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Kant on Lying in Extreme Situations

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Abstract: A crucial issue in normative ethics concerns the morality of lying. Kant defends the view that the duty to not lie does not allow for any exceptions in practical judgments: it *never* is a person's right or duty to lie. Many people abhor this view. Kantians have tried to make sense of Kant's view (and save Kantian moral philosophy) by suggesting Kantian interpretations that are less strict. I reject the attempts to nuance the strictness of Kant's view. I break new ground by arguing that Kant's view is best made sense of by taking his strict stance seriously. I focus on his doctrine of virtue account against lying.

Kant is not *always* strict on the interpretation of duties. As regards other duties he does leave (limited) room for exceptions. The strictness of the duty to not lie therefore is a special case intrinsically connected to key aspects of his fundamental philosophy. My explanation of the doctrine of virtue account starts out by focusing on the inner lie. For Kant each and every inner lie is problematic because *being truthful* is a condition and an integral part of the moral *Denkungsart*; i. e., way virtue manifests itself in the empirical world. Hence, an inner lie must be interpreted as the destruction of freedom and personhood. Kant's doctrine of virtue view on the inner lie also implies a strict view on the *outer* lie. Developing this implication requires the analysis of Kant's view on human self-knowledge and their propensity to evil.

Keywords: Kant, lying, expedience, personhood, moral *Denkungsart*, propensity to evil

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1 Introduction¹

A crucial issue in normative ethics² (both ethics proper and applied ethics) concerns the morality of lying.³ It is broadly agreed upon that the principle to not lie is not easily set aside by other principles or considerations. This is not surprising. “Thou shalt not lie” is and has always been a core moral principle in both Western culture and moral philosophy.⁴ Still, most people (today) are convinced that at some point *every* substantive moral principle (such as do not lie) must allow for exceptions; even if only in extreme cases. *Expedience* means that in particular circumstances an agent must have legitimate room to judge that a given principle – however important, generally speaking – should not be obeyed in this instance⁵ (at least not in terms of external action).⁶ An obvious reason for the need for expedience in (concrete) judgment, is that we cannot exclude the possibility that in some (extreme) sets of circumstances *another* moral principle is more important (i. e., has a higher ground of obligation⁷) and that hence, an agent must obey that moral principle (in their outer actions).⁸

1 I would to thank the reviewers and Thomas Mertens, Maureen Sie, Roos Slegers, Bert van de Ven, Willem van der Deijl, Luc van Liedekerke and especially Donald Loose and Herman van Erp for their helpful comments on draft versions of the article.

2 See: Hill jr., Thomas E. “Kant’s Tugendlehre as normative ethics”, in *Kant’s metaphysics of morals. A critical guide*. Edited by Lara Denis. Cambridge 2010, 234–255.

3 See: Korsgaard, Christine M.: “What’s wrong with lying?” in *Philosophical Inquiry. Classic and Contemporary Writings*. Edited by Jonathan E. Adler and Catherine Z. Elgin. Indianapolis 1988, 577 f; O’Neil, Collin: “Lying, trust, and gratitude,” *Philosophy and Public Affairs* 40, 2012, 301–333.

4 E.g., Annen, Martin: *Das Problem der Wahrhaftigkeit in der Philosophie der Deutschen Aufklärung. Ein Beitrag zur Ethik und zum Naturrecht des 18. Jahrhunderts*. Würzburg 1997; examples: Augustinus, Aurelius: *Liegen en leugens. De mendacio & contra mendacium*. Edited by Paul van der Geest, translated by Vincent Hunink. Budel 2010 [395 and 420]; Plato: *Republic*, edited, translated and introduced by Robin Waterfield. Oxford 1993 [383 BC], 382 A–B.

5 An exception must not be thought of as a matter of arbitrariness but as interpreting a principle in terms of its build-in exceptions, given its place in the system of duties.

6 Barbara Herman makes the distinction between *acknowledging* a principle as valid in one’s maxims and *obeying* a principle in one’s external actions. In case of “exceptions” a principle can still be acknowledged as valid; it just cannot be obeyed in outer action. (See Herman, Barbara E.: “The practice of moral judgment,” in *The Practice of Moral Judgment*. Edited by Barbara Herman. Cambridge (Mass) 1993, 79 ff.

7 MS, AA 06: 224.25.

8 The claim that there is no expedience in lying can be interpreted in three ways. It can mean that in no concrete situation another moral principle can trump the prohibition. Hence, lying can never be *justified*. It can also be interpreted as saying that in no concrete situation, an agent can *excuse* their lying, i. e., the agent can never have justified hope that their violation of the principle will not be imputed on them, because in the given situation the conditions of the application of the princi-

Many people think that with the duty to not lie, it is the same.⁹ There must be at least some situations (however rare, unlikely or extreme) in which reasonable moral agents have to judge that lying becomes permissible or perhaps even a duty. Church father Augustine [395–420] took a particular interest in the duty of lying and its possible exceptions.¹⁰ He constructed many extreme examples and asked time and again whether lying in these (extreme) cases was permitted or perhaps even a duty. In one of his examples, he staged a Christian son who has to watch his screaming father being tortured by heathens. These heathens tell the son that they will immediately stop torturing his father, if only he is prepared to publicly renounce Christ.¹¹ Augustine asked whether this son is then allowed to lie about being a Christian. Many people today will find that this example perfectly illustrates that at least in some extreme circumstances lying is justified. Many moral philosophers – non-Kantians and Kantians alike – agree with this judgement. For example, Tamar Shapiro stated that it seems “morally myopic” to refrain from lying in extreme circumstances.¹² Reinhardt Brandt stated that “the compass of the Categorical Imperative loses its orientation in cases like this (translation by author)”.¹³

Yet, Kant stated:

To be truthful (honest) in all declarations is, therefore, a sacred and unconditionally commanding law of reason that admits of no expedience whatsoever.¹⁴

And again:

ple were not met. It can also be interpreted as saying that the agent cannot hope for *grace* i. e., there is no possibility that on the basis of the circumstances of the case the agent may have hope whatsoever that they will be forgiven. In this paper I focus on the impossibility to *justify* lying. Yet it will be clear in the end that Kant's stance implies that he also vehemently rejected making excuses in case of lying. On the relation between lying and grace, see: Dubbink, Wim: “Liegen en het genade-oordeel bij Kant.” *Algemeen Nederlands Tijdschrift voor Wijsbegeerte* 114 (2), 2022, 152–164.

9 See: Hill Jr., Thomas and Arnulf Zweig: “Editorial notes on the text,” in: Kant, Immanuel: *Groundwork for the Metaphysics of Morals*. Edited and translated by Thomas E. Hill, Jr., and Arnulf Zweig. Oxford 2002, 263.

10 Augustinus, Aurelius: “Liegen en leugens”.

11 Augustinus, Aurelius: “Liegen en leugens”, 59.

12 Schapiro, Tamar: “Kantian Rigorism and Mitigating Circumstances.” *Ethics* 117 (1), 2006, 32–57; 32.

13 Brandt, Reinhardt: “Der Kategorische Imperativ – gültig überall und immer?” in: *Immanuel Kant – Was bleibt?* [Chapter III.] Hamburg 2010, 87–125; 117.

14 VRML, AA 08: 427.24–26: “Es ist also ein heiliges, unbedingt gebietendes, durch keine Convenienzen einzuschränkendes Vernunftgebot: in allen Erklärungen wahrhaft (ehrlich) zu sein.”

[Untruthfulness] [...] is the propensity to the use of a means (the lie) that is good to nothing whatsoever, regardless to whatever end it is used, because it is evil in itself and reprehensible.¹⁵

And again:

Whether a white lie can ever be permitted? No! There is no conceivable case in which these can be excused [...].¹⁶

Unlike many, Kant thus stated that the prohibition against lying does not allow for any expedience *whatsoever*. In the following we will speak of Kant's view on the duty to not lie as having no expedience in concrete cases as his "strict view". Kant's strict view has surprised Kantians and non-Kantians alike.¹⁷ Korsgaard speaks of it as "grotesque".¹⁸ Kantians also worry about the negative effect Kant's strict view might have on the perception of Kantian thinking in general. Gillespie goes as far as to speak of "the great stumbling block to [the] acceptance [of Kant's moral philosophy] as a true account of morality".¹⁹ Kerstein explains these worries.²⁰

15 MpVT, AA 08: 270.24–26: "[L]ügenhaftigkeit [ist] der Hang [...] zum Gebrauch eines Mittels (der Lüge), das zu nichts gut ist, zu welcher Absicht es auch sei, weil es an sich selbst böse und verwerflich ist."

16 Päd, AA 09: 490.15–17: "[O]b wohl eine Nothlüge erlaubt sei? Nein! es ist kein einziger Fall gedenkbar, in dem sie Entschuldigung verdiente [...]." Note: in the original German text Kant speaks of a lie out of necessity. The Dutch translator (Ernst Otto Onnasch) changed that into "white lie". It seems reasonable given the context. The text is about teaching children not to lie and children will hardly ever be in circumstances that call for a lie out of necessity, strictly speaking. Besides, in the next sentences Kant uses the context of white lies to explain his previous statement.

17 Hofmeister, Heimo E.M.: "Truth and Truthfulness: A reply to Dr. Schwarz." *Ethics* 82 (3), 1972, 262; see literature reviews in: Annen, Martin: *Das Problem der Wahrhaftigkeit in der Philosophie der Deutschen Aufklärung*; Mertens, Thomas: "On Kant's Duty to Speak the Truth." *Kantian Review* 21 (1), 2016, 27–51.

18 Korsgaard, Christine M.: "The right to lie: Kant on dealing with evil" [Chapter], in: *Creating the Kingdom of Ends*. Cambridge 1996, 133–157; 150 and 133. See also: Sussman, David: "On the supposed duty of truthfulness: Kant on lying in self-defense", in *The philosophy of deception*. Edited by Martin Clancy. Oxford 2009, 225–243; Varden, Helga: "Kant and Lying to the Murderer at the Door ... One More Time: Kant's Legal Philosophy and Lies to Murderers and Nazi's." *Journal of Social Philosophy* 41 (4), 2010, 403–421; Weinrib, Jacob: "The Judicial Significance of Kant's 'Supposed Right to Lie'." *Kantian Review* 13, 2008, 141–170; 141.

