

Kant on mental illness, emotions and moral responsibility

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Abstract The paper discusses some thematic issues that emerge from the Kantian study of diseases of cognition and volition, taking into consideration his anthropological works and some problems emerging from his main critical works. Starting from the explanation of the taxonomy of the main mental illnesses (and their causes), some epistemological themes will be illustrated, linked to the fallible relationship between transcendental truths and the empirical dimension of knowledge and to the Kantian concept of error. Subsequently, the study of affects and passions, conceived as illnesses of volition, will show the difficulties linked to a total involvement of reason in moral action, concerning the shortcomings of human action with respect to the principle of responsibility. Finally, the paper will focus on the role of legal *imputability* in relation to moral responsibility and to mental diseases.

Key words Kant; knowledge; moral; mental illness; legal imputability; pathology

1. Kant, philosophy and medicine.

It is a relevant fact that Kant puts his study of mental illnesses only in his pragmatic anthropology, rather than in his Critical works and, consequently, does not focus on the theoretical implications of mental pathologies for his transcendental system. In fact, in his main critical works, Kant never refers to mental alterations, either in relation to knowledge or in relation to practical reason. However, it was noted that Kantian scheme of mental illnesses can be added to his transcendental work to allow important features of his critical

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method to emerge regarding both cognition and volition, because the diseases of the faculty of cognition and of the faculty of feeling and desire potentially raise different questions in many points of his philosophical project. The interpretation of a “corrective dimension”¹ of mental illnesses, if it has the merit of rehabilitating them within the critical interest, loses the deeper meaning of mental pathology in Kantian philosophy. In fact, it is difficult to identify Kantian psychopathology with his “gnoseo-pathology”, i.e. to conceive his theory of mental pathologies based totally on his theory of knowledge². Mental illnesses, in fact, have a much more important role in Kantian moral theory, as well as having an interesting development on questions relating to the conception of the *person* and *imputability*. In this sense, I will try to consider mental illness not only as a defect to be rectified but as a relevant element for Kantian philosophy, from a theoretical and practical point of view. The Kantian analysis of illness explains the errors, restrictions, and obstacles in the formulation of judgments and, on the other hand, the emergence of passions and affections interferes with the practical decision. It can be said that, if mental illness has been investigated from a theoretical and practical point of view in various studies, much less importance has been given to its legal and moral interpretation.

In this paper, I will first introduce the relation between medicine and philosophy in Kant’s work. I will focus first on the epistemological and then on the moral aspects of mental illness. To conclude, I will give an interpretation of the relation between imputability and mental illness starting from the concept of personality. I will try to show that mental illnesses have above all a relevant importance in Kantian moral philosophy.

Kant orders mental pathologies starting with the study of the whole psychological faculty and its functioning – and problems - (cognition, feeling, or desire). Kant – it is important to note - was not a physician and his theory of mental ailments is not a real clinical theory. The Kantian point of view is anthropological³ but it provides advice on the prevention and, partially, the cure of mental disorders. Kant also criticizes the physiological approach to the study of mental illnesses inaugurated in Platner’s anthropology, in 1772, in the work *Anthropologie für Aerzte und Weltweise*. According to Kant, in fact, this theoretical model was not able to provide practical results relevant to the study of the problem of the disease but was limited to a reductionistic and physical investigation. However, Platner, professor and philosopher at Lipsia university, was a follower of Leibniz and rationalist philosophy, and his anthropology⁴ was important for some later philosophers and thinkers, such as Herder, Schiller and Moritz. His anthropology, interpreted from a modern point of view, considered human being in its unity and totality, through a psychosomatic vision and a

¹ On this point, Frierson, P. (2009), *Kant on Mental Disorder*, Journal of History of Psychiatry, 20 (03), pp. 1 – 23.

² To find out more see also, Meo, O. (1982), *La malattia mentale in Kant*, Tilgher, Genova.

³For example, Kant indicates that the reading of novels can become a cause of *dementia* by making distraction habitual, so avoiding novels is a way to help ward off dementia. He also proposes art and culture as ways of refining feeling and thereby treating affects.

⁴See also Zammito, J. (2002), *Kant, Herder, and the Birth of Anthropology*, University of Chicago Press, p. 250.

physiological and rationalist methodological approach. Platner also placed psychosomatic medicine at the center of his reflection and his concept of the unconscious [*Unbewußtseyn*], coined in German for the first time, is relevant for subsequent theoretical developments. The issue of mental illnesses is connected to the theme of the relationship between body and mind in Kantian philosophy, a link that has only recently been observed with attention. The theme of the body and disease is not only connected to literary attention or to an acquired philosophical tradition but also to a transcendental interest. In fact, although the body is a traditional theme of the European Enlightenment, Kant links it to his philosophy, both in the pre-critical phase, in relation to Leibniz and the theories of predetermined harmony, and in the critical phase, to delimit what is body and what is matter from what is not. In the following discussion I will also try to develop the theme of the body in relation to disease and, above all, the role of philosophy as a cure for the soul, beyond the function of medicine conceived as a cure for the body.

The Kantian interest in mental illness arises in the context of the birth of psychiatry, which is a discipline placed between medicine and philosophy⁵ that collaborates with theology and jurisprudence. Starting from the intertwining of these disciplines, Kant believes that the judgment on mental illness is philosophical and it concerns the social responsibility of the sick subject. In the relation between medicine and philosophy, Kant believes that the cause and cure of physical diseases belong to medicine and to medical care. Illnesses of the mind, on the other hand, are subjected to philosophical, anthropological and psychological judgment. The Kantian approach to the disease of soul is *formalistic*, i.e. based on his theory of knowledge and on a descriptive and non-physiological nosology. In this sense, the Kantian model is very close to German tradition and diseases are not explained through their causal relations, but only through their clinical recognition. The Kantian reflection on mental illness is also an interesting contribution of traditional debate on the “organ of the soul” and of the theory of pathologies of the mind in Germany at the end of the eighteenth century. The work of psychiatry, also called the “experimental science of the soul”, went beyond “pragmatic physiology”, which was connected instead to a simply classificatory work of empirical description. The interest in the new psychiatric knowledge increased the study of the relation between bodily functions and faculties of the mind. In addition, great attention was given to the development of neurological and anatomo-cerebral investigation. In this respect, most of the studies focused on the difficult relationship between physical sensations, perceptions and consciousness flow and the disease of the soul was interpreted as originating in activity of the central nervous system. In 1808, J. C. Riel coined the term “psychiatry” (in German “*psychiatrie*”) and introduced a distinction between the ganglionic and cerebral systems. From this point of view, mental illness is explained by the distorted activity of a single spiritual force and the soul is interpreted as an activity and not as a unitary substance. From this, the investigation of the disease of the mind becomes difficult since it is not possible to directly investigate the work of the brain,

⁵ To study the dialogue between medicine and philosophy, see also Von Engelhardt, D. (2003), *Il dialogo fra medicina e filosofia in Kant nel contesto storico*, in *Kant e il conflitto delle facoltà. Ermeneutica, progresso storico, medicina*, ed. by C. Bertani e M. A. Pranteda, il Mulino, pp. 253 – 265.

which is considered the seat of the soul. Acting on mental illness does not foresee acting directly on the brain but on the whole life of the soul. Reil refers to the Kantian work *The Conflict of the Faculties*⁶ (1798) and, in this sense, his treatment of pathologies also has a moral value. There is, in fact, an “interest of reason” which considers the representations of psychic life not simply in a theoretical sense but, above all, in a practical meaning. Psychiatric treatment is also necessary for a moral purpose, conceived as the realization of man’s unity in his spiritual conscience.

The relation between Kant and medicine is also explained through his letters and correspondence. Kant had many relations with famous physicians and, among all the scientists of that period, he certainly had important intellectual exchanges with S. Th. Sömmering⁷ and D. C. Hufeland. In the letters of August 10 and September 17, 1795, Kant replies to Sömmering's work on the *Organ of the soul (Über das Organ der Seele)*⁸. The Kantian answer, both scientific and philosophical, was added by Sömmering to his book, published the following year. According to Kant it is not possible to speak of the physical seat of the soul but only of its organ, because the soul does not have a specific material and space-time determination. Interpreted as a mere virtual and dynamic presence, the soul cannot be interpreted as the ventricle of the brain (*sensorium commune*) in which the nerves intertwine. It is possible, in fact, to define the place only of something material and not of a fluid contained in the brain cavity. Kant admits that there is a separation between body and soul that philosophy and medicine must accept. The concept of the position of the soul for Kant is therefore contradictory because it requires a local presence and a spatial quality of a thing that is an object of inner sense. To indicate the brain as the physical seat of the soul means to give a *judgment of subreption*, that is to confuse the traces of the impressions exerted on the brain with thoughts, through laws of association.

Another important reference is Hufeland, who, with his essay *Die Kunst das menschliche Leben zu verlängern*⁹ (1797) allows Kant to reflect on a dietetic of Galenic tradition. Following a modern configuration of a “psychosomatic” Kant responds to Hufeland through the idea that the preservation of the body is also a moral self-preservation¹⁰, based on the Stoic principle of the “*substine et abstine*”. The prevention of diseases of the body is achieved through the strength of the spirit and soul; philosophy, which is also understood as a medical art, explains the power of the soul [*Gemüt*, also *animus*] over sick bodily sensations and that ability to discriminate pathological sensations from healthy ones. The relation between moral disposition and *dietetic* is interpreted by Kant as an anthropological-pragmatic connection between acting and suffering, between the ability to

⁶ Kant, I. (1996), *The Conflict of Faculties*, ed. by Allen W. Wood, Cambridge.

