INTRODUCTION

My hope for this book is that it will shed light on the issues discussed at two levels: at the level of the history of ideas, in showing the role these issues have played in the thought of Kant, Hegel, and Kierkegaard, and their period more generally; and at the philosophical level, in helping us to understand these issues more clearly in a systematic way.

As regards the first, more historical, level, my aim is to offer an account of a central strand in the history of modern ethics from the mid eighteenth to mid nineteenth centuries, an account which differs from what I think has become the standard story. According to this story, a new turn in ethics is taken when Kant (in part foreshadowed by other figures such as Rousseau) introduces a radical notion of autonomy into ethical thinking, whereby autonomy is seen to require that all forms of moral realism are rejected; this 'argument from autonomy' (as I will call it) is then said to lead Kant to replace this realist conception with one whereby ethics is now grounded in the self-legislating moral subject. However, despite its appeal to the modern mind, this picture of self-legislation is seen to raise certain fundamental difficulties, particularly the threat of emptiness: if no prior set of moral values obtain, what is to guide the legislating subject, and to prevent the act of legislation from becoming groundless? It is this problem and related ones that are said on the standard story to constitute what is sometimes called the 'Kantian paradox', where this paradox is supposed to set the agenda for Kant's successors, such as Hegel and Kierkegaard.

More will be said about this standard story in Chapter 1, where I will also argue that it is mistaken. This will involve looking at the argument from autonomy itself in some detail. I will claim that this argument is harder to make plausible than it may seem, and that there is little

reason to think that Kant himself would have endorsed it in any radical form, given that his own position retains important elements of moral realism (or so I maintain). In fact, I will suggest, while clearly giving considerations of autonomy a central role within his ethics, that Kant saw these considerations in a much narrower way than his anti-real-ist and constructivist interpreters have assumed; for, it is only when it comes to accounting for the *obligatoriness* of certain actions, rather than their moral goodness or rightness, that the concern about autonomy really leads towards self-legislation for Kant, with the idea that other-wise the ground of this obligatoriness might be some external lawgiver or authority, as on certain sorts of divine command theory. It is this nar-rower concern, I will argue, that frames what I will call the 'problem of moral obligation' for Kant – namely, the problem of accounting for the imperatival or binding force of morality in a way that makes *this* com-patible with our autonomy – rather than moral values as such, which on their own pose no such threat. In response to this problem, I argue, Kant offers what I call a 'hybrid' theory, which treats the obligatoriness of morality as a function of our limited moral nature and the fact that our non-moral desires need to be constrained by reason in order to do what is right in a self-legislative manner: for us, therefore, the right and the good appear to be necessitating, in contrast to a holy will, for whom morality does not take the form of commands.

My aim in the rest of the historical narrative is to follow out the development from Kant to Hegel to Kierkegaard once this problem of moral obligation is taken as our starting point, rather than the prob-lems posed by the Kantian paradox which forms the starting point on the standard story, but which, on my picture of Kant's position, is not the key issue for Kant or for his successors. So, instead of following the standard story which sees Hegel as being preoccupied with dif-ficulties created by Kant's own way of dealing with the Kantian para-dox, I will claim that, instead, Hegel faced the difficulties created by Kant's way of dealing with the problem of moral obligation: for this was seen by Hegel to rely on a dualistic view of the will and an alien-ating picture of our relation to morality, as requiring an element of constant struggle. I will therefore suggest that this dissatisfaction with Kant led Hegel to offer a different solution to the problem of moral obligation, by putting forward a 'social command' account, which treats duty as arising from the constraints imposed on us by others. For Kierkegaard, however, because Hegel's solution to the problem of moral obligation was intended to avoid any Kantian tension between

duty and inclination, this meant that the social command account could not treat morality as asking too much of us as individuals; it thus threatened to render our moral lives too complacent by reducing the moral demand. Kierkegaard held that only by returning to something more like the divine command theory that Kant had rejected could this demand be restored to the right level, where it again makes sense to think of morality as presenting us with a challenge that we must struggle to fulfil. This return to a divine command theory, however, brings us back to face the argument from autonomy in the way I claim Kant understood it: namely, that any such divine command theory will introduce an insupportable element of heteronomy into ethics.

