

## PERFECT FREEDOM: T.H. GREEN'S KANTIAN CONCEPTION

*Abstract: This essay explores different conceptions of freedom in Kant, Green, and their critics. Kant introduces three kinds of freedom—negative freedom, positive freedom or autonomy, and transcendental freedom. Sidgwick objects to Kant's conception of positive freedom as unable to explain how someone might be free and responsible for the wrong choices. Though Green rejects transcendental freedom, he thinks Kant's conception of practical freedom can be defended by identifying it with the capacity to be determined by practical reason. Green identifies his own tripartite conception of freedom—juridical freedom, moral freedom, and real freedom. He thinks that these are stages in the perfection of freedom. Green's tripartite conception provides a principled reply to Berlin's doubts about positive freedom, explains Kant's claims that respect and esteem are fitting attitudes toward different aspects of freedom, and supports Schiller's criticisms of Kantian freedom and virtue. Green's conception of freedom defends the best elements of the Kantian perspective while addressing legitimate worries. In doing so, it unifies different aspects of freedom in a way that is grounded in moral personality or rational nature.*

Historical and contemporary conceptions of freedom are diverse. Some of this diversity is the result of linking freedom with related concepts and values, such as liberty, responsibility, autonomy, self-governance, self-determination, self-realization, non-interference, and respect. But this diversity in conceptions of freedom might make us wonder if they are rival conceptions of a common concept or if they embody conceptions of different concepts. That depends on whether there is a conception of freedom that provides a suitable explanation of how these diverse concepts and values are linked. One such conception emerges from a complex historical narrative about freedom and its ethical significance in the writings of Immanuel Kant, T.H. Green, and their critics, especially Friedrich Schiller, Henry Sidgwick, and Isaiah Berlin. Green's perfectionist conception of freedom promises to defend the best elements of the Kantian perspective while addressing legitimate worries about some Kantian commitments. In doing so, it allows us to explain different aspects of freedom in a principled way that is grounded in moral personality.

In section III of the *Groundwork of the Metaphysics of Morals* (1785) Kant introduces three kinds of freedom that he claims are presupposed by moral requirements—*negative freedom* from determination by empirical motives, *positive freedom or autonomy* involving determination by practical reason, and *transcendental freedom*, which is his transcendental idealist response to the threat of incompatibilism. In "The Kantian Conception of Free-Will" (1888), reprinted as an appendix to *The Methods of Ethics* (1907), Sidgwick criticizes the Kantian conception of autonomy as being unable to show how someone might be free and responsible for making the wrong choices, as well as the right ones. In his *Prolegomena to Ethics* (1883) Green develops an ethics of self-realization that is indebted in important ways to Kantian themes. In his lectures on Kant's metaphysics and ethics, Green often finds himself defending the spirit, but not the letter, of Kantian commitments. In particular, he rejects transcendental freedom and agrees that positive freedom or autonomy, as Kant formulates it, cannot explain how those whose will is not determined by practical reason and act wrongly can nonetheless be acting freely. However, Green thinks that Kant could and should have identified freedom and responsibility with *the capacity* for determination by practical reason, rather than with the proper exercise of this capacity. In his posthumously published essay "On the Different Senses of 'Freedom' as Applied to Will and the Moral Progress of Man" Green defends his own tripartite conception of freedom—*juridical freedom*, which is the absence of compulsion and restraint by others; *moral freedom*, which is the sort of moral capacity that he thinks Kant should have identified as essential to responsibility; and *real or perfect freedom*, which resembles Kant's own conception of positive freedom. On Green's view, these three kinds of freedom are different aspects of complete or perfect freedom.

In his influential essay "Two Concepts of Liberty" (1958), Berlin famously distinguished between *negative liberty*, as freedom from interference, and *positive liberty*, as a kind of self-

realization, and criticized the legitimacy of positive freedom. For Berlin, the only real freedom is negative freedom; positive freedom illicitly smuggles moral goods into the concept of freedom. Berlin included both Kant and Green in his criticisms of positive liberty. However, Green's tripartite conception of freedom can be defended against skepticism about positive freedom. Juridical, moral, and real freedom, though distinct, can and should be seen as related by the way in which real freedom incorporates and perfects juridical and moral freedom.

Green's distinction between moral freedom and real or perfect freedom fits nicely with the Kantian idea that *respect is a fitting response to freedom*. In fact, Kant distinguishes between *respect* and *esteem*. Respect is the recognition and fitting response to an agent insofar as she has capacities for moral responsibility, and it is the appropriate response to any agent with sufficient normative competence. Esteem is the recognition and fitting response to an agent insofar as she exercises her normative capacities well. Not all agents are equally virtuous, because they do not exercise their normative capacities equally well. As a result, the distribution of esteem should be variable.

But this conception of positive freedom is agnostic between two different ways in which conduct may be guided by practical reason. On the one hand, practical reason may guide conduct by *subordinating* passion and inclination to reason. On the other hand, passion and inclination may *harmonize* with practical reason, adapting themselves to its requirements. In "On Grace and Dignity" (1793) Schiller associates the first conception with Kantian dignity and the second conception with grace. Aretaic freedom, he thinks, requires grace, and not just dignity. Green is sympathetic to the idea that perfect freedom requires grace.

This narrative about kinds of freedom and freedom's relation to responsibility, respect, and virtue engages the views of Kant, Schiller, Sidgwick, Green, and Berlin. In pursuing this narrative it is not so much that I am bringing these philosophers into dialogue with each other. They are already in dialogue or, at least, partial dialogue. Sidgwick and Green are responding to Kant, Berlin is responding to Kant and Green, and Schiller is responding to Kant. Green is the hero of this narrative, but it is a Green who defends recognizably, though suitably modified, Kantian commitments in a way that addresses the legitimate concerns of Sidgwick and Schiller.

This narrative is complex, involving several parts, many of which are themselves complex. Though complex, the narrative is worth exploring because of what it reveals about the relations between different conceptions of freedom and their normative significance. For the narrative to work, it must be possible to discuss the parts in a reasonably self-contained way that avoids oversimplification but eschews multiple layers of complexity that would be possible only in a longer or narrower study. My hope is that the benefits of seeing these texts and issues as part of a unified narrative compensates for the need to be selective in the coverage of some issues and debates.

This narrative about different conceptions of freedom and their ethical significance has both historical and systematic import. Its historical import lies in exploring common ground and disagreement in historically influential conceptions of freedom. Its systematic import lies in articulating the plausibility of Green's perfectionist conception of freedom. That conception promises to defend the best elements of the Kantian perspective while addressing legitimate worries about some Kantian commitments. In doing so, it allows us to unify different aspects of freedom in a principled way that is grounded in moral personality or rational nature.

## 1. Kant's Moral Background to Freedom

One of Kant's most important discussions of freedom is in the third and last section of the *Groundwork*. This comes after he lays out central elements of his ethical theory in sections I and II. To appreciate the claims in section III, we would do well to review some key commitments in sections I and II.

In section I Kant claims that the only thing good without qualification is a *good will* (4:393–98), which is displayed when an agent conforms to duty and does so out of a sense of duty or under the guise of duty. The agent who displays a good will is *guided by* the demands of practical reason.

Kant claims that only a good will displays moral worth (*sittlichen Wert*) and that esteem (*Hochschätzung*) is a fitting response to moral worth (4:398).

In section II Kant contrasts *hypothetical imperatives*, which represent action as necessary conditional on some aim or interest the agent happens to have, and *categorical imperatives*, which represent actions as unconditionally necessary (4:414). Because moral requirements depend only on features of us as rational agents, and not on our contingent and variable interests and desires, they must express categorical imperatives (4:416, 425).

Though individual moral requirements are themselves categorical imperatives, they all have their basis in a single Categorical Imperative (4:416). But the Categorical Imperative has several formulations. Kant emphasizes three main formulations.

1. F1: Act only maxims that you can will to be a universal law of nature (4:421). This is the *Formula of Universal Law*.
2. F2: Treat humanity, whether in your own person or that of any rational agent, always as an end in itself and never merely as a means (4:429). This is the *Formula of Humanity*.
3. F3: Every rational being should be regarded as an autonomous legislator in a kingdom of ends (4:431–33, 438). This is the *Formula of the Kingdom of Ends*.

These are the three principal formulations Kant recognizes, and he takes them to be equivalent (4:436).<sup>1</sup> He illustrates the first two formulations by applying them to the same four examples: the duty not to take one's own life, even in despair; the duty not to make false promises; the duty to develop one's talents; and the duty of beneficence (4:421–23, 429–30). In the process, he argues that moral personality or rational nature is the ability to set ends and is an objective end, indeed, the foundation or condition of all other duties (4:428–29).

