

Kant on Freedom, Law, and Happiness

PAUL GUYER

*Florence R. C. Murray Professor in the Humanities
University of Pennsylvania*



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Introduction

Immanuel Kant is the philosopher who brought to its culmination the eighteenth-century Enlightenment's argument for the freedom of human thought and action from the bonds of traditional political and theological autocracy. Yet Kant has also seemed to many to advocate an insistence upon obedience to law for its own sake, an insistence upon blind obedience to law that in the twentieth century just ended has been associated with the destruction of everything for which the Enlightenment stood. A profound paradox can be avoided only if it can be shown that Kant intended obedience to universal law to be mandatory solely as the necessary condition for the realization of human freedom and through that freedom a systematic and unselfish distribution of happiness among all persons seeking a systematic union of their purposes in a world both natural and moral in which each and every person is treated as an end and never merely as a means.¹ On this account, while all human beings must be treated as ends in themselves, the sheer fact of adherence to universal law is not an end in itself but is rather the means to the realization of the human potential for autonomy or freedom in both choice and action. In Kant's own words, "If only rational beings can be an end in themselves, this

¹ For the idea of a systematic union of purposes or a "whole of all ends in systematic interconnection," see *G*, 4:433; for the idea of a world that is both natural and yet moral, see the idea of "the world as it would be if it were in conformity with all moral laws" as a "moral world" at A 808/B 836; and for the idea of treating all persons as ends and never merely as means, see *G*, 4:429.

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is not because they have reason but because they have freedom. Reason is merely a means.”² Kant is the paradigmatic philosopher of the Enlightenment because he saw that the fundamental value of human freedom could be realized, preserved, and promoted only through laws, although not any laws handed down by political or religious tradition, but laws that human beings freely give to themselves through the use of their own reason, and that human happiness in turn could be valued not as the gift of a benevolent dictator, whether human or divine, but only as the product of human freedom itself.

Kant’s practical philosophy – that is, his theory of the fundamental principles and conditions of the possibility of human action both moral and political – has of course always been recognized to revolve around the concepts of freedom, reason, law, and happiness. But the relationship among these concepts that the following essays propose – that freedom is our most fundamental value, that the law that we can formulate by means of our reason is valuable only as the means to freedom, and that a system of human happiness should be the outcome of the use of our freedom – has by no means been self-evident. The traditional approach to Kant’s practical philosophy, certainly encouraged by much that Kant wrote in his two widely read masterworks of the 1780s, the *Groundwork for the Metaphysics of Morals* of 1785 and the *Critique of Practical Reason* of 1788, grounds Kant’s moral philosophy on the fact of human freedom but not on its fundamental value. On such an approach, the relationship among the concepts of freedom, reason, law, can be described as follows. Freedom of the will is the fundamental characteristic of human beings as agents of actions, even though the thoroughgoing causal determinism of nature and all that it includes, even humans themselves as objects of knowledge, is the fundamental presupposition of all human cognition. (These two apparently incompatible suppositions are supposed to be reconciled by Kant’s still controversial doctrine of “transcendental idealism.”) The freedom of our capacity to choose among alternative principles and paths of conduct is accompanied by

² See Kant’s lectures on natural law from the winter semester of 1784–85, *Naturrecht Feyerabend*, 27:1321.

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reason, our capacity to formulate universally valid principles of both cognition and conduct, and we thus have the capacity to conform our freely chosen actions to universally valid principles. Indeed, we express our identity as rational beings only when we free our conduct from determination by merely natural factors such as inclinations and desires and instead determine our own conduct in accordance with universal laws furnished by our reason. Thus, as beings who are both blessed and cursed with freedom of the will, we have the freedom to choose whether or not to govern our actions by reason and its ideal of universal law, which, applied to the sphere of conduct, is the moral law; indeed, in order to live up to our potential as rational beings, we must govern our freedom by adherence to the moral law. Of course, we are not merely rational beings; as finite and mortal creatures in nature, we inevitably also have inclinations and desires, and the happiness of each of us lies in the fulfillment of the objectives suggested to us by such natural stimuli or incentives to action. But it is morally permissible for each of us to pursue our own happiness only within the bounds set by moral law as a limiting condition. Our complete good, or the ultimate objective of all our actions, is thus a composite good set for us by our dual nature: as rational beings, we aim to conform our freedom of choice and thus our principles of conduct to the moral law, and we see our virtue and any worthiness to be happy that we may achieve as consisting exclusively in our success in ruling our freedom through the moral law; as natural or, as Kant often says, animal creatures, we each aim to achieve happiness by fulfilling our naturally occurring desires; but as beings both rational and animal, we should always subordinate the latter goal to the former. We need not deny the permissibility of seeking our own happiness, but we must always seek virtue first and happiness only when the claims of virtue have been satisfied.³

