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Source: *The Monist*, Vol. 72, No. 3, Kant's Practical Philosophy (JULY 1989), pp. 311-340

Published by: [Hegeler Institute](#)

Stable URL: <http://www.jstor.org/stable/27903144>

Accessed: 25/11/2014 12:42

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KANT'S ANALYSIS OF OBLIGATION: THE ARGUMENT OF *FOUNDATIONS I**

§1. *The Normativity of Morality*

One of the debates of recent moral philosophy concerns the question whether moral judgments express “internal” or “external” reasons.¹ According to internalists, if someone knows or accepts a moral judgment then she must have a motive for acting on it. The motive is part of the content of the judgment: the reason why the action is right is a reason *for doing it*. According to externalists, this is not necessarily so: there could be a case in which I understand both that and why it is right for me to do something, and yet have no motive *for doing it*. Since most of us believe that an action’s being right is a reason for doing it, internalism seems more plausible. It captures one element of our sense that moral judgments have *normative* force: they are *motivating*. But some philosophers believe that internalism, if correct, would also impose a restriction on moral reasons. If moral reasons are to motivate, they must spring from an agent’s personal desires and commitments.² This is unappealing, for unless the desires and commitments that motivate moral conduct are universal and inescapable, it cannot be required of everyone. And this leaves out the other element of our sense that moral judgments have normative force: they are *binding*. Some internalists, however, have argued that the force of internalism cuts the other way. If moral reasons must motivate, and I show you that an action is morally right, I have *ipso facto* provided you with a motive for doing it. Moral reasons motivate *because* they are perceived as binding.³ A good person, according to these internalists, does the right thing because it is the right thing, or acts from the motive of duty.

Many of the moves in the contemporary debate were anticipated in the debate between the Rationalists and the Sentimentalists of the eighteenth century. At the center of their dispute was the notion of *obligation*, a term they used primarily to refer to the *normativity* of duty. The term “obligation” is a source of confusion, because “an obligation” is sometimes used loosely as synonym for “a duty,” a required action. But “obligation” refers not so much to the action as to the *requiredness* of the action, to its normative pull. We say that we *feel* obliged, or are *under* an obligation, to express our sense that the claims of morality are claims *on us*. The idea that moral conduct is obligatory, like the idea that moral judgments express in-

ternal reasons, is intended to capture both elements of the normativity of morality: its power both to motivate and to bind. And the eighteenth century moralists, like contemporary internalists, ran into a difficulty when they tried to combine these two elements.

Rationalist moral philosophers criticized their opponents for not being able to explain how we are *bound* to do our duty. Samuel Clarke, for instance, levels this complaint against what he takes to be the view of Hobbes: that moral laws are the positive laws of a sovereign (possibly God) who has the power to enforce them. Either we are obliged to obey the sovereign, Clarke urges, in which case obligation is prior to positive law, or there is no real obligation at all.⁴ According to later Rationalists, Sentimentalism is subject to the very same objection. The Sentimentalist Francis Hutcheson, for example, believes that God has provided us with a moral sense which causes us to approve benevolence and deem it virtuous. But Rationalists argue that providing us with a sense which endues certain motives with a moral quality is just a way for God to create morality by positive institution. Hutcheson admits as much, for he says that God could have given us a malice-approving moral sense had He so chosen. It is not because benevolence is obligatory in itself, but because God is benevolent, and approving benevolence is good for us, that God has caused us to approve it.⁵ But the Rationalist Richard Price complains that this makes morality a kind of illusion. We may indeed have moral "perceptions," but unless what we perceive is a rightness that is really *in* the action, the action is not really right, and so not really obligatory, after all. Price says that moral sense theory implies "That there being nothing intrinsically proper or improper, just or unjust; there is nothing *obligatory*"⁶ The rightness of an action cannot be something extrinsic to it, projected onto it, like a secondary quality, by the operation of a sense. The action must be *intrinsically* obligatory if it is obligatory at all.

But Sentimentalists, in turn, criticized Rationalists for not being able to explain how we are *motivated* to do our duty. According to Rationalists, rightness is a real property of an action or of the relation of an action to its situation, discerned by reason. But the bare grasp of a rational truth seems to have no motivational power. Hume famously complains:

. . . men are often govern'd by their duties, and are deter'd from some actions by the opinion of injustice, and impell'd to others by that of obligation.

Since morals, therefore, have an influence on the actions and affections, it follows, that they cannot be deriv'd from reason; and that because reason alone, as we have already prov'd, can never have any such influence.⁷

The problem was to find an account of obligation that combines the two elements of normativity: motivation and bindingness.

This problem was inherited by Kant. A form of Rationalism was the dominant ethical theory in Germany, and Kant was a Rationalist by training as well as by temperament. But he was also a great admirer of the British Sentimentalists.⁸ As early as the so-called Prize Essay, Kant identifies obligation (*Verbindlichkeit*) as the “primary concept” of ethics.⁹ (PE 298/31)¹⁰ There, he argues that the project of moral philosophy is to show how there can be obligations, understood as unconditional “oughts” which both bind and motivate. It is easy to see how an action can be necessary to achieve a certain end, but for an unconditional “ought” the end itself must also be necessary. (PE 298–299/31–32) At this point in his career Kant endorses the Wolffian ethical principles “Do the most perfect possible by you” and “Do not do that which would hinder the greatest possible perfection realisable through you” as the “primary *formal ground* of all obligation.” (PE 299/32) But he levels against these principles a charge later to be leveled against his own view by Hegel: by themselves, they constitute an empty formalism, from which “no particularly definite obligation flows.” (PE 299/33) The content of morality, Kant speculates, must be determined by the operation of unanalyzable feelings. He praises Hutcheson’s idea of the moral sense as a possible source for this content. (PE 300/34) But the Prize Essay’s discussion of ethics ends inconclusively. Kant says, “. . . it has still to be discovered in the first place whether the faculty of knowledge or feeling . . . exclusively decides the primary principles of practical philosophy.” (PE 300/34)

By Kant’s critical period this uneasy alliance between Rationalism and Sentimentalism is over, and Rationalism has won the day. The problem of obligation, like any philosophical problem, must be solved in two stages. Since the concepts of morality are concepts of pure reason, we must start with a metaphysical account showing how pure reason generates these concepts and so what they (analytically) contain. But the claim that a concept of pure reason applies to the world is always synthetic. Kant cannot, like earlier Rationalists, simply insist that a rational moral order is intuited in the nature of things. Dogmatic metaphysics has no more place in ethics than in theoretical philosophy. So we must turn to a critical synthesis to show that the concepts of morality apply to that part of the world to which they purport to apply: to us. The first step, and the one I am concerned with in this paper, shows what obligation is, that is to say, what the concept of obligation contains. The second, or synthetical, step shows that the concept has application, that is, that we have obligations.¹¹

In *Foundations II*, Kant appears to think there is no difficulty about analyzing the concept of obligation. An obligation would be prescribed by a categorical imperative, and analyzing that idea leads us immediately to the Formula of Universal Law. Kant says:

. . . we will first inquire whether *the mere concept* of a categorical imperative does not also furnish the formula containing the proposition which alone can be a categorical imperative. . . .