It is worth saying a bit more about Kant's reasons for taking the three formulae to be equivalent. Kant treats rational nature as the ground of duty when he insists that duty must be knowable a priori. Moral requirements, Kant thinks, must depend upon essential, rather than contingent and variable, features of agents, which explains why moral requirements must express categorical, rather than hypothetical, imperatives (4:416, 425). If moral requirements are not to be based on variable empirical conditions, then they must be universal. To achieve this sort of universality, Kant requires an agent to be able to will her maxims or principles to be universally adopted. This yields F1—the Formula of Universal Law (4:421). We should interpret F1 as asking what rational beings can consistently will. But this claim is ambiguous. F1 might be interpreted as asking what rational beings can consistently will, that is, what someone who is rational can consistently will. This test can depend on the contingent interests and desires possessed by rational beings. But this makes it difficult to distinguish F1 from the Golden Rule, because this conception of F1 and the Golden Rule both ground moral requirements in the contingent interests and desires of the person whose maxim it is. Kant makes clear that the Formula of Universality should not be confused with the Golden Rule (4:431n). Alternatively, we can understand what a rational being can consistently will as what someone can will *insofar* as she is rational. On this interpretation, F1 asks what we can will, not insofar as we have particular contingent wants and interests, but what we can will just insofar as we are rational beings.

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<sup>1</sup> This simplifies a more fine-grained taxonomy of the formulae. Some commentators identify six formulae: (1) universal law (*Groundwork* 4:421), (2) universal law of nature (4:421), (3) the end in itself (4:429), (4) universal legislation by every rational being (4:431), (5) the kingdom of ends (4:438), and (6) autonomy (4:440). See Paton, *The Categorical Imperative*, 129 and Irwin, *The Development of Ethics*, vol. III, §917. (Here and elsewhere, I list authors and their texts in chronological, rather than alphabetical, order.) However, the tripartite taxonomy does not oversimplify inasmuch as (1) and (2) are equivalent versions of F1, (3) corresponds to F2, and (4)–(6) represent different aspects of F3.

What, if anything, would we will just insofar as we are rational beings? Kant thinks that insofar as one is rational one will make rational nature one's end (4:428). Happiness, he claims, can have only conditioned or instrumental value; rational nature alone has intrinsic value that does not depend on contingent and variable circumstances. So only rational nature could be valued regardless of one's contingent circumstances and sentiments. Rational nature is the capacity to set ends and act for the sake of ends (*Groundwork* 4:428, 430–31). But then a rational agent will value activities and lives that express rational nature. Moreover, if I choose rational agency solely insofar as I am a rational being, then I seem to choose to develop rational agency as such, and not the rational agency of this or that particular rational being (4:427). If so, then F1 directs me to be concerned about rational agents, as rational agents, for their own sakes. This is F2—the Formula of Humanity (4:429). This is how Kant gets from ground to content and from Universality to Humanity.

The transition from Universality and Humanity to the Kingdom of Ends is more straightforward. If F1 represents a test for the permissibility of our maxims that we interpret in terms of the choice of a purely rational agent and, so interpreted, F1 is equivalent to or implies F2, then we get something like F3. We are free to act on those maxims that we, as rational beings, can will to be universal and that treat all persons as ends in themselves and never merely as means. This is for each rational agent to be a sovereign member of a kingdom of ends in which the sovereignty of each is conditioned by recognition of the sovereignty of others. This is F3.

## 2. Kant's Tripartite Conception of Freedom

These ethical claims seem to stand or fall on their own merits, as Kant presents them in sections I and II. So it may be surprising to learn in section III that Kant thinks that sections I and II establish only the *possibility* of morality and the Categorical Imperative. For morality not to be an empty concept, agents must have freedom of the will (4:448–49). This introduction of the concept of freedom is new, but it should not come as a surprise.

In section II Kant argued that the Formula of Humanity involves recognizing that moral personality and the capacity to set ends are objective goods. Rational nature is the basis or condition of all other goods and duties (4:428). The special position of rational nature in relation to all other goods shows that it has dignity. Kant contrasts things having a price and things having dignity. “In the kingdom of ends, everything has either a price or dignity. Whatever has a price can be replaced by something else as its equivalent; on the other hand, whatever is above all price, and therefore admits of no equivalent, has a dignity (4:434).” Kant goes on to say that happiness and things that produce happiness have a price but that humanity, understood as personality or rational nature, has dignity (4:435–36). But moral personality and rational nature involve the capacity to set or determine ends, which is one kind of freedom. Hence, Kant concludes, morality does depend on freedom.<sup>2</sup>

But what kind of freedom? Kant's conception of freedom (*Freiheit*) plays an important role not just in the *Groundwork*. In the *Critique of Practical Reason* (1788) Kant makes related claims about freedom as the precondition of both morality and the highest good (5:93–119). Moreover, his conception of freedom connects with his theoretical commitments to transcendental idealism in the *Critique of Pure Reason* (1781/1787), especially his discussion of the resolution of the threat of incompatibilism in the Third Antinomy (*KrV* A 532–58/B 560–86). Providing a unified account of Kant's conceptions of freedom is a complex and contentious topic in Kant studies.<sup>3</sup> For our purposes, we can focus attention on Kant's treatment in section III of the *Groundwork*. Here, Kant introduces three distinct conceptions of freedom.

<sup>2</sup> Guyer, *Virtues of Freedom*, chs. 3–4 makes the case for thinking that freedom, understood as autonomy and the capacity to set ends, is the foundation of Kant's moral theory.

<sup>3</sup> For two important but different discussions, see Allison, *Kant's Theory of Freedom* and Guyer, *Virtues of Freedom*.

1. Negative Freedom
2. Positive Freedom
3. Transcendental Freedom

*Practical freedom* includes both negative and positive freedom. Kant distinguishes practical freedom from transcendental freedom.

*Negative freedom* involves the absence of determination by empirical motives, independently of the operation of practical reason. An agent has negative freedom only if her desires do not compel or necessitate her will and her actions, independently of her normative judgments. Curiously, negative freedom focuses on the absence of *internal* compulsion, that is, necessitation by one's own passions and desires. Kant's conception of negative freedom in the *Groundwork* omits the need for the absence of interference by others.<sup>4</sup> As we will see, this is the heart of Berlin's conception of negative freedom. On this view, it is coercion or otherwise wrongful interference by others that jeopardizes freedom. Perhaps negative freedom should be conceived in terms of the absence of compulsion or necessitation, whether internal or external.<sup>5</sup>

*Positive freedom*, by contrast, involves the determination of the will by practical reason, rather than by empirical motives (4:446). Presumably, positive freedom is realized in the good will (4:393–99). Whereas negative freedom precludes heteronomy, autonomy requires positive, and not just negative, freedom (4:446–47; *KrV* A 534/B 562, A 553–54/B 581–82; *KpV* 5:61–62, 72, 87).

However, Kant believes that practical freedom (both negative and positive freedom) requires *transcendental freedom* (4:454, 461). Transcendental freedom presupposes the transcendental idealist claim that the world can be divided into *phenomena* and *noumena*—how things appear to us and how they are in themselves. Kant is an incompatibilist, hard determinist about phenomenal freedom. The world of phenomena is casually determined, which precludes freedom of the will. However, the self as noumenon is not subject to the causal laws that apply to phenomena. Insofar as an agent's noumenal self determines her will and actions, she will be free (4:450–53; *KrV* A 534/B 562; *KpV* 5:3–4, 43, 46, 94–106). Kant believes that it is practically necessary for us to believe that we are free. While we can't know that we are noumenally free, transcendental idealism assures us that this kind of freedom is *possible* and not precluded by what we know. In this way, transcendental freedom becomes a *practical postulate* (4:449–61; 5:132–33).

Though sympathetic with Kant's claims about practical freedom, Green is skeptical about transcendental freedom. Like Green and others, I want to focus on practical, rather than transcendental, freedom.<sup>6</sup> But it is worth mentioning some of the concerns that Green expresses

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<sup>4</sup> Kant might try to internalize external compulsion, claiming that coercion limits negative freedom insofar as it creates fear within the agent of the external threat, which is then the source of the agent's unfreedom. But this would not help. First, the fear need not be disabling to compromise the agent's negative freedom. Second, fear is not necessary. I limit your freedom by wrongly locking you in your room or taking your car keys, even if neither causes you fear.

<sup>5</sup> Kant's conception of negative freedom as freedom from internal compulsion is also present in the *Metaphysics of Morals* (6:213–14). But a conception of negative freedom as freedom from *external* compulsion is an important part of Kant's political philosophy, both posing a problem for justifying the state's use of coercion and providing a solution in terms of a system of equal basic liberties. Kant makes these claims in his discussion of the Universal Principle of Right in the Doctrine of Right in the *Metaphysics of Morals* (6:230–31, 237) and in his essays "Theory and Practice" (8:289–90) and "Perpetual Peace" (8:349–50). These issues are usefully discussed in Ripstein, *Force and Freedom: Kant's Legal and Political Philosophy*.