³ For an exemplar of the classical approach to Kant's ethics that is unparalleled in its economy and elegance, see J. B. Schneewind, "Autonomy, Obligation and Virtue: An Overview of Kant's Moral Philosophy," in Paul Guyer, ed., *The Cambridge Companion to Kant* (Cambridge: Cambridge University Press, 1992), pp. 309–41.

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There is much that is intellectually admirable and morally uplifting in this understanding of Kant's austere and rigorous doctrine. Above all, at least for a certain kind of reader, Kant's idea that human morality is human autonomy, the governance of our freedom by a supreme principle of morality that we generate out of our own reason, is a welcome liberation from the idea that we can govern our behavior only by fear of punishment or hope of reward from a human or superhuman lawgiver. For Kant and those who see him as the paradigmatic philosopher of the Enlightenment, any idea of the latter sort, no matter how it is dressed up with the trappings of political prudence or religious piety, is a philosophy of human servitude, not of human freedom. At the same time, at least for philosophical sensibilities bred on Hume as well as Kant, there is something unsettling in this traditional approach to Kant's moral philosophy, particularly in its suggestion that our obligation and even our motivation to live up to the demands of the moral law follow simply and immediately from our identity as rational as well as natural beings. So understood, Kant's theory seems to pull a rabbit out of a hat or, in the terms made famous by Hume, to derive an *ought* from an *is*.⁴ Kant seems to try to justify the most fundamental norm for our conduct, the indisputable principle of how we *should* act, which should surely be free from all the uncertainty of speculative metaphysics, precisely from a metaphysical characterization of our identity, which at best tells us how we *could* act, and which in any case seems far more controversial and dubious than the moral principle it is supposed to ground – one that Kant himself insists, in every one of his chief works in practical philosophy, is always accessible to untutored

⁴ See David Hume, *A Treatise of Human Nature*, book III, part I, section I, in the edition by L. A. Selby Bigge (Oxford: Clarendon Press, 1888), 2 ed., rev. P. H. Nidditch (Oxford: Clarendon Press, 1975), pp. 469–70. While Kant is supposed to have been unable to read English, and thus unfamiliar with much in Hume's *Treatise*, which was not translated into German until 1791, after Kant had already written and published his major works in moral philosophy, Kant would have been well familiar with the basic character of Hume's argument from the latter's *Enquiry concerning the Principles of Morals*, published in 1751 and first translated into German as early as 1755 (see appendix I in the edition by L. A. Selby-Bigge, 3 ed., rev. P. H. Nidditch [Oxford: Clarendon Press, 1978], pp. 285–94).

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human understanding and may need philosophical reflection to defend it from certain kinds of threats but certainly neither to discover nor to justify it.⁵ But that Kant should attempt to derive a normative *ought* from a metaphysical *is* should seem strange not only in light of his own commitment to the immediate accessibility of the fundamental principle of morality to every normally reflective human being; it should also seem strange in light of the fact that the difference between the “theoretical” and the “practical” points of view – though also, to be sure, their ultimate compatibility – is one of the cornerstones of Kant’s entire philosophical enterprise. As Kant famously put it in the preface to the second edition of the *Critique of Pure Reason* (1787), the point of his whole venture into the theory of human knowledge and its objects was to *limit* knowledge in order to leave room for faith and the moral insight that is the only possible basis for faith (B xxx), not to *ground* moral insight and faith in speculative metaphysical knowledge. If this is so, then Kant’s moral philosophy must be founded on the recognition of the fundamental value of human freedom and not merely on the supposed fact of human freedom.