. . . if I think of a categorical imperative, *I know immediately what it contains*. For since the imperative contains besides the law only the necessity that the maxim should accord with this law, while the law contains no condition to which it is restricted, there is nothing remaining in it except the universality of law as such to which the maxim of the action should conform

There is, therefore, only one categorical imperative. It is: Act only according to that maxim by which you can at the same time will that it should become a universal law. (G 420-421/38-39; my emphases)

In fact, the analysis given in these cryptic passages is almost identical to the argument of *Foundations I*.

In this paper my aim is to show how Kant's analysis of obligation, contained in the argument of *Foundations I*, provides a solution to the problem of obligation that emerged from the controversy between Rationalism and Sentimentalism. In §2, I explain in more detail how the very concept of obligation generates a dilemma which is central to that controversy. The argument of *Foundations I*, which I reconstruct in §3, shows the way out of this dilemma, and in so doing shows what sort of thing an obligation must be.

§2. Hume's Dilemma

The argument of *Foundations I* is an attempt to give what I shall call a "motivational analysis" of the concept of a right action, in order to discover what that concept applies to, that is, which actions are right.¹² A motivational analysis is one that defines or identifies right actions in terms of the motives from which they are done by a morally good person.¹³ The starting point of Kant's analysis is that a morally good action is one done from the motive of duty, or, we might say, a right action is one that is done by a morally good person *because it is right*. If the analysis works, Kant's achievement is to argue from this feature of right actions to a substantive moral principle which identifies which actions are right. In order to appreciate the importance of this achievement, we must consider it in light of an argument of Hume's which purports to show that exactly this cannot be done. This argument gives rise to what I shall call "Hume's Dilemma."

In opposition to the thesis that the sense of duty is the only moral motive, Hume argues that “the first virtuous motive, which bestows a merit on any action, can never be a regard to the virtue of that action, but must be some other natural motive or principle.”¹⁴ He points out that when we praise an action, and regard it as virtuous, we do so because we suppose that it has a virtuous motive. And:

To suppose, that the mere regard to the virtue of the action, may be the first motive, which produc'd the action, and render'd it virtuous, is to reason in a circle. Before we can have such a regard, the action must be really virtuous; and the virtue must be deriv'd from some virtuous motive: And consequently the virtuous motive must be different from the regard to the virtue of the action. A virtuous motive is requisite to render an action virtuous. An action must be virtuous, before we can have a regard to its virtue. Some virtuous motive, therefore, must be antecedent to that regard.¹⁵

This argument can be recast in terms of rightness. Suppose that a right action is essentially, or by definition, one prompted by a morally good motive. To know which actions are right we must know which motives are good. But if the only good motive is the sense of duty, then we do seem to get the kind of circle Hume describes here. I want to do what is right and ask you what that is. You tell me: right actions are those done just because they are right. How can I derive any content from this? The objection may be taken to be a version of the “empty formalism” objection, for the principle “do the right thing because it is the right thing” appears to be an empty formalism. According to Hume, I need prior information about which acts are virtuous or right before I can do them with regard to their virtue or rightness. This shows the need for a moral sense, which will enable us to pick out the virtuous motives which make actions right. And the moral sense must approve motives other than the motive of duty, in order to get some content into the system. This leaves us with a dilemma. If we retain the thesis that it is motives that essentially make actions right, it apparently must be motives other than a regard for rightness itself. On the other hand, if we are to retain the thesis that the primary motive of virtuous action is the motive of duty, we must have some way of identifying or defining right actions which does not depend on their motives.

Sentimentalists opted for the motivational analysis, but at a cost. On Hume and Hutcheson's view, what renders actions virtuous is our approval of the natural affections which motivate them, and these are, accordingly, the “first virtuous motives,” in Hume's phrase, to morally right action. This leads to two problems, one concerning the fact of obligation, and the other concerning the sense of obligation or motive of duty. I have already

mentioned the problem concerning the fact of obligation. The action is supposed to be right because we approve its motive. But we might, had we been given a differently constituted moral sense, have approved a different motive and so a different action. So the action is not *necessarily* right. But then it is hard to see how it can be obligatory. An obligatory action is one that is binding—one that it is necessary to do. But if the action is not necessarily right, how can it be necessary to do? Contemporary internalists make a similar objection to externalism. If the moral motive is simply a natural affection such as benevolence, we can really have no obligations. For how can there be an obligation to have the motive which gives us obligations? And how can we be obliged to perform the actions, unless we are obliged to have the motive that produces them? If it is not necessary to have the motive, it is not really necessary to perform the actions.¹⁶ Behind both objections is the idea that the rightness of an action cannot be extrinsically conferred. If it is *necessary* for us to have a benevolence-approving moral sense or benevolent motives, this must be because benevolent action is intrinsically obligatory. If benevolent action is not intrinsically obligatory, then neither an arbitrarily implanted moral sense nor dispensable natural affections can make it so.

As these arguments suggest, the idea that we are in fact obliged is naturally associated with the idea that we should act from the motive of obligation. To be obliged to the performance of an action is to believe that it is a right action and to find *in that fact* a kind of motivational necessity: the action is called for or demanded by the situation, and that is the motive for doing it. And this brings us to the second problem. If the “first virtuous motives” are admirable natural motives, then the motive of obligation must play at best a secondary role.

Hutcheson, accordingly, dismisses most of what is said about obligation as “confused” and “obscure.”¹⁷ When we say someone is morally obliged to an action we mean only that the moral sense approves the action: that there is a *justifying* reason for it.¹⁸ We are not talking about *exciting* or motivating reasons. The two parts of the normativity of morality, its power to bind, or justify, and its power to motivate, or excite, have separate sources. But, Hutcheson complains:

Some farther perplex this subject by asserting, ‘that the same reasons determining approbation ought also to excite to election.’¹⁹

Obviously he disagrees. A good action need not be motivated by the agent’s approval of it. This does not mean that there are no actions to which we are motivated by moral approval. Hutcheson says:

The prospect of the pleasure of self-approbation is indeed often a motive to choose one action rather than another; but this supposes the moral sense, or determination to approve, prior to the election.²⁰

Hume's account of actions done from the motive of duty is similar:

But may not the sense of morality or duty produce an action, without any other motive? I answer, It may: But this is no objection to the present doctrine. When any virtuous motive or principle is common in human nature, a person, who feels his heart devoid of that principle, may hate himself upon that account, and may perform the action without the motive, from a certain sense of duty, in order to acquire by practice, that virtuous principle, or at least, to disguise to himself, as much as possible, his want of it.²¹

In both accounts, the motive of obligation is reduced to a desire for self-approval. It is also reduced to a second-rate moral motive; action from spontaneous natural affection is more authentically virtuous.²²

This is contrary to the widely-shared idea that obligation is central to moral experience, and that there are at least some actions which ought to be performed from the sense that they are obligatory. Now in our own century it has been argued that we should abandon these ideas about obligation. In her famous 1958 paper "Modern Moral Philosophy," Elizabeth Anscombe argued that the moral "ought" and "obligation" are specifically modern notions that classical philosophers like Aristotle did very well without. Anscombe claims that these ideas are naturally associated with a divine law conception of ethics, and, in the absence of that conception, lack sense.²³ Similar charges have been made more recently by Bernard Williams in the last chapter of his book *Ethics and the Limits of Philosophy*.²⁴ But Anscombe and, although to a lesser extent, also Williams, share an important assumption with their Sentimentalist predecessors, for both tend to think that the primary force of saying that I am obliged to do something is that I will be judged, punished, blamed, or will blame myself, if I do not.²⁵ This emphasis is characteristic of Sentimentalism, which constructs morality from the standpoint of the spectator or judge, taking the affections of approval and disapproval as the source of our most fundamental moral conceptions. For a Sentimentalist, the idea of obligation can only arise by turning disapproval against the self.²⁶ For a Rationalist, however, the focus on obligation comes from an agent-centered or deliberative perspective, not from that of the moral judge. The primary deliberative force of saying "I am obliged to do this" is not "I will blame myself if I do not" but "my judgment that it is right impels me to do this."²⁷ And this is at least related to an older thought, which is found in the classical philosophers. Aristotle's person of practical wisdom does the virtuous action for its own sake and for

the sake of the noble (το καλον).²⁸ He is moved to act by an ethical quality, a moral beauty and nobility, which he apprehends in the action. He does not merely act on some spontaneous natural affection which sideline judges applaud.²⁹ And this element of moral action—this feature of how it looks from the agent's point of view—essentially drops out of Sentimentalism.