19 Gillespie, Norman: "Exceptions to the Categorical Imperative" [1974], in *Kant und das Recht der Lüge*. Edited by Georg Geisman and Hariolf Oberer. Würzburg 1986, 85–94; 86; See also: Cholbi, Michael: "The Murderer at the Door: What Kant Should Have Said." *Philosophy and Phenomenological Research* 79 (1), 2009, 17–46; 19; Wood, Alan W.: "Chapter 14: Lies," *Kantian Ethics*. Cambridge 2008, 240.

20 Kerstein, Samuel: "Munzel, Kant's Conception of Moral Character: The 'Critical' Link of Morality, anthropology and reflective judgment." Review of 'Kant's Conception of Moral Character: The 'Critic-

Kant's stance on the duty to not lie may signal a structural problem with Kantian morality. This is the case when his strict view is a *standard* consequence of a (mechanically) working Categorical Imperative Procedure.

Kantians have tried to nuance Kant's stance in many ways (see section 2) in order to make their philosophy more palatable. Special about this paper is that I aim to make sense of Kant's strict stance and defend it as something that should be included in the circle of views considered reasonable in a pluralist moral community. We can make sense of Kant's view by acknowledging that for him the duty to not lie is a special duty; both in the sense of it being an exception and a duty of extra-ordinary importance. For him, it is situated high up in the hierarchy of substantive duties. It is almost as important as the formal moral principle: the moral law itself (which is knowable to human beings as finite rational beings as the Categorical Imperative). The reason for its very special place is – generally speaking – the strong link between not lying and moral self-preservation²¹ or the preservation of personhood, which manifests itself in a particular way of truthful thinking (moral *Denkungsart*). It should be noted already that while Kant also is stern on “external lies” (i. e., a lie spoken by person A to person B), the real *pièce de résistance* concerns “truthfulness” or “internal lies” (i. e., a person lying to themselves about the true nature of their maxim for action).

My account of Kant's position on the duty is of interest to Kantian experts studying his moral philosophy. I will demonstrate how Kant's stance is deeply interwoven with fundamental aspects of his philosophy. As the duty to not lie is a special case in Kant's philosophy, his strict stance does not signal a rigorist normative ethics. The paper is also of value in the ongoing attempts to apologize for Kant's thinking on the matter and qualify it. When properly contextualized, Kant's stance cannot be so easily be dismissed as “grotesque”. Securing personhood is a common concern within the Western culture and thinking. We see this concern expressed in literature²² as well as in moral philosophy.²³ Moreover, the idea that the prohibition of lying is somehow a *special* duty (because of this relation to personhood), is also shared in Western thinking.²⁴ The Jewish Holocaust survivor Elisabeth Lang-

cal' Link of Morality, Anthropology and Reflective Judgment, by Munzel, G. Felicitas, in *Ethics* 112 (3), 2002, 634–637; See also: Hofmeister, Heimo E.M.: “Truth and Truthfulness: A reply to Dr. Schwarz.” *Ethics* 82 (3), 1972, 262–287; 262; Varden, Helga: “Kant and Lying to the Murderer at the Door”, 405.
21 MS, AA 06: 419.20.

22 See, e. g., Haasse, Hella S.: *De scharlaken stad*. Singel Pockets: Amsterdam 1952/1994, 398.

23 For example: Walzer, Michael: “Political Action: The Problem of Dirty Hands.” *Philosophy and Public Affairs* 2 (2), 1973, 160–180 and Annen, Martin: *Das Problem der Wahrhaftigkeit in der Philosophie der Deutschen Aufklärung*, 1.

24 Annen, Martin: *Das Problem der Wahrhaftigkeit in der Philosophie der Deutschen Aufklärung*.

gässer²⁵ stated that you should never stoop so low as to lie, not even – or indeed especially not – when facing the devil. That is exactly what sets humans apart from the devil as moral beings.²⁶ From a philosophical point of view, church father Augustine is a case in point. While struggling with the issue of lying²⁷ he still concluded (in his books) that a person can *never* lie.²⁸ The son should *not* lie to rescue his father. Augustine (and the 1000+ years tradition after him, including Thomas Aquinas) conceived of the duty to not lie as a special case. As with Kant, the inward aspect of lying is the worst part for Augustine: lying is bad because it implies the loss of a person's soul. Kant's stance on lying thus connects to more broadly shared intuitions and convictions (on personhood and the special nature of the duty to not lie). It therefore deserves to be included in the spectrum of views deemed worthy of in-depth reflection in a society that appreciates diversity of opinion about the evaluation of specific instances.^{29 30}

This paper's use of Kantian sources differs from most articles in normative ethics on Kant's stance on lying. Often, the point of departure is the 1797 paper "On the supposed right to lie".³¹ (see section 2). I take the *Metaphysics of Morals* (1997) as starting point. This seems a good idea as in Kant's architecture this metaphysical work constitutes the hinge between moral philosophy (proper) and normative ethics or "practical anthropology" as Kant would call it.³² We therefore get some idea of Kant's fundamental ethics while we also get a view on the (starting points) of Kant's normative ethics. We need to involve other works as well. First, as Manfred Kühn³³ points out, the *Metaphysics of Morals* is full of tension as Kant worked on it for decades. It contains both pre-critical and critical sections and these do not always harmonize well. Second, Kant is not as elaborate as he could have been in *explaining why* lying is such a big problem. A book that I will give extra attention, is the later, critical work *Religion within the Boundaries of Mere Reason* (1790). This makes sense as it is argued that many of the core ideas of the *Metaphysics* are

25 https://nl.wikipedia.org/wiki/Elisabeth_Langg%C3%A4sser

26 Schwarz, Wolfgang: "Kant's Refutation of Charitable Lies." *Ethics* 81 (1), 1970, 62–67.

27 See: Erika T. Hermanowicz: "Augustine on Lying." *Speculum* 93 (3), 2018, 699–726.

28 Augustinus, Aurelius: "Liegen en leugens".

29 Jonsen, Albert R. and Toulmin, Stephen: *The Abuse of Casuistry. A History of Moral Reasoning*. Berkeley, CA 1989, 123.

30 It is probably true to say that Kant did himself an ill service by referring to his own position in a footnote as a view seldom taken; VRML, AA 08: 425.24–26. If Kühn is right that Kant is a child of his time in terms of his thinking on substantive duties, it is probably not even true (see Annen).

31 VRML, AA 08: 427.24–26.

32 GMS, AA 04: 388.13.

33 Kuehn, Manfred, "Kant's *Metaphysics of Morals*: 'the history and significance of the deferral'", in *Kant's Metaphysics of Morals. A critical guide*. Edited by Lara Denis. Cambridge 2010, 7–27.

clearly inspired by the *Religion*.³⁴ Naturally, I will also involve other works in which Kant addressed the theme, such as the *Lectures*.^{35 36}

In section 2, I will reflect on previous attempts to make sense of the Kantian stance. In section 3, I will raise the issue how Kant's moral thought is related to normative ethics today. In section 4, I will give an overview of Kant's view on lying. In section 5–8, I discuss Kant's view of the duty to not lie, in the context of his systematic philosophy.

2 Alternative attempts to make sense of Kant's stance on lying

Other (Kantian) philosophers have tried to make sense of Kant's stance on the prohibition against lying (in extreme situations). Let me clarify the most important strategies while also explaining how my account differs from these strategies.

A first strategy is to distinguish between Kant as an historical figure and Kant's systematic philosophy. Using that distinction, it can be argued that in terms of his substantive moral thinking, Kant was a child of his times. Also, as he worked out his critical philosophy (fully) only later in life, he was not able to think through all its consequences for his substantive moral thinking. Had he been able to do so, he would have realized that he should have had to allow for expedience when it comes to judgments involving the duty of not lying. For example, Herbert Paton, focusing on the 1797 paper “on the supposed right”, famously argued that Kant was irritated,

³⁴ See also: Van Eekert, Geert: “De wet in het verkeerde licht gesteld. Kant over deugd, autocratie en de hang naar het kwaad.” *Tijdschrift voor Filosofie* 74, 2012, 65–101; 79, 81 and 92. Van Eekert argues that it is very remarkable that in MS Kant hardly ever refers to RGV while core themes of the book seem inspired by core ideas of the RGV.

³⁵ Kant also speaks about lying in the Groundwork (GMS, AA 04: 387–464). The most important reason not to involve this work is that it is not directly relevant for normative philosophy, i. e., practical anthropology; and certainly not for judgment on cases. Kant himself is clear about this (GMS, AA 04: 388, 389.04–06, 392) while important interpreters also emphasize that the examples must not be interpreted in the context of normative ethics (Hill and Zweig: editorial notes: 263).

³⁶ Paton, Herbert J.: “An alleged right to lie: A problem in Kantian ethics.” *Kant Studien* 45, 1953/1954, 190–203; 193. For variations, see: Chombi, “The Murderer at the Door”; Gillespie, “Exceptions”; Hofmeister, “Truth and Truthfulness”; Korsgaard, “The right to lie”; Matson, W. I.: “Kant as Casuist.” *The Journal of Philosophy* 51 (25), 1954, 855–860; Mertens, “On Kant's Duty to Speak the Truth”; Sedgwick, Sally: “On Lying and the Role of Content in Kant's Ethics.” *Kant Studien* 82 (1), 1991, 42–62; Schapiro, “Rigorism”; Varden, “Kant and Lying ...”.

forgetful and old when he wrote it.³⁷ If the historical figure Kant would have taken his own systematic thinking seriously, he would have taken a different stance in that paper. An important line of Paton's argument is that Kant allows for expedience when it comes to other duties, so why not in the case of the duty of lying?