The essays collected in this book argue that the idea of freedom functions not just as Kant’s fundamental metaphysical presupposition, in the form of freedom of the will, but also as his most fundamental normative presupposition: according to Kant, freedom of choice and its natural expression in action are what human beings value most, and the fundamental principle of morality and the rules for both political and personal conduct that follow from its application in both public and private spheres constitute the laws that we must adopt and adhere to in order to preserve and promote freedom itself as our most fundamental value. This is not to say that, as a systematic philosopher, Kant did not try to guarantee

⁵ That the fundamental principle of morality is recognized by each and every one of us as soon as we reflect upon any example of human conduct is assumed by Kant in all of his writings on moral philosophy: for example, throughout the first section of the *Groundwork for the Metaphysics of Morals* (4:393–405), in the *Critique of Practical Reason* (e.g., §6, Problem II, 5:29–30), and in the *Religion within the Boundaries of Mere Reason* (Part I, 6:36–37). I discuss the implications of this assumption for the strategy and structure of the *Groundwork* and Kant’s moral philosophy as a whole in Chapter 6.

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that it is possible for us to realize the normative ideal of freedom and to live up to the laws necessary to achieve this end by solving the traditional metaphysical problem of the freedom of the will. Far from it; the problem of the freedom of the will was already a central issue in Kant's first purely philosophical publication, the *New Elucidation of the First Principles of Metaphysical Cognition* of 1755,⁶ written long before (any of our evidence shows that) Kant had begun to think about the normative content of his eventual practical philosophy. But what Kant eventually came to argue is that, although purely theoretical philosophy can and indeed must make conceptual space for the *possibility* of the freedom of the human will, we can only infer the *actuality* of the freedom of our will from our consciousness of our obligation under the moral law, as the necessary presupposition of our ability to fulfill that obligation. This is the heart of Kant's argument in the *Critique of Practical Reason*, and the foundation for his view that we can act upon the basis of a faith for which the limits of knowledge can do no more than make room.⁷ Thus Kant's mature view is that the metaphysical fact of our freedom can be established only upon the recognition of our moral obligations, and once the basis of our moral obligations themselves is seen to be nothing other than the fundamental value of freedom itself, the priority of his normative conception of freedom over his metaphysical conception of freedom becomes all the more apparent. For this reason, my primary

⁶ In the *Akademie* edition, 1:385–416; in Immanuel Kant, *Theoretical Philosophy, 1755–1770*, ed. and trans. David Walford (Cambridge: Cambridge University Press, 1992), pp. 1–45. Kant's defense of a Leibnizian version of a compatibilist solution to the problem of free will, in which an action counts as free as long as it is a result of the internal cause of an agent's perception of the action undertaken as the best course of action open to him, even if that perception is fully determined by anything or everything in the agent's antecedent history, is found in the discussion of Proposition IX, 1:398–405. In this discussion Kant defends Leibniz's compatibilism against the radical indeterminism of the Pietist and anti-Leibnizo-Wolffian philosopher Christian August Crusius; Kant's later "transcendental idealist" solution to the problem of free will can be seen as his attempt to reconcile Leibniz and Crusius by combining a Leibnizian account of the phenomenal character of human actions with a Crusian account of their noumenal or "intelligible" character (see A 538–93/B 566–67).

⁷ See *CPracR*, 5:29–30, 44–50, and many other passages.