This had a great deal to do, I believe, with keeping ethical Rationalism alive in the eighteenth century. On many points, Hutcheson and Hume's attacks on early Rationalism were effective, and later Rationalists, such as John Balguy and Richard Price, particularly admired Hutcheson.³⁰ But the idea of obligation and its connection to motivation was captured better by Clarke's ethical system than by either Sentimentalist or Hobbesian views. In describing right actions as "fit to be done," "reasonable," and "proportionate," Clarke tries to capture the sense that right actions are called for or demanded by their situations, that they have a kind of rational necessity comparable to the necessity of demonstrable truth.³¹ He argues that "the original *Obligation* of all . . . is the eternal *Reason* of Things"³² and that the moral motive is the sense of this obligation:

For the Judgment and Conscience of a Man's own Mind, concerning the Reasonableness and Fitness of the thing, that his Actions should be conformed to such or such a Rule or Law; is the truest and formallest *Obligation*; even more properly and strictly so, than any opinion whatsoever of the Authority of the Giver of a Law, or any Regard he may have to its Sanction by Rewards and Punishments.³³

Increasingly, as the eighteenth century progresses, we find philosophers on both sides of the debate working to combine the best insights of Sentimentalism with a more Rationalistic account of obligation.³⁴

But Rationalism too has a cost, so long as Hume's argument is accepted. For Hume's argument makes it appear that the idea that the motive of duty is the primary motive to right action can be maintained only at the expense of the idea that right actions are defined essentially in terms of good motives. Instead, the Rationalist must hold that rightness is in the nature of the actions required. As Price puts it:

. . . all actions, undoubtedly, have a *nature*. That is, *some character* certainly belongs to them, and somewhat there is to be *truly* affirmed of them. This may be, that some of them are right, others wrong. But if this is not allowed; if no actions are, *in themselves*, either right or wrong, . . . it follows, that, in themselves, they are all indifferent.³⁵

Since that is unacceptable, we must conclude that "right and wrong are real characters of *actions*."³⁶ This, of course, removes any difficulty about doing actions with regard to their rightness. If the rightness is in the action, we

can certainly do it for the sake of that rightness. But now the Rationalist is saddled with the view that rightness is (to speak anachronistically) a non-natural property, inherent in the actions, and intuited by reason. In this way, Rationalism seems to entangle us in a metaphysical moral realism, as well as an epistemological intuitionism, which are both unpalatable. This will in particular be an objection for Kant, since his project forbids the uncritical assumption that necessary principles may be found, by rational intuition, to hold in the nature of things. And, although the Rationalists rejected the empiricist theory of reason from which it follows that reason cannot motivate, they had no account of *how* we can be motivated by rational truths to put in its place. The Rationalists saw that obligation is only possible in one way: the perception of the bindingness of the right action must be what moves us. But instead of explaining how this is possible, they simply insisted that it is.

In England things got worse instead of better. In our own century, W. D. Ross defended intuitionism by an argument similar to Hume's. In the opening pages of *The Right and the Good*, Ross attacks the possibility of a motivational analysis of rightness. When we say that an act proceeds from a good motive, we are saying that it is morally good. So to say that rightness admits of a motivational analysis is to say that say that "right" means "morally good."³⁷ But Ross says that he can show that this is wrong, or, as he startlingly puts it: "that nothing that ought to be done is ever morally good."³⁸ One of his arguments goes this way. Those who "hold that our duty is to act from a certain motive" usually hold that the motive in question is the sense of duty. But:

. . . if the sense of duty is to be my motive for doing a certain act, it must be the sense that it is my duty to do that act. If, therefore, we say 'it is my duty to do act *A* from the sense of duty', this means 'it is my duty to do act *A* from the sense that it is my duty to do act *A*'. And here the whole expression is in contradiction with a part of itself. The whole sentence says 'it is my duty to-do-act-*A*-from-the-sense-that-it-is-my-duty-to-do-act-*A*.' But the latter part of the sentence implies that what I think is that it is my duty to-do-act-*A* simply.³⁹

Probably feeling that this is not perspicuous, Ross reiterates:

Again, suppose that I say to you 'it is your duty to do act *A* from the sense of duty'; that means 'it is your duty to do act *A* from the sense that it is your duty to do act *A*.' Then I think that it is your duty to act from a certain motive, but I suggest that you should act under the supposition that it is your duty to do a certain thing, irrespective of motive, i.e. under a supposition which I must think false since it contradicts my own.

The only conclusion that can be drawn is that our duty is to do certain things, not to do them from the sense of duty.⁴⁰

This argument, like Hume's, turns on the idea that you cannot do your duty from the motive of duty until you know, independently, what your duty is. So far, like Hume's, it leaves it open that it could have been our duty to act from certain motives other than the motive of duty. But Ross has another argument which he thinks disallows any moral requirement on motives. This argument turns on the principle that "ought implies can," which Ross endorses. He says:

It is not the case that I can by choice produce a certain motive (whether this be an ordinary desire or the sense of obligation) in myself at a moment's notice, still less that I can at a moment's notice make it effective in stimulating me to act.⁴¹

Therefore, Ross concludes, it cannot be the case that what I ought to do is act from certain motives.

Like earlier Rationalists, Ross concludes that rightness must simply be a property of certain actions. But Ross has a much more difficult time explaining the normative force of rightness than his predecessors. For Clarke, Price, and Balguy were all what we should now call internalists.⁴² They believed that the perception of an action as right, or, what they took to be the same thing, obligatory, *is* a motive to do it. So the problem Ross notices in this last argument, that we cannot muster the sense of obligation at a moment's notice, does not arise for them. As Price says:

When we are conscious that an action is *fit* to be done, or that it *ought* to be done, it is not conceivable that we can remain *uninfluenced*, or want a *motive* to action. It would be to little purpose to argue much with a person, who would deny this; or who would maintain that the *becomingness* or *reasonableness* of an action is no reason *for* doing it; and the *immorality* or *unreasonableness* of an action, no reason *against* doing it. An affection or inclination to rectitude cannot be separated from the view of it.⁴³

