

## Duties to self in §2 of Kant's Doctrine of Virtue

### Introduction

In §2 of the Doctrine of Virtue (DV), Kant appears to claim that duties to self have primacy over duties owed to others.<sup>1</sup> In this paper, I critically examine a reading of Kant that endorses and purports to explain this primacy. According to this reading, duties to self have primacy in Kant's ethical philosophy because all duties are self-imposed and a duty is owed to the lawgiver. Since the self-imposition of our duties makes each of us the lawgiver, all duties are owed to the self. This proposed reading faces serious objections and I argue we ought to reject it. Kant is not claiming that duties to self have primacy over duties to others, but rather that the feature of duties to self that supposedly makes them contradictory is shared by duties to others. To deny the existence of duties to self on the basis that they possess that feature would therefore also rule out duties to others.

### I. The text

In DV §1, Kant claims that the “concept of a duty to oneself contains (at first glance) a contradiction” (6:417). This is because in cases of duties to self the same self is both passively obligated and actively obliging with respect to the same obligation. But no one can be both active and passive, bound and binding, with respect to the same thing at the same time. This raises a worry about the coherence of duties to self. Kant's solution to this apparent problem, set out in DV §3, is familiar to readers of his other works. He argues that a person can regard themselves as both (i) a “sensible being”, a member of the animal species subject to sensibility

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<sup>1</sup> References to Kant's works refer to volume and page numbers of the Akademieausgabe (*Kants gesammelte Schriften*, Berlin 1902–). Emphasis is in the original unless otherwise specified. I use the translations of the Cambridge Edition of the Works of Immanuel Kant. See the bibliography for details.

(homo phaenomenon), and (ii) an “intelligible being”, a being not at all subject to sensibility (homo noumenon) (6:418). This creates the space for him to argue that the same self is not binding and bound simultaneously. Rather, the homo phaenomenon is bound by the homo noumenon. With this distinction in place, the worry about contradiction is dealt with.<sup>2</sup>

It is in the context of this discussion that Kant appears to assert that duties to self have some form of primacy over duties to others. Despite the worry about contradiction raised in DV §1, he declares (as the title of DV §2), “Nevertheless, a human being has duties to himself” (6:417). It is the argument for this claim that has been taken to support the primacy thesis. Here it is:<sup>3</sup>

For suppose there were no such duties [i.e., duties to self]: then there would be no duties whatsoever, and so no external duties either. — For I can recognise [*erkennen*] that I am under obligation to others only insofar as I at the same time put myself under obligation, since the law by virtue of which I regard myself as being under obligation proceeds in every case from my own practical reason; and in being constrained by my own reason, I am also the one constraining myself. (6:417-18)

I will turn to an interpretation of this passage in the next section. For now, it is worth saying that despite Kant’s use of ‘*erkennen*’, it is unlikely that he is discussing the epistemic conditions under which we become aware of our duties to others. He is talking about the possibility of there being duties to others at all (Timmermann 2013a and Timmons 2021: 150). Additionally, we should not take Kant to be suggesting that if some particular duties to self did not exist, then other particular duties to others would not exist. For example, that without a duty requiring that we cultivate our talents we would not be required to refrain from stealing. He is suggesting something more general (Bojanowski 2019, Schönecker 2010, Sensen 2018, and Timmermann 2013a).

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<sup>2</sup> We might worry that other objections arise due to this solution. One reason for this is that the noumena/phaenomena distinction is “famously obscure, universally controversial, and appeals almost exclusively to thoroughgoing Kantians” (Schofield 2021: 57). For a helpful discussion, see Bojanowski (2019: esp. §6.4.1).

<sup>3</sup> There are various places in Kant’s lectures where he appears to endorse the primacy of duties to self (i.e., 27:341, 27:344, 27:372-73, 27:576, 27:579-580). For a helpful overview and analysis of these passages, see Denis (2010). I restrict my discussion above to Kant’s discussion in DV §§1-3. One upshot of my discussion is that we cannot use the DV §2 passage as an aid for understanding the claims in the lectures (or vice versa).