<sup>6</sup> Though I mention some reasons for skepticism about transcendental freedom, I will not defend this skepticism here. Many contemporary commentators share Green's desire to reconstruct Kant's ethics by appeal to his conception of practical freedom, rather than his conception of transcendental freedom. For discussion, see, e.g., Wood, *Kantian Ethics*, ch. 7; Irwin, *The Development of Ethics*, vol. II, ch. 69; Guyer, *Virtues of Freedom*,

about transcendental freedom in his lectures on Kant's ethics (*Works*, II). Green thinks that transcendental freedom is neither necessary nor sufficient for freedom and responsibility.

Transcendental freedom is not sufficient for freedom and responsibility. There are various problems with noumenal causation. First, noumena are outside of space and time and do not stand in causal relations to other events. But then it is difficult to see how a noumenal self could act and stand in causal relations to someone's actions. Even if we could make sense of the noumenal self as an uncaused cause, it is unclear why we should attribute uncaused decisions to the agent (*PE* §§109–110; *Works*, II.95, 110). Second, transcendental idealism seems unable to save Kant from the threat of incompatibilism and hard determinism. Noumena and phenomena—intelligible and empirical selves—are not two different things, but rather one thing under two different aspects, descriptions, or guises (*G* 4:451, 456; 5:96–97, 102; *KrV* A 235–60/B 294–315, A 532–58/B 560–86; *KpV* 5:97). But causal determination is a referentially transparent relation. If an event is determined, then it is determined under all descriptions. If so, actions cannot be phenomenally determined but noumenally free (*Works*, II.101–4).

Fortunately, Green thinks that transcendental freedom is not necessary for responsibility. Freedom does not require that actions lie outside a causal nexus with the agent. In fact, causation is a condition of freedom and responsibility, provided the agent's actions are caused by choices she makes as the result of deliberation about her reasons. Practical freedom requires only that the agent's will not be determined by her inclinations, independently of her deliberations about what she ought to do. Determination by motives that are sensitive to one's reasons is not only compatible with, but essential to, responsibility (*PE* §§109–110; *Works*, II.95). If Green is right, neither negative nor positive freedom requires transcendental freedom. That might be a welcome result if it means that practical freedom is not hostage to the prospects for transcendental freedom.

### 3. Sidgwick's Critique of Kant

Kant claims that a free will and a will determined by practical reason and the moral law are one and the same (4:447). This is positive freedom or autonomy. It is this conception of freedom that Sidgwick criticizes in his essay "The Kantian Conception of Free-Will" in the Appendix to *The Methods of Ethics*.<sup>7</sup> Sidgwick contrasts Kant's conception of positive freedom as conformity to practical reason with freedom as responsibility. He labels the first Rational Freedom and the second Moral Freedom (*ME* 512). Sidgwick thinks that there is nothing objectionable per se about identifying freedom with rule by reason, but he insists that it is a mistake to confuse that sort of positive freedom with the sort of freedom required by moral responsibility.

I should make no objection to the statement that 'a man is a free agent in proportion as he acts rationally.' But, what English defenders of man's free agency have generally been concerned to maintain, is that 'man has a freedom of *choice* between good and evil' which is realised or manifested when he deliberately chooses evil, just as much as when he deliberately chooses good; and it is clear that if we say that a man is a free agent in proportion as he acts rationally, we cannot also say, in the same sense of the term, that it is by his free choice that he acts irrationally when he does so act. (*ME* 511)

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chs. 3–4; and Skorupski, *Being and Freedom*, ch. II. For more sympathetic assessments of transcendental idealism, see, e.g., Allison, *Kant's Theory of Freedom*, esp. chs. 1–3, and Allais, "Kantian Determinism and Contemporary Determinism."

<sup>7</sup> Karl Leonard Reinhold first raised this worry in *Letters on Kantian Philosophy* (1792), vol. II, Letter 8. The passage is translated and discussed in Guyer, "The Struggle for Freedom: Freedom of Will in Kant and Reinhold." The Reinhold/Sidgwick worry is also discussed by DeWitt, "Freedom and the Rational Origin of Evil: Kant's Anselmian Roots." I am more interested in the problem for Kantian freedom than its provenance, so I will focus on Sidgwick, who provides a clear and accessible statement of the problem.

The possibility of freely chosen wrongdoing—that is, wrongdoing for which the agent is responsible—shows that Kant’s conception of positive freedom, as conformity with practical reason, cannot be freedom of the kind required by moral responsibility.<sup>8</sup>

#### 4. Green’s Defense of Kant

In his lectures on Kant’s ethics, Green recognizes the same problem for Kantian freedom that Sidgwick later identifies.<sup>9</sup> Green recognizes that the Kantian conception of freedom or autonomy as conformity to reason implies that wrongful acts cannot be free (*Works*, II.107).

Though Green is not uncritical of Kant, he sees himself, rightly, as a Kantian. He thinks that many of the problems in Kant’s ethics are primarily presentational and concern the letter, not the spirit, of Kant’s claims (*Works*, II.124). This is a case in point. Kant’s considered view, Green thinks, contrasts two kinds of positive freedom—the *capacity* to conform to practical reason and the proper *exercise* of this capacity. Freedom as responsibility requires the capacity, not its proper exercise.

If Kant had been asked what he meant by ‘rational’ in this definition, he would probably have said ‘capable of being determined by the consciousness of law’; and so far as rationality is understood to mean merely the *capacity*, as distinct from the *actuality*, of such determination the definition will be equally applicable to the will as it exists in the morally good and the morally bad. (*Works*, II.136)

The capacity for determination by practical reason is equally present in (a) the person who does not exercise this capacity, due to omission or heteronomous action, (b) the person who exercises this capacity poorly by acting on improper maxims and inadequate reasons, and (c) the person who exercises this capacity well by acting on the correct maxims that conform to the requirements of practical reason.<sup>10</sup> The person who has this capacity but exercises it poorly by acting on improper maxims is just as free and responsible as the person who has the capacity and exercises it well by acting on correct maxims (*Works*, II.107–08, 119, 136).<sup>11</sup>

The capacity to conform to practical reason is a capacity for *reasons-responsiveness*. For this reason, Green’s interpretation and defense of Kantian freedom is relevantly like contemporary conceptions of freedom of the will and responsibility in terms of reasons-responsiveness or fair

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<sup>8</sup> Both Kant and Sidgwick accept that there is an important kind of freedom that is the basis of responsibility. Some writers have denied the link between freedom and responsibility. For instance, Frankfurt argues that freedom requires alternate possibilities in a way in which responsibility does not, with the result that one can and should recognize that responsibility and causal determinism are compatible, even if freedom and causal determinism are not. See Frankfurt, “Alternate Possibilities and Moral Responsibility.” However, it is arguable that moral responsibility requires alternate possibilities, even if not the ones that determinism precludes. If so, one can preserve the link between freedom and responsibility, denying that either freedom or responsibility requires the kind of alternate possibilities that determinism precludes. For discussion, see Brink, *Fair Opportunity and Responsibility*, ch. 4.

<sup>9</sup> Green’s lectures on Kant’s ethics predate the publication of Sidgwick’s criticism of Kant, and Green does not acknowledge any informal influence by Sidgwick, so it seems reasonable to assume that Green came to his recognition of this worry about Kantian freedom prior to and independently of Sidgwick.

<sup>10</sup> The distinction between a will manifesting the capacity to be determined by practical reason and a will that is determined by practical reason is connected with Kant’s distinction between *Willkür* and *Wille*, discussed, among other places, in the *Metaphysics of Morals* (6:213–14) and the *Religion* (6:23–4, 27–8). *Willkür* signifies a capacity of the will to act for reasons, and *Wille* signifies the will’s conformity to practical reason, manifested in positive freedom or autonomy.

<sup>11</sup> Though Sidgwick and Green are correct that the *Groundwork* conception of positive freedom is in terms of conformity to practical reason, rather than the capacity for conformity, one passage in the *Metaphysics of Morals* identifies positive freedom with the *capacity* (*Vermögen*) for practical reason (6:214). This is additional evidence for Green’s view about the best statement of the Kantian conception of freedom.

opportunity, where fair opportunity factors into an agent's normative capacities and opportunities.<sup>12</sup> On such conceptions, responsibility is predicated on normative *competence*, not *performance*. Normative competence requires the possession of reasons-responsive capacities, in particular, cognitive capacities to recognize justifying reasons and volitional capacities to conform one's conduct to this normative knowledge, despite distraction and temptation. Responsibility requires agents to have normative capacities and adequate opportunity to exercise them, not their proper exercise. We excuse for lack of competence, not for lack of performance. Provided the agent had the relevant cognitive and volitional capacities constitutive of normative competence, we do not excuse the weak-willed or the willful wrongdoer for failing to recognize or respond appropriately to reasons. If responsibility were predicated on the proper use of these capacities, we could not hold weak-willed and willful wrongdoers responsible for their wrongdoing. Indeed, the fact of wrongdoing would itself be exculpatory, with the absurd result that we could never hold anyone responsible for wrongdoing. It is a condition of our holding wrongdoers responsible that they possessed the relevant capacities or competence.<sup>13</sup>

Green sees the same criticism of Kant that Sidgwick later would but thinks that Kant can meet it by introducing yet another conception of freedom—a *capacitarian* conception of positive freedom or autonomy. Green does not think that determinism threatens this capacity, and so he thinks that transcendental freedom is neither necessary nor sufficient for the sort of reasons-responsiveness required for freedom.

