 p.11).

moral worth on actions done from love³⁶ we automatically give up the idea that acting from duty is a necessary requirement of moral actions. We are thus asking whether the loving father's example constitutes a serious threat to Kant's claim on necessary conditions for morality.

With regard to the former concern, I would like to point out that it is not clear that Kant actually argued for the sufficiency of duty as a moral requirement.³⁷ However, understanding if an action done from duty always is a moral action - thus if the motivation of duty is a sufficient condition for moral worth - is not within the scope of this paper. On the contrary, I wish to focus my attention on the second dilemma, namely on the necessity of acting from duty in order to produce morally worthy actions.

The aim of this essay is to argue that the loving father example does not invalidate Kant's theory. I hold that there exists a sense in which an action done from love acquires moral content. However, I also want to suggest that this moral worth is produced *precisely* because acting from this specific kind of love implicitly fulfills the Kantian requirement of acting from duty. In order to give substance to my claim, I need to clarify both the meaning of 'duty' and 'love', and explain how acting from love can satisfy the requirement of acting from duty.

KANTIAN DUTY

It seems to me, that in our previous example a misunderstanding of the concept of duty played a considerable role in the perceived

³⁶When love is the primary effective motive, instead of duty.

³⁷Indeed in the *Groundwork* Kant distinguishes between practical and pathological love and seems to claim that since pathological love cannot be commanded, it cannot be the basis for moral judgments. This hints that only what can be controlled by our will can be required of us from morality, so acting from duty - which is the only thing our will can control - must be a sufficient condition. However, he also thought of the cultivation of sympathetic feelings as an indirect duty (Kant 1797), which would suggest quite the opposite.

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inconsistency between our instinctive preferences and Kantian philosophy.³⁸ In its colloquial usage, ‘duty’ is that force which binds agents to adhere to externally imposed rules, and I admit that if Kant was to ground morality on such a concept, his theory would look exceedingly formal and unbearably impersonal. However, this is obviously not the case.

What then is duty for Kant, and why is it that an action is only morally worthy when performed from duty? In the *Groundwork* the Prussian philosopher answers that “*duty is the necessity of an action from respect for law*”(Kant 1785 p.13) and characterizes this law as a Categorical Imperative, which commands “*never to act except in such a way that I could also will that my maxim should become a universal law*”(Kant 1785 p.15). It may thus seem that acting from duty is nothing more than mere adherence to the Categorical Imperative.

Nonetheless, the Categorical Imperative expresses the need to conform with an abstract law, rather than any particular dictum. Hence, respect for the law is equivalent to respect for the ability of individuals to recognize and adhere to the law itself. Now, what is this ability if not our will? The will is, indeed, “thought [of] as a capacity to determine itself to acting in conformity with the *representation of certain laws*”(Kant 1785 p.36) and is proper to all rational beings. Roughly speaking, the will, in acting as its own law-giving authority, becomes the proper object of our respect and exists as an end in itself, for its worth is neither conditional nor contingent on something other than itself.

Accordingly, we can now think of duty as the necessity of an action from respect of the will, which is to say, from respect of others as rational, intelligible beings. We can, thus, grasp the reason why acting from duty is equivalent to act in such a way as to “*[...] use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means*”(Kant

³⁸The definition of duty presented in this paper is primarily based on the *Groundwork of the Metaphysics of Morals*.

1785 p.38).

From this point of view, adherence to duty is not simply a blind and formal devotion to some sort of externally imposed rule; acting from duty does not mean to behave like the good boy scout, who does what he is told to. On the contrary, respect for the moral law is the very essence of our dignity as rational beings, for it consists in the recognition of the absolute worth each and every one of us has as a self existing end. The Kantian motive of duty as a necessary condition for morality can thus be translated into the requirement of acting primarily out of respect for the worth of others as self existing ends - and not merely as a means.

KANTIAN LOVE

Having clarified what is meant by acting from duty, we could reformulate our problem in the following way: do the actions of a father who treats his son as an end in itself, but acts from love have any moral validity?

My claim is that there is a kind of love which has moral worth, and a father who acts from love can act in a morally worthy way. Nonetheless, the very kind of love to which I attribute moral worth is dependent on the Kantian conception of duty in such a way that there is no moral worth in love if the feeling itself does not presuppose and draw its basis from duty. This is to say that an action retains its moral worth when done from love if and only if by love we mean something stronger than duty and which presupposes duty. Consequently, the motive of duty remains a necessary condition for moral worth.

The notion of morally worthy love to which I am referring to is described by Velleman as distinct from romantic love, attachment or benevolence. It is opposed to the Freudian conception of being in love as a misperception and idealization of the other and defined as a recognition of the beloved for what he really is: a person whose worth is in his existence as an end in himself. How is, then, love different from duty? Love is partial, while duty is not; love leads us to

abandon our defenses toward the other and has, as its immediate object, the empirical person. However, duty and love are connected in that they represent “the required minimum and optional maximum responses to one and the same value³⁹” (Velleman 1999 p.366).

As a consequence, when acting from this kind of love we are by definition *necessarily* acting from duty as well, and not only in conformity with it. The ability to appreciate others as ends in themselves or, in other words, the very capacity for love and respect is the value to which both this love and duty respond. In fact, Velleman’s conception of love is built on duty and adds something to it, for the act of loving someone by giving up our defense mechanism depends on the initial recognition of the beloved’s value. In other words, to love somebody in this particular way the lover needs to detect the value of the other as an end in himself and respond to it in a very specific way, namely by lowering his or her defenses. But the very recognition of the other as an end in himself *is* duty! This love stems from, and depends on, the appreciation of the other as an end in himself; therefore, acting from it stems from, and depends on, acting from duty.