Paton's strategy makes an important observation. Kant does indeed create room for expedience when it comes to other moral duties, such as "do not use violence".³⁸ What is more, he explicitly created room for exceptions in the table of the categories of freedom and thus he systematically knew that moral judgment comes with exceptions.³⁹ ⁴⁰ Still, the strategy is not strong. First of all, Kant is not only "rigid" on the duty not to lie in the 1797 paper. He talked about lying a lot and he is (almost) always very square (see next strategy). Second, Paton's argument does not acknowledge that for Kant, the duty to not lie is a special duty high up in the hierarchy of duties and therefore not easily comparable to other substantive duties.⁴¹ Thirdly, and perhaps most importantly, Paton overlooks the systematic reasons why Kant has a strict view on the duty do not lie. In that sense we can look at my paper as the exact opposite of Paton's. I will demonstrate why and how Kant's systematic philosophy implies his strict view and why the duty to not lie is a special for Kant and thus cannot easily be compared to other duties.

A second strategy looks for bits and pieces in Kant's oeuvre to see if he somehow or somewhere takes a different view.⁴² These bits and pieces are then taken as a

37 Paton, Herbert J.: "An alleged right to lie: A problem in Kantian ethics." *Kant Studien* 45, 1953/1954, 190–203; 193. For variations, see: Chombi, "The Murderer at the Door"; Gillespie, "Exceptions"; Hofmeister, "Truth and Truthfulness"; Korsgaard, "The right to lie"; Matson, W. I.: "Kant as Casuist." *The Journal of Philosophy* 51 (25), 1954, 855–860; Mertens, "On Kant's Duty to Speak the Truth"; Sedgwick, Sally: "On Lying and the Role of Content in Kant's Ethics." *Kant Studien* 82 (1), 1991, 42–62; Schapiro, "Rigorism"; Varden, "Kant and Lying ...".

38 V-MS/Vigil, AA 27: 700.38–701.02.

39 KpV, AA 05: 66.15–36. Translation used for quotes: Kant, Immanuel: *Critique of Practical Reason*, translated by Werner S. Pluhar. Indianapolis, 1788/1913/2002.

40 Even though Kant will remain very reserved in creating room for exceptions, i. e., expedience. Kant is very afraid of the "natural dialectic" that arises as soon as human beings are confronted with the legitimate demands of the moral law (GMS, AA 04: 405.13). Human beings as natural beings will always try to use the limited space for legitimate exceptions to get illegitimate exceptions (see section 8).

41 See also: Ebbinghaus, Julius: "Kant's Ableitung des Verbotes der Lüge aus dem Recht der Menschheit" [1954], in *Kant und das Recht der Lüge*. Edited by Georg Geismann and Hariolf Oberer. Würzburg 1986, 75.

42 I leave out the strategy that lying can be justified in cases of "emergency lying" (*casu necessitatis*) (see: Mertens, 2016; Sedgwick, 1991; Wagner, Hans: "Kant gegen 'ein vermeintes Recht, aus Menschenliebe zu lügen'" [1978], in *Kant und das Recht der Lüge*. Edited by Georg Geismann and Hariolf Oberer. Würzburg 1986, 95–117; 96). Kant does not seem to create much space to justify (or even excuse) lying in emergency situations (V-PP/Powalski, AA 27: 231.03–233; V-Mo/Mron, AA 27:

starting point to qualify Kant's stance and create room for expedience in judgment. Sometimes people point at the section on "casuistical questions" in the *Metaphysics of Morals*⁴³ where Kant (supposedly) asked whether a person is allowed to lie "from mere politeness". The example Kant gives is when an author asks you "how do you like my work?" In brief comments like these Kant does not seem completely set against evading the truth and so – it is argued – there may be some room to nuance his stance. I think this strategy has some flaws. (1) It is not exactly clear how Kant thinks of these matters. When discussing politeness in *Vigilantius*, he says that not telling the truth in these instances "never redounds to our credit."⁴⁴ So he does not seem very comfortable with the idea. (2) Even if Kant is (or seems) a bit less stringent in places, the space this would create for expedience in judgment on the duty to not lie, is extremely narrow, given everything else he says, even about little things many nowadays would find quite harmless. For example: Kant considers lying out of frivolity⁴⁵ (e. g., in the course of a prank) problematic, if the intention is to lie.⁴⁶ (3) It is questionable whether Kant – in the little bits and pieces – speaks of a permission to lie. He may just be talking about a permission to speak an *untruth* [*Unwahrheit*].⁴⁷ An "untruth" is a statement that does not correspond to what one believes to be true, but – unlike a lie – *one is not inviting someone to believe that statement to be true*.⁴⁸ For example: even when discussing "casuistic questions"⁴⁹ at the end of the section on lying, Kant did not ask whether lying is perhaps allowed in this or that extreme case (as we may perhaps have expected). He merely raised the (theoretical) issue where to draw the line between an untruth (perhaps allowed) and a lie (always forbidden).⁵⁰

1563.10 f.); What is more, Kant's discussion of the *casu necessitatis* usually presupposes the context of the doctrine of right (MS, AA 06: 235). The value of his thinking on the subject therefore is limited for this paper (see below).

43 MS, AA 06: 431; see also: V-MS/Vigil, AA 27: 700 on luring another into believing something while not actually lying.

44 V-MS/Vigil, AA 27: 701.

45 MS, AA 06: 430.04.

46 See: Mahon, James E.: "Kant on Lies, Candour and Reticence." *Kantian Review* 7, 2003, 102–133; 110.

47 MS, AA 06: 431.17; see also: V-MS/Vigil, AA 27: 700.

48 Mahon, James E.: "Kant on Lies, Candour and Reticence", 102. (italics added in quote).

49 MS, AA 06: 431.16.–431.34.

50 It is interesting to compare this to the casuistic questions on suicide (MS, AA 06: 423.17–424.08) for example, where he does ask whether a suicide is (not even) permissible in this or that extreme situation. This is further proof that there is indeed something special about the duty to not lie.

A third strategy elaborates further on the distinction between lying and speaking an untruth.⁵¹ James Mahon⁵² is an exponent of this strategy. Mahon suggests that even if Kant does never allow for lying, he does create some room for people to speak “untruths”. This strategy suggests that Kant interpreted the concept of “lying” a lot narrower than some (of us) nowadays interpret the concept. The strategy thus creates expedience for modern Kantians in the application of the duty to lie, by claiming that Kant would not consider some actions that we now consider lying, to be a lie. For example: if we respond to a person eagerly seeking a compliment about the book they wrote, some today hold that we are lying if we answer evasive (“as good as your previous book”), while Kant may have thought this to be an “untruth from mere politeness”.⁵³

Many of the nuances that Mahon brings to the table are relevant. Yet, there are also important weaknesses: the strategy does not help against the criticism that his view is grotesque in extreme cases. Kant mostly talks about untruths in the context of lies out of politeness; not in relation to extreme cases (torturing heathens, murderers). Another weakness is that the strategy does not qualify in any way Kant’s “rigid stance” when it comes to lying. It merely limits what counts as lying.

A fourth strategy focuses on the 1797 article “on the supposed right” because this paper has drawn so much attention of those criticizing Kant’s strict view⁵⁴ – probably because this is the only paper in which Kant speaks about the infamous “murder at the door” case.⁵⁵ The strategy aims to show that the criticism launched at Kant is misdirected as the 1797 paper did not concern what we today would refer to as normative ethics. As so many critics only talk about this paper, the fourth strategy thus takes the wind out of the critics’ sails. Jacob Weinrib⁵⁶ is an exponent of this strategy.⁵⁷

51 V-MS/Vigil, AA 27: 700.

52 Mahon, James E.: “Kant on Lies, Candour and Reticence”.

53 MS, AA 06: 431.17.

54 VRML, AA 08: 425–430.

55 VRML, AA 08: 425.10 and 427.07–09. (Note: the example is not created by Kant. It is already being used by Augustine).

56 Weinrib, Jacob: “The Juridical Significance”, 141.

57 See for example: Annen, Martin: *Das Problem der Wahrhaftigkeit in der Philosophie der deutschen Aufklärung*; Ebbinghaus, Julius: “Kant’s Ableitung des Verbotes der Lüge aus dem Rechte der Menschheit”; Schwarz, Wolfgang: “Kant’s Refutation of Charitable Lies”; Sedgwick, Sally: “On Lying and the Role of Content in Kant’s Ethics”; Sussman, David: “On the Supposed Duty of Truthfulness”; Varden, Helga: “Kant and Lying ...”; Wagner, Hans: “Kant gegen ‘ein vermeintes Recht, aus Menschenliebe zu lügen’”; Weinrib, Jacob: “The Juridical Significance”; Wood, Allen W.: “Chapter 14: Lies”.

Crucial to the strategy is the observation that Kant's morality has two dimensions: the doctrine of right and the doctrine of virtue.⁵⁸ The doctrine of right pertains to the principles "*for which external lawgiving is possible*".⁵⁹ Briefly stated, the doctrine of right is concerned with the principles relevant for a political community. The doctrine of right therefore occupies the area created by the interface – and the tension – between positive law (legality) and what ought to be law, morally speaking. If we look at it from the relation between a person and the state, the doctrine of right is related to the metaphysical (and moral) principles that authorize the use of coercion.⁶⁰ If we look at it from the perspective of interpersonal relations, it concerns the morality of what each person owes to others, given the universal Principle of Right, being that "*any act is right, if it can co-exist with everyone's freedom in accordance with a universal law*".⁶¹ "What we owe to others" thus is a special branch of morality. For example: in that part of morality, people have a standing to address others in cases when these violate a moral principle. The doctrine of virtue is concerned with the morality of intentions, feelings, and (the products of) willing i. e., human beings *as persons*. As the essence of morality is to become virtuous, the morality of people as persons relates to virtue, i. e., how to become virtuous.

The doctrine of right deals only with the *formal* condition of outer freedom (the consistency of outer freedom with itself if its maxim were made universal law), that is with *right*. But ethics [*in the strict sense, i. e., morality of virtue*] must go beyond this and provide a matter (an object of free choice) [...] that is an end that, as far as human beings are concerned, it is a duty to have.⁶²

Exponents such as Weinrib now argue that the distinction between the two dimensions of morality is overlooked in the reception of the 1797 paper. People also fail to see that the paper (including the use of the example) must be situated in the doctrine of right, which translated in today's terms means that the paper must be situated in the context of the philosophy of law or political philosophy. The upshot of the strategy thus is to point out that a lot of contemporary normative ethics' articles on Kant's strict view are irrelevant in that they make use of inadmissible evidence.