## 5. Green's Perfectionism

Green's own conception of freedom grows out of his engagement with Kant's conception. But we cannot properly appreciate Green's conception of freedom, independently of his perfectionist ethics of self-realization, articulated in his *Prolegomena to Ethics*. Green's *Prolegomena* critiques empiricism and its ethical expression in hedonistic utilitarianism and defends a form of perfectionism that aims to synthesize the best elements in ancient and modern traditions in ethics. His perfectionism grounds perfectionist ideals in a conception of human nature, understood in terms of moral personality and our nature as agents. The key components of Green's ethics of self-realization, for our purposes, are his conception of moral personality, his perfectionist conception of the good, and his recognition of the common good as contributing to the agent's own self-realization.<sup>14</sup>

Green criticizes forms of ethical naturalism that ground morality in a science of desire and pleasure. His criticisms of hedonism rely on Bishop Butler's distinction in his *Sermons* (1726) between the *power* and *authority* of desire (II, 14). Agents need not act on their strongest desires; they can and should act on the basis of a judgment about what it is best for them to do. Butler's

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<sup>12</sup> For reasons-responsive conceptions of responsibility, see Wolf, *Freedom Within Reason*; Wallace, *Responsibility and the Moral Sentiments*; Fischer and Ravizza, *Responsibility and Control*; Nelkin, *Making Sense of Freedom and Responsibility*; Vargas, *Building Better Beings*. For fair opportunity conceptions of responsibility, see Brink and Nelkin, "Fairness and the Architecture of Responsibility" and Brink, *Fair Opportunity and Responsibility*. I take reasons-responsiveness to be a proper part of fair opportunity.

<sup>13</sup> This point about responsibility depending on competence, not performance, is sometimes obscured by the language of reasons-responsiveness, which can display an ambiguity. When we speak of someone being reasons-responsive, we might be signaling that she has the capacities to be guided by reason or, alternatively, that she exercises these capacities well. To avoid confusion, it will be helpful to make the former claim by describing her as *reasons-responsive* and to make the latter claim by describing her as *reasons-responding*. The reasons-responsive tradition should insist on distinguishing competence and performance and claim that responsibility depends on being reasons-responsive, rather than being reasons-responding.

<sup>14</sup> For discussion of these aspects of Green's ethical theory, see, e.g., Brink, *Perfectionism and the Common Good*; Irwin, *The Development of Ethics*, vol. III, ch. 85; Tyler, *The Metaphysics of Self-Realisation and Freedom*; and Skorupski, *Being and Freedom*, 440–57.



distinction introduces the concept of *moral personality* that is important to both Kant and Green. Moral personality involves agency and requires capacities for practical deliberation, which require self-consciousness. Non-responsible agents, such as brutes and small children, act on their strongest desires or, if they deliberate, deliberate only about the instrumental means to the satisfaction of their desires (*PE* §§86, 92, 96, 122, 125). By contrast, responsible agents must be able to distinguish, as Butler says, between the power and authority of their desires, deliberate about the appropriateness of their desires, and regulate their actions in accord with these deliberations (§§92, 96, 103, 107, 220). This requires self-consciousness—the ability to distinguish oneself from particular desires and passions and to frame the question about what it would be best for one on the whole to do (§§85–86).<sup>15</sup>

Green thinks that the process of forming and acting on a conception of what it is best for me on the whole to do is for me to form and act from a conception of my own overall good (§§91–92, 96, 128).

A man, we will suppose, is acted on at once by an impulse to revenge an affront, by a bodily want, by a call of duty, and by fear of certain results incidental to his avenging the affront or obeying the call of duty. We will suppose further that each passion ... suggests a different line of action. So long as he is undecided how to act, all are, in a way, external to him. He presents them to himself as influences by which he is consciously affected but which are not he, and with none of which he yet identifies himself .... So long as this state of things continues, no moral effect ensues. It ensues when the man's relation to these influences is altered by his identifying himself with one of them, by his taking the object of one of the tendencies as for the time his good. This is to *will*, and is in itself moral action. (§146)

Much as Kant thinks that rational nature provides both the ground and content of the moral law, Green thinks that moral personality as rational nature is not only a condition of agency but also a fitting object of the will. Green criticizes various forms of hedonism, denying that agents must aim at their own pleasurable consciousness and recognizing “ideal goods” that involve an agent’s activities and her relations to other members of her community (*PE* §§159–61, 357). He believes that self-realization, rather than pleasure, is the appropriate object of the will (§176). Moral personality involves a will that is expressive of the self. But if this self is a rational self, capable of acting on superior principles, then an agent’s will should aim at activities that reflect and realize these superior principles (§§175, 180, 199, 234, 238–39, 247, 283).

This justification of self-realization also explains why Green treats the imperative of self-realization as a categorical imperative. Like Kant, Green seeks an account of the agent’s duties that is grounded in her agency and does not depend upon contingent and variable inclinations. The goal of self-realization, Green thinks, meets this demand.

At the same time, because it [self-realization] is the fulfilment of himself, of that which he has in him to be, it will excite an interest in him like no other interest, different in kind from any of his desires and aversions except such as are derived from it. It will be an interest as in an object conceived to be of unconditional value; one of which the value does not depend on any desire that the individual may at any time feel for it or for anything else, or on any pleasure that ... he may experience. ... [T]he desire for the object will be founded on a conception of its desirableness as a fulfilment of the capabilities of which a man is conscious in being conscious of himself. ... [Self-realization] will express itself in [the] imposition ... of rules requiring

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<sup>15</sup> This account of moral personality is capacitarian, rather than characterological. An agent is responsible or accountable for actions that express her character only if she has the capacities constitutive of moral personality.

something to be done irrespectively of any inclination to do it, irrespectively of any desired end to which it is a means, *other than this end, which is desired because conceived as absolutely desirable*. (§193)

Because the demands of self-realization depend only on those very deliberative capacities that make one a responsible agent, they are categorical imperatives.

Green's ethics of self-realization is, at bottom, an egocentric doctrine insofar as he thinks that moral demands hold for a person because they are part of the realization and perfection of *her* nature and advance *her* personal good. But Green insists that proper self-realization should aim at a *common good*, which includes the good of other rational agents (§§190, 199). A self-realizing agent does not act on passing whims or passions but acts for the sake of ends perceived as valuable and perseveres on their behalf, making short-term investments and sacrifices for the sake of these ends. This is to value goals and projects in which the agent is involved that have some degree of permanence. Green thinks that the right sort of association with others extends this permanence in a natural way (§§203, 223, 229–31).

Now the self of which a man thus forecasts the fulfilment, is not an abstract or empty self. It is a self already affected in the most primitive forms of human life by manifold interests, among which are interests in other persons. These are not merely interests dependent on other persons for the means to their gratification, but interests in the good of those other persons, interests which cannot be satisfied without the consciousness that those other persons are satisfied. The man cannot contemplate himself as in a better state, or on the way to the best, without contemplating others, not merely as a means to that better state, but as sharing it with him. (§199)

Indeed, Green regards interpersonal permanence as a kind of counterbalance to mortality or surrogate for immortality.

That determination of an animal organism by a self-conscious principle, which makes a man and is presupposed by the interest in permanent good, carries with it a certain appropriation by the man to himself of the beings with whom he is connected by natural ties, so that they become to him as himself and in providing for himself he provides for them. Projecting himself into the future as a permanent subject of possible well-being or ill-being—and he must so project himself in seeking for a permanent good—he associates his kindred with himself. It is this association that neutralises the effect which the anticipation of death must otherwise have on the demand for a permanent good. (§231)

Green claims that interpersonal permanence is an extension of intrapersonal permanence, implying that the right sort of interpersonal association makes the good of one's associate part of one's own. Interpersonal association undermines the popular contrast between self-love and love of others (§232) and gives each associate a reason to pursue a *common good* (§202). On Green's view, proper self-realization implies that the good of each includes in part the good of others. We should view those with whom we participate in such associations as "alter egos," for whom we care as we care about ourselves (§§191, 200). We should weigh their interests with our own and see ourselves as compensated when we make what would otherwise be sacrifices to them for the sake of the common good (§376).

So far, this extension of the agent's interests outward is limited to family members and those with whom one has close associations. But Green thinks that agents have reason to seek interpersonal permanence with *wide scope*. He believes that Aristotle recognized the way in which justice is

connected with a common good, but he thinks that the Greeks had too narrow a conception of the common good.