## II. A duty to follow the law of one's own reason

Can we understand Kant's argument in the above passage such that it supports the primacy claim? Here is one suggestion: Kant holds that duties are not imposed by an external source, but rather issue from something internal to the agent — in particular, the agent's faculty of reason. This means that every genuine duty involves an act of self-binding. We might therefore think that every duty we have involves some aspect of a duty to self. Here is Oliver Sensen making this point:

To have a duty at all is to be bound by the law of one's own reason. Whether the duty is toward oneself or others in content, in both cases it is prescribed by one's own reason, and therefore this duty to oneself — to follow the law of one's own reason — is prior to and more important than any duty toward others. (Sensen 2018: 293; see also Sensen 2015: 143-44 and Timmermann 2013a: 214)

The claim here is that due to the fact that it is one's own reason that prescribes duties, all duties contain an element of duty to self (and additionally that this means such duties are more important than other duties). Without one's own faculty of reason issuing duties, one would have no duties at all.

Here are two problems with this way of proceeding. First, Sensen's proposal seems to imply that we have a duty to fulfil our duties. This is because, for each duty that we have to self or others, we will have an additional duty to ourselves to fulfil that duty. While this does not fully rule this reading out, it does seem to multiply duties unnecessarily. Second, the claim that all duties involve an element of self-constraint does not get us to the claim that all duties are (or involve) duties to self. 'Self-constraint' and 'duty to self' are not equivalent. To illustrate, let's say that I promise to meet you for lunch tomorrow. In making this promise, I generate a duty to meet you at the time and place we've specified. No one else can make this promise for me or generate a promissory duty on my behalf (without my assent). In this way, the duty to meet you for lunch requires an element of self-constraint — I bind myself by my promise. Nevertheless, you are the one to whom I owe the fulfilment of this duty. This remains so even if I recognise that I am (or my rational faculty is) the source of the moral self-constraint I now face. Mark Timmons (2021: 151) makes a similar point, saying: "From the claim that obligation requires being able to constrain oneself, it simply does not follow that one has any duties to oneself. Self-constraint is a necessary, but not sufficient, condition for having duties to oneself".

### III. Duties to self *qua* lawgiver

Jens Timmermann offers a promising way to make the argument work. He says, “Kant seems to assume that a duty is owed to the lawgiver. As my own rational faculty is the lawgiver, I therefore owe any duty to myself” (2006: 512n; see also Timmermann 2013a: 214). The worry with the initial pass at understanding the argument was that the necessity of self-constraint doesn’t get us to having a duty to self. But, if Kant is assuming that we have duties to the lawgiver, and the lawgiver is our own faculty of reason, then the self-binding of moral duty does entail a duty to self. Duties are owed to ourselves *qua* lawgivers of all of our duties. This reading not only bridges the gap between self-binding and duties to self, it does so in a way that appeals directly to a concept (‘self-legislation’) that is widely considered to be central to Kant’s moral philosophy.

The claim that we owe duties to the lawgiver is not without apparent support in Kant’s work. Take, for example, his claim that “duty to any subject is moral constraint by that subject’s will” (6:442). This suggests that we owe a duty to those who constrain our will. Since it is legislators who constrain a subject’s will by imposing duties and given that all duties are self-legislated on Timmermann’s reading, it will turn out that all duties involve an element of duty to self. This might be seen to provide further support for Timmermann’s proposal.<sup>4</sup>

There is a problem with this reading of the passage though, which signals a problem with the ‘duties to the lawgiver’ reading of the primacy claim as a whole. If duties are owed to some subject by virtue of that subject imposing a moral constraint through their will, and we are assuming that Kantian self-legislation asserts that all moral constraint is self-constraint, it will turn out that there are no duties to others at all. This is because it will never be the will of others that puts one under obligation. Only one’s own will does this on the reading under consideration (see also Reath 2002: 361). This conclusion cannot be right. Insofar as the explanation of the primacy of duties to self commits us to a view that there are no duties to others, it fails to properly account for Kant’s views. Kant consistently holds that we owe duties to others, not simply that we have duties to ourselves that regard others (4:421, 6:240, 6:442). By viewing all duties as duties to self, the proposal also fails to account for the primacy of duties to self *over duties to others*, which is precisely what we are trying to explain.

We might think that duties to others and duties to self coincide. Timmermann suggests that while others cannot bind me directly, they do bind me via my own rational will (2006: 513; see also Sensen 2015). Given the

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<sup>4</sup> Lara Denis refers to this passage in order to support the ‘hierarchical primacy’ of duties to self over other duties (2010: 183). She does not claim that all duties contain an element of duty to self.