58 MS, AA 06. Translation used: Kant, Immanuel: *The Metaphysics of Morals. Cambridge Texts in the History of Philosophy*. Edited and translated by Mary Gregor. Cambridge 1996.

59 MS, AA 06: 229.05 f.

60 MS, AA 06: 231.23 f.

61 MS, AA 06: 230.29–31.

62 MS, AA 06: 380.19–24: "Die Rechtslehre hatte es blos mit der formalen Bedingung der äußeren Freiheit (durch die Zusammenstimmung mit sich selbst, wenn ihre Maxime zum allgemeinen Gesetz gemacht wurde), d. i. mit dem **Recht**, zu thun. Die Ethik dagegen giebt noch eine Materie (einen Gegenstand der freien Willkür), einen **Zweck** der reinen Vernunft, der zugleich als objectiv-nothwendiger Zweck, d. i. für den Menschen als Pflicht, vorgestellt wird, an die Hand."

My first comment about the fourth strategy is to confirm that it makes sense. There is a lot of evidence that the 1797 paper discussed the matter from the doctrine of right angle. The best evidence for this is that Kant explicitly says so:

I do not want to sharpen this principle to the point of saying “Untruthfulness is a violation of one’s duty to *oneself*”. For this principle belongs to ethics *in the strict sense* but here the concern is with duty of right [Rechtspflicht].⁶³

Next, as far as our topic is concerned, the value of the fourth strategy is limited. The fourth strategy declares one piece of evidence invalid (because not relevant for normative ethics) but more than enough evidence remains to conclude that Kant held a strict view (see below). Lastly, the fourth strategy confronts us with a problem by emphasizing the need to distinguish between the doctrine of right and the doctrine of virtue in Kant’s thinking. It is no longer common to use this distinction in normative ethics (outside of Kantian normative ethics). So how do we relate Kant’s moral thinking to what today is referred to as normative ethics? I turn to this issue in the next section.

3 Relating today’s field of normative ethics to Kant’s framework

Up to now, I have simply assumed that Kant’s thinking can easily be interwoven into current discussions within normative ethics. The fourth strategy made clear that this assumption is a mistake. Core categories and distinctions of Kant’s thinking are no longer broadly shared. In this section, I will clarify the problem and search for a solution.

Contemporary normative ethics is a big, amorphous multi faced beast. Still, it tends to work from a couple of assumptions. Potter⁶⁴ remarks that ethicists have a tendency to restrict the domain of morality (proper) to interpersonal relations between human beings (or human beings and other creatures, like animals).

⁶³ VRML, AA 08: 426.83–86, n. 2: “Ich mag hier nicht den Grundsatz bis dahin schärfen, zu sagen: “Unwahrhaftigkeit ist Verletzung der Pflicht gegen sich selbst.” Denn dieser gehört zur Ethik; hier aber ist von einer Rechtspflicht die Rede.”

⁶⁴ Potter, Nelson: “Duties to Oneself, Motivational Internalism, and Self-Deception in Kant’s Ethics”, in *Kant’s Metaphysics of Morals. Interpretative Essays*. Edited by Mark Timmons. Oxford 2002, 371–389; 372.

Morality thus concerns “what we owe to others” and external actions.⁶⁵ There is also a tendency to include a category of actions that are good to do, but – strictly speaking – not required as well as a tendency to ignore thinking about a person’s moral relation to themselves. Other authors even refuse to include the category of non-required good into the domain of morality;⁶⁶ some think that the idea of a duty to oneself is nonsensical.⁶⁷ A common assumption almost too obvious to mention is that contemporary normative ethics carves out the moral as a special domain of normativity, distinct from social norms and the law.⁶⁸ It is the domain of free human action.

The problem that we are now facing is that the way Kant organizes his normative moral thinking (by using the concepts doctrine of right and doctrine of virtue), does not fit well with the self-interpretation of today’s normative ethics, in so far as it clings to these assumptions.

So we need to ask: if we relate Kant’s thinking to today’s normative ethics, should we focus on his doctrine of right or his doctrine of virtue? Normative ethics today defines the ethical as distinct from law (legality).⁶⁹ By contrast, the doctrine of right concerns morality insofar as it ought to be law. So focusing on the doctrine of right does not seem appropriate. The link with the doctrine of virtue is no obvious fit either. While today’s normative ethics focuses on the morality of outer action and morality as it pertains to relations between people, the doctrine of virtue focusses on the morality of *willing* and thus *inner action*. Yet, while both options have their problems, a choice has to be made in order to proceed; ignoring the distinction leads to grave misunderstandings (as the discussion of the fourth strategy has shown). I will therefore relate what is discussed about lying in normative ethics today, with what Kant discusses about lying under the heading of the doctrine of virtue. This choice makes sense as both normative ethics today and Kant’s doctrine of virtue concern the free actions of persons.

At the same time, it is important to emphasize that linking Kant’s thinking and normative ethics this way is not without tension. Today’s normative ethics has a tendency to focus on outer actions and interpersonal relations. By contrast, Kant’s

65 The ethics handbook by Raymund Frey and Christopher Wellman is a case in point. Main themes discussed are abortion, affirmative action, reproductive technology, and euthanasia. See: *A Companion to Applied Ethics*, edited by Frey, Raymond G. and Wellman, Christopher. Malden, 2005.

66 Urmson James O.: “Saints and Heroes”, in *Moral Concepts*. Edited by Joel Feinberg. Oxford 1969/1972, 60–73.

67 Potter: “Duties to Oneself”, 372.

68 See: Beauchamp, Tom L.: *Philosophical Ethics. An introduction to moral philosophy*. 2nd ed. New York 1992, 11.

69 See: Beauchamp, Tom L.: *Philosophical Ethics*, 11; Frankena, William F.: *Ethics*. 2nd ed. Englewood Cliffs, NJ 1973, 7.

doctrine of virtue has often been characterized as “agent-based”.⁷⁰ In that kind of moral thinking, (1) it is crucial to distinguish between the inner – and the outer – component of a moral action. The inner component relates to a moral agent’s willing; the external component to the action as visible in the external, empirical world; (2) emphasize lies on the inner aspect of the moral action. Exactly when we are focusing on a theme such as “lying” the differences between the two become highly relevant. As regards lying, today’s normative ethics will emphasize the interpersonal dimension and thus our duties to others. Kant’s doctrine of virtue approach will highlight our duties to ourselves, in particular our duty to be truthful at all times.

It is likewise important to emphasize that, as a consequence of Kant’s moral system, we can find *two* lines of argument concerning the duty to not lie: a doctrine of right account and a doctrine of virtue account.⁷¹ Both accounts lead to a full argument concerning the duty. There is overlap indeed (both accounts turn against any expedience whatsoever and in both accounts, truthfulness is key) but the doctrine of right account also has its own peculiarities and its own logic (lying is considering a violation of the rights of others for example). Hence, my story will in a way not be the whole story. Some aspects of Kant’s thinking cannot be explained by it – as they can only be explained by the doctrine of right account.

4 Kant on lying (doctrine of virtue account)

I argue that the duty to not lie is a special case for Kant. In this section I set the ball rolling by elaborating on and explaining the duty itself (without yet explaining its relation with Kant’s fundamental philosophy and thus what is special about it). I’ll start with providing (extra) textual evidence for the claim that Kant often spoke about lying and that he clearly gave a *strict* interpretation to the duty all through his oeuvre (see also the footnotes).

A couple of quotes clearly demonstrate how Kant felt about lying:

[Untruthfulness] [...] is the propensity to the use of a means (the lie) that is good to nothing whatsoever, regardless to whatever end it is used, because it is evil in itself and reprehensible.

⁷⁰ Hill Jr., Thomas. E.: “Questions about Kant’s Opposition to Revolution” [2002], in *Virtue, Rules and Justice. Kantian Aspirations*. Edited by Thomas E. Hill, Jr. Oxford 2012, 277–295; 279; Kleingeld, Pauline: “Moral Consciousness and the Fact of Reason”, in *Kant’s Critique of Practical Reason. A critical guide*. Edited by Andrews Reath and Jens Timmerman. Cambridge 2010, 55–72; 72.

⁷¹ Annen, Martin: *Das Problem der Wahrhaftigkeit*, 107.

[...] The evil of [untruthfulness] is its worthlessness, as a consequence of which a human being is denied all character.^{72 73}

Dignity is what distinguishes human beings from animals. It gives human beings the status of persons. By lying a person directly undermines their status as person and therefore throws away their dignity. Such a speaker only has the mere deceptive appearance of a human being [*blos täuschende Erscheinung vom Menschen*].⁷⁴ The next quote is interesting as it demonstrates the special status of lying, in comparison to other immoral things.

If it is a lie, however, then there is a worse degree of baseness in it than in force. For deception evinces a cowardice that is not found in violence.⁷⁵

I now turn to the clarification of Kant's concept of lying. In the second part of the *Metaphysics of morals* Kant explains how to understand the concept "lying" in the context of the doctrine of virtue.⁷⁶ He uses his earlier discussion of the concept in the context of the doctrine of right as a stepping stone.⁷⁷ There he argued that a statement a person subjectively considers untrue can only be considered a *lie* if "it violates another's rights".⁷⁸ We can read this proviso in terms of three conditions that cling to lying in relation to the doctrine of right. First, the untrue statement must be a *declaration*; i. e., the person spoken to, must be given the idea by the speaker that he or she really aims to speak the truth (as subjectively experienced by the speaker).⁷⁹ Second, the untrue statement must be directed to *someone else* (and thus not directed to the speaker themselves) and third, the person believing the

72 MpVT, AA 08: 270.30 ff: [Lügenhaftigkeit] [ist] der Hang [...] zum Gebrauch eines Mittels (der Lüge), das zu nichts gut ist, zu welcher Absicht es auch sei, weil es an sich selbst böse und verwerflich ist. [...] Das Böse von der letztern Art [Lügenhaftigkeit] ist Nichtswürdigkeit, wodurch dem Menschen aller Charakter abgesprochen wird.