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concern in almost all of what follows is to document and to understand Kant's commitment to the normative thesis that freedom is our fundamental value, and I touch only occasionally upon his attempt to solve the metaphysical problem of the freedom of the will.⁸

The view that the preservation and promotion of freedom itself is the primary end of human action and that reason, thus the law that reason provides, is only the means did not spring full-blown from Kant's brow like Athena from the brow of Zeus. It emerged only gradually over the first three decades of Kant's philosophical career, from the commencement of his teaching and publishing activity in the middle of the 1750s to the publication of his mature masterpieces on morality and human history beginning in the middle of the 1780s. The three essays that form Part I of this collection under the title "Origins" focus on some moments in the long gestation of Kant's mature view. The first chapter, a study of Kant's early essay *An Inquiry concerning the Distinctness of the Principles of Natural Theology and Morality*, highlights some features of Kant's emerging conception of plausible methods for both theoretical and practical philosophy by contrasting Kant's essay with the elegant *Essay on Evidence* of Moses Mendelssohn, which the Berlin Academy of Science had actually selected over Kant's essay for the prize of fifty golden ducats offered in the academy's essay competition of 1762. (Although Kant did not share in the monetary award, which at that point in his life he could well have used, both essays were published together by the academy in 1764.) Like Kant's essay, this chapter is not devoted exclusively to moral philosophy; rather it places Kant's emerging moral philosophy in his emerging philosophy as a whole. But this should serve as a reminder that Kant's moral philosophy is always part of a larger philosophical enterprise, even if it is in many ways the driving force behind this enterprise; and throughout the chapters that follow, one feature of my approach is often to appeal to concepts and theses from all parts of Kant's philosophy to support my interpretation of his moral philosophy.

⁸ My most extensive comments on the latter issue will be found in Chapter 10.

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In this case, what we learn is this: the key issue of the essay as a whole is to argue, contrary to what Kant understands the assumption of Leibnizo-Wolffian rationalism to be, that knowledge in any area can never be derived from merely logical or “formal” principles, but always requires “material” or substantive premises about the objects of knowledge as well; the key insight for Kant’s eventual practical philosophy contained in this work is then the idea that moral philosophy too must begin with a fundamental although indemonstrable material or substantive principle, a fundamental source of value, and cannot rely on any purely formal law alone: the rationalist idea that we must always strive to maximize perfection, for example, is useless without a substantive account of what human perfection is. At the time that Kant wrote this essay, to be sure, he did not yet have any clear idea of what the fundamental material principle of ethics could be, and he certainly did not yet have the idea that freedom itself could be our fundamental value, to be preserved and promoted by adherence to a formal law given by human reason; and many interpreters of Kant have surely thought that precisely because it was unclear what the source of a fundamental material principle for ethics could be, the key step in the development of Kant’s ethics must have been nothing less than giving up the prize essay’s view that morality requires a material principle and attempting to derive everything in morality from a purely formal law of reason instead. But my argument throughout the chapters in this book is that once Kant discovered that freedom itself could be seen as the basic human value that is preserved and promoted by adherence to universal law, he never had to surrender his initial insight that morality, like every other systematic product of the human intellect, requires a substantive or material as well as a formal principle: freedom itself is the substance for which the moral law provides the form.

In the remaining two chapters of Part I, I examine further steps toward his eventual practical philosophy that Kant undertook during the formative period of the 1770s – the so-called silent decade during which Kant in fact made enormous progress on both the theoretical and the practical philosophy that would be announced in his great works of the 1780s. In Chapter 2, on “The Unity of Rea-

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son,” I consider the development of Kant’s idea that the faculty of reason, or our tendency to seek completeness and systematicity in all forms of thought, leads to metaphysical illusion if taken as a basis for knowledge in the theoretical sphere but is salubrious and necessary in the practical sphere, or as a guide to conduct. This chapter draws especially on Kant’s outlines for the emerging *Critique of Pure Reason* and its “Transcendental Dialectic” from the second half of the 1770s. In these materials, however, Kant leaves quite unclear *to what* the systematizing and totalizing tendencies of reason in what he will come to call its practical use are to be applied. In Kant’s notes for his lectures on moral philosophy during this period, however, we can see him struggling with this issue, and these struggles are the topic of Chapter 3, on “Freedom as the Inner Value of the World.” Here we see Kant gradually moving from the idea that reason is applied directly to our natural desires in order to produce a systematic form of happiness toward his ultimate view that reason should be applied to our freedom, because of the dignity of freedom, itself, in order to produce the possibility of a systematic exercise of freedom which, however, would have as its outcome, at least under ideal circumstances, a systematic form of happiness. Kant does not reach a systematic elaboration of this view in these materials, but he develops views about the value of freedom – as a self-sufficient source of happiness and as an intrinsic source of self-contentment – that point the way to the central ideas of his mature moral theory, that autonomy has a dignity that is incomparable to the value we place on any particular object of desire and yet itself sets an object for us, the highest good, which includes as an indispensable component the systematic happiness of mankind rather than the self-centered happiness of the individual.