⁷ See also Marino L. (1994), *Soemmering, Kant and the Organ of Soul*, in *Romanticism in Science. Science in Europe, 1790 – 1840*, ed. by S. Poggi, M. Bossi, Dordrecht, Kluwer Academic Publishers, pp.127 - 142.

⁸ Sömmering, S.T. (1796), *Über das Organ der Seele*, Nicolovius, Königsberg.

⁹ Hufeland, C. W. H. (1995), *Die Kunst, das menschliche Leben zu verlängern*, Frankfurt a. M. – Leipzig.

¹⁰ On the concept of the conservation of life as an moral ideal, see Marianetti, M. (1999), *Vivere, invecchiare ed essere vecchi. Kant e Christoph Wilhelm Hufeland*, Istituti Editoriali e Poligrafici Internazionali, Pisa – Roma.

control negative impulses and the conservation of one's physical health. In this sense, the answer to Hufeland is presented above all in the third part of the *Conflict of Faculties* and in *Anthropology from a Pragmatic Point of view* (1798), through the concept of *Gemüt*, understood as the capacity of the soul to become autonomous, in its representation, from its connection with affection. In fact, Kant defines the *Gemüt* by referring explicitly to the Stoic and Latin tradition of Cicero and Lucretius and to that faculty capable of contrasting old age and illness. These references help to understand the articulated relation between medicine and philosophy in Kantian thought, within an interest between gnoseology, anthropology and morality. The cure of mental illness is for Kant a moral goal, but also a specific characteristic of humanity. But how is pathology of mind (conceived as brain lesions or severe mental insufficiencies), understood as a deviation of reason or absence of reason, justified? And, above all, how can the behavior of the mentally ill be reconciled with the categorical imperative?

2. The *Essay on Maladies of Mind*: mental illness, equilibrium of the faculties and society.

The taxonomy of mental illness is shown by Kant in two works, in the *Essay on Maladies of the Head*¹¹ (1764) and in *Anthropology from a Pragmatic Point of view*¹² (1798). Between the work of 1764 and *Anthropology*, Kant develops the themes of madness during his academic lessons, without following an analytical method. However, in 1764 Kant also wrote the *Observations on the Feeling of the Beautiful and the Sublime*¹³, which has the same object and the same phenomenological and descriptive method of the *Essay*: the method of observational analysis of temperaments and their degenerations is similar to the description of the alterations of mental illnesses. Another analogy between the two works is that the diagnosis of the disease is based on the observation of human behavior and, moreover, mental deviation is connected to the moral constitution of the subject. In the *Observations* a psychology of temperaments is presented and the only degenerate "alteration" is related to the melancholy attitude. In the *Observations* there is no psychopathological theory and the symptoms of mental illness, that is, hallucinations, are manifested only in the melancholy. Pathological traits are explained as a degeneration of the "normal" characteristics of the personality. Furthermore, as in the essay of 1764, Kant notes the influence of the disease on intersubjective relationships and the reactions of the social environment.

In the 1764 *Essay*, Kant realizes a classification of "diseases of the head" ("*krankheiten des kopfes*" is used in literal translation, but to use modern language we can say "diseases of the mind", or "psychiatric diseases"). Kant's attention is focused on two points: on the one hand, the social and ethical theme of Rousseau and the English moralists, and on the

¹¹ Kant, I. (2007), *Essay on Maladies of the Head*, ed. by G. Zöllner, R. Loudon, tr. H. Wilson, Cambridge.

¹² Kant, I. (2006), *Anthropology from a Pragmatic Point of view*, ed. by R. Loudon, Cambridge.

¹³ Kant, I. (2012), *Observations on the Feeling of the Beautiful and Sublime*, ed. by P. Frierson, P. Guyer, Cambridge.

other, the gnoseological theme of criticism of German rationalist metaphysics. According to Locke's distinction between mental weakness and madness, taken from Leibniz and from German philosophy, the study of the deviant traits of a sick personality is used by Kant to fix the possibilities and limits of reason in its normal use. Generally speaking, Kant divides the deficiencies (weakness) of the mind [*Gemütsschwächen*] from the diseases of the mind [*Gemütskrankheiten*]. In both cases, Kant believes that the pathology disrupts the operational functions of the faculties. This is an important aspect, especially for the critique of traditional metaphysics and for the construction of a system of principles and concepts based on precise transcendental structures. Mild disorders are intellectual deficits or illnesses such as foolishness and nonsense. These hit the *Witz*, the *Verstand*, the *Urteilkraft*, and the *Vernunft*. Serious disorders, on the other hand, which concern perceptual and cognitive alterations, affect the lower cognitive faculty, the *Urteilkraft* and the *Vernunft*, understood as higher cognitive faculties. More specifically, the nosology of *Essay* is divided into two central figures: either illness emerges because the imagination loses all contact with sensibility and considers its ghosts and images as real, or because the information of the senses is distorted by erroneous forms of judgment. In both cases, that is, in hallucinations and ravings, a correct elaboration of reality connected with sensibility is not given and the imagination, connecting sensible data, doesn't work. In the case of illness, in fact, instead of figurative syntheses of the imagination, we have ghosts or illusions which are separate projections from the data of reality. In these cases reality is completely lost and the speech of the mentally ill person is expressed in the vacuum of the separation between the psychic sphere and reality. According to Kant, on the other hand, a good balance of the mind occurs when the data offered by sensibility are processed so that the result corresponds to things as they really happened. In the case of mental illness, however, there is no connection between reality and the mind, so an ill person is in a non-real dimension. Among the most serious perceptual and cognitive disorders, Kant therefore includes alterations and fantasies (chimeras) and the various disorders of judgment [*Wahnsinn*], of reason [*Wahnwitz*] and of judgments of experience [*Aberwitz*]. The faculty of understanding [*Verstand*] assumes the general role of a higher faculty distinct from judgment and reason. Judgment, which has the function of comparing a predicate with a concept, can make a logical error if it falsely associates empirical notes with a concept. In this way, the defect of the insane is in the construction of a defective logical connection, given by an erroneous syllogistic deduction.

The point of view of the *Essay* is close to the *Dreams of a Spirit-Seer* (1766)¹⁴, where Kant, in his criticism of dogmatic metaphysics, adopted the empirical tradition. The ideal of a right reason and a right knowledge is based on empiricist gnoseology, according to which thinking real objects means referring to data that derive from our sensations. In particular, regarding the methodology, the procedure found in those years is based on an analytical knowledge that is able to eliminate the sources of error and illusion through the impartial analysis of phenomena, examined in detail and divided into their ultimate

¹⁴ Kant, I. (2003), *Dreams of a Spirit-Seer*, tr. by Gregory R. Johnson, Swedenborg Foundation Publishers.

elements. From Newton, Kant takes up the substitution of the principle of synthetic explanation of essences towards an observational method of phenomena in their empirical connections: the analysis of confused concepts of experience takes place through the isolation, subdivision and comparison of the notes of the given concept. Analysis, in this conception, is a philosophical method that is based on the experience, allowing the decomposition of its infinite aspects, and trying to find the principles that can organize the manifold observed. The analytical method, however, also finds insoluble concepts (from ethics, aesthetics, religion, feeling) to be such that they cannot be fully explained through observation, because of the fallibility and limitation of human capacities. Regarding mental illnesses, the visionary and the mentally ill have common characteristics and are described in a similar way through the same neurophysiological theory based on the principles of optics and on the Cartesian doctrine of material ideas. For both, there is a displacement of the object produced by the imagination, which from a simple chimerical figure is projected as an external and “real” physical object. In this case, the alteration connected to the judgments of experience is an overcoming (the German prefix “*aber*” means “passing forward”) of the limits of experience, in the same way as the metaphysician or the visionary who does not remain within the limits imposed by reason. Kant, therefore, associates the *Essay’s* creative faculty of invention [*schöpferische Dichtungsfähigkeit*] with the *Dreams’* imagination [*Einbildungskraft*], both are distinct from the higher cognitive faculties and in close relation with the sensibility. Finding the operative site affected by mental illness, Kant also establishes the limit beyond which the use of the cognitive faculties is illegitimate.