73 Other quotes can be found: GMS, AA 04: 402.15 f. Translation used: Kant, Immanuel: *Groundwork for the Metaphysics of Morals*. Edited and translated by Thomas E. Hill, Jr. and Arnulf Zweig. Oxford 2002; MpVT, AA 08: 268.18 ff; RGV, AA 06: 188.18 ff.; VRML, AA 08; Anth, AA 07.294.03-12; V-MS/Vigil, AA 27: 444 ff.; V-PP/Powalski, AA 27: 189.09–15; 231.03–233; V-Mo/Mron, AA 27: 1480.15 f; 1563.10 f; See also: Annen, *Das Problem der Wahrhaftigkeit* and Wood, "Chapter 14: Lies", 250.

74 MS, AA 06: 429.33.

75 V-MS/Vigil, AA 27: 700.38–701.02: "Ist es aber Lüge, so ist darin eine ärgere Niederträchtigkeit, als in der Gewalt. Denn der Betrug zeigt eine Feigheit an, die sich nicht bey der Violenz findet."

76 MS, AA 06: 429–431.

77 Ibid.

78 MS, AA 06: 430.03 f.

79 See also Mahon, James E.: "Kant on Lies, Candour and Reticence".

untrue statement must be *harmed* by it (if only formally speaking, not necessarily materially speaking – see section 2, doctrine of right defense).⁸⁰

Kant then states that under the doctrine of virtue, we must consider “lying” a much broader concept. In the doctrine of virtue no intentional untruth in the expression of one’s thoughts [*jene vorsätzliche Unwahrheit in Äußerung seiner Gedanken*] can be refused this harsh name [i. e. is a lie].⁸¹

Therefore, in the context of the doctrine of virtue an untrue statement does not necessarily have to harm another (formally or materially) in order to become a lie.⁸² It also does not have to be a declaration.⁸³ Most importantly, in the doctrine of virtue a person can lie *to themselves*.⁸⁴

For a proper understanding of Kant conceptualization of the duty to not lie (in the context of the doctrine of virtue) the distinction between the *outer lie* and the *inner lie* is crucial.⁸⁵ The “outer lie” is defined in the doctrine of Right (see above). Kant uses various terms to define lying to oneself or the inner lie, all terms relate to its opposite. He speaks of truthfulness⁸⁶, righteousness [*Redlichkeit*]⁸⁷ and sincerity [*Aufrichtigkeit*].⁸⁸ A human being lies to themselves when they say something to themselves about themselves (i. e., the reasons for choosing a maxim of action) while secretly knowing that it is not true. In case of an inner lie a person makes themselves believe something untrue about themselves. An example Kant gives is a person who flatters themselves about being a true believer in God while only obeying His commandments out of fear of the afterlife.⁸⁹

It is clear that in the doctrine of virtue Kant’s opposition to lying is mainly geared towards the *inner lie*.⁹⁰ Most of the attention in the text is given to it and at times he even equals the words “lie” and “untruthfulness”.⁹¹ Also important: Kant claims that the inner lie is “still worse” than the external lie.

For the dishonor (being an object of moral contempt) that accompanies a lie [...] also accompanies the liar as his shadow. [...] By an external lie a human being makes himself

⁸⁰ MS, AA 06: 429.09.; see also Mahon, James E.: “Kant on Lies, Candour and Reticence”.

⁸¹ MS, AA 06: 429.07–11.

⁸² MS, AA 06: 430.02.

⁸³ MS, AA 06: 429.11.

⁸⁴ MS, AA 06: 430.09–14.

⁸⁵ MS, AA 06: 429.14 f.

⁸⁶ MS, AA 06: 429.34.

⁸⁷ MS, AA 06: 429.36.

⁸⁸ Ibid. See also: MS, AA 06: 430.19 and 27–30.

⁸⁹ MS, AA 06: 430.25–26.

⁹⁰ Potter, Nelson: “Duties to Oneself”, 376.

⁹¹ MS, AA 06: 429.06.

an object of contempt in the eyes of others; by an internal lie he does what is still worse: he makes himself contemptible in his own eyes and violates the dignity of humanity in his own person.⁹²

By a lie a human being throws away and, as it were, annihilates his dignity as a human being.⁹³

Still, it is important to emphasize that (even) in the confines of doctrine of virtue, Kant *also* rejects outer lying vehemently. He sees a strong connection between the two forms of lying: Kant held that an external lie implies an internal lie; or more precisely: that a person who lies externally has no moral right to assume that they are not lying internally.

Man as a moral being [...] cannot use himself as a natural being [...] as a mere means (a speaking machine), as if his natural being were not bound to his inner end (of communicating thoughts) but is bound to the condition of using himself as a natural being in agreement with the declaration [...] of his moral being and is under obligation to himself to *truthfulness*.⁹⁴

In order to fully clarify Kant's thinking on the duty to not lie, the concept "duty to oneself" must also be clarified. Kant defines the prohibition against lying as a *duty to oneself*. I will provide a formal and material clarification of the concept. Formally speaking, a duty to oneself is a duty for which it holds that the subject puts themselves under obligation. The subject themselves is the binding authority.^{95 96} Kant considers the category of "duties to oneself" crucial to morality. They are the basis of all possible duties.

92 MS, AA 06: 429.11–17. "Denn Ehrlosigkeit (ein Gegenstand der moralischen Verachtung zu sein), welche sie [eine Lüge] begleitet, die begleitet auch den Lügner wie sein Schatten. Die Lüge kann eine äußere (*mendacium externum*), oder auch eine innere sein. – Durch jene macht er sich in Anderer, durch diese aber, was noch mehr ist, in seinen eigenen Augen zum Gegenstande der Verachtung und verletzt die Würde der Menschheit in seiner eigenen Person [...]."

93 MS, AA 06: 429.23 f. "Die Lüge ist Wegwerfung und gleichsam Vernichtung seiner Menschenwürde."

94 MS, AA 06: 430.14–19. "Der Mensch als moralisches Wesen [...] kann sich selbst als physisches Wesen [...] nicht als bloßes Mittel (Sprachmaschine) brauchen, das an den inneren Zweck (der Gedankenmittheilung) nicht gebunden wäre, sondern ist an die Bedingung der Übereinstimmung mit der Erklärung (*declaratio*) [...] gebunden und gegen sich selbst zur Wahrhaftigkeit verpflichtet."

95 MS, AA 06: 417.11.

96 For Kant's reaction, see: MS, AA 06: 417 f; Also see Potter, Nelson: "Duties to Oneself", 372; Reath, Andrews: "Self-legislation and Duties to Oneself." *The Southern Journal of Philosophy* 36, 1998, 103–124 [Supplement: *Kant's Metaphysics of Morals*, Spindel Conference 1997.]

For suppose there were no such duties: then there would not be duties whatsoever, and so no external duties either. – For I can recognize that I am under obligation to others only insofar as I at the same time put myself under obligation.⁹⁷

If we look at duties to oneself from a material perspective, these duties are always related to the goal of preserving, maintaining, developing and perfecting ourselves as natural or moral beings. Typical material duties to oneself are duties against drunkenness, vices like gluttony and suicide. The duty to not lie is a duty to oneself as a moral being.

The idea of a duty to oneself fits very well with Kant's philosophical anthropology in which the human being is a creature with a dual nature.^{98 99} On the one hand, human beings are natural beings; on the other they are moral beings. A duty to oneself thus is a duty by which the human being as a natural being is put under obligation by the human being as moral being.¹⁰⁰ A couple of crucial comments must be made for a proper understanding of this idea. First, Kant speaks of human beings as natural beings in two senses: as a mere animal driven by instincts and inclinations and as a natural creature gifted with instrumental rationality [*vernünftiges Naturwesen*]; i. e., a creature able to use their rationality to serve their overall self-interested goal: happiness.¹⁰¹ The natural human being Kant is speaking of in this context is the natural creature gifted with instrumental rationality.¹⁰² Second, the human being as a “moral being” must here be understood as the human being as *person*. The human being as person is a creature with the capacity to realize their freedom through the working of practical reason as such.

5 Highlighting clues

Many authors writing on Kant's interpretation of the duty to not lie in the context of today's normative ethics take issue with his strict view, and try to update it. My view may seem quite idiosyncratic in that respect. Before explaining how Kant's strict view fits into his systematic thinking (section 6), I aim to show that my posi-

⁹⁷ MS, AA 06: 417.24–26. “Denn setzet: es gebe keine solche Pflichten, so würde es überall gar keine, auch keine äußere Pflichten geben. – Denn ich kann mich gegen Andere nicht für verbunden erkennen, als nur so fern ich zugleich mich selbst verbinde [...]”

⁹⁸ Denis, Lara: “Freedom, Primacy, and Perfect Duties to Ourselves”, in *Kant's Metaphysics of Morals. A critical guide*. Edited by Lara Denis. Cambridge 2010, 170–191; 173.

⁹⁹ Potter, Nelson: “Duties to oneself”, 377 f.

¹⁰⁰ MS, AA 06: 418.05–23.

¹⁰¹ Note: self-interest does not have to be conceived of in a narrow, egoistic sense

¹⁰² RGV, AA 06: 26.04–12.

tion is less odd than it perhaps seems on the basis of the discussion on lying. There are actually quite a few clues in his wider philosophy that hint at the fact that Kant must have a strict view on the duty to not lie.