6:442 passage quoted above, this suggestion requires an account of how duties can be *owed* to others rather than merely owed to oneself but *regarding* others. — What does it mean to say that others ‘go via’ my own rational will? — It also alerts us to the need for an explanation of why duties to others must involve a duty to self at all. As we have seen in the response to Sensen, it cannot be the case that the mere necessity of self-binding entails that we owe the duty to ourselves, even in a weak sense. It does not follow from the fact that our rational capacities are the source of our duties that all duties are therefore duties to self. We must distinguish between the direction of the duty (i.e., is it owed to self or others?) and the source of the duty. Perhaps, instead, we have a secondary obligation to ourselves to comply with our moral duties — a broader duty to act in a way that befits an agent with moral worth. On this suggestion, I owe a duty to you to not treat you as a mere means (for example), and a duty to myself to comply with that duty because to not do so would be incompatible with my own moral standing.<sup>5</sup> This makes sense of the idea that all duties to others also involves a duty to self, but it does not explain the primacy of the latter over the former; it at best gets us the ubiquity of duties to self. On the whole, then, more needs to be said about the idea that duties to self and duties to others coincide to determine whether it is a viable option.

#### IV. Duties to self and moral agency

I have now argued that both Sensen’s and Timmermann’s strategies for making sense of Kant’s DV §2 claim fail. It seems that part of the problem is caused by reading Kant as making the primacy claim. After all, it is in order to make sense of this claim that Sensen argues we have a duty to follow the law of our own reason and Timmermann argues that we owe duties to ourselves *qua* legislator of our duties.

Where do we go from here? One option for proceeding would be to suggest that Kant simply commits himself to too much when he says that there would be no duties to others if there were no duties to self. Such a strong claim does not seem necessary for the substantial conclusions that he wants to draw about duties to self. We might therefore conclude, as Timmons does, that not much is lost by dropping it altogether: “dialectically Kant does not need to argue for the strong claim that there can’t be duties to others unless there are duties to oneself” (2021: 151). However, I think that we should opt for a different strategy.

On my reading, Kant raises a common objection to duties to self in

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<sup>5</sup> Kant seems to make an argument like this in the Collins lectures (27:344-46). There he claims that the central requirement of duties to self is mastery of one’s inclinations, something we fail to demonstrate when we violate duties to others. Thus every instance of violating a duty to others will also be an instance of violating our central duty to self.

DV §1. Duties to self appear problematic, in a way that duties to others do not, due to the fact that they require self-binding. But a duty that one binds oneself to seems contradictory. The move Kant makes in DV §2 is to claim that duties to others also involve self-binding. Thus, if we reject duties to self because they have that property, then we must also reject duties to others.<sup>6</sup> As will become clear, my reading, like those of offered by Sensen and Timmermann, starts with Kant's claims about self-legislation. However, unlike them, I read Kant as drawing a comparison to duties to others rather than singling out duties to self as possessing some special status.

It is first important to recall that Kant divides the will (the human faculty of volition) into its legislative and executive functions, *Wille* and *Willkür* respectively.<sup>7</sup> *Willkür* is the faculty of choice in relation to action. *Wille*, on the other hand, is "pure practical reason itself", which issues laws to *Willkür* that the agent experiences as imperatives (6:213; see also 6:226). Due to the fact that we are beings subject to sensibility, we will not always act in the way required of us by *Wille* (6:379). Allison (1990: 130) suggests that Kant's motivation for introducing this distinction is to clarify the way in which we might be said to self-legislate: "it is *Wille* in the narrow sense that provides the norm and *Willkür* that chooses in light of this norm. Similarly, this distinction allows us to speak of the will as giving the law to, or even as being the law for, itself, since this is just a matter of *Wille* giving the law to, or being the law for, *Willkür*." That is, we are self-legislators (at least) in the sense that pure practical reason in us requires that we restrict our choice in certain ways.