Kant considers mental illness deriving from bodily defects, according to the medicine of Boerhaave and Hoffmann, but mental illness is also considered a disease of the soul. The soul, in this context, is the center of man’s passions. Passions come true within the social environment and, in particular, it is in society that pathological forms of the mind can arise. The *Essay on the Maladies of the Head* is important because Kant proposes a new cultural model, instead of the deterministic model, which refers to medicine as a therapeutic science. According to the cultural model - a paradigm that Kant will abandon in the critical phase - Kant gives a description and an etiology of mental illness starting from the relationship that the human being has with his social environment. In society, Kant observes, there is attention to appearance and to all those artificial rules that concern public behavior in social life. In this context, as Kant observes, natural passions can be transformed in an unnatural way of life and, for this purpose, society can become the origin of the expression of mental illness. The problem of the *Observations* is that even if moral judgment is given by an immediate feeling, in particular of the sublime, from a Kantian point of view a moral philosophy that based its rules exclusively on that feeling is exposed to a lack of universality and necessity. So, Kant integrates the moral conceptions of the English moralists, based on the study of man in his peculiar nature, with Rousseau’s ethics, in order to link a moral of sentiment with a rational morality. Kant searches, through the study of Rousseau’s philosophy, for a new method for the study of man, conceived as an absolute and ideal concept and assuming it as a basis for psychological descriptive ethics,

through the phenomenal observation of behavior. The outlined human ideal is given by two points of view, i.e. a state of natural and instinctive perfection and a state of spiritual perfection, within which the history of humanity is conceived in its efforts and errors. The morality is based on a philosophy of history, and not only in an anthropological and individual sense. In this sense the social, juridical and psychological elements that ground the moral rules are very important for Kant, in a first step the principle of prudence, according to an anthropological-pragmatic attention, and then an ethical-normative dimension. Social dimension is a sphere of interest that is evaluated by Kant from a calm observation of the illusory play of appearance to a decisive criticism of costumes. In this context, in which the human is conceived by its specific nature and in its ways of social living, Rousseau's work is crucial, because it is able to offer, beyond the Newtonian method of analysis, a new methodology, which can orient and guide the investigation in the experience and existence. Kant shows the passage from the degeneration of human nature to the unnatural state of civilization¹⁵. The critique of society, that is explained by the criticism of excess of human desire, is grounded on an immoderate enjoyment and a cult of the superfluous and the opulence of customs. While Kant shows the degeneration of social life, he believes that in this negative dimension of civilization there are the tools to overcome decay. The Kantian observation, in fact, aims to unmask all the levels of human behavior in society and, at the same time, tries to show the origin of civilization, beyond its illusory artifice. The real decay of civilization is characterized, according to Kant, by the stereotypical formality of good taste, by the anesthetization of society that reduces virtue to a mere semblance, compromising social life. The Kantian critique of the barbarization of customs is also extended to politics, culture and religion. In this perspective, Kant is close to Rousseau and to his concept of cultural and educational revolution. Kant derives from Rousseau the research for an original foundation of the concept of humanity, starting from a critique of current customs and reaching an original state of nature, where the conditions and the feelings of beauty and dignity are found. Kant analyzes the pathological aspects of civilization, but he finds a revolution of customs, because he does not believe that man can go back to a naive and primitive stage. The discourse is articulated through the identification of a shared and universal dimension of human nature, which is not comparable to transcendental subjectivity. Kant shares with Rousseau the following conception: the ability of man in the state of nature is based on a search for a feeling of freedom and independence from the bonds of society, in an immediate feeling of justice and religiosity. On the other hand, there are many differences between the two authors. First of all, in Kant's view, the state of nature is not characterized by an absolute goodness of man, even if primitive man tends to be morally good and does not need to cure his instincts because they are naturally oriented towards good. However, unlike Rousseau, the Kantian savage does not have a universal feeling of pity and sympathy. According to Kant, in fact, it is necessary to start not from a natural *a priori*, in order to be able to define the

¹⁵ An interesting point of view on the theme is given by Foucault, M. (1965), *Madness and Civilization: A History of Insanity in the Age of Reason*, New York, Vintage.

historical forms in which civilized man is determined, but to proceed analytically and genealogically, it is important to stay on the level of the civilized and modern man, identifying the possibility of social reform, through the observation of the pathological problems that characterize him. In fact, the Kantian analysis of the virtues of civilized man is divided into positive and degenerate characters, that is, on the one hand, into temperaments cultivated and supported by morality and, on the other hand, morals corrupted by society. From this point of view, the same human character can degenerate or be "cured" through a progressive social revolution which also affects the imposition of a precise moral habit.

According to Kant, the exasperation of artificial life and of behavior conceived as the set of rules and code of actions, becomes a negative human model in contrast with natural spontaneity, which can cause mental disturbs, because the man of society can risk madness¹⁶. This Kantian conception is a reworking of Rousseau's thought, according to the idea of typical anti-Enlightenment radicalism shown in the pre-critical period works. From this perspective, the cause of madness is social living and, therefore, Kant is interested in a dietetics of the mind. After the essay of 1764, Rousseau's naturalism becomes a central concept of Kantian morality. In fact, in 1763 Kant was a Newtonian scientist, a scholar of logic who was careful to separate the structures of deductive thought from causal inferences. From the moral point of view he distinguished a duty conditioned by an absolute obligation, and yet the ethical and aesthetic sphere was dominated by English and Scottish sentimentalists. In this atmosphere Kant reads the *Emil or On Education* of Rousseau and the *Nouvelle Eloise*. In the *Observations*, Rousseau's philosophy is central in Kantian reflections. In this perspective, madness is not conceived as a degrading return of man to bestiality, but as a general effect connected with social conditions of life. According to Kant, in nature, the three faculties of sensibility, imagination and understanding are balanced and work in perfect accord with the natural environment. The relationship between man and the environment is perfectly adequate and passions are balanced in natural man in a total vision of energetic harmony (in this sense, the English tradition of society joins the German vitalistic culture of life). In these natural conditions, the mentally ill person is naturally ill, that is, he has the misfortune of not having sufficient physiological endowment. It is instead social life that breaks this balance, because it produces strategies, fictions, artifices and attitudes. The artificial construction of man in society has a potential imbalance, and diseases derive from the social condition of life. Just like in Rousseau's thought, it is the confusion of natural passions that creates the conditions of illness, and the human condition in society explains the possible alteration of the relation between imagination and understanding.

¹⁶For an interpretation of society as an artificial machine and its liberation in an aesthetic and philosophical sense, see also Schiller, *On the Aesthetic Education of Man in a Series of Letters*. Here, Schiller elaborates a theory of harmonious activity in which a balance or equipoise is maintained. In particular, starting from Kant and Rousseau, Schiller believes in elevating human potential through the arts for the development of free citizens of the Republic, using the model of the French Revolution.

3. The critical-epistemological relapses of mental illness: a reflection on *Anthropology from a Pragmatic Point of view* (1798).

The work of 1764 proposes a nomenclature of mental illnesses [*eine Onomastik der Gebrechen des Kopfes*], from paralysis, to foolishness, to madness, ranging from the simplest grades of disease to the most serious mental illnesses. The *Essay* still appears immature as regards a precise arrangement and classification of the faculties from a transcendental point of view and, however, here Kant fixes mental illnesses in some figures that will remain substantially the same even in the classification offered in *Anthropology from a Pragmatic Point of view*. Regarding *Anthropology*, Kant distinguishes two specific disorders starting from the cognitive faculties, *weaknesses* and *illnesses*. The first derive from a deficiency of cognitive power or from a decreased function of that power. The latter maintain a partially positive relation with the cognitive faculty but, although there is correspondence, the operations of causal laws are different from the activity of a subject in normal conditions. In particular, Kant conceives the taxonomy of mental illnesses starting with cognitive powers in their legitimate and transcendental use, to be able to study any anomalies, deficiencies and defections. This is possible because Kant considers mental deficiencies and mental illnesses as *defects* of the cognitive faculty. Furthermore, Kant believes that the illnesses affect the higher faculties and not the senses. In this sense, diseases are deviations of the higher cognitive faculty [*Verstand*]. The defect of sensibility is not in the organ that receives the manifold but in the faculty of the rules, i.e. it concerns the faculty of understanding and the reason.

It is interesting to see how anthropology's treatment of mental illnesses is a theoretical "return" to the gnoseological themes addressed in the *Critique of Pure Reason* (1787)¹⁷. Through the study of mental illnesses, Kant proposes the scheme of the transcendental faculties from another point of view and thinks about the possible errors of "pure reason". First of all, the higher faculty of cognition has many specific aspects. The faculty of understanding, through *a priori* principles and concepts, brings to one's representations the transcendental unity experience: in this way, Kant builds a conception of the world conceived as an objective synthesis of phenomena. Secondly, reason is a theoretical ability to produce ideas, starting from the predicative activity of the faculty of understanding and based on a specific logical faculty of syllogisms. Finally, the power of judgment, based on the concept of aesthetic and teleological reflection, has two kinds of deficiencies that derive either from an absence of capacity (stupidity) or from a reduced function of this power. The ailments listed by Kant follow from the alterations in the functioning of these faculties. Insanity (*Wahnwitz, insania*) is a "deranged power of judgment": in this case, the ordinary function of judgment and its power to make analogies is confused with the activity of understanding, and with its power to relate the particular under concepts *a priori*, in a confusion of faculties and of operations. In particular, insanity is a disturbance

¹⁷ Kant, I. (1998), *Critique of Pure Reason*, ed. by P. Guyer, A. W. Wood, Cambridge.

of the content of thought in which the syllogistic structure is intact but the error consists in false application of the rules. Judgment can, in fact, create false analogies or fallacious syllogisms. The insane person mistakes a logical presumption for a rational deduction, concludes the total identity of the subjects from a partial identity of the predicates, and treats different species as belonging to the same species. Amentia (*Unsinnigkeit, amentia*) is a defect of imaginative association and regards the perversion of the understanding as the inability to bring one's representations into the necessary coherence for the possibility of experience; craziness (*Aberwitz; vesania*) is a "sickness of a deranged reason. - The mental patient flies over the entire guidance of experience and chases after principles that can be completely exempted from in touchstone, imagining that he conceives the inconceivable.. The squaring of the circle... and the comprehension of the mystery of Trinity are in his power."¹⁸ In this kind of disease of unbalanced reason, the mentally ill person goes beyond the whole experience and aims at incomprehensible principles. Deficiencies and derangement also belong to the lower faculty of cognition, which includes the outer senses, the inner sense (which is an activity of introspection of one's own mental states)¹⁹ and the imagination. While the outer senses are not essential for the beginning of illness, according to Kant the inner sense plays a fundamental role. In fact, the inner sense does not have in itself the origin of illness or some kind of deficiency but is subjected to illusions and "can easily lead to enthusiasm and madness"²⁰ because there may be "a confusion in the mind of supposed higher inspirations and powers flowing into us". From the imagination derive also the deficiencies of the reproductive activity of imagination that Kant calls absent-mindedness, an involuntary distraction of the representations. Dementia (*Wahnsinn*) is a mental ailment of imagination through which "owing to the falsely inventive power of imagination, self-made representations are regarded as perceptions"²¹. Kant also finds other mental deficiencies, linked to the faculties. The deficiency of imagination is distraction; a lack of wit is obtuseness; a lack of judgment is defined as stupidity and, in the end, one with a weakness of understanding is called a simpleton²². To sum up, in the *Unsinnigkeit*, the madman remains in the experience; in *Wahnsinn* and *Wahnwitz* the insane person acts within the territory of experience but provides a wrong interpretation of it; in the *Aberwitz* he crosses the experiential boundary. It is important to observe how Kant qualifies diseases and their severity starting from their level of overcoming the limits of knowable experience. The mentally ill person, in *Anthropology*, is one who makes logical errors, falls into prejudices, or does not adapt concepts to experience.