This, then, sets up a kind of dialectical 'circle' of positions, each with their respective advantages and disadvantages, and the aim of my discussion will be to explore these positions further, and show how they can be compared in more detail. The attraction of Kant's position might be that it accounts for the puzzling obligatoriness of morality, while doing away with the need for any external lawgiver who has authority and power over us. However, the price of this Kantian account (as we shall see) is that it appears to rely on a dualistic picture of the human will torn between reason and desire, where acting morally requires a kind of battle with our non-moral inclinations. The attraction of Hegel's position is that it does away with this dualism and sense of struggle, but the price is that to overcome this dualism it seems forced to reduce the level of the moral demand, and to make our moral requirements too easy to satisfy. And the attraction of the Kierkegaardian position is that this strenuousness is restored, but at the apparent price of introducing a divine command model, which in turn leads us back to Kantian concerns over autonomy.

The book therefore sets up a comparative study of these three thinkers, not as regards their ethical outlooks in their entirety, but as regards what I am focusing on in talking about the 'problem of moral obligation', namely 'what gives moral obligations their binding or constraining character?' – ourselves, others, or God? These thinkers of course have many other points of agreement and contestation, and the problem of moral obligation can doubtless be understood more broadly:[1] but these are the disagreements and the issue that will

[1] For example, it is often a focus of discussions of moral obligation that the reasons to act in accordance with them are said to be categorical, overriding, and universal; but while this may or may not be the case, as Darwall points out, there is arguably more to them than that, as the same is plausibly true of the reasons to follow other norms,

concern us here, namely how it is, as Pufendorf put it, that 'obligation places a kind of bridle on our liberty'.[2] While other features of such obligations will come up, it is this that will be the main issue, as it is this that most obviously raises the question of autonomy as it arises for the obligatoriness of the moral.

As well as offering a new perspective on this set of historical questions and relations, I hope also that my discussion will cast some light on the philosophical issues underlying them concerning autonomy, moral realism, moral obligation, divine command theories, and so on. For it is often by seeing new philosophical options that one can see the historical story differently, and vice versa. It will be argued that these issues lie at the heart of the problem of moral obligation, in a way that makes it so intractable: there are many competing pressures on a satisfactory solution, and the considerations that tell for and against each side run deep. The problem, therefore, is of more than merely historical interest, as the questions that it raises remain at the heart of current philosophical debate.

such as those of logic and scientific reasoning, where it is in having the force of a *demand* that such differences can be said to consist. See Darwall 2004: 110–11 and 2006: 13–14, 26–7, and 10: 'I argue that moral requirements are connected conceptually to an authority to demand compliance'.

[2] Pufendorf 1682: Book I, Chapter 2, §3, p. 13/1991: 27. While it is probably unwise to place too much weight on etymology, it is perhaps notable that 'obligation' comes from '*ob* [to] + *ligare* [bind]'. See also Brandt 1964: 386 and 391, and Crisp 2006: 34.

PART I

KANT

KANT, MORAL REALISM, AND THE ARGUMENT FROM AUTONOMY

My aim in this chapter is to differentiate the account I want to give of Kant's ethics from what, in the Introduction, I called 'the stand-ard story'. I will therefore begin by setting out that story, and the way in which it interprets Kant and then the history of modern ethics that comes after him. Crucial to my re-telling will be the question of whether or not Kant subscribed to the argument from autonomy as that is put forward today by various constructivists and anti-realists in Kant's name; my claim will be that he did not. I will then argue that as a result, therefore, we should recognise that the standard story has misidentified what Kant saw as the major issue, which was not to pre-serve our autonomy by finding an alternative to moral realism as an account of moral values, but to do so by finding an alternative to div-ine command theories as an account of *moral obligation*. The nature of this alternative account will then be considered in the next chapter.