A first clue indicating that Kant must have a strict view on the duty to not lie is his thinking on (the concept of) “inner freedom”. “Inner freedom” for Kant is an interpretation of freedom that comes very close to his understanding of virtue.¹⁰³ In the *Critique of practical reason* Kant defines it as a capacity¹⁰⁴ or an ability¹⁰⁵

to detach [*loszumachen*] himself from the vehement obtrusiveness of the inclinations to such an extent that none at all, not even the one that we care about most, shall have an influence on a decision for which we are now to employ our reason.¹⁰⁶

Kant opposes “inner freedom” to “outer freedom”.¹⁰⁷ Both are action-theoretical concepts. Whereas outer freedom denotes a condition of being free from outer influences, inner freedom concerns the capacity of a person to free oneself from the influence of inner pressures exerted by inclinations and passions (i. e., themselves as natural beings). Engstrom¹⁰⁸ emphasizes that in Kant’s view inner freedom is not just not being *determined* by inclination but also not being *influenced*. An asymmetry between outer and inner freedom should be noted.¹⁰⁹ Whereas outer freedom seems to denote a condition; inner freedom refers to a *capacity of the will* to free oneself. If we take into account that human beings as natural creatures will always experience inclinations, we can understand why Kant defines inner freedom as a *capacity* to free oneself and not as a situation in which a human being would not experience any call from their inclinations. This active, forceful and willing aspect of inner freedom also is highlighted by Kant’s positive definition of it: “the capacity for self-constraint not by means of other inclinations but by pure practical reason”¹¹⁰.

103 Engstrom, Stephen: “The Inner Freedom of Virtue”, in: *Kant’s Metaphysics of Morals. Interpretative Essays*. Edited by Mark Timmons. Oxford 2002, 289–315; 298.

104 Engstrom, Stephen: “The Inner Freedom of Virtue”, 298.

105 Kant, Immanuel: *Critique of Practical Reason*. Translated by Werner S. Pluhar. Indianapolis 2002, 201.

106 KpV, AA 05: 161.05–08, translation: Werner S. Pluhar, 2002. “[...] Vermögen, die innere Freiheit, aufgedeckt wird, sich von der ungestümen Zudringlichkeit der Neigungen dermaßen loszumachen, daß gar keine, selbst die beliebteste nicht, auf eine Entschließung, zu der wir uns jetzt unserer Vernunft bedienen sollen, Einfluß habe.”

107 MS, AA 06: 407.01.

108 Engstrom, Stephen: “The Inner Freedom of Virtue”, 299.

109 See also: MS, AA 6: 396.04–16.

110 MS, AA 06: 396.19–21.

Anne Baxley¹¹¹ argues that we cannot understand Kant's interpretation of human excellence if we do not realize that it does not just consist of moral autonomy. It also consists in moral autocracy. Whereas moral autonomy concerns the legislative power of the will for creating and giving ourselves laws, moral autocracy can be viewed upon as the executive power of the will, enforcing and enacting such laws.¹¹² The concept of inner freedom focuses on the constitution of inner freedom and thus autocracy. Kant distinguishes two parts of it: the capacity to be one's own master [*seiner selbst Meister zu sein*] and the capacity to rule oneself [*über sich selbst Herr zu sein*]. Whereas the former is related to a will that controls its own *thinking*,¹¹³ the latter is related to a will that subdues *affects* and governs one's *passions*.¹¹⁴

Kant's theorizing on inner freedom and the importance he attached to it in relation to virtue, provides a clue for his strict interpretation of the duty to not lie. Human moral excellence depends on the possibility of the will of a human being to be its own master and its own ruler. A liar deceives their own will and therefore the possibility of a person to be their own master and ruler. A lie "poisons the well of inner awareness (for example awareness of our own motives of action)".¹¹⁵ Kant's view on inner freedom therefore suggests a strict view on lying.

A second clue suggesting that Kant must find lying utterly bad, puts his interpretation of virtue at center stage. As virtue is closely related to inner freedom,¹¹⁶ this explanation follows on from the previous one. For Kant virtue is the supreme good.¹¹⁷ Kant's concept of (moral) virtue can be approached from various sides. Considered as disposition, virtue for Kant is the disposition¹¹⁸ to fulfill one's duty out of respect for the moral law.¹¹⁹ Although correct, what is missing from this definition is the degree to which – for Kant – virtue is *activity*¹²⁰, activity of which a person themselves is the author and by which the person constitutes themselves as such. Virtue is what a person makes of themselves, morally speaking.¹²¹ Virtue is a manifestation

111 Baxley, Anne Margaret: *Kant's Theory of Virtue. The Value of Autocracy*. Cambridge 2010. See also: Van Eekert, Geert: "De wet in het verkeerde licht gesteld."

112 Baxley: *Kant's Theory of Virtue. The Value of Autocracy*, 59.

113 Anth, AA 07: 252.04.

114 MS, AA 06: 407.19–25.

115 Potter, Nelson: "Duties to Oneself", 376.

116 Engstrom, Stephen: "The Inner Freedom of Virtue", 298.

117 KpV, AA 05: 110.18.

118 GMS, AA 04: 435.29.

119 See Denis, Lara: "Kant's Conception of Virtue", in *The Cambridge Companion to Kant and Modern Philosophy*, edited by Paul Guyer. Cambridge 2006, 505–537; 510.

120 Munzel, G. Felicitas: *Kant's Conception of Moral Character*, 9 and 51.

121 Anth, AA 07: 292.06–10; See also: Munzel, G. Felicitas: *Kant's Conception of Moral Character*, xv.

of strength of will that can also be described as self-constraint based on inner freedom.¹²² A person actualizes their potential as a subject *in and through action*.

Kant's concept of virtue is complex. We need to elaborate on it before we can discuss the relation with lying. Many philosophers describe virtue in terms of (the development of a kind of) character. This is also possible from a Kantian point of view.¹²³ However, in Kant's case, defining virtue in terms of character easily leads to a misrepresentation. We need to take into account that Kant thinks of human beings as phenomenal beings and as noumenal beings.¹²⁴ Most of what Aristotle says about virtue and character for Kant pertains to human beings as phenomenal beings. Kant has things to say on this as well; for example, that human beings have moral endowments that they need to develop.¹²⁵ Still, Kant's main focus is on the human being as freed from nature and thus part of a (noumenal) world that human beings cannot understand theoretically. They only are conscious of its reality as practical beings and as such we can call this world the intelligible world. Of this world we have knowledge only in terms of its effects.¹²⁶ It is because of, and through, reason that human beings can partake in this world. As virtue is related to freedom, it has to be related to reason. It thus makes perfect sense for Kant to say that in the empirical world, virtue manifests itself (mainly) *in the form of truthful, consistent argumentation and uncompromising steadfastness* when applying the principles of reason.¹²⁷ Kant also speaks of this as moral *Denkungsart*.^{128 129} Moral *Denkungsart* as a steadfast way of thinking will enable human beings to master themselves as natural beings (insofar as that is necessary).

For our purposes we only need to highlight one more aspect of moral *Denkungsart*. For Kant moral *Denkungsart* is a concept inherently related to the human being

122 Denis, Lara: "Kant's Conception of Virtue", 512.

123 Anth, AA 07: 295.14–16; see also: RGV, AA 06: 77.07–20.

124 RGV, AA 06: 46.01–29.

125 MS, AA 06: 399 ff.

126 Transcendental concepts (like soul and *Denkungsart* – see below) move man as a moral being to a reality beyond the empirical; an intelligible world of which humanity can know nothing. But for Kant "freedom" is the only transcendental idea, the object of which is a *fact* (KU, AA 05: 468.20–30; see also: 474.11–19). Soul and *Denkungsart* are therefore concepts that people also can and may use in the empirical world (see also Frierson, Patrick R: "*Denkungsart* in Kant's Anthropology from a pragmatic point of view," in *The Palgrave Kant Handbook*, edited by Matthew C. Altman. London 2017, 660 ff.). As such, they are both descriptive and normative (Anth, AA 07: 291.24–292.02).

127 See: Kühn, Manfred: *Kant: Eine Biographie*. Translated by Martin Pfeiffer. München 2001/2004, 178 ff.; Munzel, G. Felicitas: *Kant's Conception of Moral Character*, 9. On the importance of the quality of reasoning for Kant, see: Kleingeld, Pauline: "A Kantian solution to the trolley problem", in *Oxford Studies in Normative Ethics, Volume 10*. Edited by Mark Timmons. Oxford 2020, 204–228.

128 See: Frierson, Patrick R: "*Denkungsart*", 643–664; Kühn, Manfred: *Kant. Eine Biographie*, 178 ff.

129 Munzel, G. Felicitas: *Kant's Conception of Moral Character*.

as a struggling creature.¹³⁰ Kant explicitly defines virtue as the moral attitude in the struggle.¹³¹ It is the struggle that the human as a free and moral being has to take on with themselves as a natural being. Yet, at the same time Kant also defines moral *Denkungsart* as a capacity. So we can ask: is moral *Denkungsart* something a person can possess as a capacity or is it something a person *never* possesses but always is in the process of attaining? Kant's answer is that this question suggests a false dichotomy: Virtue is always *in progress* and yet always starts *from the beginning*. [Die Tugend ist immer *im Fortschreiten* und hebt doch auch immer *von vorne an*.]¹³²

The reason why, for Kant, virtue always also starts from the beginning, is that human beings as natural beings are always potentially affected by inclinations. Therefore:

Virtue can never settle down in peace and quiet with its maxims adopted once and for all but, if it is not rising, is unavoidably sinking. For moral maxims, unlike technical ones, cannot be based on habit.¹³³

This account of virtue as moral *Denkungsart* provides a further clue why for Kant lying is problematic to the extent that no exceptions with respect to the duty to not lie are acceptable. If we are to reason steadfastly, we need to be truthful. Hence, for Kant, truthfulness is not so much a *consequence* of virtue but a *condition* for the possibility of its realization; if not integral to it.

6 Why Kant absolutely forbids lying

I will now expound why Kant's doctrine of virtue account on the duty to not lie must be strict. As Kant repeatedly argues that, normally speaking, normative duties allow for exceptions in concrete cases (see section 2), my explanation also shows why his strict view on lying is a special case. The section will be brief (and without must references) as I rely on material discussed before. I will focus on the inner lie. I start with an explanation in terms of virtue which is followed by an explanation in terms of personhood.

¹³⁰ See Potter, Nelson: "Duties to Oneself", 386.