Whereas Ross, following Prichard, is an externalist.⁴⁴ Like some internalists, Ross and Prichard think that a good person does the right thing "because it is the right thing." But Ross and Prichard think of the motive of duty as something like a desire that takes right action for its object, not as something that is involved in the very grasp of the fact that the action is right. So like Hutcheson, Ross in effect separates the justifying reason—the fact that the action is right—from the motivating reason—the desire to do what is right. And since this "desire" might simply fail to be present, it cannot be our duty to act from it. All we can say is that acting from it is morally good. This means that for Ross, the fact that something is right only becomes a reason *for action*, in the sense of a motive, when the desire to do what is right happens to be on the scene to interest us in it. Furthermore,

Ross denies that a right action need be in any way good. For, he argues, if someone does a right action from a bad or indifferent motive, that can at best be instrumentally good.⁴⁵ There is no guarantee that it will even be that, for “right” neither means “productive of good consequences” (since “right” is unanalyzable) nor has it ever been shown to be coincident with that property.⁴⁶ So a right action is not necessarily instrumentally good, and according to Ross, it has no intrinsic value. What has value, says Ross, “is the doing of the right act because it is right.”⁴⁷ But rightness by itself “is not a form of value at all.”⁴⁸ By itself, then, rightness has no normative force. This makes it clear why Ross must be an externalist. Since rightness is not a value, the desire to do what is right is not a response to a value. Nor does it seem, therefore, to be an especially rational motive. Like the natural affections favored by Sentimentalists, it is merely a motive we happen to have. So rightness by itself neither motivates nor binds, nor are we bound to the desire to do what is right by any tie of reason or duty. Thus it turns out that, for Ross, the whole normative force of rightness springs from the supposed intrinsic value of acting from a certain motive, which we simply happen to have.

§3. *The Argument of Foundations I*

In the Preface to the *Foundations*, Kant says that his method in the first part of the book will be “to proceed analytically from common knowledge to the determination of its supreme principle.” (G 392/8) Specifically, *Foundations I* seeks the principle behind “common rational knowledge of morals.” (G 393/9) Because he is analyzing common knowledge, Kant starts from an idea which he expects the reader, once he recognizes it, to accept: that nothing is unconditionally valuable except a good will. Whenever we believe we have witnessed the exercise of such a will, we think we have seen an action that has a special kind of value: value that is independent of “what it effects or accomplishes,” and so, unconditional. (G 394/10) In order to discover the principle of morality, or of unconditionally good action, we need to discover what principle a good will acts on.

The notion of duty includes that of a good will, since the notion of duty is the notion of a good will operating under “certain subjective restrictions and hindrances.” (G 397/13) Therefore, Kant proposes to look at cases in which we should say that a person acted “from duty” in order to discover the principle of action which characterizes a good will. He proceeds to distinguish three kinds of motivation. One may act from duty (do the right thing because it is the right thing), from direct inclination (perform an action because one enjoys it), or from indirect inclination (perform an action

as a means to a further end). The first of Kant's four examples concerns a merchant who refrains from overcharging hapless customers because a good reputation helps business. This is an example of *indirect* inclination. We are unlikely to confuse such an action with an action from duty, Kant says,

For it is easily decided whether an action in accordance with duty is performed from duty or for some selfish purpose. It is far more difficult to note this difference when the action is in accordance with duty and, in addition, the subject has a direct inclination to do it. (G 397/13)⁴⁹

The other three examples are meant to illustrate this point: in each of them, we consider an action that one ought to do from duty, but that one may also be naturally inclined to do. For instance, Kant says, there are persons

. . . so sympathetically constituted that without any motive of vanity or selfishness they find an inner satisfaction in spreading joy, and rejoice in the contentment of others which they have made possible. (G 398/14)

Actions done on this basis are "dutiful and amiable" and "deserve praise and encouragement," yet they do not evince the moral worth of the action done from duty. (G 398/14) To find the essence of duty and the good will, we must find the basis on which we distinguish these actions from those done from duty.

It is essential not to confuse the point of these examples with that of the honest merchant, who acts "neither from duty nor from direct inclination, but only for a selfish purpose." (G 397/14) According to a familiar but misguided reading of these passages, Kant holds a crudely hedonistic theory about all motives other than moral ones: he thinks that all actions except moral ones are done for the sake of one's own pleasure, and so are all equally selfish and without moral worth. So understood, Kant means to emphasize the *similarity* of actions done from direct inclination to those done from indirect inclination: their purpose, like the honest merchant's, is fundamentally selfish. But what Kant clearly emphasizes here is the *difference* between direct and indirect inclination, and he says explicitly that the sympathetic person is "without any motive of vanity or selfishness." (G 398/14) He praises such actions as amiable and even "dutiful" (*pflichtmäßig*), and he compares them to actions arising from the inclination to honor, which he elsewhere describes as a "simulacrum" of morality. (IUH 26/21)⁵⁰ In fact, if we suppose that Kant holds a hedonistic theory of the *purpose* of all actions done from inclination, neither the distinction between direct and indirect inclination, nor (as I will show in a moment) the general argument of *Foundations I*, makes much sense. Instead, Kant envi-

sions the act of the sympathetic person as one done for its own sake. The pleasure a sympathetic person takes in helping is not an ulterior purpose, but is rather the reason why he makes *helping* his purpose.⁵¹ Pleasure is not the purpose of his action, but the ground of the adoption of his purpose.

And the person who helps others from duty *also* does so for its own sake. The duty in question, as Kant makes clear elsewhere, is the duty to make the happiness of others one's *end*. (G 430/39; MPV 385/43; 388/46) It is because of this similarity of purpose that the sympathetic person's actions are characterized as "dutiful" despite their lack of moral worth. We may say, going beyond Kant, that sympathy is a simulacrum of morality because it is an impulse inspired by the humanity in others, just as honor is a simulacrum of morality because it is a motive to obey certain strict laws of conduct for their own sake.⁵² So the difference between the sympathetically helpful person and the dutifully helpful person does not rest in their purpose, but must lie elsewhere. This leads Kant to his "second proposition," namely, "An action performed from duty does not have its moral worth in the purpose which is to be achieved through it but in the maxim by which it is determined." (G 399/16)

To say that the worth of an action does not lie in its purpose, but in its maxim, is to say that its worth lies in the grounds on which the action along with its purpose has been chosen. Unfortunately, at this point in the argument Kant introduces the idea of a maxim with no preparation whatever—he simply says, in a footnote clumsily attached to its fifth usage, that a maxim is a "subjective principle of volition." (G 400n/17n) In fact, the idea of a maxim is essential to Kant's solution of the problem of obligation.

According to Kant it follows from the fact that a rational being acts "under the idea of freedom" (G 448/66) that she acts for a reason or on a principle which she must regard as voluntarily adopted. The point here has to do with the way a rational being must think of her actions when she is engaged in deliberation and choice. When you make a choice, you do not view yourself as simply impelled into it by a desire or impulse. Instead, it is as if there were something over and above all of your desires, something that is *you*, and that decides which if any of your desires to gratify. You may of course *choose* to act on a desire, but that does not mean that you are impelled by it. It means you take this desire as a reason, or, in Kant's language, you make it your maxim to satisfy this desire. You may even choose to act on your strongest desire, but still that does not mean its strength is impelling you. It means that you are taking strength as a reason for choosing to satisfy one desire rather than another, making it your maxim to act on your strongest desire. Your maxim thus expresses what you

take to be a reason for action; since reasons are derived from principles, or laws, it expresses your conception of a law.