¹⁸ *Anthropology from a Pragmatic Point of view*, p. 110

¹⁹For the problem of a "empirical psychology" in Kantian philosophy see Frierson, P. (2014), *Kant's Empirical Psychology*, Cambridge.

²⁰*Anthropology*, p. 20.

²¹*Anthropology*, p. 109.

²²For a good reconstruction of the defects of the faculty and the problem of the connection between disease and epistemology, see also Frierson, P. *Kant on Mental Disorder* (2009).

In Kant's mind, as we said, mental ailments originate from various circumstances. First of all, a mental illness can derive from a "physical illness that requires medical attention"²³ or, it can sometimes be based on a specific human predisposition, such as a hereditary cause or genetic and familiar physiology. Mental deficiencies can also derive from a combination of environmental and hereditary aspects but, in general, Kant is not worried about the defects of the higher cognitive powers, because the critique of pure reason, with its investigation into the limits and validity of correct reasoning, is also an instrument which is capable of distinguishing healthy reasoning from "sick" reasoning. Once the diagnosis of mind defects is clear, Kant reflects above all on ways to cultivate cognitive powers, through an anthropological and pragmatic point of view. In fact, Kant theorizes a natural therapeutic modality, to prevent or definitively eliminate the disturbs. The pragmatic point of view, in fact, is based on the idea that an individual can live with various mental disorders and, in this sense, the role of the soul physicist is not exclusively that of curing the sicknesses of the mind but also that of helping the individual to live with it. In fact, some mental pathologies are incurable because they have a biological basis, but they are simply observable and classifiable, that is, it is possible to live with them and, at the same time, compose a reasoned taxonomy. However, as we have seen, Kant suggests a non-biological cause of diseases of the mind, in the "most profound degradation of humanity" where "the only universal characteristic of madness is the loss of *common sense* and its replacement with *logical private sense*"²⁴. In some figures of mental illness, in fact, there is a kind of nihilistic delirium²⁵, in which the unity of consciousness is broken. The incorrect application of the categories by the mentally ill person excludes him from the unity of "I think" and from the legislation of nature. In mental illness, according to Kant, there is a *private sense* of logic in relation to objects. The theoretical-transcendental principles of the mentally ill, in this sense, cannot say anything about the unity of experience. Furthermore, the mentally ill person has a formal inability to unify the experience because he makes mistakes in applying this capacity. The limits of the mentally ill are related to the application of concepts and are connected to the use of rules and language. In the case of a hereditary disease, according to Kant, the patient cannot control his impulses or correct his logical inability and illness does not derive from a "bad" or "wrong" use of reason. Kant distinguishes several pathologies: on the one hand, there are serious diseases that require psychiatric assistance; on the other, Kant admits that pragmatic anthropology can help the patient to correct his "mistakes". In the latter case, in fact, Kant speaks of a "diminution" and not of a "cancellation" of humanity. The mentally ill patient is still "human" but will have an epistemic and moral humanity of a "particular" kind.

²³*Anthropology*, p. 108.

²⁴*Anthropology*, p. 113.

²⁵ The term *nihilism* is famous in Nietzsche's philosophy but in this context it is useful to understand the particular form of "gnoseological solipsism" of the mentally ill in Kantian philosophy.

Kantian treatment of mental illnesses has also important gnoseological and epistemological implications because is able to show the limitations, dangers and difficulties that transcendental philosophy hides. As noted by P. Frierson (2009), mental illnesses bring significant problems to the assumptions of criticism and raise questions that lead to a renewed analysis of the principles of the *Critique of Pure Reason*. Kantian philosophy, as it is explained in the first Critique, does not study the possible errors deriving from an incorrect application of transcendental principles (which is a topic studied above all in logical writings and lectures), but it focuses on the construction of experience through the ordering of the manifold offered by space and time and by the unification of the understanding which confers universality and necessity. The *Critique of Pure Reason* does not investigate the mistakes given by the application of its principles but it studies how its rules process phenomena in a valid and correct way, through the discovery of a transcendental logic. Critique is, first of all, an investigation into limits and possibilities, not about objects but about a priori concepts of objects in general. Critique opposes the failure of dogmatism which has generated skepticism and the illusion of metaphysical knowledge, which are followed as a reaction to dogmatism. With the critique of pure reason, then, Kant offers a *cure* to skepticism, since it aims to discover if pure a priori knowledge is possible and what its extension is. From the critical investigation it appears that reason is the faculty from which the fundamental concepts and the a priori principles arise and from which all other a priori knowledge can be deduced. The critique is a *propaedeutics* to the system of pure reason, that is, a science that judges pure reason and the sources of this knowledge, by determining its limits. The critique investigates whether this a priori knowledge can be applied in an unlimited way to supersensitive objects or only to sensitive objects. For this reason, the *critique* is not the *doctrine* of pure reason but the critique of it, that is, its object of study is not knowledge, but the field from which knowledge arises. The aim of the critique of pure reason extends to all the claims of the cognitive faculty in order to see its validity. The task of critique of pure reason is negative and its function is restrictive. In this sense, the critique is a “cure” of transcendental knowledge.

As we have seen, the study of mental illnesses is necessary to consider a general problem of knowledge, since it reveals negative aspects of reasoning in its operations. In a discussion on the possibility of *a priori* knowledge, the role of contingent elements relating to human nature is highly relevant, within the constitution of a unitary and objective cognitive experience. In this regard, the logical dimension, which is expressed in an adequate application of the a priori principles of understanding, could also be determined by some psychological elements and, thus not necessarily guarantee objective knowledge. For example, these psychological limitations could be derived from genetic, hereditary defects, from mental malformations. These “physiological” defects could certainly have an impact on the logical level of knowledge processing. The conditions of a transcendental

philosophy is connected to the fact that the truths at the basis of exact science²⁶ (mathematics and logic), from a Kantian point of view, are based on the subjective principle of our way of feeling (through space and time) and unifying (through the categories) a complete experience of the world²⁷. Starting from this conception, the logical, mathematical and geometric truths must be true in every world built, according to our transcendental principles. Kant does not study this distinction between *truth of facts* and *truth of reason*, but the transcendental deduction of the second edition of the *Critique of Pure Reason* is in opposition to a particular *psychologism* of his conception of the faculties. The deduction of the second edition of the *Critique of Pure Reason* has a more realistic structure, since Kant rejects the psychological and subjective organization of the faculties taken up by J.N. Tetens (Tetens speaks about three faculties and three syntheses of a subjective deduction), according to which there is a generating function of the objective world. The anti-psychologistic and anti-subjectivist perspective of the second transcendental deduction can be understood starting from the subtraction of time from the synthesis of the manifold and its consequent generalization. This passage between the first and second transcendental deduction marks a turning point in Kant's conception of transcendental knowledge. The imagination acquires a subordinate function to the categories in the process of knowledge and, with the abolition of time from the synthesis of the manifold, a generalization of the function of categories takes place, not only connected to the organization of the sensible but now considered within a transcendental logic. In this sense, Kant divides, on the gnoseological level, the laws of empirical and psychological association, still present in the subjective deduction, from the transcendental function of categories.

To summarize, the possibility of the relation between a valid and true knowledge, which is also objective and based on logical and formal laws, and the presence of these transcendental principles in a finite subject which is subjected to psychological and physical limitations, is a complex point of Kantian philosophy. In this way, Kantian transcendental philosophy is based on a discovery of theoretical and moral principles that are able to guarantee truth and validity to knowledge of the world and of action. Euclidean

²⁶ This issue obviously concerns the epistemological status of empirical psychology which, for Kant, is not an exact science like mathematics and physics. Empirical psychology deals with an empirical, changeable and non-deducible object starting from a formal rule. Kantian empirical psychology has a small place in its critical system and is partially replaced by anthropology, which is not a formally rigorous science (*einer förmlichen Wissenschaft*).