The idea of a society of free and law-abiding persons, each his own master yet each his brother's keeper, was first definitely formed among the Greeks, and its formation was the condition of all subsequent progress in the direction described; but with them ... it was limited in its application to select groups of men surrounded by populations of aliens and slaves. In its universality, as capable of application to the whole human race, an attempt has first been made to act upon it in modern Christendom. (§271)

Green sees moral progress as consisting in the gradual extension of the scope of the common good, which is only complete when each respects the claims made by other members of a maximally inclusive community of ends (§§214, 216, 244, 332). In this respect, Green's belief that an egocentric concern with self-realization can and should support cosmopolitan concern for others may seem closer to the Stoic than the Aristotelian view.<sup>16</sup> Green interprets this cosmopolitan conception of the common good in Kantian terms as requiring that every rational agent be respected and treated as an end in herself, as part of a kingdom or community of ends.<sup>17</sup>

## 6. Green's Tripartite Conception of Freedom

Though the essentials of Green's perfectionism in the *Prolegomena* provide background to Green's conception of freedom, the concept of freedom itself does not loom large in the *Prolegomena*. However, Green focuses on freedom in the posthumously published essay "On the Different Senses of 'Freedom' as Applied to Will and the Moral Progress of Man" (*Works*, II).<sup>18</sup> In this essay, Green distinguishes different senses of freedom, including the absence of coercion and interference, the freedom that makes moral personality and the will possible, and the freedom involved in good or perfect willing. If we also draw on his discussion of Kant's conception of freedom in his lectures on Kant's ethics and in the *Prolegomena*, we can make out a tripartite conception of freedom.

1. Juridical Freedom
2. Moral Freedom
3. Real or Perfect Freedom

*Juridical freedom* is the absence of compulsion or restraint by others. This is freedom as non-interference prized by Locke and laissez-faire liberals. *Moral freedom* is the sort of freedom required for responsibility, which is manifested in both praiseworthy and blameworthy conduct. Moral freedom, Green believes, requires the capacity for reasons-responsiveness. This is the kind of freedom that he proposes as a response to the worry that Kant cannot recognize wrongdoing as free and responsible. *Real or perfect freedom* exists insofar as an agent exercises her moral freedom properly, pursuing her own personal good and its constitutive commitment to the common good. This sort of freedom just is self-realization or the perfection of one's agency.

Though each form of freedom is valuable, both juridical and moral freedom are subordinate to real and perfect freedom (*Works*, II.308–09). Real freedom is the regulative ideal of agency and

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<sup>16</sup> For some discussion of Greek commitments about the scope of the common good, see Brink, "Eudaimonism and Cosmopolitan Concern."

<sup>17</sup> In his *Lectures on the Principles of Political Obligation* Green discusses the role of the common good in grounding moral and political rights (§§25–26, 113–115, 138, 143). This aspect of Green's view is discussed in Brink, "Thomas Hill Green," §4.1.

<sup>18</sup> In the *Prolegomena* Green promises to discuss different conceptions or kinds of freedom (§100). However, as A.C. Bradley notes, the fulfillment of this promise was deferred to "Senses of Freedom" (*PE* §100n).

cannot be achieved without juridical and moral freedom, but neither is sufficient to produce real freedom (II.324). Green ends up endorsing a version of the Hegelian view that freedom is a matter of degree and that moral progress can be understood as the progressively more perfect realization of real freedom (II.324–30).<sup>19</sup>

## 7. Berlin's Critique of Positive Freedom

In “Two Concepts of Liberty” Berlin famously distinguishes between *negative* and *positive* liberty and criticizes various conceptions of positive freedom, including Green's (esp. 132–33, 141–54). Written in the aftermath of WWII and in the midst of the Cold War, Berlin associates negative freedom with liberalism and positive freedom with totalitarianism and authoritarianism. Freedom, he thinks, should be associated with negative liberty or juridical freedom. When authoritarian systems restrict liberty for the sake of other values and claim that they are doing so in the name of freedom, they abuse the concept of freedom, with pernicious results.

Berlin is reasonably clear about what negative freedom is—it is the *absence of interference and coercion by others* (121–22). For the most part, he regards Locke and Mill as liberal champions of negative freedom. It is not clear if any interference whatsoever by others compromises my negative freedom. A rival firm in a competitive but fair market may interfere with my ability to sell my inventory. But it is not clear that my rival deprives me of negative freedom. Perhaps it is only *wrongful* interference by another that jeopardizes my freedom. If so, it seems negative freedom must be moralized. Berlin does not explore the issues that this possibility raises.<sup>20</sup>

Berlin thinks that Mill is an inconsistent friend of negative liberty. He says that Mill sometimes understands freedom as the “ability to do as one wishes” (139). Whether or not Mill held this conception of freedom, it runs up against a problem of *adaptive preferences* (135–41). Individuals can and do adapt their preferences to their circumstances. Sometimes, this is innocent or even salutary, when one adjusts one's preferences to be more realistic about one's capacities and opportunities. I may dream of becoming a professional hockey player, but if my philosophical abilities far outstrip my athletic abilities, it might be best for me to adapt my preferences, pursuing an academic career in philosophy and a purely avocational interest in beer league hockey. However, at other times, people acquiesce in unreasonable constraints that others unjustly impose. Adaptive preferences can be problematic in the happy slave or the deferential spouse. If freedom were simply the ability to do as

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<sup>19</sup> For a helpful discussion of Hegel's conception of freedom, see Neuhaus, *Foundations of Hegel's Social Theory: Actualizing Freedom*. Though Green endorses the Hegelian idea that progress consists in the gradual realization of true freedom and the claim that true freedom can only be realized in a state that promotes the common good, he resists the Hegelian idea that the state has ontological or normative primacy. He claims that the primary kind of freedom is a property of individuals, even if it can only be fully attained through the institutions and laws of the state (*Works*, II.312–14). Though there are several Hegelian elements in Green's view, I agree with Sidgwick's assessment that Green is principally a Kantian. See Sidgwick, *Lectures*, 3. Perhaps more accurate still is Ritchie's assessment that Green “corrected Kant by Aristotle and Aristotle by Kant.” See Ritchie, *The Principles of State Interference*, 139–40.

<sup>20</sup> It is also not clear why the only impediments to negative freedom involve interference *by other agents*. We could imagine external constraints imposed by nature, as when a sudden flood prevents one from leaving one's house. This sort of external interference is not wrongful, as coercion or duress are, but it is not clear that this moral difference affects how the two forms of interference bear on one's freedom. This issue is related to an issue about how best to conceive of duress. Duress is excusing. It is common to conceive of duress as involving hard choice caused by the wrongful interference of other agents. As such, hard choice caused by natural circumstances cannot provide a duress excuse. But one might think that the duress excuse should be broadened to recognize hard choice, over which the agent has little or no control, no matter whether the source is man-made or natural.

one wants, with no concern for the way in which preferences are formed and maintained, then both the happy slave and the deferential spouse would be free.<sup>21</sup>

Notice that negative liberty, for Berlin, is focused exclusively on the absence of *external* compulsion by other individuals or the state. This, we saw, marks a stark contrast with Kant's conception of negative freedom in section III of the *Groundwork*, which focuses on the absence of inner compulsion. If we recognize only negative freedom in Berlin's sense, we have no resources to say that the person who is subject to irresistible impulses is unfree. If an addict lacks control over her cravings and is a slave to her addiction, she is perfectly free, under Berlin's conception of negative liberty.

By contrast, positive freedom is more elusive. It begins with the idea of self-determination or self-governance in which the rational part of one's soul is controlling. But the rational self is the true self, and the true self is realized in the perfection of one's rational nature (131–34, 141–53). Perfecting one's true or higher self may require limitations on negative freedom; liberty as license may be inimical to the development and expression of people's rational natures. If positive freedom is found in the development of our rational natures, then these forms of interference can be justified by appeal to freedom. Jean-Jacques Rousseau illustrates this paradox of positive freedom when he claims in *On the Social Contract* (1762) that when individuals leave the state of nature and agree to civil government that the general will “forces them to be free” (I.7). Though Berlin focuses primarily on the defense of positive freedom in Rousseau, Kant, Hegel, and Fichte, he clearly includes Green's perfectionism and “humane liberalism” within this tradition (133n, 150).

Berlin is a pluralist about value, recognizing that (negative) liberty is not the only value (169). As such, he recognizes that we must accept some limitations on liberty as noninterference for the sake of other goods, such as equality, justice, or happiness (125). But these are best understood as permissible ways of achieving other important goods, despite the cost in freedom, rather than as means of promoting (positive) freedom.