Kant believes that all human action is purposive, and so that every maxim of action contains an end. (See G 427/45; 431/39; MV 381/38; MV 384–385/42; R 4/4) A maxim of action will therefore usually have the form “I will do Action-A in order to achieve Purpose-P.” You will only act on that maxim if you also make it your maxim “to achieve Purpose-P.” Since this maxim too must be adopted for a reason there are reasons for having purposes, which are again expressed in maxims. Although Kant does not emphasize this, it is perhaps easiest to think of maxims as hierarchically organized: “I will do Action-A to achieve Purpose-P” is adopted on the basis of “I will achieve Purpose-P” (plus a relevant hypothetical imperative); “I will achieve Purpose-P” is in turn adopted on the basis of a further maxim that “I will make it my purpose to have the things that I desire” or whatever it might be.

Therefore, when Kant says that the difference between the sympathetic person and the dutiful person rests in their maxims, the contrast he has in mind, is this: although the sympathetic person and the dutiful person both have the purpose of helping others, they have adopted this purpose on different grounds. The sympathetic person sees helping as something pleasant, and that is why he makes it his end. The morally worthy person sees helping as something called for, or necessary, and this is what motivates him to make it his end.⁵³

A common complaint is that this suggests that a person who helps reluctantly and with a stiff upper lip is morally better than one who does so gladly and from spontaneous benevolence, and that this is both unintuitive and unattractive. This complaint, however, is based on a misunderstanding of Kant’s point. There are three important things to remember. First, Kant makes it clear that the reason he contrasts cases of natural affection with cases where the motive of duty operates in the absence of natural affection is that the operation of the motive of duty is especially obvious in the latter kind of case. Despite the misunderstandings to which this strategy gives rise, the essential difference between the two people contrasted does not rest in whether the helping action is enjoyed. It rests in whether one helps only because of this enjoyment or because help is perceived as something it is necessary to give. Nothing prevents an action from being done from the motive of duty by someone in whom sympathy is also present. Actually, we must distinguish two cases here. There might be a person in whom sympathy serves as a supplementary or cooperating motive that provides needed support for the motive of duty. This person’s motives are impure, in the

sense developed in *Religion Within the Limits of Reason Alone*, and he would not, or not always, do the helping action when required if sympathy did not serve as a prop to duty. (R 24–24/29–30) This *does* decrease the person's moral worth. But another person in whom sympathy is present might be motivated entirely, or at least sufficiently, by the motive of duty, so that she would do the helping action even if sympathy were not present. This person has moral worth, yet her native sympathy will contribute to her enjoyment of the action.

However, a second point is even more important. Kant is talking here about the grounds on which a purpose is adopted and held. We must distinguish between the emotions, feelings, and desires which prompt us to *adopt* a purpose and those that *result from* the adoption of a purpose. Once you have adopted a purpose and become settled in its pursuit, certain emotions and feelings will naturally result. In particular, in ordinary circumstances the advancement or achievement of the purpose will make you happy, regardless of whether you adopted it originally from natural inclination or from duty. So a dutiful person, who after all really does value the happiness of others, will *therefore* take pleasure in making others happy.⁵⁴

This is a point that Kant makes explicitly in his later ethical writings. For instance, in *The Metaphysical Principles of Virtue*, when Kant is explaining the duty of beneficence, he says:

Beneficence is a duty. Whoever often exercises this and sees his beneficent purpose succeed comes at last really to love him whom he has benefited. When therefore it is said, "Thou shalt love thy neighbor as thyself," this does not mean you should directly (at first) love and through this love (subsequently) benefit him; but rather, "Do good to your neighbor," and this beneficence will produce in you the love of mankind (as a readiness of inclination toward beneficence in general). (MV 402/61).

Of course you may wonder why then the dutiful person in Kant's *Foundations* example does not enjoy the helping action. Kant suggests two scenarios. In one, the action is done by someone whose mind "is clouded by a sorrow of his own which extinguished all sympathy with the lot of others." (G 398/14) In the other, the person is "by temperament cold and indifferent to the sufferings of others, perhaps because he is provided with special gifts of patience and fortitude." (G 398/14–15) The conditions of these persons make them incapable of deriving enjoyment from their helping actions. These are cases in which the motive of duty shines, according to Kant, because the advancement of the happiness of others is so clearly conceived as necessary rather than merely pleasant. But neither case suggests that in ordinary conditions a dutiful person will not have the emotions nor-

mally consequent upon the adoption of a purpose, including enjoyment of its successful pursuit, and joy in its realization.

Once this is accepted, the intuition behind the common complaint should collapse, and this is the third important point. The complaint is based on the usual misreading of the examples, in which the person who acts from duty is envisioned as someone who does not really have the happiness of others as his end. This is simply a mistake. Duty is not a different purpose, but a different ground for the adoption of a purpose. So Kant's idea here is captured better by saying that the sympathetic person's motive is *shallower* than the morally worthy person's: both want to help, but there is available a *further* stretch of motivating thought about helping which the merely sympathetic person has not engaged in.⁵⁵ This further stretch of thought concerns the sort of world which this would be if no one helped—or better, if no one perceived the need for help as a *reason* to help, or a *claim* on help. Such a world would be unacceptable because we regard our own needs as reasons why *we* should be helped. (G 423/41; MV 453/117) Regarding my needs as normative for others, or, as Kant puts it, making myself an end for others, I must regard the needs of others as normative for me. (MV 393/52)⁵⁶ And this is to say that the needs of others are a law to me. So the morally worthy person helps because she believes that the needs of others make a claim on her and so that there is a normative demand, or a law, that she ought to help. This characterization of the point of the example brings us to Kant's third proposition, which is that "Duty is the necessity of an action executed from respect for law." (G 400/16)

Now at this point it is essential to remember that what Kant is doing is a *motivational analysis* of the notion of duty or rightness. Kant is analyzing the good will, characterized as one that does what is right because it is right, in order to discover the principle of unconditionally good action.⁵⁷ The assumption behind such an analysis is that *the reason why a good-willed person does an action, and the reason why the action is right, are the same*. The good-willed person does the right thing because it is the right thing, so if we can discover why the good-willed person does it, we will have *ipso facto* discovered why it is the right thing. What the analysis reveals is that the reason why the good-willed person does the action is not merely because it serves this or that purpose, but because it is necessary—that is, it is a law—to perform such an action or to have such a purpose. The maxim of the action, or the maxim of the purpose, has what I shall call a "legal character": that is, it is normative, it has the capacity to express a demand made on us. Since the legal character of the maxim is what motivates the good-willed person, it is that, and nothing else, that makes the action or the

purpose right. Kant's analysis identifies the rightness of the action *essentially* with the legal character of its maxim.