²⁷ This is also problematic in B. Russell's philosophical work. Beyond the distinctions between analytic and synthetic, logic is autonomous and, as he says in the "Introduction to mathematical philosophy", it is a question of giving a new meaning to the principle according to which truths are analytic (a new meaning because the principle of non-contradiction). On the other hand, he assumes, in a Leibnizian way (like Gödel), that we have an intuitive knowledge both of the truths of mathematics and of factual truths (for example, cogito or apperception fall into the latter species). In later texts, between 1913 and 1914, he tries to sketch a theory of non-dualistic knowledge, whereby the truths of mathematics and logic are precisely "hard data" and that their criterion is finally a sort of psychological "evidence". In fact, Leibniz also argues that the type of evidence of the truths of reason cannot be compared with those of fact, and says that for the latter we need a logic of verisimilitude.

space as an order of coexistence, and time conceived as an order of succession, are based on pure principles of universal and necessary sensibility, which are valid for everybody. In the same way, the intellectual categories with which we build phenomena and objects of experience are the same in everyone and are conceived as the principles of reunification of the manifold of a shared experience from an intersubjective point of view. The problem will then concern the validity of such truths, based always and in any case on human nature and, for this reason, the problem is based on the difficulty of defining them as necessary or as endowed with logical evidence. In this sense, transcendental rules govern healthy reason and the normal operations of the higher cognitive faculty. Nevertheless the human being can err through various restrictions and subjective obstacles, not proceeding within his own normative standards, because it is possible to make mistakes by formulating judgments inappropriately. In this sense, a healthy intellect can make mistakes; the sick intellect does not simply make mistakes, but radicalizes them into a coherent and “new” model of reality. Kant believes that the healthy faculty of understanding is the same faculty capable of elaborating coherent judgments in a good relationship between sensibility and understanding, in which there are no irregular interferences. This is a sign of Kantian principle of *harmony* of the faculty that Kant maintains in the first and, above all, the *Critique of Judgment* (1790)²⁸ and in which the correct operations of the cognitive faculties is supported through the discovery of a new a priori principle. The healthy reason presents an objective unity of the relation between the imagination and the understanding. This means that the imagination operates a first organization of the empirical manifold by figurative syntheses, which are subjected to the synthesis of categories. According to Kant there is also a subjective unity of the relationship between imagination and intellect, that is, the *free play* of faculties that occurs in aesthetic judgment²⁹. Furthermore, in the latter case the faculties are connected to each other according to a principle of finality and harmony and they determine specific aesthetic and non-cognitive judgments. In both cases, the functioning of the faculties does not close the individual into selfishness deprived of a solitary knowledge, since the correctness of the judgments is based on the sanity of the

²⁸ The discourse on the private dimension of illness can also be explained through the aesthetic perspective of the *Critique of Judgment*, in which Kant separates the public judgment on the beautiful from the private judgment on the pleasant. Judgments about the agreeable are private because they cannot be communicated, as they show something that pleases the senses and subjective sensations; judgments about what is beautiful show a very particular claim to subjective universality. In the first case, i.e. in the judgments on the agreeable, that which pleases remains on a private level of knowledge, and the content is not communicable, in the same way in which mental illnesses link the subject to a form of erroneous and prejudicial reasoning, devoid of any foundation in reality. In the judgment of the agreeable, however, there will be a judgment of perception, that is, a judgment based on private sensations, which is not communicable to others, but which they can still understand starting from the same system of sensible perception. As for the judgments that the patient bases on what he believes to be true and real, we speak instead of a completely altered state of the use of the faculties, in which logical prejudice is understood at its highest degree. Some diseases, in fact, seem to oppose the structure of “I think” as they not only introduce a private sense of logic but also they split one personality into many different personalities.

²⁹ See also, Kenneth F. Rogerson (2008), *The Problem of Free Harmony in Kant’s Aesthetics*, State University of New York Press.

intellect, guaranteed by the order and unity of the representations in transcendental apperception.

If in his critical works Kant focuses on the harmony between the faculties in their functioning, in his lessons³⁰ he uses the term *prejudice* [*Vorurtheil*] to indicate the way in which reason can make mistakes, interfering in the regular connections of judgments³¹. In the conception of the limits and validity of human knowledge, in fact, it is necessary to consider that there may be other forms of reasoning which are capable of overcoming the boundaries of human knowledge as understood from an objective point of view and, in this sense, Kant reflects on the possibility that human beings have different cognitive structures. The treatment of pathologies does not establish their absolute negativity, since Kant discusses the conditions, the causes and the possible prevention of the illnesses, without considering what, on the other hand, would be healthy situations. In cases of craziness or insanity Kant then manages to find an unnecessary level of contingency for human nature, which proceeds beyond the coherence of transcendental truths “In this... kind of mental derangement there is not merely disorder and deviation from the rule of the use of reason but also positive unreason; that is, another rule, a totally different standpoint into which the soul is transferred, so to speak, and from which it sees all objects differently.”³² A mentally ill person is described as one who lives in a different world, and in which “the powers of the unhinged mind still arrange themselves in a system” and “even arrange cognitions according to “a principle of unity”³³. He who is mentally disturbed, according to Kant, lives with “a totally different standpoint” and even if the “objects must conform to our cognition” Kant declares that the afflicted person lives “in his own world”³⁴. If Frierson’s reading of logical variations assumes a fundamental aspect of the relation between the transcendental dimension and empirical psychology in Kant’s theory of knowledge, his interpretation does not clarify the question of prejudices and provisional judgments in Kantian logic. In some logic lectures, Kant clarifies the difference between *provisional judgments* and *prejudices*. Prejudice is the “foundation” we have for judging something in advance [*vorher*], which however does not derive from the laws of the understanding. It is a sort of “deviation” of the judging from the application of the transcendental principles. Prejudices are described as preliminary judgments that are misunderstood in their function. Provisional judgments derive from objective foundations, prejudices from subjective foundations; the former derive from reason, the latter from the sensibility that distorts them. In this sense, provisional judgments seem to be exact precognitions (which may come from experience), while prejudices are false judgments, formulated without a sufficient foundation, that is, without a *ratio determinans*. Kant insists on the formal falsity of prejudices which remains fundamental even when these are

³⁰ I. Kant, *Vorlesung über Philosophischen Enzyklopädie* (1775), Ak XXIX₁, 25.

³¹ The discourse could also be inserted into the more general problem of *obscure representations* [*Anthropology*, § 5] between sensibility and the faculty of understanding.

³² I. Kant, *Anthropology*, p. 111.

³³ *Ibidem*

³⁴ *Anthropology*, p. 114.

correct with respect to the content (i.e. "true"). A prejudice remains a prejudice even when what it claims is true. If prejudices can be true with respect to the content, they remain false as to the foundations (i.e. the way they were obtained and produced) and are therefore dangerous. The consideration of the formal point of view concerns the degree of the affirmed correctness of a judgment. Thus any persuasion is false with respect to the form (*formaliter*) since here an uncertain knowledge seems to be certain. The formal consideration of truth consists in comparing the certainty required by a knowledge with the foundations that exist to affirm that knowledge. If there is a contradiction between the two aspects, then the knowledge is formally false, even if it may be true regarding the content. The provisional judgment precedes the complete or decisive judgment, and makes use of preliminary indications obtained from an in-depth evaluation of an object. When this presumption is confused with a definitive judgment, one falls into error. The act of formulating a judgment in advance, based not on the laws of the understanding but on interference of the sensibility with the intellect, is the logical prejudice. This, like mental illness, generates erroneous beliefs and dangerous forms and constitutes a crime even when good can be derived from it. Kant believes there are prejudices that derive from habit and others that derive from authority. Prejudices, therefore, from a logical point of view can have a content of truth but formally be erroneous.

The errors that Kant lists from the various pathologies are not, however, connected only to logical prejudices but to problems of general application of principles and concepts in the formation of judgments. Kant also refers to an incorrect comparison of predicates with objects, to syllogistic defects, to errors given by illusory projections, to the exchange of a logical presumption for a rational deduction. For this reason, considering the error of the mental patient only as a variation or a logical prejudice is limiting. In fact, this conception of logical errors, arising from habit or authority, has an ancient tradition and, on this aspect, Kant retrieves the theory of error from Galen's medical school. In his treatise on the cure of the passions, in fact, Galen does not deal with the healing of diseases (and therefore with therapy) but with the cure of errors and passions. Mistakes arise from a false opinion and concern a rational level; passions arise from an irrational faculty. Similarly, as noted, pathology in Kant arises from an imbalance of faculties and an error of reasoning. The cure of the disease is a therapy of the error and the elimination of the elements that favor its development. But Kantian mental illness is not simply produced by a logical variation. This interpretation seems to conceive Kant's work in a too modern way. The idea that error is inherent in language and is given by deceptions in conceptual and expressive relations is, above all, a conception of contemporary logic (in Frege's philosophy, for example). The error in Kant, in addition to having a logical and linguistic function, is also an element that concerns the more general limit of the use of transcendental principles. However, a Kantian theory of error is useful for understanding one of the ways in which mental illness is expressed, which has, above all, consequences on the moral and anthropological level. The cure of the disease, understood as the correction of the error, is only a limited part of the Kantian theory of mental pathologies. In

Kant's theory, in fact, there is a moral conception of the cure of illness, in which the rectification of a logical irregularity is only the starting point of a deeper intervention.