The history of modern ethics: the standard story

I believe that very few would disagree with J. B. Schneewind's obser-vation that '[t]he conception of morality as autonomy was Kant's fun-damental innovation in moral philosophy'.[1] But more contentious is exactly what that conception of autonomy consisted in, and what it committed Kant to in ethics and meta-ethics. According to most con-temporary readers of Kant, the answer is that it committed him to a form of *constructivism*, and thus to a form of anti-realism in meta-ethics; and it further committed Kant and his successors to working out the issues and problems posed by such a position. The reason this

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[1] Schneewind 2002: 88/2010: 245.

is so, according to these interpreters, is that autonomy as Kant con-
ceived it is incompatible with moral realism, so that Kant was obliged
as a result to reject moral realism and to move towards constructivism.
This connection is particularly prominent in the work of John Rawls:
just as the position of 'Kantian constructivism' was one that was fam-
ously first identified as such by Rawls,[2] so the reading that treats Kant
as committed to the argument from autonomy goes back to his work
also, where his reading has then been extremely influential on others.[3]
To understand the standard story of the history of modern ethics, we
must therefore look at this connection more closely, beginning with a
consideration of constructivism.

The distinction between constructivism and realism is a complex
one, and will be considered further in what follows, but a helpful pre-
liminary characterisation of it is offered by Sharon Street:

> [T]he key point at issue between realists and antirealists is the answer to
> the central question of Plato's *Euthyphro* (in roughly secular paraphrase),
> namely whether things are valuable ultimately because we value them
> (antirealism), or whether we value things ultimately because they pos-
> sess a value independently of us (realism). In the final analysis, in other
> words, is normativity best understood as conferred or recognized?
>
> Metaethical constructivism falls squarely on the antirealist side of
> this divide … [M]etaethical constructivism asserts a counterfactual
> dependence of value on the attitudes of valuing creatures; it under-
> stands reason-giving status as conferred upon things by us. According

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[2] Most notably in Rawls 1980.

[3] A similar reading of the history of modern ethics which (as far as I know) is independ-
ent of Rawls's, but which lacks any comparable influence, can be found in Olafson
1967, especially pp. 38–47. Olafson both attributes the argument from autonomy to
Kant, and sees him as adopting the constructivist's response to it: 'Freedom as auton-
omy means that the principle of our action must not itself be derived from any exter-
nal source whatsoever, and that all action under principles that have such an external
origin must be viewed as being under a special kind of constraint … Instead of its
being our duty to will what is good, the morally good is that which can be willed *in a
certain way*; and it is the will itself that by willing establishes the duty to which it is then
subject … On this interpretation, the will is rational not by virtue of accepting and
translating into action moral truth that the intellect apprehends, but by actualizing
its own peculiar virtue of consistency. The novelty of this view resides in the fact that
the rational or logical controls over the will have been introjected into the will itself,
so that any maxim of conduct that the will can accept while remaining faithful to its
essential nature becomes *ipso facto* morally right' (pp. 39–41). On the basis of this read-
ing, Olafson sees Kant as the source of a 'philosophical voluntarist' tradition in ethics
that leads to existentialism, in opposition to the earlier more realist 'intellectualist
tradition'. See also Silber 1959.

to metaethical constructivism, there are no facts about what is valuable apart from facts about a certain point of view on the world and what is entailed from within that point of view.[4]

On this account, the recognitional view to which constructivism is opposed counts as realist because the activity of practical reason in telling us how to act is to be measured against a prior order of values, whereas the constructivist view counts as anti-realist because the order of dependence is reversed. A constructivist Kantian such as Christine Korsgaard therefore commits herself to this kind of reversal on Kant's behalf when she writes:

> The point I want to emphasize here is that the Kantian approach frees us from assessing the rationality of a choice by means of the apparently ontological task of assessing the thing chosen: we do not need to iden-tify especially rational ends. Instead, it is the reasoning that goes into the choice itself – the procedure of full justification – that determines the rationality of the choice and so certifies the goodness of the object. Thus the goodness of rationally chosen ends is a matter of the demands of practical reason rather than a matter of ontology.[5]

Or, as Rawls has put the point even more succinctly, on the construct-ivist view 'practical reason constructs for the will its own object out of itself and does not rely on a prior and antecedent order of values'.[6]

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[4] Street 2010: 370–1. See also Cullity and Gaut 1997: 4, and Hills 2008: 182–3.