Now comes the critical step. It follows that the maxim must not get its legal character from anything outside of itself. For, if there were an outside source of legal character, then that source, rather than legal character itself, would be what makes the action right. Instead, the maxim's legal character must be intrinsic: it must have what I shall call a "lawlike form." This is why legal character, or *universality*, must be understood as lawlike form, that is, as a requirement of *universalizability*. Kant draws this conclusion this way:

Since I have robbed the will of all impulses which could come to it from obedience to any law, nothing remains to serve as a principle of the will except universal conformity of its action to law as such. That is, I should never act in such a way that I could not also will that my maxim should be a universal law. Mere conformity to law as such (without assuming any particular law applicable to certain actions) serves as the principle of the will, and it must serve as such a principle if duty is not to be a vain delusion and chimerical concept. (G 402/18)

The point is a delicate one. You might suppose, at first, that the legal character by which the good-willed person is motivated could come from something other than lawlike form of the maxim. For instance, you might suppose that the action is prescribed by some law whose grounds are independent of everything Kant has said here, and that the maxim could be "legal" in the sense that it conforms to this independent law. This is the possibility which Kant means to *block* in the above quotation when he adds the words "without assuming any particular law applicable to certain actions," and it is important to see why it is disallowed. Suppose that there were such a law, prescribing certain actions. I will call this the External Law. And suppose we say that the maxim gets its legal character not from its intrinsic lawlike form, but from the extrinsic fact that the action is prescribed by the External Law. Then we will have to ask why the External Law is a law before we have found the real reason why the action is right. That is to say, we will have to ask why the External Law is in force, why it is normative. Because obviously, the mere *grammatical* form of universality cannot make anything a law: a law must be normative. A law does not make a claim on me merely because it is addressed to me, or to some group that includes me. It must get its grip or hold on me, its capacity to bind me, from some intelligible source. But then the source of the External Law's normativity, rather than legal character of the maxim, will be what motivates the good-willed person. The reason why the External Law is in force, rather than the fact that the maxim has legal character, will be the good-willed per-

son's motive, for it will be the real reason why the action is right. And this is contrary to Kant's analysis of the motive of duty.

An example will make this point clearer: Suppose that right actions were those commanded in laws laid down by God. According to Kant's analysis, the good-willed person does these actions because it is a law to do so. But why is it a law to do so? The answer is: because God so commands. Now, which of these two reasons is the reason why the good-willed person does the action, which is also the reason why the action is right? If the action is right because God commands it, it is not right because its maxim is intrinsically legal; and the reason why the good-willed person does it will not be grasp of its legal character, but response to divine command. This is contrary to Kant's analysis. The maxim of the action must be legal in itself, and this can only be because it has a lawlike form. The religious moralist may want to reply that the maxim's legal character, and the action's being divinely commanded, are the same thing. But its conformity to divine law can only make a maxim extrinsically, not intrinsically, legal. So the dilemma remains: If the person is moved by divine command, then legal character is not the motive, and the motive of duty is not at work. Since the legal character of a maxim and the divine commandedness of an action are not analytically the same thing, rightness must essentially lie in one of them or the other, and, according to the analysis, it must be the legal character of the maxim. And so this must be its intrinsic lawlike *form*. This argument will apply to any attempt to derive the legal character of a maxim from anything other than its intrinsic lawlike form: only legal character and lawlike form are *analytically* or essentially the same thing.⁵⁸

Now that last argument may make it clear why the legal character of a maxim cannot come from an External Law. But the conclusion—that it must therefore come from lawlike form, as specified by the universalizability test—may seem much less obvious. Why, then, does Kant conclude that a maxim has *intrinsic* legal character only if it has what the universalizability test identifies as lawlike form?⁵⁹ To understand this, we must keep in mind two points. The first I have already noticed. In order to be a law, it is not enough that a principle be grammatically universal. It must also be normative for the person who is to follow it: there must be some intelligible reason why it binds *that person*. The second point concerns the way the universalizability requirement functions. The requirement tells us that we must act in such a way that we can at the same time will our maxims as universal laws. If a maxim passes this test, the action is right in the broad sense—it is all right, permissible, not wrong. It is only if a maxim fails the test that we get a duty—the duty of doing the opposite of what the failed maxim says, or, more precisely, of adopting the opposite of what the maxim

says as law. So a maxim of *duty* is not merely one that you *can* will as universal law, but one that you *must* will as universal law. And this means that the maxim is a law to which your own will commits you. But a maxim to which your own will commits you is *normative for you*. And this, to return to the first point, is what a principle must be in order to be a law for you—it must be *normative for you*.

Again an example will clarify the point. I will take Kant's easiest example, that of the lying promise. (G 422/40) A man in financial difficulties considers getting ready money on the strength of a lying promise that he will repay. His maxim is "I will make a lying promise, in order to get some ready money." He asks himself whether he could will his maxim to be at the same time a universal law. This means that he imagines a world in which everyone who needs money makes a lying promise, and he imagines that, at the same time, he is part of this world, willing his maxim. His question is whether he can will this whole state of affairs. Now his maxim is derived from a hypothetical imperative: "If you will to get some ready money, then make a lying promise." This hypothetical imperative, in turn, is derived from the rational principle that whoever wills an end wills the necessary means, together with the "causal" law that lying promises are a means to, or will cause, the possession of ready money. (G 417/34–35) However, in the world in which this maxim is universalized, this "causal" law does not hold. For if everyone in want of ready cash tried to make a lying promise, Kant says, "no one would believe what was promised to him but would only laugh at any such assertion as vain pretense." (G 422/40) The man in the example cannot, at the same time, rationally will both acting on his maxim and a state of affairs which undermines the causal law from which the rationality of acting on his maxim is derived. A man who wills to use the institution of promising in pursuit of his end must will that the institution should work. And it does not work unless promises are generally made in good faith. So he *himself* is committed to willing the law that people should make their promises in good faith, so long as he wills this particular maxim. Therefore, he cannot rationally will to act on this maxim at the same time as he wills it as a law.⁶⁰

The important thing to see here is that it is the man's own will that commits him to the law that promises should be made in good faith, if they are to be made at all. The argument is not that promising is generally a useful institution or that the rightness of keeping promises is written into the nature of things. The man is committed to the institution of promising by his own maxim because he wills to employ it as a means to his end. It is his own will, and nothing else, that makes it impossible for him to will the universality of lying promises. In this way the universalizability test shows

us what principles our own maxims commit us to willing as laws. As Kant says, if the man does will the maxim, he cannot also be willing it as a law, but rather must be regarding himself as an exception. (G 424/42)⁶¹

Let me digress a moment. It is at this point in the argument that the objection Kant leveled against Wolff—the “empty formalism” objection—enters the picture as an objection against Kant himself. According to the objection, the Formula of Universal Law lacks content, since there are no restrictions on what we *can* will as a universal law, and therefore no implications about what we *must* so will. Now I hope that the example that I have just given will suggest that this objection is mistaken, and that there are laws to which our own wills do commit us. But it is also important to see what is wrong with one proposal for solving the emptiness problem sometimes made by those who, like Hegel, approve Kant’s account of moral motivation but think that the Formula of Universal Law is empty. This proposal is that some external law or normative consideration can be imported into the system to solve the supposed emptiness problem and give content to our duties.⁶²

This was Kant’s own solution in the Prize Essay, where the judgments of the moral sense were brought in to give content to the obligations of which the principle “do that which is perfect” is the form. A variant of Kant’s own argument in *Foundations I* shows why this solution is disallowed. Either the action has its perfection in itself, or we are not doing it on account of its perfection, but on account of what gives it its perfection—in this case, the approval of the moral sense. The reason why the action is perfect, and the reason why a good person does it, must be exactly the same. The action’s perfection cannot be extrinsically conferred by the moral sense, but must be intrinsic to the action itself. Content brought in from external normative sources violates Kant’s analysis in the way we have seen.

