

## MODERN MORAL PHILOSOPHY

In this magisterial study, one of our leading moral philosophers refutes the charge (originally made by Elizabeth Anscombe) that modern ethics is incoherent because it essentially depends on theological and religious assumptions that it cannot acknowledge. Stephen Darwall's panoramic picture starts with the seventeenth-century thinker Grotius and tells the story continuously down to the time of Kant, exploring what was in fact a completely new way of doing ethics based on secular ideas of human psychology and universal accountability. He shows that thinkers from Grotius to Kant are profoundly united by this modern approach, and that it helped them to create a theory of natural human rights that remains of great political relevance today. He further shows that this new way of thinking provides conceptual resources that are far from exhausted, and that moral philosophy in this idiom still has a vibrant future.

STEPHEN DARWALL teaches philosophy at Yale University. He is the author of *The British Moralists and the Internal 'Ought', 1640–1740* (Cambridge University Press, 1995), and of many other publications in moral philosophy and its history, including *The Second-Person Standpoint: Morality, Respect, and Accountability* (2006).

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From Grotius to Kant

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*For Jerry, David, and Bill*

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## PREFACE

This is the first of a projected two-volume work on the history of moral philosophy in the modern period, beginning with Grotius and extending through the end of the twentieth century, more or less. This first volume will end with Kant, and the next will begin with Fichte and Hegel. As the Introduction to follow makes clear, even at two completed volumes the work will be far from comprehensive. It will be framed by the challenge Elizabeth Anscombe famously issued in “Modern Moral Philosophy” that Western ethical philosophers’ focus on deontic *morality* during this period has been substantially misplaced (Anscombe 1958).<sup>1</sup>

My attention will be devoted mainly to modern philosophers’ attempts to respond to Anscombe’s challenge (often *avant la lettre*), that is, to theorize, defend, and ground deontic morality. However, I will also be concerned with attempts to criticize or limit morality, for example, in Hegel, Marx, and Kierkegaard, as well as to undermine it completely, as in Nietzsche (and, arguably, Spinoza). As we shall see, these philosophers pay homage to the power and influence of the modern idea of morality as well, even as they seek to oppose or restrict it. And there will be discussions too of aspects of modern ethical thought that do not focus on deontic morality at all, for example, ethics of virtue and feminist critiques of orthodox moral theory in the late twentieth century.

I began to work on this project over twenty years ago.<sup>2</sup> Painfully aware of my ignorance of various periods and important figures, especially post-Kantian Continental thinkers, I undertook to fill in some of the gaps. Supported by a grant from the National Endowment for the Humanities in 1998–99, I began to study Fichte and Hegel and came upon Allen Wood’s *Hegel’s Ethical Thought*. There I found Wood’s chapter on recognition and its section “Fichte’s Theory of Recognition.” I read this with something approaching ecstatic endorsement,

<sup>1</sup> I will thus be neglecting a number of figures who are less significant from this perspective, such as Descartes, Malebranche, Voltaire, Diderot, Montesquieu, and d’Holbach, among others.

<sup>2</sup> When Paul Guyer and Gary Hatfield invited me to contribute to a series of histories of modern philosophy they were editing for Cambridge University Press.

with a resounding “yes!” as Nietzsche might put it (Wood 1990: 77–93; Nietzsche 2007: 377). Encountering for the first time Fichte’s idea that it takes a “summons” (*Aufforderung*) from another person to gain practical consciousness of our own freedom, and that this reciprocal awareness of summoned and summoner alike can ground fundamental principles of a theory of equal right, it felt as if the scales had fallen from my eyes (Fichte 2000: 35–83).

I came face-to-face with an idea that, as I allowed it to penetrate my thought fully over the weeks and months to come, seemed to me to provide the missing piece necessary to adequately ground morality, something I had been searching for perhaps my entire philosophical life. When I combined “Fichte’s Point,” as I came to call it, with Pufendorf and Grotius on sociability, Reid on the “social operations of the mind,” Smith on the role of empathy (“sympathy”) in judgments of justice, and, most importantly, Strawson on the role of the “participant” stance in moral responsibility, these insights appeared to me to point toward a fundamental reorientation of the foundations of morality and moral theory, providing a grounding for both in the “second-person standpoint.”

I pretty much put my historical project on hold that year. The history of ethics could wait for a while; after all, the texts weren’t going anywhere. I began to work on what became *The Second-Person Standpoint* almost immediately and for the last twenty years have pursued what I have taken to be the fruits of Fichte’s insight (and the complementary insights of other historical figures) through many articles and books (Darwall 2006, 2013a, 2013b).

Some of those essays were explicitly historical – on Grotius, Pufendorf, Smith, Kant, and Nietzsche – as I found central elements of the second-personal framework in these writers, sometimes under attack, as in Nietzsche (Darwall 2013a, 2013b). Increasingly, I came to realize that even when modern philosophers did not make explicit use of Fichte’s insight, it was implicit in their thought, nonetheless.