To conclude, Kant believes that health is grounded on the order of thoughts and representations, an order shared by all men. It is on this basis that Kant can indicate the simple deficiencies and diseases of the soul with respect to the faculty of cognition. Kant also believes that the exercise of some small, controlled, and deliberated madness, especially reduced to the private sphere of entertainment, such as hobbies, can be positive since it keeps "vital forces always awake". The diseases of the soul can be cured if the soul collaborates to the order of the thoughts; when the disorder is complete and the subject completely ignores the objective laws of representations, there is no possible cure. There is a full and complete interaction between the physical, animal, nature of man and his moral rationality. Given this interaction, the senses and the understanding must necessarily collaborate, since the disease can only be "felt" but the causes must be investigated by the reason. Since health is the balance in the antagonism of the vital forces of the animal body, and excitability (*incitabilitas*) in the nervous system and irritability (*irritabilitas*) in the muscular system are the driving forces, from which life is derived, then it is reasonable to suppose that medicine is similar for men and for animals. The difference is that for man the "preservation of himself in his animal nature" is not just an instinct but a *duty*.

This conception of medical treatment, in which the moral intention is closely connected to the therapeutic one, considers the Kantian theory of pathology as a "philosophical" theory. This philosophical theory is a "medicine of the soul". According to Kant, therefore, while the disorder based on a physical level must be treated by a doctor, the philosopher can play a role, intervening in the parallel treatment of the soul. Because all the ailments of the soul reveal an absence of order, philosophy is a form of treatment of diseases. The order that all men can share, outside the solitary dreams of a spirit-seer, is in fact the set of principles of transcendental philosophy (that is, it is the order of universal and necessary laws that found and regulate knowledge). Therefore, philosophy does not only offer the support for establishing an objective order. Philosophy can also prescribe maxims for a good use of the mind and against some disturbances of the mind – with positive consequences for the body. It is up to the philosopher to ensure that the soul does not become a cause of illness and suffering for the body, and above all to evaluate the origin of some illnesses in the disturbance of the soul, and to intervene on them as a guide, so that they are eliminated.

4. Defect of volition and of the principle of desire.

Besides the defects of cognition, related to the faculty of understanding, Kant establishes a classification of the defects of *volition*, starting from the faculty of desire and its operations. Indeed, just as logical prejudices and disorders of the cognitive faculty compromise the right production of objective knowledge, so too the higher faculty of desire (and the faculty of feeling) may not function properly. Desire (*appetitus*) is "the self-

determination of a subject's power through the representation of something in the future as an effect of this representation. Habitual sensible desire is called inclination"³⁵. The inclination, if it cannot be governed by the reason of the subject, is defined as passion. The feeling of pleasure or displeasure which does not make use of subjective reflection is emotion (*affection*). While the correct functioning of the cognitive faculty is achieved by the correct application of logical-transcendental principles through the organization of the manifold through space and time and its unification in the phenomenon through categories, the operation of the faculty of desire is articulated in a different way. The faculty of desire, in fact, is divided into two levels, the higher faculty of desire and the lower faculty of desire, and in both cases the action is defined through the imposition of maxims. The higher faculty of desire bases moral action on a pure law of reason. The lower faculty of desire produces maxims which are material principles, that is, based on an object of desire. Reason, conceived as a "whole" faculty, has a theoretical use and a practical use. In this latter sense, pure reason is able to determine the will by a principle, the moral law. This practical reason is active every time there is an action based on a principle or on a calculation. Every time we act, in a proper sense and not by instinct (and, for this reason, Kant believes that the problem of the instinct must be studied in the context of a *possible* empirical psychology and not in a transcendental philosophy), we base our action on a maxim or principle that is not necessarily rational. Acting through a principle does not mean that the motivation for the action comes from pure reason and from the moral law. In fact, it is also possible to determine the actions to obtain a certain object of desire and the principle of the actions, in this case, is the simple motivation for an object of desire. In this sense, the *Critique of Practical Reason*³⁶ (1788) does not study deviations or errors of the faculty of desire. The *analytics* of practical reason analyzes the practical principles of the will, of the objects and the motives, with the aim of defining these elements according to the requirements of pure practical reason. Even the study of the matter of desire, that is, of all the objects that give pleasure and displeasure, is not a treatment about a "deviation" of the desire faculty, according to Kant. The study of the material principles of the will has its own specific dignity and completes the Kantian treatment of the faculty of desire. In *Anthropology*, according to Kant, the man who is subject to emotions and passions has an "illness of the mind, because both affect and passion shut out the sovereignty of reason. Both are also equally vehement in degree; but as concerns their quality they are essentially different from each other"³⁷.

In this general perspective, the human capacity to produce an action starting from principles of self-governance is subjected to different forms of deviations, both from what is properly defined "evil" and from two forms of defects of the volition, affects and passions. These defects of volition compromise self-governance above all, questioning the human principle of moral responsibility. In *Metaphysics of Morals* (1797) and in *Anthropology of a Pragmatic point of View*, Kant defines affects [*Affekten*] as a "lack of

³⁵ I. Kant, *Anthropology*, p. 149.

³⁶ I. Kant (2002), *Critique of Practical Reason*, ed., tr. by W. S. Pluhar, intr. by S. Engstrom, Cambridge.

³⁷ *Anthropology*, p. 149.

virtue” and passions [*Leidenschaften*] as “properly evil”, starting with his distinction between the lower faculty of desire and the higher faculty of desire. In the general scheme concerning the description of human motivation, the faculty of lower desire is motivated by the matter of desire and feeling, desire and action follow from sensations not be mediated by any principle of reflection on them. The higher faculty of desire, on the other hand, has as a principle of reason as its reason for acting. According to Kant, affects are “alterations” of the faculty of feeling and passions are “disturbs” related to the faculty of desire. Affects and passions are defined as “illness[es] of the mind”: “agitations of soul are twofold, affects and passions... Affect is a feeling through which we come out of composure [of soul]. Passion is rather a desire that brings us out of composure”³⁸. Affects and passions are similar with regard to the loss of self-control and, more specifically, they exclude the total government of reason in practical action. While differing in faculties (or feelings or desires), affects and passions are not ordinary emotions or feelings, such as, for example, inclinations. Even with regard to very strong inclinations or feelings, Kant never refers to these elements negatively, as sensations apt to corrupt moral action³⁹. In Kant’s view, affects are “not the intensity of a certain feeling that constitutes the affected state, but the lack of reflection”⁴⁰. Affects, according to Kant, are “thoughtless” and suspend the mind’s composure, making reflection impossible. In this contest, reflection is considered as “the representation by means of reason as to whether he should give himself up to [the feeling] or refuse it.”⁴¹ Affects arrive suddenly and flow away fastly, and Kant compares them to the physiological states of the body, both referring to those that increase vital forces and to those that relax the same forces. Kant speaks about affects starting from the faculty of feeling and, for this reason, the discussion on these defects of volition does not seem to concern their motivational efficacy. But the question is more difficult than it seems. Kant links affections with physiological and biological components that can compromise physical health above all. However, in many places, Kant insists on linking the presence of an altered affect to the motivation to act, because affects are bad and undermine agency. Since most feelings are practical and fundamental to the cultivation of

³⁸I. Kant (2012), *Lectures on Anthropology*, ed. by A. Wood, R. Loudon, Cambridge, p. 142.

³⁹For this questions, see also the concept of *akrasia*. The Aristotelian notion of *akrasia* has been re-enacted by Anglophone philosophy, to indicate an inconsistent practice with respect to recognized and proclaimed values (Chapell, 1995; MacIntyre, 1988). To focus on it we consider four different levels concerning ethical discourse and actual action. They are: objective norms (prescriptive level); the values or principles of the subject (axiological level); beliefs (preferential level); intentions (teleological or intentional level). With regard to the relationships between them, we note that: the objective norms and intentions of the subject are not identified; the relationship between the objective norms and the values or principles of the subject is mediated by beliefs. Regarding beliefs, *akrasia* presupposes that in addition to distinguishing between the objective level of the obligation and the subjective level of beliefs, we must also distinguish what the subject considers positive for himself, from what he considers positive in and of himself. The distinction between axiological beliefs and preferential beliefs is important to explain the *akrasia* and the bases of a theory of will and action. This in order to constitute a bridge between the action plan, closely linked to the intentional and the epistemic one of the subject's preferential beliefs and, in a mediated and variable form, also that of his axiological beliefs.

⁴⁰*Anthropology*, p. 152.

⁴¹*Anthropology*, p. 149.

the practical sphere, Kant focuses attention on the alterations of feelings and desires that can compromise action, through the analogy with “temperaments of feeling”. The study of temperaments allows Kant to grasp the connection between disordered feelings and disordered actions. Temperaments are normally motivational and an individual’s character is capable of determining action, through the faculty of feeling. If there is an affection, a disorder, caused by a stronger feeling, there is a “suspension of composure”. In this case, affects do not allow reflection and suspend the practical decision of a subject, conditioning the higher faculty to desire. Affects are so overwhelming in the mind that they overcome reflection and become principles of immediate causation of action, disregarding the primacy of the faculty of cognition and of desire. In this conception it is the body that becomes central and Kant associates this kind of action, which favors only the lower faculty of feeling, to pure animal instinctive action. In the *Observations* and in the *Remarks*, Kant theorizes a positive circularity between aesthetic and moral factors within the single principle of the *Gefühl*. Temperaments and human inclinations, then, if adequately cultivated, provide the starting point for the formation of a precise ethical habit. If, in fact, the ambit of temperaments and the virtues connected to them can prepare one for the formation of an ethical attitude, without there being the voluntary adequacy to a norm of reason, the altered affects do not allow the healthy control of behavior towards oneself and others. During the pre-Critical period, Kant had not yet organized the higher faculties as the only proper locus of moral motivation, so a rational affect could be explained as a legitimately moral source of moral motivation.

