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Understanding Moral Obligation. Kant, Hegel, Kierkegaard.

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In his thoroughly researched and tightly argued new book, Robert Stern proposes that the “standard story” of Kant as an ethical constructivist—in particular, the idea that Kant rejected value realism as a threat to autonomy—is seriously misleading. An historically more sensitive reading shows that Kantian autonomy was not meant to explain the origin of moral values but their *obligatory* character, their capacity to bind the will as law. Having established this point in Part I, Stern uses it to provide an alternative to the standard story of the post-Kantian tradition of ethics. Part II first details Schiller’s attempt to soften the paradoxes of Kant’s “hybrid” theory by bringing “natural” goodness and moral obligation into alignment, and follows with an examination of Hegel’s “social command” theory of obligation. Part III then explores Kierkegaard’s strategies for showing the moral limits of autonomy (whether individual or social) and sketches the Dane’s own divine command theory of moral obligation. The book concludes with an extensive review of the dialectical situation engendered by this historical trajectory: “How far should considerations of autonomy drive one from a divine command theory to a Kantian hybrid theory? How far should considerations of dualism drive one from a hybrid theory to a Hegelian social command theory? And how far should considerations of complacency drive one from a social command theory to a Kierkegaardian divine command theory?” (220). In the end “we can see that these positions are finely balanced against each other” in a kind of “dialectical circle,” where each move has advantages and disadvantages (221). Thus “the significant challenge of properly theorising and accounting for moral obligation remains as a problem that is still to be resolved” (253).

It would be hard to overstate the care with which Stern develops each move in the argument that leads to this conclusion, and it would be utterly impossible to reproduce these moves in a brief review. But some sense for the book’s riches can perhaps be gleaned by exploring in outline each of the questions just raised.

1) “How far should considerations of autonomy drive one from a divine command theory to a Kantian hybrid theory?” Stern motivates this question in his opening chapter, where he argues, against Rawls and others, that Kant’s argument from autonomy (the idea that moral normativity cannot derive from a source outside the will, such as desire) cannot rule out value-realism, since such realism need not be grounded in desire. If it is grounded in something like rational moral intuition, then a realist can accept Kant’s claim that reason must be given a “commanding” role in morality while arguing that “it is through reason that the agent discerns and is motivated to act” by moral values. Indeed, as Stern argues, there is a sense in which Kant must be seen as a value realist: the existence of a rational being seems to be an “objective end” with “absolute value” (26–30). Kant’s method of inquiring into the principle of morality prior to an inquiry into the good is designed to avoid confusing two very different things—moral goodness and well-being or happiness—but this does not undermine the moral realist’s claim that the Formula of Humanity “must have some value underlying it as what grounds its validity”

(39). And if that is so, then (as Stern argues at length in the following two chapters) Kant's concept of autonomy is not intended to establish the *validity* of the moral law, but to show how "the *obligatoriness* of morality could be accounted for without heteronomy" (40).

This point is further buttressed in chapter 2, where Stern sketches the historical debate over natural law and the source of obligation, a debate that reaches well into Kant's own time. While natural law theories may hold that the obligatoriness of morality comes with the territory—that moral rightness implies obligation—divine command theories conceive obligation as requiring a lawgiver, whose authority is attested in the possibility of sanctions. This does not rule out the idea that what God commands is right prior to the command (God may be the author of the obligation but not the author of the law [34]), but it does raise questions about our motivational relation to the law, questions that Kant's concept of autonomy is designed to address. For instance, the issue of sanctions might make it appear that our "motivation to be moral" is merely "prudential" (50) and so "heteronomous," since reason would be subordinated to our desire for reward and our interest in avoiding punishment (53). Against this, as Stern shows in some fine pages analyzing Kant's references to God in the *Groundwork* and elsewhere, Kant wants to establish that the bindingness of morality "must be seen to come from our reason" itself (62).

Against the natural law tradition, the divine command theorist argues that nothing in the nature of things could impose an obligation on us, that is, a curb on our freedom. But nor can we impose such an obligation on *ourselves*, since that too would leave our freedom unchecked (71–73). Kant's challenge is to make sense of this latter possibility, and he does so, according to Stern, through his distinction between the holy will and the human will. A holy will is bound by the moral law but, since its inclinations are always in accord with right, that law is not experienced by it as "necessitating" or constraining (77). The human will, however, confronts that very law as an "imperative" which claims authority over our non-conforming desires and inclinations. Thus morality can be seen as having an obligating force without that force being derived from the command of a divine lawgiver.