[5] Korsgaard 1983: 183/1996a: 261. See also Korsgaard 1996a: 407: 'Does Kant think, or should a Kantian think, that human beings simply have unconditional or intrinsic value, or is there a sense in which we must confer value even upon ourselves? … I now hold [the latter view]'; and Korsgaard 1996c: 19: 'According to [realism], moral claims are normative if they are true, and true if there are intrinsically normative entities or facts which they correctly describe … [By contrast] Kantians believe that the source of the normativity of moral claims must be found in the agent's own will, in particular in the fact that the laws of morality are the laws of the agent's own will and that its claims are ones that she is prepared to make on herself'; and Korsgaard 1998: xxiii: '[A]s rational beings we make the law, we legislate it. Suppose, for instance, I undertake a program of scientific research … [M]y choice is an act of legislation: I lay it down, for myself and others, that this research is good, and shall be pursued. We may say that I *confer a value* upon scientific research, when I choose to pursue it'.

[6] Rawls 2000: 230, also p. 241: 'The observation about constructivism concerns the rela-tion of priority between the order of values and the conceptions implicit in our prac-tical reason. By contrast with rational intuitionism, constructivism sees the substantive principles that express the order of moral values as constructed by a procedure the form and structure of which are taken from the conceptions and principles implicit in our practical reasoning'. Cf. Herman 1993: 215, who glosses Rawls's Kantian construct-ivism as offering a positive answer to the question: 'Can formal rational constraints be or constitute a conception of value?'.

Now there are a number of arguments that can be given in favour of constructivism and against realism. For example, it can be argued that constructivism is more consistent with naturalism; that it fits better with a motivational internalism; and that it provides a better answer to the sceptical question of why one should act morally. In response, realists can adopt various replies. For example, it can be argued that realism can be made consistent with naturalism when this is properly understood, or alternatively that naturalism is itself questionable; realists can provide their own accounts of moral motivation; and they can claim to be able to answer the question of moral scepticism, or that the question itself is ill-conceived and so does not require an answer.

As well as these considerations, however, constructivists have also offered the argument from autonomy in favour of their position, claiming that moral realism is a threat to our autonomy as agents, so that if the former were true, the latter would be undermined. By contrast, it is claimed that this problem does not plague the constructivist, in so far as on their account, the moral realm is not constituted by anything outside our will, which therefore remains autonomous.

Now, for those who read Kant as this kind of constructivist,[7] it is the argument from autonomy that has been treated as the predominant motivation for his rejection of realism. It is easy to see why this should be seen as the decisive issue for Kant. His own commitment to transcendental idealism makes it unlikely that naturalistic considerations should play a major role, while it can be claimed that Kant did not take the threat of moral scepticism as seriously (or in the same way) as many modern philosophers.[8] Equally, in so far as internalism that rejects realism often rests on Humean assumptions, which are ones that Kant himself did not share, it may also seem unlikely that this would be the basis for him to turn against the realist position.[9]

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[7] Not everyone who thinks of themselves as adopting a Kantian constructivism takes this to involve a stance on meta-ethical issues, and thus any implication either way regarding realism; and some have claimed that constructivism is 'neutral' or agnostic on meta-ethical questions, while others have taken it to be realist at some level but anti-realist at others. For a helpful taxonomy of such different approaches with further references, see Galvin forthcoming.

[8] This is a complex issue, of course, that cannot be discussed fully here; but for some useful remarks on Kant's attitude to moral scepticism, see Timmermann 2007: 129–30. I consider the matter further in Stern 2010.

[9] Cf. Darwall 1995: 331, who presents the issue of autonomy as the key issue in Kant's turn towards internalism.