We can now see a rather simpler way of making the argument against the External Law. Suppose, again, that the external Law is in force because it is the law of God’s will. This is supposed to be what makes it normative. But how? God’s will is only normative for me if it is the law of my own will to obey God’s will. This is an old Hobbesian thought—that nothing can be a law for me unless I am bound to obey it, and nothing can bind me to obey it unless I have a motive for obeying it.⁶³ But Kant goes a step further than Hobbes. *Nothing* except my own will can make a law normative *for me*. Even the imposition of a sanction cannot bypass my will, for a reward or punishment only binds my will if I will to get the reward or avoid the punishment—that is, if I make it my maxim that my interest or preservation should be a law to me. Only those maxims shown to be necessary by the universalizability test—only those to which my own will commits me—are

intrinsically normative. And this, as the Rationalists had argued all along, is what an obligation must be. Autonomy is the only possible source of intrinsic normativity, and so of obligation.

One result of this is that it shows that the British Rationalists to some extent mistook their target. They opposed Hobbesianism, moral sense theory, and divine command theory, all on the grounds, as they thought, that these make morality a matter of positive law. But Kant's analysis shows that positivity is not the problem. A law in the nature of things, if it is understood as a theoretical or metaphysical principle that is external to the will, gives rise to exactly the same problem that divine law does.⁶⁴ Laws in the nature of things can only make our maxims extrinsically, not intrinsically, normative. The problem with these theories is not that their laws are positive, but that their laws are not willed autonomously, and so are not intrinsically normative. But the Kantian laws of autonomy are positive laws: moral laws exist because we legislate them.

Another mistaken target, this time of British moral philosophy more generally, is the analyzability of moral concepts. Price and Hutcheson agree that moral ideas are fundamentally "simple", and can only be defined trivially by synonyms.⁶⁵ This idea is echoed in G. E. Moore's concern with the "naturalistic fallacy": because "pleasure" and "good", for instance, cannot be taken to mean the same thing, Moore concludes that "good" is a simple idea.⁶⁶ Ross, following Moore, makes a similar claim about "right."⁶⁷ The truth in these arguments is this: claims about, say, pleasure, or what maximizes pleasure, are not intrinsically normative, the way claims about the right and the good are. The normativity of an ethical concept cannot be derived from any non-ethical concept, so no ethical concept can be completely analyzed in terms of a natural or factual one. All of these philosophers conclude that normative concepts are unanalyzable. As a result, they think that our understanding of the normative concept does not enable us to pick out its objects, and that we must therefore have recourse to a sense or to a faculty of intuition that functions like a sense.

But Kant's analysis does not reduce the normative concept to a non-normative one; instead, it reduces normative content to normative form. What the analysis yields is that right actions are those whose maxims have lawlike form, which is the form of normativity itself. Provided that the categorical imperative procedure can be made to work, Kant's analysis does enable us to pick out the objects of the concept; that is, it enables us to identify our duties. We discover the content of morality by seeing which maxims have normative form.

But perhaps the most fundamental mistake of the British Moralists of both the eighteenth and twentieth centuries has been the acceptance of

Hume's dilemma. For Hume's dilemma leaves us with an unfortunate choice. If the virtue of an action is conferred by its motive, then that motive cannot be the motive of obligation. The Rationalists found this objectionable, both because it seems as if at least some actions really ought to be done from the motive of obligation, and because the fact of obligation seems to be dependent on the possibility of the motive. The Rationalist saved obligation, but at the cost of locating morality in the metaphysical properties of actions, rather than in the motivational properties of people.

The argument of *Foundations I* shows us we do not have to accept Hume's dilemma. For Kant shows that the premise of Hume's argument—that doing your duty from the motive of duty is an empty formalism—is false. An obligation, or an action done from the motive of duty, is one that the agent herself must will as a universal law. It is, in its very nature and essence, an action autonomously willed. To complete the argument, and show that obligations really exist, Kant needs only to show that human beings are capable of autonomous motivation: that is, that we can be motivated by those laws that we must will. If we are capable of giving laws to ourselves, then we have obligations.

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NOTES

*I would like to thank Charlotte Brown and Manley Thompson for their valuable assistance with this paper.

1. The contemporary debate began with W. D. Falk's "'Ought' and Motivation" (*Proceedings of the Aristotelian Society* 48 (1947–48): 492–510; rpt. in *Ought, Reasons, and Morality: The Collected Papers of W. D. Falk* [Ithaca, NY: Cornell University Press, 1986]). Among other important discussions are William Frankena, "Obligation and Motivation in Recent Moral Philosophy" (*Essays in Moral Philosophy*, ed. A. I. Melden [Seattle, WA: University of Washington Press, 1958] rpt. in *Perspectives on Morality: Essays of William K. Frankena*, ed. Kenneth E. Goodpaster); Part I of Thomas Nagel's *The Possibility of Altruism* (Oxford: Oxford University Press, 1970; later issued by Princeton University Press); Bernard Williams, "Internal and External Reasons" (*Rational Action*, ed. Ross Harrison [Cambridge: Cambridge University Press, 1980], rpt. in Williams's *Moral Luck* [Cambridge: Cambridge University Press, 1981]); and Stephen Darwall, *Impartial Reason* (Ithaca, NY: Cornell University Press, 1983). I discuss the subject in "Skepticism About Practical Reason" *The Journal of Philosophy* 83 (January, 1986): 5–25.

2. See for instance Frankena, "Obligation and Motivation in Recent Moral Philosophy" (cited in n1, above) and Williams, "Internal and External Reasons" (also cited above).

3. See for instance Nagel, *The Possibility of Altruism* (cited in n1, above) and my "Skepticism About Practical Reason" (cited above).

4. Samuel Clarke, *A Discourse Concerning the Unalterable Obligations of Natural Religion and the Truth and Certainty of The Christian Revelation: The Boyle Lectures 1705 in The Works of Samuel Clarke* (London: J. and P. Knapton: 1738; rpt. New York: Garland Publishing, 1978), pp. 609–10. Selections from the Boyle Lectures can be found in D. D. Raphael, ed. *The British Moralists 1650–1800* vol. I (Oxford: Oxford University Press, 1969), pp. 191–225; the passages cited are at pp. 194–96. Hereinafter this work will be cited as "Clarke" with page numbers from the Garland edition followed by those from the Raphael selections where available.

5. Francis Hutcheson, *Illustrations on the Moral Sense*, ed. Bernard Peach (Cambridge, MA: Harvard University Press, 1971), pp. 133–40. This work is the second part of *An Essay on the Nature and Conduct of the Passions and Affections. With Illustrations on the Moral Sense* (London: 1728). Hereinafter this work will be cited as "Hutcheson's *Illustrations*."

6. Richard Price, *A Review of the Principle Questions in Morals*, ed. D. D. Raphael (Oxford: Clarendon Press, 1948), p. 49. The *Review* was first published in London in 1758 under the title *A Review of the Principle Questions and Difficulties in Morals*. Raphael's edition is reprinted from the third edition of 1787. Selections from the *Review* can be found in D. D. Raphael, ed. *The British Moralists 1650–1800* vol. II (Oxford: Oxford University Press, 1969) pp. 131–98; the passage cited is at p. 147. Hereinafter this work will be cited as "Price" with page numbers from Raphael's edition of the book followed by those from the selections in *British Moralists*.