With this minimal account of self-legislation to hand, we can better understand Kant's claim in DV §2. We ought to read it in light of the problem he raises for duties to self in the previous section. I suggest the following way of rephrasing Kant's claim: 'if there were no duties to self because in the case of such duties the same self is both binding and bound, then there would be no duties whatsoever, and so no external duties either'. The reason for this is that all duties are self-legislated. All duties involve the legislation of the moral law by *Wille* to *Willkür*. Consider again the way that the passage continues. Kant says:

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<sup>6</sup> Bojanowski (2019: 84) makes a related claim, saying: "Wenn die Idee selbstgegebener Gesetze widersprüchlich wäre, würde dieser Widerspruch sich auf Pflichten gegen andere übertragen. Aber weil wir nicht glauben, dass Pflichten gegenüber anderen problematisch sind, sollten wir auch nicht glauben, dass Selbstgesetzgebung eine Gefahr für die Pflichten gegen uns selbst darstellt." If we believe that we self-legislate the duties that we owe to others, then the fact that duties to self are also self-legislated should not be problematic. I agree with this, and my contribution here can be taken as an attempt to further strengthen that reading.

<sup>7</sup> I will use the German terms above, since both 'Wille' and 'Willkür' can be translated as 'will'.

[...] I am under obligation to others only insofar as I at the same time put myself under obligation, since the law by virtue of which I regard myself as being under obligation proceeds in every case from my own practical reason; and in being constrained by my own reason, I am also the one constraining myself. (6:417-18)

Both duties to self and duties to others involve self-binding. Thus, to rule out duties to self on the grounds that they have this property would be to rule out all duties (including duties to others). Unlike the primacy claim, this explanation of Kant's view does not assert that we have duties to others *because* we have duties to self. Rather, it is that the central feature that makes duties to self problematic from the perspective of DV §1 is a feature of all duties. Read in this way, the central claim of DV §2 is directly responsive to the problem raised in DV §1.

To reiterate: on my reading, what we get in the movement from DV §1 to DV §2 is that in both kinds of duties – to self and to others – it is my own practical reason that explains the obligation. In the case of duties to self, my practical reason puts me under obligation and I am also the one to whom the duty is owed. In the case of duties to others, it is the same faculty that puts me under obligation but I owe the duty to another. I regard myself as under obligation to others (and am so obliged) only because practical reason in me constrains me to act in certain ways. This means that, if we think that duties to self are contradictory due to the fact that they involve self-binding, we must also think that duties to others are contradictory. There is no need to read into this passage any claim about the primacy of duties to self over duties to others.

More needs to be said before concluding. In his introduction of the problem facing duties to self, Kant not only speaks of a contradiction arising due to the same person being both binding and bound simultaneously, but also due to the possibility of waiving duties to self. Kant seems to claim that when one person imposes an obligation on another, they could always release that other from the obligation if they so choose. But this means that, in the case of duties to self, a person could simply release themselves from the obligation and consequently that “he would not be bound at all to a duty he lays upon himself” (6:417). This is a version of what now gets called the ‘waivability objection’ to duties to self.<sup>8</sup> That Kant

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<sup>8</sup> Hobbes (1994: ch.26) raises a similar problem in *Leviathan*: “The Sovereign of a Commonwealth, be it an assembly, or one man, is not subject to the civil laws. For having power to make, and repeal laws, he may when he pleaseth, free himself from that subjection, by repealing those laws that trouble him, and making of new; and consequently he was free before. For he is free, that can be free when he will.” For contemporary discussions of this objection, see Singer (1958), Muñoz (2020), and Schaab (2021).

considers this objection might seem to raise a problem for my reading.<sup>9</sup> This is because the fact that duties to self and duties to others have the same source (practical reason in us), that does not immediately tell us that duties to self are unwaivable. In standard cases at least, it is the person to whom the duty is owed who gets to decide whether or not to waive it. So, we need to see how Kant might tackle the waivability objection in order to make full sense of the problem raised in DV §1.

The waivability objection does not arise simply due to the fact that a given duty is waivable by some agent. For example, if I promised to meet you for lunch and thereby generated a duty to meet you, it is possible for you to waive that duty (perhaps upon my request, when I tell you I'm snowed under with grading). But that *you* can waive the duty I am under does not threaten us with a contradiction. We have no trouble asserting that the promise is binding just because you could release me. This even seems to be true in cases in which I know that you would release me if I asked. Rather, the concern is meant to arise when an agent is able to waive *one of their own* duties. This is because it appears to make the bindingness of duty simply up to the discretion of the agent who is bound.