This monstrous impersonation, which consists in equating what X would choose if he were something that he is not, or at least not yet, with what X actually seeks and chooses, is at the heart of all political theories of self-realization. It is one thing to say that I may be coerced for my own good which I am too blind to see: this may, on occasion be for my benefit; indeed it may enlarge the scope of my liberty. It is another to say that if it is in my good, then I am not being coerced, for I have willed it, whether I know it or not, and am free (or ‘truly’ free) even while my poor earthly body and foolish mind bitterly reject it, and struggle against those who seek however benevolently to impose it, with the greatest desperation. (133–34)

Berlin seems to think that justifying interference in the name of positive freedom is, at best, misleading and, at worst, dishonest. It is *misleading* if it leads us to overlook the real costs to freedom of pursuing other goods, even when that interference is justified on balance. It is *dishonest* if it claims that positive freedom is true freedom and denies the costs to negative freedom in pursuing other goods. Dishonesty is *pernicious* insofar as makes us acquiesce in authoritarian measures in the name of freedom.

## 8. Defending Green Against Berlin

Though we should certainly not underestimate the importance of negative freedom, Berlin's critique of positive freedom and of Green is problematic. We get a fuller appreciation of Green's

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<sup>21</sup> For a nice discussion of the problems that the adaptive preferences of the deferential spouse pose for autonomy, see Westlund, “Selflessness and Responsibility for the Self: Is Deference Compatible with Autonomy?”

conception of freedom if we supplement his discussion in “Senses of Freedom” with his discussion in “Liberal Legislation and Liberty of Contract” (1881).

First, Green does not say that interference, when permissible, involves no costs in terms of freedom, because he *does not eliminate* negative freedom in favor of positive freedom. For Green, as we have seen, negative liberty as noninterference is embodied in juridical freedom, and juridical freedom is an important and legitimate part of freedom.

But juridical freedom does not exhaust freedom for Green, as it does for Berlin. He puts the point this way in “Liberal Legislation.” “Thus, though of course there can be no freedom among men who act not willingly but under compulsion, yet on the other hand the mere removal of compulsion, the mere enabling a man to do as he likes, is in itself no contribution to true freedom (*Works*, III.371).” Green, we saw, also recognizes moral freedom and real or perfect freedom. Moral freedom is the capacity for reasons-responsive conduct, and real or perfect freedom is the proper exercise of this capacity, resulting in self-realization and its commitment to the common good. These forms of freedom involve positive freedom. Even if Green does not ignore negative freedom, his recognition of positive freedom may seem potentially misleading or dishonest.

However, Green thinks that all three kinds of freedom are aspects of self-determination (“Senses of Freedom,” *Works*, II.315–16). First, self-determination requires juridical freedom, because it requires the absence of external compulsion. Coercion and duress interfere with self-determination by impairing an agent’s opportunities to exercise the normative capacities that make her morally free. Second, self-determination also requires moral freedom, because it requires the absence of internal compulsion or determination by one’s impulses and passions. If the self is a rational agent, capable of setting ends and conforming to them, then irresistible impulses and passions prevent self-determination. Slavery to another is incompatible with self-determination. But, equally, slavery to one’s own passions and desires is incompatible with responsible agency. A self that is free in the sense of morally responsible must be capable of stepping back from her passions and desires and conforming her conduct to the reasons that she recognizes.

Both juridical freedom and moral freedom are essential to responsibility. Responsibility depends on an agent’s normative capacities and her opportunity to exercise them free from undue interference with others. We can see this because significant impairment of either the agent’s capacities or her opportunities is excusing. Whereas juridical freedom depends on the agent’s opportunities, moral freedom depends on her capacities. If so, then self-determination as responsibility requires both juridical and moral freedoms.

Third, if self-determination involves determination by my rational self, then it requires self-realization and real freedom. Here, we should remember Green’s Kantian claim that rational nature provides not only the ground of duty but also its content. Moral personality and freedom involve a will that has reasons-responsive capacities. But then self-determination should be expressed in activities that reflect and realize these superior principles (*PE* §§175, 180, 199, 234, 238–39, 247, 283). Full or complete self-determination requires not just the capacity to be guided by reasons but its exercise. This is an *aretaic* sense of self-determination. On Green’s view, this kind of self-determination and self-realization involve a constitutive commitment to a cosmopolitan concern for the common good.

In these ways, Green believes that juridical freedom, moral freedom, and real or perfect freedom all involve aspects of self-determination. Full or complete self-determination involves real or perfect freedom, which itself requires both moral and juridical freedom. Negative liberty is juridical freedom, and it is only one part of self-determination. Self-determination also requires positive freedom in the form of the normative capacities constitutive of moral freedom and in the form of the aretaic exercise of these capacities in real or perfect freedom. Positive freedom is not oxymoronic, as Berlin alleges. It refers to demands of self-determination that go beyond negative freedom.

Juridical freedom and, hence, negative liberty is an important aspect for freedom, but it does not exhaust freedom. This can be seen in Green's contributions to liberalism. Green's perfectionist liberalism was influential in the formation of a New Liberalism in late 19<sup>th</sup> century Britain.<sup>22</sup> Green is a liberal, because he is committed to a largely secular state, democratic political institutions in which the franchise is widespread, private property rights, market economies, equal opportunity, and a variety of personal and civic liberties. The Old Liberalism that dominated British politics in the first half of the 19<sup>th</sup> century prized negative liberty. It sought to undo state restrictions on liberties and opportunities and was expressed in the repeal of the Corn Laws, opposition to religious persecution, and several electoral reforms that extended the scope of the franchise to include the rural and urban poor. By contrast, the New Liberalism that developed in the second half of the 19<sup>th</sup> century claimed that the defense of liberty and opportunity had to be supplemented by social and economic reforms in labor, health, and education to address the effects of social and economic inequality.<sup>23</sup> Green was viewed by many as an important intellectual source for the New Liberals. He supported (1) regulation of labor contracts to limit workplace hours and factory conditions (*Works*, II.515; III.365–69, 373), (2) measures to provide greater opportunities for agricultural workers to own land (*Works*, II.515, 532–34; III.377–82), (3) public health and safety regulations (*Works*, II.515; III.373–74), (4) education reforms, improving access to elementary, secondary, and higher education, regardless of socioeconomic status (*Works*, II.515; III.369, 387–476; V.285–86, 326–28), and (5) the improvement of educational and economic opportunities for women (*PE* §267; *Works*, V.326–28). Many of these parts of the New Liberal platform restrict negative liberty, either directly or indirectly. Green can and does think these liberal reforms are necessary to promote real or perfect freedom (*Works*, III.370–71).

Green's liberalism is a perfectionist liberalism in which the state aims to promote the self-realization of its citizens, and this gives the state a number of positive duties in relation to its citizens. But the importance of juridical freedom to self-realization means that the state's positive role is restricted to *enabling* its citizens to perfect themselves. In "Liberal Legislation" Green insists "it is the business of the state, not indeed directly to promote moral goodness, for that, from the very nature of moral goodness, it cannot do, but to maintain the conditions without which a free exercise of the human faculties is impossible (*Works*, III.374)."

Here, we might compare Green's claim with Kant's insistence in the *Metaphysics of Morals* (1797) on a self/other asymmetry in which we must aim at our own perfection but at the happiness, rather than the perfection, of others. In explaining this asymmetry, Kant writes:

So too, it is a contradiction for me to make another's *perfection* my end and consider myself under an obligation to promote this. For the *perfection* of another human being, as a person, consists just in this: that he *himself* is able to set his end in accordance with his own conception of duty; and it is self-contradictory to require that I do (make it my duty to do) something that only the other himself can do." (6:386)

Green makes sense of Kant's admonitions against aiming at the perfection of another by interpreting them as constraints on *how* we aim at the perfection of others.<sup>24</sup> Given the role of one's own agency

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<sup>22</sup> See Richter, *The Politics of Conscience*; Nicholson, *The Political Philosophy of the British Idealists*, ch. 5; and Brink, *Perfectionism and the Common Good*, §XIV.

<sup>23</sup> For discussion of the New Liberalism, see Freedman, *The New Liberalism: An Ideology of Social Reform*; Clarke, *Liberals and Social Democrats*; Collini, *Liberalism and Sociology: L.T. Hobhouse and Political Argument in England 1880–1914*; and *The New Liberalism*, ed. A. Simhony and D. Weinstein. For an excellent discussion of the moral and political philosophy of the British idealists and its significance for the New Liberalism, see Nicholson, *The Political Philosophy of the British Idealists* and Mander, *British Idealism: A History*.