A good example is the distinction between law and counsel Suárez drew at the beginning of the early modern period, which influenced so much of the moral philosophy that followed.<sup>3</sup> Suárez notes a fundamental conceptual contrast between a normative area that is tied intrinsically to accountability and free moral agency (law) and one that is not (counsel). There can be beings who are agents having normative reasons but who lack the kind of freedom (moral agency) that Fichte relates distinctively to rights. (This, I came to see, was essentially the same as Cudworth’s distinction between “animal free will” and “moral free will,” which I discuss in Chapter 4.) Suárez’s distinction was taken

<sup>3</sup> Suárez was not the first to draw this distinction, although his version was especially salient to modern moral philosophers who followed. Schneewind describes Grotius’s invocation of it as following “the Scholastic tradition” (Schneewind 1998: 74). I am indebted to an anonymous referee to the Press for pressing this point.

up explicitly by Grotius, Hobbes, and Kant and implicitly by many others. It is in the background of almost all modern moral philosophy, as will begin to become clear in the Introduction.

If the texts stayed pretty much the same during the last twenty years, historical scholarship has not. The most prominent intervention has been Terence Irwin's magisterial *The Development of Ethics*, almost two volumes of which are devoted to the modern period (Irwin 2008, 2009). Many excellent smaller studies have appeared as well. Just within Fichte scholarship, both Michelle Kosch and Allen Wood have published superb works (Kosch 2018; Wood 2016). And Kosch has also brought out an unsurpassed treatment of Kierkegaard's ethics (Kosch 2006). These are only a few examples. The last twenty plus years have been a period of extraordinary flourishing in the history of modern philosophical ethics.<sup>4</sup>

I return to this project now with some trepidation, therefore, but also with real excitement. There really does seem to me to be an untold story of this period that emphasizes Anscombe's challenge and modern philosophers' attempts to deal with it. This volume, and the one to follow, are my attempt to tell that story.

There is, moreover, even greater reason now to consider whether such a story can be told, since Irwin's *Development of Ethics* expresses skepticism on this score. On Irwin's telling, the history of modern philosophical ethics is largely continuous with what he calls "Aristotelian Naturalism." In this respect, I will be writing against Irwin's account, echoing Anscombe and other historians who mark a significant contrast between modern ethical thought and the ancient and medieval philosophy that preceded it.<sup>5</sup>

Since I have "a horse in the race," readers will want to keep my philosophical biases in mind. I can only hope that my having something at stake as a philosopher makes for a more philosophically engaged (and engaging) historical account. My biases may make me sensitive to things others might not see, though perhaps I am just looking through "second-personal glasses" that distort my reading of texts and obscure important historical context. I hope my fellow historians of ethics, and you, dear reader, will keep me honest. Recalling the old Russian proverb that Reagan loved to quote to Gorbachev – "Trust, but verify" – I hope you will ignore the first and pursue the second.

<sup>4</sup> Another striking example is Hurka's study of British ethical thought from Sidgwick through Ewing (Hurka 2014).

<sup>5</sup> Here I have in mind Sidgwick, Schneewind, and Rawls, as I make clearer in the Introduction.

## ACKNOWLEDGMENTS

I have been fortunate throughout my career in having mentors, colleagues, and students who have helped me both philosophically and as an historian. Two of the most prominent historians of ethics of the twentieth century were among my mentors. As a graduate student at the University of Pittsburgh, I was in the first seminar that J. B. Schneewind taught on Kant, along with Hobbes and Hume. At that point, Schneewind was mostly absorbed in his landmark work on Sidgwick, but one could already see in that seminar the seeds of what would emerge almost thirty years later as *The Invention of Autonomy*, one of the most important works on modern moral philosophy ever written (Schneewind 1977, 1998). Schneewind has been both a model and source of encouragement ever since.

The other great twentieth-century historian of modern ethics I was fortunate to learn from was William Frankena. Frankena published relatively little of his historical scholarship, but his knowledge of this period was vast and deep. I got to know him first in 1979–80 when he was a fellow at the National Humanities Center in North Carolina. I was then an assistant professor at the University of North Carolina at Chapel Hill, where I had also come under the tutelage of W. D. (David) Falk, from whom I got an almost spiritual sense of the importance of the early modern British moralists.<sup>6</sup> Falk was at the National Humanities Center that year as well, as were my former dissertation director Kurt Baier – with Falk, an important figure in the “good reasons” tradition in mid-twentieth century metaethics – and Annette Baier, who was in the process of becoming a leading figure on Hume. To say that this was an ideal environment in which to have nurtured an interest in the history of modern moral philosophy is understatement.<sup>7</sup>

<sup>6</sup> As I acknowledge in Darwall (1995: ix).