Kant does not explicitly return to the waivability objection, and so his response to it needs to be reconstructed on his behalf. With that said, the Vigilantius lecture notes suggest a solution. There, Kant is reported to have said that the relation between homo noumenon and homo phaenomenon is like the relation between distinct individuals: homo phaenomenon “must be coerced by the noumenon into the performance of duty. So we can here draw an analogy, from the way that one man stands in relation to another” (27:593). That is, duties to self are modelled along the lines of duties to others. At first glance, this analogy doesn't seem to help. After all, *others* can release us from the duties we owe to them, and so an account of duties to self along the lines of duties to others appears to leave open the possibility of self-release.<sup>10</sup> However, we can make sense of the analogy as follows: duties to self and duties to others are perfectly alike in the sense that it is not a matter of our choice (*Willkür*) whether we are released from them. The only person who can waive a duty is the person to whom it is owed. This means that the only candidates for waiving a duty we are

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<sup>9</sup> I'm grateful to an anonymous reviewer for raising this concern.

<sup>10</sup> One option here would be to suggest that at least some duties to others are not waivable, and so duties to self can be modelled along the lines of unwaivable duties to others. This is the strategy adopted by Hills (2003), for example (though not in service of interpreting Kant). I have no strong objections to this strategy in general, though it requires an account of why some directed duties are unwaivable. With that said, the suggestion I make above has the benefit that it attempts to explain the fact that duties to self are not waivable by appeal to exactly that feature of duties to self that Kant uses to address the concern about an agent binding and being bound simultaneously. For that reason, I favour it as a reading of DV §§1-3.



under are other agents and practical reason in us. In neither case is the bindingness of the duty a matter of our discretion.

This indicates an important asymmetry between duties to others and duties to self on Kant's account. Namely, while the possibility of release from duties to others is a matter of the other's free choice (*Willkür*), our own *Willkür* cannot release us from our duties to self. Others are able to release us from duties even when they ought not release us.<sup>11</sup> Imagine that I owe a debt. In order to pay it, I must use all of the money I have saved for a flight home to visit my ailing parents. My creditor needs the money I owe in order to discharge a debt of their own, for example to make their upcoming mortgage payment. They have no other avenue for raising the money they need. Despite this, due to being moved by my situation, they release me from my debt. They ought not do this, because it means that they will violate a duty they are under. However, this does not mean that they are *unable* to release me.

This example indicates that others can release us from the duties we owe them while acting on an inclination that is contrary to duty. Such an option is not available in the case of duties to self because such duties are owed to pure practical reason in us. *Homo noumenon* is not at all subject to sensibility and so there is no possibility of release on the basis of inclination, whether it conflicts with duty or not. This leaves open the possibility that we can release ourselves (or rather that practical reason releases us) from a duty to self for the sake of a moral end, as in cases of altruistic self-sacrifice. While I think this is ruled out for Kant, due to the priority of perfect duties over imperfect duties and the lack of conflict between imperfect duties, this question need not be resolved here.<sup>12</sup> This is because waiver of a duty to oneself for the sake of morality (if such an action is possible) does not raise the concern that leads to the waivability objection. The waivability objection arises due to a concern that the bindingness of duties to self is simply up to the discretion of the agent who is bound. If we are only permitted to waive duties to self for the sake of some other moral duty, then whether or not we are bound is not a matter of our discretion.

This indicates that Kant's solution to the waivability objection is the same as his solution to the concern about the an agent binding and being bound simultaneously with respect to the same obligation. In both cases, it is the distinction between *homo noumenon* and *homo phaenomenon*

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<sup>11</sup> In [author citation redacted] I argue that we ought to distinguish between permissible/impermissible consent and possible/impossible consent on a Kantian account. In Kant's moral philosophy, the impermissibility of a particular act of waiver does not entail that the act is not normatively transformative (i.e., consent in such instances is impermissible but still releases the other from their duty).

<sup>12</sup> For relevant discussions, see [Formosa \(2017\)](#), [Timmermann \(2005; 2013b\)](#) and [Timmons \(2017\)](#).

that is able to free duties to self from the threat of contradiction.

## V. Conclusion

This paper has argued that we should not read DV §2 as claiming that duties to self have primacy over duties to others. Rather Kant's claim in that section is responsive to the worry that he raises in DV §1; namely that duties to self appear to involve a contradiction because they involve self-binding. Rather than asserting that there would be no duties to other if there were no duties to self, Kant is instead claiming that, to rule out duties to self on the grounds that they involve self-binding would rule out all duties, including duties to others. The reason for this is one of the most familiar and striking claims in Kantian ethics: that all duties are self-legislated.

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