The heart of Kant’s mature view of the fundamental principle of morality, the idea that freedom itself is our most fundamental value and yet that freedom must have a systematic connection to human happiness, is the subject of the three essays included in Part II under the title of “Principles.” In Chapter 4, “Kant’s Morality of Law and Morality of Freedom,” the traditional reading of Kant (for which there is, to be sure, much textual evidence), according to which his argument begins by simply assuming the necessity

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of a pure practical law and introduces any ends or objects of action only subsequently and only insofar as they are compatible with such a practical law, is contrasted with my approach, according to which Kant sees that moral reasoning must begin with the recognition of a morally necessary end, his candidate for which is the fundamental value of freedom itself, and then argues that conformity to universal law is the means to the preservation and promotion of freedom. Although I appeal to a variety of sources to defend this approach, the heart of my interpretation is an analysis of Section II of the seminal *Groundwork for the Metaphysics of Morals*, above all its crucial transition from the Formula of Universal Law to the Formula of Humanity as an End in Itself: it is precisely the capacity to set and consent to ends and the capacities necessary for us to pursue those ends in which humanity as Kant conceives it consists; the idea of humanity as an end in itself, in other words, is identical to the idea of the incomparable dignity of human autonomy or freedom governed by the law that we give to ourselves. This interpretation of Section II of the *Groundwork* is developed in more detail in Chapter 5, “The Possibility of the Categorical Imperative,” where I present a fuller account of the relations among the various formulations of Kant’s famous “categorical imperative,” that is, the form in which the fundamental principle of morality presents itself to us as creatures who have inclinations as well as reason and the freedom to govern ourselves for the sake of that freedom itself. This chapter extends the arguments that freedom in the form of humanity is the fundamental aim and the condition of the possibility of the categorical imperative, that adherence to universal law is the means to this end, that recognition of the capacity for freedom in both oneself and others is the basis for applying this law to all, and finally that the kingdom of ends, which would be the result of universal adherence to this law under ideal circumstances, is in fact a condition under which every human being can freely pursue those of his or her ends that are maximally compatible with the rest of his or her own ends as well as with those of everyone else, thus the condition in which, ideally, the highest good would be realized.

Finally, Chapter 6, on “The Strategy of Kant’s *Groundwork*,” steps back from the details of Kant’s argument to take a broader look at

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its method. Kant presupposes that both the foundation of morality in the fundamental value of freedom and the primary threats to this morality – namely, the popular philosophy that happiness is the object of morality on the one hand and the philosophy of determinism on the other, which can excuse us from the stringent demands of morality – are natural tendencies of ordinary human consciousness. This strategy imposes two tasks upon Kant: he must make plausible the idea that normal human consciousness immediately or at least readily recognizes the fundamental value of freedom itself; and he must also find a place for the ideas of both happiness and determinism within moral consciousness properly understood rather than allowing them simply to stand outside it. Thus, while Kant cannot allow untutored, individual conceptions of happiness to provide fundamental principles of morality, he can and must allow the idea of a rational and systematic conception of happiness, as the inevitable object of the free and systematic choices of human beings, to return into morality as the ultimate object of human action that is defined for it by the fundamental value of freedom – as the capacity, after all, to set ends – itself. This analysis thus shows that the doctrine of the highest good is not a causal addition to the fundamental principle of Kant’s moral philosophy, the incomparable value of human freedom, but a direct consequence of it; this will be the indispensable premise for the Kantian theories of human hopes and human history to be investigated in Part IV of this volume.