<sup>7</sup> I didn't actively pursue this interest right away, since I was still at work on *Impartial Reason* (1983). But it did not take long. In 1986–87, two years after I moved to Michigan, I spent a year in England doing research for *The British Moralists and the Internal 'Ought'* (1995). Much of this was in the British Library, where David Falk had first read the British moralists when he fled the Nazis. Falk did some of the first work on internalism in ethics. Indeed, he invented the term (Falk 1948). And he was a powerful proselytizer for it, both philosophically and in eighteenth-century British moral philosophy.

I spent the fall semester of 1982 as a visitor at the University of Michigan, talking often with Frankena. When I took a permanent position there in 1984, it was, in effect, to complete a new “Michigan Three,” with Allan Gibbard and Peter Railton – the original three having been Frankena, Stevenson, and Brandt. (Ultimately, it became a “Michigan Five,” with Elizabeth Anderson and David Velleman.) Gibbard jokes that his becoming a noncognitivist must have been determined by occupying Stevenson’s old budget line. I’m not sure how it worked budgetarily, but Railton’s ethical naturalism was certainly close to Brandt’s, and my interests were uncannily akin to Frankena’s. It was at Michigan that I first attempted to do serious history of ethics, in early modern British moral philosophy, certainly under Frankena’s influence, and with the inspiration of Falk and Schneewind. It is with great gratitude that I dedicate this volume to Jerry, David, and Bill.

I should also express my deep gratitude to John Rawls. In addition to being the most important political philosopher of the twentieth century and having a deep appreciation of metaethical issues that he normally kept in the background, Rawls was a very careful reader of modern moral and political philosophy. His posthumously published *Lectures* on both subjects are both important works from which I here draw (Rawls 2000, 2007). It was mostly as a philosophical and human model that Rawls most influenced me, however. *A Theory of Justice* has shaped much of my own philosophy from the beginning, and I have always been very grateful for Rawls’s interest in a young philosopher’s work.

And then there is Yale. One of the attractions of the Yale Department, which I have certainly enjoyed since joining it, is that it provides the best mix of history of philosophy and philosophy proper of any department I know. All the historians have serious philosophical interests that inform their historical work, and almost all the non-historians are literate in and appreciative of philosophy’s history. And that includes the graduate students. There is not a whiff of “Those who can, do philosophy, and those who cannot, do history of philosophy.” It has been a pleasure and a privilege to be able to do this work in such a supportive atmosphere. I am especially grateful to my fellow historians of modern philosophy, Michael Della Rocca, Paul Franks, and Kenneth Winkler.

I owe a special debt to the students with whom I have done courses and worked on dissertations in the history of modern moral philosophy, both at Michigan and at Yale. Some of these seminars were taught with other faculty – Scott Shapiro, Matthew Smith, and Gideon Yaffe – from whom I have learned

On reflection now, it is clear to me that my pursuing the history of internalism in Darwall (1995) after having engaged with it as a metaethical position in Darwall (1983) is something like the pattern instantiated in the present historical project in relation to my own second-personal philosophizing (most obviously, in Darwall [2006]).

much. At Michigan, I was privileged to be able to sit in on courses with Edwin Curley, Louis Loeb, and Michelle Kosch. Also, I have discussed aspects of this book and been helped by countless scholars at these and other institutions, most prominently among those I remember: Kate Abramson, Julia Borchering, Rachel Cohon, Remy Debes, Richard Dees, Aaron Garrett, Michael Gill, Charles Griswold, Paul Guyer, Thomas Hill Jr., T. H. Irwin, Christine Korsgaard, Matthew Leisinger, Sharon Lloyd, Tito Magri, Geoffrey Sayre-McCord, Tamar Schapiro, Kelley Schifman, Susanne Sreedhar, Nicholas Sturgeon, and Allen Wood.

I am grateful more than I can express to those to whom I am closest. Julian has listened to me talk about figures in this volume since he was six and suggested as a title for my British moralists book *Philosophy in the Minds of Ten*. I always learn from our conversations. I have discussed philosophy and its history with Will for almost as long as we have conversed. No one holds my feet to the fire more (especially when it comes to Marx and Nietzsche, who will appear in the next volume). I owe the decision to include Spinoza to Will. Long conversations with Frank Marotta fed my soul towards the end of writing this volume, and Sidney Phillips helped keep me on an even keel throughout the writing. Finally, Laura has sustained me throughout, sometimes challenging but always supporting – invariably, just what I needed.

I owe many debts in connection with this book's publication, most especially to Paul Guyer and Gary Hatfield who first convinced me to write it over twenty years ago. Terence Moore was then my editor at Cambridge University Press. Both he and Hilary Gaskin since have provided very helpful advice, as did also an anonymous reader for the Press. For inestimable help in copy-editing and other editorial assistance at late stages, I am very grateful to Molly Montgomery.

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