This confirms that we can attribute moral value to a specific form of love without denying the necessity of the motive of duty, for acting from love is ethically valuable if love presupposes duty. However, I wish to go one step further and assert that this particular love draws its moral worthiness from the recognition of the other as an end in itself - and not merely as a means. In other words, I want to argue that acting from love is ethically valuable if *and only if* love presupposes duty.

Proving this claim would be extremely difficult if not impossible. Nonetheless, we can try to test its validity by taking into consideration other forms of love. If there exists a way of acting from love that does not presuppose duty but still is morally worthy, my argument has to be rejected. The question is, then, whether it is possible to imagine a morally worthy kind of love that is independent from

³⁹Namely, the very capacity for love and respect.

duty.

Every self-interested concept of love, as Velleman himself notices, is usually⁴⁰ not attributed any moral worth. Indeed, not even Hume or Smith would identify a self-interested action as morally worthy; for if it is true that - according to them - morality initially arises *because* of self-interest, it is plainly false to assert that - once we have acquired a moral character⁴¹ - selfish actions can be laudable.

On the other hand, if we try to think of love as morally worthy, as completely 'good' and not self-interested, we might characterize an action done from love as something done for others' sake⁴². Consider the case of a father who has his son's best interest in mind, and forces him to develop his talents by, for example, pursuing medical school against his will. In some way, this father acts from love, for he is sincerely convinced that his son is gifted⁴³, and in enforcing his parental control he acts *for the sake* of his beloved. However, we would still be reluctant in asserting that this action has any moral content.

So what is wrong in this picture? The problem resides in the father's failure to treat the object of love as an end in itself. By imposing his own will, even if for the sake of his son, the father treats

⁴⁰Utilitarians would probably be the only ones to have positive moral judgments on self interested actions, but their dissent is not of my concern in this paper. This is because, being consequentialists, they reject one of the basic assumptions behind my argument, namely, that intentions are relevant in moral decisions.

⁴¹Through the mechanism of sympathy and the creation of a judicious/impartial spectator

⁴²Velleman distinguishes between aims and end: an action is done in order to achieve an aim, while an end "is anything *for the sake of which* an action is to be done" (Velleman 1999 p.355). Although I sympathize with his conception of love, and think he is, for the most part, correct; I strongly disagree with the idea that treating others as an end and not merely as a means is equivalent to acting for their sake. This is because, as shown by my example, one might act for someone's sake and still fail to recognize his/her worth as a self-determining will.

⁴³Note that the question of whether or not the boy is actually talented is not relevant, for even if he was, it would be *his* duty - not his father's - to cultivate his talents.

him in a diminishing way and fails to acknowledge his existence as a rational being and possessor of an autonomous will. It, indeed, seems to me that every attempt to ground our actions on a principle which does not presuppose the fulfillment of Kantian moral requirement is bound to lack moral content.

CONCLUSIONS

The mere attribution of moral worthiness to the loving father⁴⁴ does not suffice to undermine the Kantian edict of duty as a necessary condition on morality. This is because the kind of ‘dutiful love’ that makes the loving father worthy presupposes the recognition of the value of others as rational beings. Therefore, acting from it is probably something more, but certainly nothing less than acting from duty.

Nonetheless, some problems remain open. First of all, even though a brief analysis of different conceptions of love seemed to suggest that there is no such thing as a morally worthy action done from love and independent of duty, more work should be done to prove this claim. Secondly, a series of difficult questions still needs to be dealt with.⁴⁵

For example, the problem on how we ought to act towards children is a puzzling implication of my argument. I indeed held that the only kind of ‘moral’ love is one which recognizes the other as a rational, self-regulating will. However, if this is the case, it is not clear how one could act out of this love towards people who do not have the rational capacity of creating and following the moral law, such as children. I believe that a consistent answer could be given following Tamar Shapiro’s view of childhood as a ‘temporary deviation from the norm of adulthood’ (Shapiro 1999 p.735). The discussion of the problem cannot be exhausted in a couple of lines, but, roughly speaking, I am inclined to support Shapiro’s claim that

⁴⁴Who acts *from love*.

⁴⁵A special thanks to Dr. Alex Voorhoeve for his insightful comments.

one could still act from love towards children in virtue of their potential⁴⁶ rationality.

Another interesting issue arises when immoral actions, such as pushing one's daughter up in a transplant list, are performed from a kind of love that appears to be the same 'dutiful love' up to here described. A mother that bribes a doctor to save her daughter's life seems to act from the recognition of the daughter as an end in herself. However, I think an argument could be made that love which requires a comparison between the incommensurable values of different people - the daughter and the other patients on the transplant list - is not at all the kind of love which we called moral (Velleman 1999).

To conclude, I do not wish to deny that actions done from inclinations can acquire moral content. However, a sound moral theory should be able to identify when and why acting from such inclinations is morally worthy, and I believe that Kantian philosophy has the potential to do so; an action done from love deserves our esteem if and only if the love in question depends upon duty. As we have seen, the existence of morally worthy actions performed from love does not invalidate the necessity of the Kantian motive of duty. On the contrary, if I am correct, it might even reinforce this necessity. Accordingly, duty intended as respect for one's true self⁴⁷ remains a necessary condition for morality, and, I believe, for moral love as well.⁴⁸

⁴⁶In an Aristotelian sense.

⁴⁷Noumenon or rational essence, to be more precise.

⁴⁸Thanks to Blake Heller for his help in revising this paper.

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