Like affects, passions are defined as illnesses of mind that “shut out the sovereignty of reason”⁴². Passion is an “inclination that prevents reason from comparing it with the sum of all inclinations in respect to certain choice”.⁴³ Moreover, passions, unlike affects, imply that “the calm with which one gives oneself up to [a passion] permits reflection and allows the mind to form principles”⁴⁴. In this sense, passions involve reflection and they are conceived as “inclinations”. In moral philosophy Kant uses the term “inclination” to define a ground of the lower faculty of desire, where the sensations are strictly connected to the ambit of volition. Inclinations, in Kantian philosophy, are not connected to instincts and are not only related to the lower faculty of feeling or desire. Kant also uses the term inclination to explain the reference of practical principles that indirectly determine the higher faculty of desire and pursue ends imposed by inclinations. In this sense, inclination is a principle that determines a sensible end, in contrast with the purity of moral law and its principle. Kant also thinks that passions are disordered inclinations that do not evolve towards higher faculties. Nevertheless, identifying passions with inclinations could imply that passions, as well as affections, exceed the superior faculty of desire and could become motivating for action without relying on the activity of deliberation and reflection. In *Anthropology* Kant writes “One can list being passionately in love [among the passions] (as long the other party persists in refusal), but one cannot list any physical love as passion,

⁴²*Anthropology*, p. 149.

⁴³*Anthropology*, p. 165.

⁴⁴*Anthropology*, p. 166.

because it does not contain a constant principle with respect to its object. Passion always presupposes a maxim on the part of the subject, to act according to an end prescribed to him by his inclination. Passion is therefore always connected with his reason, and one can no more attribute passion to mere animals than to pure rational beings.”⁴⁵ Therefore it seems clear that passions allow reflection because they are particular inclinations, understood as direct principles to inclinational ends. Again, in a handwritten note: “Passion[s]... presuppose a sensible but nevertheless also a counteracting rational faculty of desire (they are therefore not applicable to mere animals), except that inclination in [animals] takes away pure practical reason, in [passionate persons] dominat[es practical reason], taking possession of maxims either in respect to one’s ends or the use of means toward them.” Passions, then, do not exclude the role of imposing a maxim as a motivational principle of action. However, in the case of passions, with respect to the giving of the principle of pure moral law, the object will be offered by inclination and by the matter of desire. For example, cold passions too (manias for honor, dominance and possessions, for example) are not only connected with an affection, but also with a maxim, determined by another kind of end, which is not strictly moral. In the case of the passion for vengeance, Kant says that it is motivated by a principle which is able to formulate maxims, a decision of action but connected to desire. The passionate person is completely overwhelmed by the principles imposed by his passion and his feeling and does not consider the moral implications of his actions. Passionate action always requires a particular intervention of the higher faculty of desire, even if the principle governing action is passionate and reflection precludes both morality and happiness. In fact, the truly passionate individual in love, does not consider happiness or morality to be fundamental for his action, but only seeks out maxims that can satisfy his own passion. He will have his own passion as the end of this act, without any regard for any other kind of purpose.

The Kantian treatment of passions and affections holds that the human being can act against his own interests and higher ethical principles. Affections are disordered feelings that overcome the highest faculty of feeling; passions are deep and persistent alterations of the higher faculty but establish a different purpose from the moral one. According to Kant, various forms of defects of will exist because human action is partially connected to causes that can be explained from an empirical point of view. The importance of human action is given by the fact that it is always an expression of transcendental freedom and only because one possesses an intelligible level of freedom is it also possible to explain the choice for actions or choices ascribable to an empirical level. In the critical treatment Kant subordinates to the practical law all the maxims and resolutions deriving from *heteronomous* principles, giving a consistent priority to moral principles. The connection between the defects of the will and mental illnesses is thus explained. Cognitive pathologies that emerge from logical mistakes lead to a cognitive solipsism. In the same way, there is something similar in the diseases that emerge from the defects of volition. Affections and passions are extreme forms of moral selfishness that Kant defines in

⁴⁵*Anthropology*, p. 165.

Anthropology as the tendency to seek ends not for duty but for happiness. The egoism to which they lead is connected to the exclusive personal purpose of the passionate inclination, excluding any reference to others or one's own moral autonomy. But the mentally ill and the wicked (or the criminal) are profoundly different, because the former is not responsible for his actions, while the latter is capable of thinking a subjective maxim.

In the previous section, we observed how the mentally ill is unable to build a systematic unity of nature. Similarly, the Kantian conception of the deviations and errors of the rules of reason has an ethical implication. In this way, mental illness produces a form of alienation, i.e. an inability to control impulses. When the cause of the disease is hereditary, the responsibility for immoral behavior does not fall on a man conceived as a free agent, but on his physiological structure. In these severe cases of mental illness, an anthropological-pragmatic perspective of the cure is not useful. The person compromised by a serious illness is not responsible for his "bad" use of reason. In these cases, the patient is unable to correct his condition. But, what "kind" of humanity does the mentally ill have? The *decrease* in the level of humanity of the mentally ill is very difficult to understand. Kant believes that the mentally ill is not a subject of free action but is only able to live and create his personal world. A subject incapable of free action cannot be considered *totally* a person by Kant: the mentally ill person is, in fact, guided by others, and he is not autonomous. In this sense, then, the concept of "minority", overcome by the *Enlightenment*, explains the state of the mentally ill, i.e. who is unable to formulate ends and to use his reason without the guidance from another.

5. Mental illness and imputability: a possible interpretation.

The study of the diseases of cognition and volition explains the deficiencies and the distortions of human action as unusual errors and problematic mistakes of the will, because not all free subjects are able to adapt their action according to rational principles and the moral law. It is important for Kant to analyze the non-moral motivations, because the laws of empirical psychology, which can be considered as a discipline that treats the principle of action not connected to the moral law, study motivation based on desire, and not only on the spontaneity of law of freedom. If the *Critique of Practical Reason*, in the part relating to the material determination of the principles of will, studies the problem of desire and the material objects of pleasure, a discipline such as empirical psychology is not developed by Kant as a systematic part of his transcendental philosophy. In this sense, the study of the passions, of the affections of the soul, as well as of the desirable aspects of action, fall into anthropological works, although, as we shall see, they have a tangent interest with some themes concerning the legal sphere.

The affections and passions of the soul are not exclusively perturbations of the soul, but they are important elements through which it is possible to understand that action is also

subjected to a material determination of the will⁴⁶, to objects of desire, by a form of natural causality. Kant, in fact, says: “affect does a momentary damage to freedom and dominion over oneself. Passion abandons them and finds its pleasure and satisfaction in a slavish mind. But because reason still does not ease off with his summons to inner freedom, the unhappy man groans in his chains, which he nevertheless cannot break away from because they have already grown together with his limbs, so to speak”⁴⁷. This quote is important for the connection between human passion, reason and freedom. In the passion of the soul, man is constantly called to his internal freedom, through practical reason. The passionate man, therefore, consciously chains himself, “deciding” on passion as the principle of his action and not for the moral law. The passionate man is aware of making a choice which is capable of subverting the rational order of action.

In this regard, a problem of considerable importance is the relation between mental illness and the imputability [*Zurechenbarkeit*] in a moral perspective. In particular, as we will see, Kant focuses on the relation between imputability and diseases of the mind, from a cognitive point of view and from the point of view of the faculty of desire. In particular, the problem is to understand the role of the subject’s health and his or her responsibility in action and to establish the degree of guilt and the punishment that can be given. According to Kant, the concept of legal imputation is based on the possession of the complete functioning of the higher cognitive faculties. In ethical writings, Kant links these higher faculties to action, through the principle of freedom “we can attribute something to someone but not impute it to him; the actions, for example, of a madman or a drunkard can be attributed even if not imputed to them. In the indictment the action must spring from freedom.”⁴⁸ Therefore, when an action is due to diseases of the cognitive faculty, one can be exempted from legal responsibility. Kant reduces the role of mental disturbs, especially cognitive, in the dimension of juridical imputability but highlights, in his *Metaphysics of Morals*⁴⁹ (1797), important implications of the difference between affects and passions for moral responsibility. Kant believes, in fact, that although affects and passions both hinder morality and both interfere with the normal processes of rational choice. In this sense, according to Kant, affects simply indicate a “lack of virtue”, while passions are “really evil”. The affects, which exclude the reflection in the faculty of feeling and interfere with choice, represent only a weakness. Weakness of mind⁵⁰, as a loss of will in the principle of action, is not negative in itself and concerns the inability to put a principle of reflection on motivation. For example, a person may kill someone out of anger, but the power of choice, in this case, is not involved. A person may not be able to provide assistance to someone in need, but only because he is not capable of formulating relevant wishes or desires. Acting or not acting because of affects is morally similar to acting or not acting when one is

⁴⁶ See also, Borges, M. (2004) “What Can Kant Teach Us about Emotion?”, *Journal of Philosophy* 101: 140 – 58.

⁴⁷ *Anthropology*, p. 166.

⁴⁸ Kant, I. (1997) *Lectures on Ethics*, ed. by P. Heath – J.B. Scheenwind, Cambridge, 1997, p. 80.

⁴⁹ Kant, I. (1996), *The Metaphysics of Morals*, ed. by M. Gregor, R. J. Sullivan, Cambridge, 1996.