¹³¹ KpV, AA 05: 84.33 f.

¹³² MS, AA 06: 409.22 f.

¹³³ MS, AA 06: 409.25–30. "[...] die Tugend [kann] mit ihren einmal für allemal genommenen Maximen niemals sich in Ruhe und Stillstand setzen, sondern, wenn sie nicht im Steigen ist, unvermeidlich sinkt: weil sittliche Maximen nicht so wie technische auf Gewohnheit gegründet werden können [...]."

Kant cannot allow for any (inner) lie because each and every (inner) lie constitutes a frontal attack on the possibility of the human being attaining virtue. Formally speaking, virtue for Kant is doing one's duty out of respect for the moral law. Virtue is (the realization of) freedom. Virtue thus is a noumenal idea. Yet, in terms of its material effect, it manifests itself mainly as moral *Denkungsart*. Kant describes it as "being one's own *Meister*" or as form of truthful, consistent argumentation and uncompromising steadfastness when applying the principles of reason. Being truthful thus is a necessary condition of virtuousness if it is not better described as an integral part of it. This is why Kant can never allow any expedience when it comes to the duty to not lie. The inner lie destroys the possibility of virtuousness. Even a well-intended lie cannot be accepted: morality would destroy itself in its attempt to preserve itself. Note that this explanation clarifies why the duty to not lie is a special case: no other substantive duty is that closely related to (the possibility of) moral virtue. Also note that in Kant's view, people can never presuppose their virtuousness, or give themselves a right to lie because they firmly believe in their own truthfulness. Virtuousness for Kant is primarily an activity in the struggle (and not a state of being) and so human beings have to earn their virtuousness time and again in concrete action.

This explication in terms of the possibility of virtue can easily be translated in terms of Kantian personhood, i. e. moral personhood. Virtue for Kant is the supreme (moral) good for a human being¹³⁴ In Kant's three-partite division of the human being (mere natural being, rational natural being, rational being: see section 3), a "person" refers to the human being as a free, moral being. Attaining virtuousness can therefore also be described as attaining personhood.¹³⁵ Likewise, a human being who lies (to themselves) has destroyed the dignity of personhood – in their own eyes. It makes sense for Kant to insist that such a speaker only has the mere deceptive appearance of a human being.^{136 137} It should be clear that as we are speaking in the context of the doctrine of virtue account, a person has lost their dignity *in their own eyes*. Hence, this account does not imply that others somehow obtain a right to not respect this human being.

134 KpV, AA 05: 111.19.

135 Note that the word "attain" is somewhat misleading here. Virtuousness is attained *in the struggle* and thus (merely) in action.

136 MS, AA 06: 429.33.

137 Note that within Kant's moral philosophy one easily goes off track in asking further questions about "(loss of) personhood" in the context of the doctrine of virtue. When the concept is used in this context, the term is closely related to freedom. Freedom for Kant is a noumenal concept (even if it is the only transcendental concept that also can be used in the empirical world, see footnote 127). It refers to "something" beyond space and time, incomprehensible to us, human beings. That is why I was also careful in phrasing that moral *Denkungsart* is the way virtue *manifests itself* in the empirical world.

7 Kant against the “Navarrus’ solution”: merely outer lying

The doctrine of virtue account focusses on the inner lie but this account also resists expedience as regards the *outer* lie. Its resistance against outer lying is not an accidental consequence but an integral part. I address (Kant’s vehement resistance against) the outer lie in sections 7 and 8. To be clear: I am now not stepping over to the doctrine of right account; I am investigating the outer lie from the perspective of the doctrine of virtue account. There are more and other things to be said about the outer lie from the doctrine of right perspective.

Explicating Kant’s resistance against outer lying – on the basis of the duty of virtue account – is important because many of Kant’s today critics use an argument defending lying (in extreme cases) that seems to agree with Kant’s absolute rejection of the inner lie while still maintaining that we need not reject all outer lying as well. They rhetorically ask: is it not possible for a human being to utter an *outer* lie while remaining truthful as an (inner) person? Is it not possible that *exactly because* of inner truthfulness that people sometimes are *morally required* to speak an outer lie? This argument is clearly echoed in the infamous “murderer at the door” case used *ad nauseam* in the attempts to create expedience as regards the duty to not lie.¹³⁸ The person at the door lies but does so to protect a friend against a murderer. They lie *but* out of a good heart. The good intention of the liar is made even more clear when the person knocking on the door is made into a NAZI officer.¹³⁹ Are we not even allowed to utter an outer lie in a case in which we lie because of a good – or even heroic – intention?

Kant forbids outer lying also absolutely. What is more, he explicitly rejects the above argument. He formulates this by saying that human beings are not allowed to use themselves as a “speaking machine”. Human beings cannot act as if their natural being “were not bound to the inner end” (see section 4).

I organize my reconstruction of Kant’s arguments against the human being using themselves as a “speaking machine” as his resistance against – what I call – the “Navarrus’ solution”. To explain: the 1000+ years following Augustine it became

¹³⁸ The “murderer at the door example” is often attributed to Kant but it has a much longer history. It was a standard example used in the literature. See: Oberer, Hariolf: “Zur Vor- und Nachgeschichte der Lehre Kants vom Recht der Lüge”, in *Kant und das Recht der Lüge*. Edited by Georg Geismann and Hariolf Oberer. Würzburg 1986, 7–22. A variant of the case can already be found in Augustine’s work on lying.

¹³⁹ Varden, Helga: “Kant and Lying to the Murderer at the Door ... One More Time: Kant’s Legal Philosophy and Lies to Murderers and Nazi’s”.

customary in Western thinking to have a strict view on the duty to not lie.¹⁴⁰ One of the Augustinian assumptions buttressing this strict interpretation was that being untruthful (i. e., inner lying) was lying to God. In the early modern era, Augustine's strict view was increasingly losing attraction. But how to reject it? It was unthinkable to argue that lying to God was somehow justifiable. According to Albert Jonsen and Stephen Toulmin a solution was found by Navarrus [1491–1586] in the distinction between the inner lie and the outer lie.¹⁴¹ This distinction created the possibility to say that a person could lie *externally* without lying *internally*. Today, many find this distinction still attractive: it allows for the possibility to say that in an extreme situation we may lie externally while – and exactly *because* – deep inside we are good people acting truthfully; i. e., on a good moral motive.

Kant did not oppose to the distinction as such: he used it a lot. However, what I call, the Navarrus' solution contains two assumptions that are highly problematic from Kant's perspective.¹⁴² The first assumption runs that human beings can have *knowledge* of their true inner motive, despite or regardless of their outer actions. The second assumption is that human beings can trust their own 'faithful' accounts of their own truthfulness and their own moral reasoning. In this section I address Kant's resistance against the first assumption by briefly reflecting on Kant's thinking on human self-knowledge.

Kant thought that gaining self-knowledge is crucial for morality.¹⁴³ Yet, he was also very skeptical of the human being's possibility to attain self-knowledge¹⁴⁴ – especially if a person believes they can have knowledge of their truthfulness or good motive for action.¹⁴⁵

According to Kant, the human possibility to gain knowledge is conditioned by the availability of sensory perceptions.¹⁴⁶ Naturally, Kant admits that human

140 Jonsen, Albert R., Stephen Toulmin, and Stephen Edelston Toulmin: *The Abuse of Casuistry: A History of Moral Reasoning*. Berkeley, CA, 1988, 196; Van Geest, Paul: "Inleiding," in Augustinus, Aurelius: *Liegen en leugens (De Mendacio & contra Mendacium)*, translated by Vincent Hunink, 7–36. Budel 2010, 11 f.

141 Jonsen, Albert R. and Stephen Toulmin: *The Abuse of Casuistry*, 200 ff.

142 I use the term "Navarrus' solution" for a common way of thinking. I am not claiming that this correctly represents the ins and outs of Navarrus' philosophy.

143 Kant refers to "know thyself" as the first command of all duties to oneself. See: MS, AA 06: 441–443.01–04.

144 Potter, Nelson: "Duties to Oneself", 388.

145 GMS, AA 04: 407.04–16 and 01–04.

146 KrV, B 75 f. See also: Boer, Karin de, *Kant's Kritiek van de zuivere rede. Een leeswijzer*. Amsterdam 2010, 51.

beings have awareness of themselves as a mind and as a corporeal being.¹⁴⁷ As a consequence, each human being has exclusive, first person, *access* to particular feelings and sensations they themselves experience. Yet, this inner awareness does not provide human beings trustworthy sensory perceptions of themselves: the thing human beings refer to as the “self” is not a given object in the external world.¹⁴⁸ Therefore, the experience of self cannot be transformed into exclusive, first person-*knowledge* that a human being may claim to have of themselves. The “knowledge” a person gains of themselves with the help of the inner awareness does not exist independently of the process of gaining that very “knowledge”. Put differently: in so far as a human being can have *reliable* knowledge of themselves, it depends on *outwardly visible perceptions*. This means that in terms of reliable knowledge, the way we gain knowledge of ourselves does not differ fundamentally from the ways we can gain knowledge of others (and others gain knowledge of us).¹⁴⁹ This view on the theoretical possibility of the knowledge human beings may have of themselves, is feeding into Kant’s resistance against the assumption of the “Navarrus’ solution”. The Kantian view implies that – in terms of reliable knowledge – *all we know about ourselves when we lie externally, is that we are liars*. Given the limits of human possibility to gain knowledge of themselves, they have to stick to the principle that their externally visible self does not merely *represent* them in terms of knowledge; it *presents* them. Put in terms of the often given example: how does the person at the door *know* that they are acting from a good intention? Empirically speaking it is more likely that they will lie out of *fear*.¹⁵⁰ However, this would alter the case dramatically: creating room for expedience on account of a person being fearful is not so easy; if possible at all, we would probably move from justifications to (legitimate) excuses.

It is true to say that this account overlooks the role played by consciousness in Kant.¹⁵¹ Our conscience does indeed give us direct knowledge of our inner motive. Yet, conscience only gives us knowledge of our bad motives. Hence, it does not have impact on Kant’s resistance to the Navarrus’ solution.