<sup>24</sup> For discussion, see Hurka, *Perfectionism*, 152–53 and Brink, "Normative Perfectionism and the Kantian Tradition."

in one's perfection, I can't perfect others any more than I can win competitive races for them. But just as I can help another to win a race by training with her, discussing strategy, and sharing nutritional tips, so too I can help others perfect themselves by helping them develop their normative competence and deliberating with them, identifying options, discussing the comparative merits of these options, and providing them with opportunities to exercise their normative powers. I can help others perfect themselves, just not in ways that bypass their agency. In this way, Green realizes that the role of juridical freedom in self-realization places limits on the paternalistic powers of the state.<sup>25</sup>

Though the Old Liberals see themselves as the advocates of freedom, Green thinks that progressive liberals have a claim to being liberals in the fullest sense, because only a mix of negative and positive reforms can enable the perfection and self-realization of its citizens and, hence, true freedom. One need not appeal to positive freedom to endorse the New Liberalism. A libertarianism founded on negative liberty must reject the reforms of the New Liberalism. But Berlin is a pluralist, not a libertarian. He thinks that negative liberty can sometimes be restricted for the sake of other values, such as equality, justice, security, and happiness. Berlin must claim that the reforms of the New Liberalism are justifiable, if at all, in spite of its costs to freedom. But if we think that negative freedom is incomplete and only a proper part of freedom as self-determination, then we can defend Green's progressive conception of liberalism and some of the reforms of the New Liberalism in terms of the very same value that animated the Old Liberalism.

## 9. Freedom, Respect, and Esteem

Negative or juridical freedom is not valuable for its own sake; it is valuable for what it permits us to do. But both moral freedom and perfect freedom are valuable for their own sakes. Both are aspects of moral personality or rational nature. We saw that for Kant this makes them objective ends (4:428–29), and objective ends grounded in moral personality have dignity, and not just price (4:434–35). Respect (*Achtung*) is the attitude that is fitting for something that has dignity, an idea expressed in the *Metaphysics of Morals* (6:436, 462).

But a human being regarded as a *person*, that is, as the subject of a morally practical reason, is exalted above any price; for as a person he is not to be valued merely as a means to the ends of others or even to his own ends, but as an end in itself, that is, he possesses a *dignity* (an absolute inner worth) by which he exacts *respect* for himself from all other rational beings in the world. He can measure himself with every other being of this kind and value himself on a footing of equality with them. (6:434–35)

Agents who have moral freedom in the form of moral personality and capacities for reasons-responsiveness possess this sort of dignity and are owed respect (5:76–87).

The ground of respect is moral freedom, in Green's sense, or the capacity for positive freedom, in Kant's sense. Respect is an attitudinal recognition of moral personality and the distinctive moral status that it represents. Only free and responsible persons are moral agents. Because Kant thinks that all normal adults have sufficient capacities for recognizing and conforming to the requirements of practical reason, he is an egalitarian about respect. In particular, he thinks that an agent merits respect whether she exercises her capacities for practical reason well or not (6:462). So moral freedom, in Green's sense, is both necessary and sufficient for respect.

While respect is tied to moral freedom and capacities for reasons-responsiveness, esteem (*Hochschätzung*) is tied to real or perfect freedom and how well the agent exercises those capacities, in particular, how much her choices and conduct conform to and are guided by practical reason. How well someone exercises her capacities for practical reason and, hence, how much she is guided by practical reason determines her level of moral worth (*sittlichen Wert*) or virtue (*Tugend*). Because

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<sup>25</sup> For some further discussion, see Green, *LPPO* §§207–210.



moral worth or virtue is the ground of esteem, an agent deserves more or less esteem depending on how well she exercises her reasons-responsive capacities and how much real freedom she achieves (4:398).<sup>26</sup> Real freedom is the aretaic dimension of freedom.

Whereas moral freedom appears to be a binary concept, real freedom is scalar, not binary.<sup>27</sup> This means that whereas respect is owed *equally* to all moral persons, esteem is *variable*.<sup>28</sup> We see this difference, Kant thinks, in fitting attitudes toward agents. Any agent with sufficient moral powers is owed respect, and we have the same reason to respect the sinner as we do the saint. Both have a special moral status as persons.<sup>29</sup> But although the sinner and saint possess moral freedom equally, the saint makes better use of it than the sinner. The saint exhibits more real freedom than the sinner and deserves greater esteem. Because agents do not exercise their normative powers equally well, the distribution of esteem should be variable.

These two kinds of freedom and their fitting responses capture two different kinds of value that freedom or self-governance can have. Moral freedom confers a special status on those who possess it. Other animals have negative or juridical freedom. But only beings with moral personality and reasons-responsive capacities are moral agents. This is an important status and an important form of self-determination. But it is a limited kind of value. If someone never exercised her capacities for practical reason or always exercised them poorly, she would not display real freedom and we should regard her form of self-governance as imperfect. Her virtue would be imperfect (6:409). For freedom as self-governance to be a virtue and an accomplishment, moral freedom must be exercised well.

## 10. Perfect Freedom, Grace, and Dignity

This conception of real or aretaic freedom as an agent's guidance by practical reason is, so far, agnostic about the form that this guidance might take. It is worth contrasting two conceptions of the rational guidance required by aretaic freedom.

On one conception, an agent might conform to practical reason and practical reason might guide her conduct provided she treats the demands of practical reason as *dispositive*, that is, as settling the practical question of what to do, regardless of her inclinations. On this view, an agent displays real or aretaic freedom when she allows herself to be guided by practical reason, even contrary to her other inclinations. Real or aretaic freedom can be achieved, on this conception, despite disagreement between her rational and empirical selves.

On another conception, full or complete guidance by practical reason requires *harmony* between her rational and empirical selves. An agent is only fully free, on this conception, when her

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<sup>26</sup> In "Two Kinds of Respect" Darwall distinguishes recognition respect and appraisal respect, which tracks this Kantian distinction between respect and esteem.

<sup>27</sup> On plausible conceptions of moral freedom in the reasons-responsive and fair opportunity traditions, it comes in degrees as well. See, e.g., Nelkin, "Difficulty and Degrees of Moral Praiseworthiness and Blameworthiness" and Brink, *Fair Opportunity and Responsibility*, ch. 15. This means that freedom and responsibility are not essentially binary concepts, but it does not settle the question whether there are pragmatic reasons for recognizing thresholds. For some relevant discussion, see Arneson, "What, If Anything, Renders All Humans Morally Equal?"

<sup>28</sup> In his discussion of autonomy, Feinberg distinguishes between autonomy as capacity and as condition or ideal and claims that even if autonomy as capacity is a threshold concept, autonomy as condition or ideal is scalar and variable. See Feinberg, *Harm to Self*, 28–31. He does not link these different aspects of autonomy with different fitting attitudes. In his discussion of autonomy, Knutzen distinguishes between responsibility and aretaic dimensions of autonomy, understanding the former as a capacity and the latter as the proper exercise of this capacity. He does mention links between the responsibility dimension and recognition respect and the aretaic dimension and appraisal respect. See Knutzen, "The Trouble with Formal Views of Autonomy."

<sup>29</sup> Connections among personality, respect, and punishment are explored in Morris, "Persons and Punishment."

passions and appetites agree with practical reason and provide affective and conative reinforcement, rather than resistance, to her judgments about how she ought to act.

We can see these two different conceptions of aretaic freedom by attending to Kant's claims about the good will. As we saw earlier, the good will is a will that conforms to duty (the demands of practical reason) for the sake of duty (4:397). To illustrate the good will, Kant considers various people whose actions conform to duty (4:397–98).

1. The prudent shopkeeper for whom honest dealing is the most prudent policy
2. The honest shopkeeper for whom honest dealing is what morality requires
3. The person who is beneficent from sympathy
4. The sorrowful agent who resists suicide, though he has no desire to live
5. The person who is beneficent because it is his duty, despite the fact that personal sorrows have deadened his sense of sympathy
6. The person who is beneficent because it is his duty, despite congenital indifference to the plight of others

It is not surprising that Kant locates the good will in the honest shopkeeper, rather than the prudent shopkeeper. But his claims about the other examples are more surprising. He denies that the sympathetic benefactor displays a good will, and he insists that the other three individuals—who are *grudging moralists*—all display a good will.

The good will does not require indifference or contra-moral sentiments; it is just that its operation is especially clear in such cases (4:397, 425–26). The problem with the sympathetic benefactor is not the presence of sympathy per se, but rather the fact that sympathy is what determines the agent's will. This is a problem, Kant thinks, because the coincidence between sympathy and duty is accidental and unreliable (4:398). In other cases, sympathy might prevent one from doing one's duty, such as punishing a wrongdoer, requiring a child to undergo a painful but necessary medical treatment, or disclosing something important but hurtful to a friend. If so, there is nothing wrong with performing beneficent actions that express one's sympathy, provided one's sympathetic sentiments are suitably *regulated* by correct moral beliefs.<sup>30</sup>

Kant's claims about the sympathetic benefactor are not problematic, but his claims about the grudging moralists are. Even if pro-moral sentiments need not taint a good will and a good will does not require indifference or contra-moral sentiments, it is nonetheless true that Kant thinks that the grudging moralists can and do display a good will. But the grudging moralists display a kind of psychic disharmony that renders their conduct *continent*, rather than virtuous.