Before I turn to Kant’s analysis of human hopes, however, the essays in Part III, “Duties,” explore the more immediate normative consequences of Kant’s conception of freedom as the fundamental principle and object of morality. Chapters 7 and 8, “Kantian Foundations for Liberalism” and “Life, Liberty, and Property,” explore Kant’s reconciliation of the intrinsically coercive nature of government with the supreme value of human freedom. I defend Kant’s assertion that coercion can indeed preserve freedom when it is properly threatened or used only as a hindrance to a hindrance to freedom, and then explore the restrictions on the use of governmental power that this justification of it implies. In particular, I argue that Kant’s approach does not justify a libertarian or “night watchman” conception of the state as that is currently understood,

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but gives rise to a genuinely liberal conception of the state, according to which government, as the expression of the united will of the people, has a well-founded right to regulate the acquisition of property but no right to interfere with the free expression of the conscience and the beliefs of its citizenry. This argument is based on Kant's pathbreaking analysis of the difference between the institution of property, on the one hand, which is always a collective exercise of freedom of action and thus always indeed requires public regulation rather than merely permitting it, and on the other hand the freedom of thought and opinion, which is not an intrinsically collective exercise of freedom and thus does not legitimately invite public regulation. In Chapter 7 I analyze Kant's arguments for this position in some detail, and in Chapter 8 I suggest that John Rawls could have employed the details of Kant's political philosophy and not just Kant's general approach to moral philosophy in his own philosophical defense of liberalism.

In the last chapter in Part III, on "Moral Worth, Virtue, and Merit," I turn from Kant's analysis of those of our obligations that can be legitimately enforced by means of political and juridical coercion, what he calls the "duties of right," to his characterization of the much larger sphere of our duties for which coercive enforcement would be entirely inappropriate, what he calls "duties of virtue." Here I argue that the possibility of *self*-constraint out of respect for the value of freedom or autonomy is the thread that ties together everything that Kant calls virtuous, including both the morally praiseworthy motivation for fulfilling any duty, whether of right or of virtue, as well as the specific duties of virtue that enjoin upon us general ends or policies, such as those of developing our own talents and being beneficent to others, which cannot be mechanically translated into requirements to perform specific actions that would even be candidates for coercive enforcement. This chapter thus extends and completes the argument that Kantian duties are duties to preserve and promote human freedom.

Finally, the three essays in Part IV of the volume, under the title of "Hopes," return to the issue of the highest good and the conditions of the possibility of its realization within human history. I analyze Kant's conceptions of the postulates of pure practical rea-

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son, of progress in human history, and of perpetual peace, and show how all three depend on the recognition that the aim of systematic and unselfish human happiness that Kant includes alongside of virtue in his conception of the highest good cannot be understood as a merely natural end that is to be constrained by the requirements of morality; rather, the recognition that our own freedom of choice and action is the fundamental object of morality itself makes a systematic realization of happiness the ultimate object of morality, because freedom is, essentially, the capacity to set our own ends, and happiness is, essentially, the realization of our freely set ends. Chapter 10, "From a Practical Point of View," provides an interpretation of a postulate of pure practical reason as a subjectively valid representation of the existence of the conditions necessary to make the pursuit of such an end rational: in order for it to be rational for us to attempt to achieve a system of freely set and realized ends, we must have an at least subjectively compelling belief in the existence of the conditions of the possibility of such a goal, especially the authorship of nature, and I attempt to show how Kant could have countenanced such a subjectively compelling representation of these conditions within the bounds of his critique of traditional metaphysics and theology. The remaining two chapters in Part III, Chapter 11 on Kant's 1784 essay on universal history and Chapter 12 on his famous essay of 1795 *Toward Perpetual Peace*, argue that Kant's claim that a cosmopolitan world order is the inevitable end of history must be read within this same framework of practical postulates: this claim cannot be understood as a theoretical claim about what a natural science of history will some day conclusively demonstrate to be the inevitable outcome of natural forces, but is rather a view of history and the forces at work within it that we can and must freely adopt in order to pursue rationally the goals we freely set for ourselves in accordance with the fundamental principle of morality. In other words, we must understand Kant's teleological view of nature and the history of mankind within it as itself an expression of human freedom with the power to inspire us to work toward the realization of the conditions that could extend real political and moral freedom to every human being.