Against this background, chapter 3 explains Kant's "hybrid" account of moral obligation as it addresses three interrelated aspects of the problem: value realism and anti-realism, internalism and externalism regarding moral motivation, and the dispute between natural law theorists and divine command theorists. Kant's solution is "hybrid" because it embraces realism about "what is right and wrong, and the value of rational nature on which this rests" (90) while denying that this is sufficient for establishing the *obligatoriness* of the right. Regarding obligation, Kant is an anti-realist. No mere fact carries its own motivational force: "nothing in the moral properties of the right or the good" involves the kind of "internal" relation to "motivational forces" that the notion of obligation entails (94). And this is reflected in Kant's stance toward the debate between natural law and divine command theorists. With the former, Kant holds that the moral law is not "authored," but he denies that obligation arises from an enlightened concern with "our own good." With the latter, Kant holds that obligation requires a legislator, but he denies that such legislation must arise from a divine will. Rather it derives "from the structure of our own wills" in contrast to the holy will. Kant's hybrid theory is thus able to "overcome the tension between obligatoriness on the one hand and autonomy on the

other,” and in this way “Kant’s ethical thought takes the tradition in a new direction, even if it is not the same as the one it is said to follow on the standard story” (99).

But Kant’s hybrid position is not without its problems, and Stern follows up the vicissitudes of this “new direction” in Parts II and III, each of which contains the same careful attention to historical sources and contemporary debates one finds in Part I.

2) “How far should considerations of dualism drive one from a hybrid theory to an Hegelian social command theory?” Beginning with Schiller, Part II considers the question of whether Kant’s hybrid account “presents an unattractively dualistic and conflicted picture of our nature as moral agents” (104). According to Schiller, who moves the debate in an Aristotelian direction, Kant’s focus on reason as a *constraint* on our sensuous nature threatens to undermine the very concept of autonomy (144). As a moral ideal, autonomy is better understood as the “beautiful soul” whose inclinations are not experienced as in conflict with its duty. Unlike Kant’s “holy will,” however, the beautiful soul cannot *count* on its inclinations being in harmony with the law (118). Thus genuine autonomy involves both “grace” and “dignity”—a moral vigilance that remains oriented toward the *ideal* of harmony (127)—and leads finally to a “political programme” to be realized culturally and historically (129). Nevertheless, Schiller remains a “transitional figure” who never faces “the need to offer a different solution to the problem of moral obligation,” relying instead on a kind of “Platonistic sublime,” a “transcendence” beyond “nature conceived as appearance” (146).

Hegel, in contrast, attempts to provide a “more unified and immanent picture” (146) and in so doing, as chapter 5 argues, *does* develop a new “social command” approach to moral obligation. Stern rejects the idea that Hegel’s move to the social is meant to address the familiar charge that Kantian autonomy is an “empty formalism.” Hegel’s claim that “the legislating subject is a ‘we’ not an ‘I’” is equally empty unless it appeals, just as Kant did, to the antecedent value of rational nature or freedom (148–149). Thus Stern reads Hegel, too, as a value realist and argues that his concept of *Sittlichkeit* is not designed to address the “Kantian paradox of self-legislation” but rather to account for moral obligation in a way that avoids “the dualism of Kant’s hybrid view” (150).

Stern introduces his argument by explicating Kurt Baier’s “social command” theory, according to which obligation arises by adding to a rational grasp of the morally good “the demand by society to act in accordance with what one has moral reason to do” (152). On this account, it is not God but “society” that has “a legitimate authority in its own right,” the “rightful authority to impose such sanctions and thus to issue commands” (152). Reading Hegel’s concept of *Sittlichkeit* in these terms, Stern contrasts it with the idea that it is the social *role* that confers obligations. On Christine Korsgaard’s account of practical identity, for instance, “it is the identification of the individual with their role that explains obligatoriness, not the ‘social pressure’ exerted on the individual” (164). On Stern’s view of Hegel, however, it is precisely this social pressure, coupled with the corresponding refusal of a concept of *individual* autonomy, that gives rise to obligation. “[I]nsofar as this ‘ethical substance’ is not ‘alien to the subject’”, that is, insofar as it can be seen historically and philosophically to belong to “its own essence,” such obligation is not *inimical* to “the freedom of the individual” (170). But this generates a different set of problems.