Aristotle draws these distinctions clearly in the *Nicomachean Ethics*. According to Aristotle, the virtues of character concern both the part of the soul that has reason and the part that obeys reason (1098a3–5, 1102b13–1103a3). In particular, virtue is the condition in which the non-rational part of the soul that can obey reason does so and *harmonizes* with rational choice (1102b25–8). Whereas in the virtuous person there is agreement between the rational and non-rational parts of the soul in pursuing the right ends, in the merely continent person the rational and non-rational parts of the soul disagree, but the rational part subordinates the non-rational part. Whereas Kant's grudging moralists display a good will, Aristotle would presumably regard them as merely continent, rather than virtuous. We might admire the extra moral effort exerted by the grudging moralist to conform to duty, despite his strong contrary inclinations. But his lack of psychic harmony seems to reveal incomplete or imperfect guidance by practical reason.

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<sup>30</sup> For discussion of these issues, with which I am sympathetic, see, e.g., Herman, *The Practice of Moral Judgment*, ch. 1; Wood, *Kantian Ethics*, ch. 2; Baxley, *Kant's Theory of Virtue*, ch.1; and DeWitt, "Respect for the Moral Law" and "Feeling and Inclination: Rationalizing the Animal Within."

Schiller makes this Aristotelian criticism of Kantian freedom in his essay “On Grace and Dignity.” Schiller’s criticism is especially relevant to our purposes because he sees this as a friendly amendment to Kant’s conception of moral worth and freedom. Like Green, Schiller sees himself as a Kantian concerned to defend the spirit, though not always the letter, of Kantian commitments. Schiller attends to the aesthetic dimension of morality, insisting that Kantian moral worth or dignity (*Würde*) should be complemented and perfected by grace (*Anmut*). He contrasts three possible relations between an agent’s rational and empirical selves (147).

1. Reason subordinates passion and inclination.
2. Reason is subordinated to passion and inclination.
3. Passion and inclination harmonize with reason.

Schiller recognizes that the subordination of reason to passion and inclination is inimical to virtue and freedom. Both virtue and freedom require guidance by rational nature. When reason subordinates passion and inclination, it displays dignity. For this reason, Kant’s grudging moralists display dignity. But grace requires psychic harmony.<sup>31</sup> The harmony that grace requires involves passion and inclination not only following or conforming to reason but also agreeing with reason and reinforcing it motivationally (149). Kant’s grudging moralists fail to display grace. Grace displays both freedom and perfection, and this sort of grace is required for virtue and aretaic freedom (149).

Kant tries to minimize his disagreement with Schiller. In *Religion Within the Boundaries of Mere Reason* (1793) Kant insists that he and Schiller are in agreement on fundamental principles (6:23n). However, while Schiller’s conception of grace may be Kantian, its requirement of psychic harmony goes beyond Kant’s claims about positive freedom and moral worth. Nor does Kant transcend these limitations in his conception of moral worth when he later develops his conception of virtue. In that part of *The Metaphysics of Morals* concerned with the *Doctrine of Virtue* Kant identifies virtue with *autocracy* (*Autokratie*)—a moral strength of will in the face of recalcitrant emotions and inclinations in which practical reason controls and “subdues” emotions and appetites when they “rebel against the law” (6:383, 394, 405, 407–8). Psychic agreement is still absent from Kant’s conception of virtue. By contrast, Schiller’s conception of grace insists on such agreement as a condition of virtue and aretaic freedom.<sup>32</sup>

Green’s conception of real or perfect freedom embraces Schiller’s conception of grace. It is not clear if Green was familiar with Schiller’s work. Nonetheless, his “Senses of Freedom” essay develops Schillerian ideas. In particular, he thinks that proper self-realization involves the harmonious regulation of passion and inclination by reason. “[T]he self-realising principle must carry its work farther [than the imposition of reason on the “animal system”]. It must overcome the ‘natural impulses,’ not in the sense of either extinguishing them or denying them an object, but in the sense of fusing them with those higher interests, which have human perfection in some of its forms for their object (*Works*, II.327).”

Reason, passion, and inclination are all parts of the self, but reason is the superior principle. If so, then perfect freedom as self-determination and self-realization should involve the harmonious adaptation of passion and inclination to the demands of practical reason. This is Schiller’s conception of grace. For Green, freedom and perfection come in degrees (*Works*, II.329). As a result, perfect freedom requires grace and not just dignity.

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<sup>31</sup> Schiller also associates this sort of harmony between reason and sentiment with an aesthetic ideal and freedom in *Aesthetic Letters*, for instance, Letter 17. For some relevant discussion, see Beiser, *Schiller as Philosopher* and Skorupski, *Being and Freedom*, 158–66.

<sup>32</sup> For discussion, see Baxley, *Kant’s Theory of Virtue*, ch. 3.

## 11. Concluding Remarks

We have been reconstructing and assessing a complex historical narrative about different conceptions of freedom and their ethical significance in Kant, Green, and their critics, focusing especially on Green's perfectionist conception of freedom. This narrative has both historical and systematic import. Its historical import lies in bringing different philosophical traditions and figures into dialogue with each other, allowing us to appreciate both common ground and disagreement. Its systematic import lies in helping us adjudicate some disagreements about freedom and identify a promising perfectionist conception of freedom that allows us to unify different aspects of freedom in a principled way.

The narrative began with Kant's tripartite distinction between negative freedom, positive freedom, and transcendental freedom, claiming that practical freedom (the combination of negative and positive freedom) requires transcendental freedom. Fortunately, practical freedom does not require transcendental freedom. All subsequent interlocutors in the narrative focus on one or more aspects of practical freedom.

Sidgwick criticizes Kant's conception of positive freedom as conformity to practical reason because it cannot explain how the sinner and saint are equally free and responsible. However, Green defends the spirit, if not the letter, of Kant's conception of freedom by identifying freedom as responsibility—moral freedom—as consisting in *the capacity* to conform to the requirements of practical reason. This is part of Green's own tripartite conception of freedom, which he articulates in response to worries about Kant and reflection on the limits of a purely laissez-faire conception of liberalism. Freedom, for Green, has three faces or aspects—juridical freedom, moral freedom, and perfect freedom. All three are aspects of moral personality and rational nature. The juridical freedom, prized by laissez-faire liberals, is important because coercion and interference by others compromise one's fair opportunity to give expression to one's practical agency. Moral freedom is important because reasons-responsive capacities are essential to freedom as responsibility. Perfect freedom is important, because unless we exercise our reasons-responsive capacities well our self-determination will be incomplete. The aretaic dimension of freedom requires the other forms of freedom but insists on the correct use of the capacities constitutive of moral freedom. In this way, Green offers a principled pluralism about freedom that recognizes three dimensions of freedom united by their contributions to self-determination and grounded in moral personality.

We can connect these different conceptions of freedom with different fitting attitudes and values. Respect is the recognition and fitting response to an agent insofar as she has moral freedom, and it is the appropriate response to any agent with sufficient reasons-responsive capacities. These are the capacities that make us moral agents. Esteem is the recognition and fitting response to an agent insofar as she possesses aretaic freedom, exercising her normative capacities well. Whereas the distribution of respect among the morally free should be equal, the distribution of esteem among the morally free should be variable, reflecting differences in how well or fully they exercise their normative capacities. Moral freedom is necessary and sufficient for having the status and value of a moral agent, whereas the aretaic dimension of self-determination requires real freedom.

When we appreciate how Green thinks that perfect freedom is part of self-realization, we can see why he would agree with Aristotle and Schiller, against Kant, that aretaic freedom requires the sort of psychic harmony and agreement characteristic of grace, and not just dignity.

Though Green is not uncritical of Kant, his perfectionist conception of freedom is recognizably Kantian. It draws on Kantian resources about practical freedom; it provides plausible solutions to problems Kant's own conception faces about the connections between freedom and responsibility and the aretaic dimension of responsibility; it explains Kant's claims about the way in which respect and esteem are fitting responses to different aspects of freedom; and it explains the limits of negative liberty. Green's perfectionist conception of freedom allows us to explain freedom and its normative

significance in a unified and principled way that is grounded in a conception of moral personality or rational nature.<sup>33</sup>

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<sup>33</sup> This essay originated in a seminar that Dick Arneson and I taught on freedom and its limits in 2020. I benefitted from the opportunity to make significant revisions in 2022 while I was a Visiting Fellow at All Souls College, Oxford and to workshop the paper at the Oxford Moral Philosophy Seminar in 2022. I would like to thank Lucy Allais, Dick Arneson, Samantha Berthelette, Zack Brants, Aaron Chipp-Miller, Roger Crisp, Cory Davia, Janelle DeWitt, Jeremy Fix, Min Heo, Terence Irwin, Kathryn Joyce, Jonathan Knutzen, Paul Lodge, Peter Nicholson, Sam Ridge, Ahmed Siddiqi, Andy Sin, Tom Sinclair, Anthony Skelton, John Skorupski, Manuel Vargas, Eric Watkins, David Weinstein, and two anonymous reviewers for this journal for helpful discussion.

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