⁵⁰ See also, Bratman, M. (1979) “Practical reasoning and Weakness of the Will”, *Nous* 13; 153- 71.

asleep, or like suffering from sleepwalking. In this case, one is morally unconscious and is not morally corrupt, as the maxim of action is not a passionate principle but simply an action followed by a loss of voluntary forces. For this reason, the affects do not make the subject less virtuous, but he does not progress in virtue, because the weakness of the will is neither doing evil nor progressing towards good. Unlike affects, passions work through the power of choice of ends, choosing to pursue the object of an inclination without reflections on other possible objects of choice. Therefore passions are not simply weak states of mind, like the affections, but they are also evil. Passions do not preclude the choice, but intentionally pervert it and this is the principle of a radical evil. One with passion deliberately rejects all interests, including moral law, in favor of seeking an inclination. Therefore all passions are completely incompatible with having good will.

The relation between legal imputability and mental illness is not studied by Kant in an interrelated way. In *Anthropology*, therefore, Kant does not treat with the problem of legal imputation directly⁵¹, but focuses on some problems concerning the relation between affections, passions and moral responsibility. In particular, responsibility and freedom appear strongly undermined starting from the passions of the soul - the real diseases of the will - that Kant believes to be “cancers” of the soul: “passion is cancerous sores for pure practical reason”⁵². Kant is clear in the definition of passion. Since the passion is expressed in reflection, and is not a rushed movement like the affection (which is temporary), it tends to take root and to be tied to “reasoning”. For this reason, Kant sees passion as capable of becoming the object of a maxim of the faculty of desire, in the same way as moral law. Passion offers a principle to action, a motivation that is structurally linked to the basis of action. Affection is a shattering excitement which disappears as soon as it is over. Passions, says Kant, are not, like affects, “unfortunate states of mind” but are “evil as well”⁵³. Kant connects passion to reason, studying the difference between man and animal. The impetuous inclination of the animal, expressed in the animal instinct (the inclination for sexual union) and in the research for means of subsistence, is not passion, because the animal is not reasonable. For this reason, as Kant says “animals [...] have no reason, which alone establishes the concept of freedom and with which the passion comes into collision”⁵⁴. The difference between man and animal, and the fact that animals have instincts and not passions, clearly links passion to man and to freedom. In this sense, only the reasonable man can be subject to the disease of the will and to the passion, which is an element of opposition and natural necessity, as opposed to the freedom of the moral law.

Now, returning to the concept of imputability, Kant links the problem in the *Metaphysics of morals* to the concept of person. Kant defines the person as: “a subject whose actions can be imputed to him. Moral personality is therefore nothing other than the freedom of a rational being under moral laws (whereas psychological personality is merely the capacity

⁵¹ The Kantian perspective presented in §48 of *Anthropology*, where the problem of the *protection* of the mentally ill is discussed, seems to consider the patient without personality.

⁵² *Anthropology*, p. 166.

⁵³ *Ibidem*

⁵⁴ *Anthropology*, p. 169.

for being conscious of one's identity in different conditions of one's existence). From this it follows that a person is subject to no other laws than those he gives to himself."⁵⁵ The concept of person has relevance both in the domain of law and in that of ethics, through the relation with the notions of "obligation", "imputation", "duty", "freedom" and "law". The originality of Kant's reflection on the concept of "person" derives from its link with the Wolffian heritage: in Wolff, therefore, the moral or spiritual man, distinct from the merely carnal man, is the subject of rights and obligations; as such, in the wake of Grotius and Locke, man is a person, because he carries out imputable actions and, as a person, he is free because imputability entails reference to a dimension further than that of natural causality. In Kant, we can find an analogous intertwining between the concepts of person, freedom and imputability: however, each of these concepts, and therefore also the whole, must be placed in the new argumentative horizon opened by the categorical imperative, which involves the a priori foundation of obligation. In Kant, in fact, the imputability of actions refers to the criterion of the interior duty to man: thus it emerges that the juridical capacity of the Kantian person, which is not reducible simply to a *habilitas*, as in Wolff, and the very fact of "being a person" is no longer defined in Kant from the point of view of a generally understood will, but on the basis of a "pure possible will". Imputation is, then: "(*imputatio*) in the moral sense is a judgment by which someone is regarded as the author (*causa libera*) of an action, which is then called a *deed (factum)* and stands under law."⁵⁶ In this conception, the human person appears to be endowed with moral conscience (*Gewissen*) and awareness (*Bewusstsein*), unlike things ("is that to which nothing can be imputed"), animals or, as we have seen, the insane or mentally ill. In order to be imputed, in fact, the action must be free and it is precisely for this reason that in the case of a drunk or a maniac the actions can be ascribed to the two subjects but it is not possible to impute them to these people. In Kant, therefore, there is the conception that freedom of action and the moral law proceed together in imputation. When the action is not free, for whatever reason, according to Kant it cannot be imputed, but only ascribed to the subject who performs it.

To conclude the discourse on imputability, we now refer to the theme of the fragility of human nature, expressed by Kant in the expected "degrees" of imputation. In the *Lectures on Ethics*, Kant argues that the degrees of imputation depend on the degrees of freedom. The subjective conditions of freedom are the capacity to act, that is, the knowledge of the motive and object of the action. In the absence of these conditions, the charge does not take place. Kant offers the example of the child and the drunkard. Kant also believes that the greater are the impediments (including psychological and related to freedom and will), the less free the action. He who kills out of jealousy and he who steals out of hunger have different appetites: an appetite of nature and an appetite of greed. Kant precisely distinguishes between the two, condemning the latter. Another reason for the reduction of imputability is the weakness [*Schwäche*] and the frailty [*Gebrechlichkeit*] of human nature.

⁵⁵ *The Metaphysics of Morals*, p. 50.

⁵⁶ *The Metaphysics of Morals*, p. 53.

The sentence becomes less applicable when there is a weakness of human nature: in that case the person who is fragile does not have the moral goodness to perform an action which is adequate to the law. In Kant the fragility and the weakness of human nature are important concepts, like radical evil. In fact, in man there can be both the absence of positive good and the presence of positive evil, as a natural tendency to evil. According to Kant, *fragilitas* and human *infirmity* can be evaluated only in others and in their actions, and the pragmatic judge and legislator has the duty to consider these two concepts when judging subjects who are also men. In this sense, Kantian legal theory is not only connected to the concept of personality and imputation but also to other dimensions of human subjectivity, which is conceived in a structured way. The Kantian concept of imputability explains the action of a free subject, the behavior of a fragile or weak man, the crime of a delinquent. In the case of mental illness, where it is not possible to consider a concept of imputability, the challenge for the Kantian interpretation is the study of another conception of subjectivity, in addition to that of personality.

Bibliography

- Borges, M. (2004) *What Can Kant Teach Us about Emotion?*, *Journal of Philosophy*, 101; pp. 140 – 58.
- Frierson, P. (2009), *Kant on Mental Disorder*, *Journal of History of Psychiatry*, 20 (03), pp. 1 – 23.
- Kant, I. (2006), *Anthropology from a Pragmatic Point of view*, ed. by R. B. Louden, Cambridge
- Kant, I. (2002), *Critique of Practical Reason*, ed., tr. by W. S. Pluhar, intr. by S. Engstrom, Cambridge
- Kant, I. (1987), *Critique of Judgment*, ed., tr., by W. S. Pluhar; M. J. Gregor, Cambridge
- Kant, I. (1998), *Critique of Pure Reason*, ed. by P. Guyer, A. W. Wood, Cambridge
- Kant, I. (2003), *Dreams of a Spirit-Seer*, tr. by Gregory R. Johnson, Swedenborg Foundation Publishers
- Kant, I. (2012), *Lectures on Anthropology*, ed. by A. Wood, R. Louden, Cambridge
- Kant, I. (1997), *Lectures on Ethics*, ed. by P. Heath – J.B. Scheenwind, Cambridge
- Kant, I. (1996), *The Metaphysics of Morals*, ed. by M. Gregor, R. J. Sullivan, Cambridge, 1996.
- Kant, I. (1996), *The Conflict of Faculties*, ed. by Allen W. Wood, Cambridge
- Frierson, P. (2014), *Kant's Empirical Psychology*, Cambridge University Press, Cambridge
- Foucault, M. (1965), *Madness and Civilization: A History of Insanity in the Age of Reason*, New York, Vintage
- Hufeland, C. W. H. (1995), *Die Kunst, das menschliche Leben zu verlängern*, Frankfurt a. M. – Leipzig.
- Marianetti, M. (1999), *Vivere, invecchiare ed essere vecchi. Kant e Christoph Wilhelm Hufeland*, Istituti Editoriali e Poligrafici Internazionali, Pisa – Roma.

Marino, L. (1994), *Soemmering, Kant and the Organ of Soul*, in *Romanticism in Science. Science in Europe, 1790 – 1840*, ed. by S. Poggi, M. Bossi, Dordrecht, Kluwer Academic Publishers, pp.127 - 142.

Meo, O. (1982), *La malattia mentale in Kant*, Tilgher, Genova

Rogerson, Kenneth F. (2008), *The Problem of Free Harmony in Kant's Aesthetics*, State University of New York Press

Sömmering, S.T. (1796), *Über das Organ der Seele*, Nicolovius, Königsberg.

Von Engelhardt, D. (2003), *Il dialogo fra medicina e filosofia in Kant nel contesto storico*, in *Kant e il conflitto delle facoltà. Ermeneutica, progresso storico, medicina*, ed. by C. Bertani e M. A. Pranteda, il Mulino, pp. 253 – 265.

Zammito, J. (2002), *Kant, Herder, and the Birth of Anthropology*, University of Chicago Press