3) “How far should considerations of complacency drive one from a social command theory to a Kierkegaardian divine command theory?” Part III first takes up Kierkegaard’s critique of Hegel (chapter 6, focused on the pseudonymous works) and then explores his account of moral obligation (chapter 7, focused on *Works of Love*). The first step is a reading of *Fear and Trembling*, where Stern uncovers a kind of “intermediate” divine command theory according to which it is not morality’s goodness or rightness that derives voluntaristically from God’s command, but its obligatory force. Kierkegaard nevertheless poses “a radical challenge to secular ethicists” because, for him, what *is* good or right involves “transcendence” and so is not necessarily graspable by reason, i.e., “within the human perspective” (175). This is the *ethical* meaning of faith (180), whose “absurdity” is papered over in Hegel’s social command theory.

Stern brings this out by analyzing the three “Problems” Kierkegaard develops in *Fear and Trembling*. The knight of faith cannot see how “his duty connects to the good,” as the tragic hero can; nevertheless (in contrast to voluntarism), he knows that God would not make something obligatory “unless it *were* good in some way” (183). Similarly, the knight of faith recognizes an “absolute duty” to God in “inwardness” despite the fact that such a duty “is not mediated by the ‘universal’ of *Sittlichkeit*” (185). Finally, such a knight must remain silent, cannot give reasons, because he knows that in doing so “his actions would inevitably start to seem unwarranted in his eyes” (188). Faith is the stance in which one must acknowledge the possibility that God can “grasp the good in ways that we cannot” and so put us under obligations that are “opaque” from the human point of view (188).

In the chapter’s second section, devoted to Judge William’s position in the second volume of *Either/Or*, Stern elucidates an aspect of Kierkegaard’s critique of Hegel that does not depend on the aim of preserving the ethical distinctiveness of faith. The Judge’s Hegelian conviction that “life within *Sittlichkeit* will bring self-realisation to the individual” (195) produces an undemanding “moral complacency,” a kind of ethical religion—the “enemy of mysticism” (198)—in which more cannot be asked of an individual than he is able to accomplish within the bounds of his place in society. In contrast, the Pastor’s sermon (“In Relation to God We are Always in the Wrong”) suggests that the “love one feels for God” brings with it a consciousness of always falling short, and so also a concept of ethics “as a radical demand that we cannot fulfill on our own” (203).

This sets the stage for Kierkegaard’s account of moral obligation, exemplified by the divine command to “love thy neighbor.” Kierkegaard’s appeal to the love commandment serves to highlight the inevitability of what Stern (following Hare) calls a “moral gap,” the recognition that “a requirement of morality outstrips our capabilities for meeting it” (206). If a moral gap is possible, it seems to entail that God is both the lawgiver and (via forgiveness) “the only viable means of dealing with it” (207).

Though the love commandment is quite specific, the moral gap shows up wherever the universal scope of a moral demand (feed the starving!) cannot be met by an individual. (This issue and its “theological” implications have been treated extensively in recent “Continental” ethics—for instance, in Levinas, and, following him, in Derrida’s *The Gift of Death*—and the fact that Stern does not engage with such writers is one of the book’s few missed opportunities.) The

path to a divine command account can be seen by asking how, on a social command theory, “any one of us, either individually or collectively, can have the kind of authority to impose” such a law “on ourselves or each other” (213). If a concern for autonomy leads us to embrace either Kantian or Hegelian expedients here, we will have to “scale back” the requirements of the moral law, and we will lose “notions such as divine assistance and forgiveness... which are needed to bridge the ‘moral gap’ and to make sense” of moral universalism “in a strenuous form” (215). In a word, we will become morally complacent.

Thus what begins with Kant as an attempt to establish the obligatoriness of the moral law in the autonomy of the human will leads back to a divine command theory. And as Stern makes clear in his philosophically acute “Conclusion: From Kant to Kierkegaard—and Back Again?”, *this* understanding of the post-Kantian tradition is something like an “aporetic” Platonic dialogue: it leaves us confronting the original problem, only a good deal wiser about what the problem *is*. Each position surveyed highlights an aspect of the phenomenology of moral obligation that simply cannot be excluded in any account of it, and it is fealty to these aspects, rather than any cobbled together “solution,” that distinguishes Stern’s thoughtful contribution to the debate. Historians of philosophy and ethical theorists will find much to disagree with in it, but Stern’s book is a model of how systematic philosophy can be fruitfully pursued in dialogue with historical sources without doing violence to the historical particularity of those sources.

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