147 Caygill, Howard: *A Kant Dictionary. The Blackwell Philosopher Dictionaries*. Malden 1995, 210 and 258.

148 KrV, B 399–413.

149 See for example: KrV, B 406.

150 For example: empirical evidence shows that during the World War II *less than 0,5 percent* of the Dutch population did things that in terms of their dangerousness can be compared to the danger the person protecting the friend from the NAZI murderer put themselves in. (Kromhout, Bas: “Het verzet in Nederland.” *Historisch Tijdschrift* (25 april 2016). If this figure still hold, this means that more than 99,5% of the (Dutch) population would either not hide the friend or betray them (out of fear or otherwise).

151 MS, AA 06: 401.01–20.

8 Kant on human propensity to evil

The Navarrus' solution relies on another assumption which is far more important to Kant. This assumption runs that human beings can trust their own accounts of their own moral reasoning and truthfulness. Kant would vehemently oppose this assumption. Human beings have a natural propensity to evil. This propensity consists exactly in a tendency to willfully deceive themselves about their true motive of action. Put differently: while the Navarrus' solution is based on the idea that human beings can have understanding of their own "true motives", Kant will argue that the human being is a creature that *lies to themselves* constantly thereby (willfully) obscuring their true motive for action. According to Kant the Navarrus solution does not take our nature seriously. If one does, one must agree that the only chance human beings have not to become beings that lie to themselves is – at least – not to utter an outer lie. In this section I dig deeper into Kant's philosophical anthropology, as developed for example in *Religion* (1793). On this basis it will become clear why Kant must vehemently reject the Navarrus' solution.

In his philosophical anthropology Kant conceives of human beings as having a propensity to evil [*böse*].¹⁵² This propensity exactly is that they have a self-developed and maintained propensity to lie (to themselves) about the true motives of their actions. The human being has a self-deceptive nature. Lying, finding rotten excuses for their actions, is the human being all over.

In order to explain this Kantian stance, we need look at the human being's double nature again. Human beings are both natural and moral (or fully rational) beings. It is the human fate of having to struggle with these two dimensions of their being that easily come into conflict.¹⁵³ In general terms the conflict is between the human being as merely rational – and thus moral – creature and the human being as (also) a natural being. As a merely rational being, the human being respects morality, endorses it and is receptive to the call of reason.¹⁵⁴ As such the human being always hears the clear voice of morality and can only agree with it, and endorse it. As mere rational creatures, human beings will to make the CI the maxim of their action. At the same time, as natural beings, human beings are focused on happiness i. e., they make the maxim of self-love their maxim of action. As natural beings,

152 RGV, AA 06: 32.30.

153 See: RGV, AA 06: 57.05–07. See also: MS, AA 06: 379.18–380.10; Van Eekert, Geert: "De wet in het verkeerde licht gesteld", 78. Note: the conflict is unavoidable but that is not to say that the conflict is always as intense and frequent. Living under the conditions of right smoothens the conflict as does development of the inner endowments and the actualization of inner freedom.

154 RGV, AA 06: 26.10 f and 21 ff.

human beings are therefore not well disposed towards morality.¹⁵⁵ They oppose it, as it will (sometimes) block their pursuit of happiness (the goal of human beings as natural beings). It must be emphasized again that human beings are natural beings in two ways: they are mere natural beings and natural being gifted with instrumental rationality [*vernünftiges Naturwesen*].¹⁵⁶ In the former sense the human being is merely frustrated by morality; yet as rational natural being, the human being is irritated and angered by morality; the anger makes the human being into the enemy of morality.¹⁵⁷

So, the double nature of the human being, places them for an existential problem: there are two conflicting voices none of which can be silenced. According to Kant, (as rational natural beings) human beings have a certain cunning [*Tücke*]¹⁵⁸ that makes them say to themselves that the way to solve this problem is to pretend to act morally right while giving priority to nature (i. e., the maxim of self-love). This strategy to run with the hare and hunt with the hounds develops into a freely chosen, willed habit or disposition to lie to oneself: the human being is a self-deceptive creature prone to inner lying.¹⁵⁹ As a self-deceptive lying creature, the human being degenerates from a reasoning animal to a rationalizing [*Vernünfteln*] animal.¹⁶⁰ In this process the human being goes from using its reason [*Vernunft*] to a being using their instrumental reason [*Verstand*] in the interest of their self-love, while also covering up this very fact (with the help of instrumental reason [*Verstand*]).

We can think the problem of self-deception in the following way: every willed immoral action (e. g., like stealing, killing, breaking promises, overeating, being morally indifferent, ungratefulness, lying etc.) is followed by a second immoral action. This second action is the self-deceptive inner lie fabricated by instrumental reason [*Verstand*].¹⁶¹ Through this lie the immorality of the primary immoral action is hidden. The willed choice to prioritize the maxim of self-love is falsely re-inter-

155 RGV, AA 06: 51.22–25.

156 RGV, AA 06: 26.01–10.

157 RGV, AA 06: 57.04–17; See also Kant on the “natural dialectic” GMS, AA 04: 405.05–20.

158 RGV, AA 06: 38.07.

159 According to Kant we can observe that human beings have this willed habit, but we ultimately cannot understand why human beings (universally) make that choice. Human evilness is inexplicably. See: RGV, AA 06, 43.15–44.11.

160 Anth, AA 07: 200.05–20; see also: Noller, Jörg: “Vernünfteln.” *Deutsche Zeitschrift für Philosophie* 68, no.1.2020, 28–50; Sticker, Martin: “When the Reflective Watch-Dog Barks: Conscience and Self-Deception in Kant,” *Journal of Value Inquiry* 51, 2017, 85–104.

161 RGV, AA 06: 42.30–35 and 57.21. See also RGV, AA 06: 38.05–10.

puted as if the CI were the maxim of the action. For example: I want to take this pen from the office while I know that this amounts to stealing. A person can make this acceptable to themselves by saying: “everybody is doing it”. The lame excuse “everybody is doing it” is the inner lie, with which I present the immoral act to myself as a morally neutral one.

Two closely related things seem to bother Kant most about the distinctive way in which human beings have a propensity to evilness. First, in their evilness human beings use *reason against itself*. Human nature is contemptuous to the extent that – of all things – they abuse *reason* to cover up immorality. After all, the inner lie is a discursive affair: reason is silenced with “arguments” or “perfidy of the heart”¹⁶². Next, the self-deception of human beings is a secretive thing. Human being do not openly rebel against morality. They rebel in covert ways: “The human being (even the worst) does not repudiate the moral law [...] in rebellious attitude”.¹⁶³

The specific way in which human beings hide their immorality is greatly despised by Kant. Human beings hide *behind reason*.¹⁶⁴ Exactly this aspect makes the fight against human self-deception so difficult to win: reason is betrayed by instrumental rationality.¹⁶⁵

Kant’s philosophical anthropology provides the most important reason why he resisted the Navarrus’ solution. It completely ignores all our philosophical knowledge about human nature. Human beings are evil in the sense that it is their (self-chosen) nature to rationalize.

Unintentionally, this account on Kant’s resistance against the outer lie has an extra yield. We gain a better understanding of why Kant is so concerned about internal lies. There is a strong link between the inner lie and human evilness – or perhaps said even more appropriately: the disposition to inner lying is the human propensity to evil. Given human deceptive nature, Kant speaks of the inclination to inner lying as the true enemy¹⁶⁶ of the human being struggling to be a moral person. The inclination must therefore be combatted *at all times*. Human beings must *never* give themselves an opportunity to practice with the inner lie. It roots easily and once it has taken root, it stays forever. Therefore, each and every inner lie is a problem.

162 RGV, AA 06: 38.05–10.

163 RGV, AA 06: 36.01-03.

164 RGV, AA 06: 57.21.

165 From Kant’s perspective the (excessive) use of the extreme example is in itself morally suspicious. Why do we need this heroic example so badly? This seems meaningless as hardly anyone is a hero and therefore the case is irrelevant for practice. Unless ... we need the heroic example to convince ourselves that also – or even especially – heroes lie, thereby hoping that some of the lustre of the moral hero befalls on us who need the lie for reasons a lot less noble.

166 RGV, AA 06: 58.29; see also: MS, AA 06: 431.08 f.

[Sincerity] must be guarded and cultivated earlier than any other; for the opposite propensity is the hardest to extirpate if it is just allowed to take root.¹⁶⁷

9 Conclusion

Kant's stance on the moral duty to not lie is controversial as he claims that in judgment there is no expedience whatsoever. Even in extreme cases a person cannot lie. Kantians reflecting on the matter often try to find a way out. The paper points at the problem of connecting today's normative ethics to the system of Kant's moral philosophy. The paper investigates lying from the perspective of the doctrine of virtue. This paper breaks new ground by holding that Kant did indeed hold that the duty to not lie does not allow for expedience. This is not a consequence of a presumed general "rigorism" as Kant does allow for expedience as regards other duties. Kant holds that the duty to not lie is of extraordinary importance and (therefore) different from other duties (as many authors before and after him have done). The paper makes sense of Kant's radical stance on the duty to not lie by contextualizing it within his fundamental philosophy. The basic idea is that lying goes directly against the possibility of attaining virtue, as this manifests itself in the empirical world as *Denkungsart*; a manner of thinking that includes being truthful to oneself. In order to understand why Kant also vehemently opposes outer lying (from the perspective of the doctrine of virtue) we need to explore his view on the possibility of self-knowledge (of one's truthfulness) as well as his philosophical anthropology, in which human beings are conceived of as self-deceiving creatures. Kant cannot accept disconnecting the inner and the outer lie because of his skepticism regarding the human will's sincerity to gain self-knowledge as well as his doubts about the theoretical possibility to gain it.

¹⁶⁷ RGV, AA 06: 190.29–31: [Aufrichtigkeit] [...] [muß] aber früher als jede andere bewacht und cultivirt werden, weil der entgegengesetzte Hang, wenn man ihn hat einwurzeln lassen, am schwersten auszurotten ist." See also MS, AA 06: 430.35–431.03.