7. David Hume, *A Treatise of Human Nature*, ed. L. A. Selby-Bigge and P. H. Nidditch (Oxford: Clarendon Press, 1978) p. 457. Hereinafter cited as "Hume's *Treatise*."

8. For discussion see Paul Schilpp, *Kant's Pre-Critical Ethics* (Chicago: Northwestern University Press, 1938; rpt. New York: Garland, 1977), ch. 3. Kant praises Hutcheson in the Prize Essay (see below), and in later works treats Hutcheson's view as representative of attempts to base morality on feeling. In his Introduction to Adam Smith's *Theory of Moral Sentiments* (Oxford: Oxford University Press, 1976; rpt. Indianapolis, IN: Liberty Classics, 1982), D. D. Raphael describes a letter of 1771 from Markus Herz to Kant in which Herz refers to Smith as "your favorite." (31)

9. "So-called" because it was written for a prize offered in 1763 by the Berlin Academy. Kant did not actually win the prize, which went to Moses Mendelssohn. See Lewis White Beck, *Early German Philosophy: Kant and His Predecessors* (Cambridge, MA: Harvard University Press, 1969) pp. 441–42.

10. All references to Kant's own works are inserted into the text. The following abbreviations are used:

PE *Enquiry concerning the clarity of the principles of natural theology and ethics*. ("Prize Essay," 1763) The first page number is that of the Prussian Academy Edition (*Kants gesammelte Schriften. Preussische Akademie der Wissenschaften*: Berlin, 1900–1942) vol. II; the second is that of the translation by G. B. Kerferd and

D. E. Walford in *Kant: Selected Pre-Critical Writings and Correspondence with Beck*. (Manchester: Manchester University Press and New York: Barnes & Noble, 1968).

IUH "Idea for a Universal History from a Cosmopolitan Point of View." (1784) Prussian Academy vol. VIII; trans. Lewis White Beck in *Kant On History*, ed. Lewis White Beck. (Indianapolis, IN: Bobbs-Merrill Library of Liberal Arts, 1963).

C1 *Critique of Pure Reason*. (1st ed. 1781, 2nd ed. 1787) Page numbers of the A and B editions are followed in parentheses by those of the translation by Norman Kemp Smith. (New York: Macmillan, St. Martin's Press, 1965).

G *Foundations of the Metaphysics of Morals*. (1785) Prussian Academy vol. IV; trans. Lewis White Beck. (Indianapolis, IN: Bobbs-Merrill Library of Liberal Arts, 1959).

C2 *Critique of Practical Reason*. (1788) Prussian Academy vol. V; trans. Lewis White Beck. (Indianapolis, IN: Bobbs-Merrill Library of Liberal Arts, 1956).

R *Religion Within the Limits of Reason Alone*. (1793) Prussian Academy vol. VI; trans. Theodore M. Greene and Hoyt H. Hudson. (La Salle, IL: Open Court, 1934. rpt. New York, Harper Torchbooks, 1960).

MJ *The Metaphysical Elements of Justice*. Part I of *The Metaphysics of Morals*. (1797) Prussian Academy Edition vol. VI; trans. John Ladd. (Indianapolis, IN: Bobbs-Merrill Library of Liberal Arts, 1965).

MV *The Metaphysical Principles of Virtue*. Part II of *The Metaphysics of Morals*. (1797) Prussian Academy vol. VI; trans. James Ellington in *Immanuel Kant: Ethical Philosophy*. (Indianapolis, IN: Hackett, 1983).

11. The two steps described correspond approximately to the metaphysical and transcendental deductions of the categories in the *Critique of Pure Reason*; although the relation between a metaphysical deduction of an *a priori* concept and its analysis is not perfectly clear. In any case the analysis of the concept of obligation, with which I am concerned here, will show that it is logically possible—that the idea contains no contradiction—while the synthesis will show how it is really possible, how it can apply to us. For the distinction between logical and real possibility, see C1 A243–244/B301–02 (pp. 262–63) and A596n/B624n (p. 593n). The account of real possibility in these passages is given in terms of the possibility of experience and therefore does not apply to ethical concepts, but there must still be an analogue of it for ethical concepts if dogmatic rationalism in ethics is to be avoided.

12. For the most part, I will use "right" and "obligatory" to denote any action that is morally called for. The term "right" may be used more broadly, to include permissible actions, and Kant's analysis also explicates this notion, but my focus will be on required actions. Both "right" and "obligatory" can also be used more specifically, to refer actions called for by so-called perfect duties, or still more specifically to actions called for by justice. Some philosophers, for example Hume and Bernard Williams, believe that "right" and "obligatory" should only be used for one of these latter two classes of actions, and at various points would find in this view grounds for objecting to the argument of this paper. I do not try to deal with the issue, but I do try to notice the points where it comes up. See nn14, 22, and 24.

13. Rightness is strictly speaking a property of acts, and any given act can be done from a variety of motives, good, bad, or indifferent. But right acts can be defined or identified in terms of motives even if they are not always done from those motives; they can be defined as the ones a person with good motives would do, or ones that good motives would prompt. The strategy is thought to be characteristic of virtue-centered ethical theories, but as I will show it is also Kant's.

14. Hume's *Treatise*: 478. This argument occurs at the beginning of the section in which justice is identified as an artificial virtue, and it is important to point out that its conclusion in a certain way only applies to the natural virtues. The "first motive" to justice turns out to be self-interest (492; 495), but this is neither an especially virtuous motive (492) nor is it the motive usually at work in agents performing just actions. Particular acts of justice taken separately are not necessarily in our interest. (497) We approve of justice because sympathy makes us approve whatever is in the collective interest (499–500); we perform just actions, or restrain ourselves from unjust ones, because we approve of justice: that is, because justice is virtuous, and we value our own characters. (500–01; see also the *Enquiry Concerning the Principles of Morals*, ed. L. A. Selby-Bigge and P. H. Nidditch [Oxford: Clarendon Press, 1975] pp. 282–83]. This is one sense in which justice is an "artificial" virtue. This point becomes important later in the argument; see n22.

15. Hume's *Treatise*, p. 478.

16. See for instance Nagel, *The Possibility of Altruism* (cited in n1, above) pp. 4–5.

17. Hutcheson's *Illustrations*, p. 130.

18. *Ibid.*, pp. 121, 130.

19. *Ibid.*, p. 139.

20. *Ibid.*, p. 140. See also Hutcheson's *Inquiry Concerning the Original of Our Ideas of Virtue or Moral Good* (London: 1725) in D. D. Raphael, ed. *The British Moralists 1650–1800* vol. I (Oxford: Oxford University Press, 1969) p. 293.

21. Hume's *Treatise* p. 479.

22. However, as I point out in N14, the motive of obligation is the usual motive at work in the case of *just* actions (and, when we are tempted, abstentions), and this is an important point in Hume's favor. Our belief that obligation should be the motive of just actions is much firmer than our belief that it should be the motive of those actions springing from what Hume would call the natural virtues, which we may regard as meritorious rather than required. (See n12.) It should be observed that in the passage in which he complains that Rationalists cannot account for morality's power to motivate us, which I have quoted on p. 315, Hume is careful about this: he speaks specifically about just actions. Thus Hume could argue, against the point I am making here, that his system favors the operation of the motive of duty exactly those cases in which we feel most sure that it should operate.

23. *Philosophy* 33 (1938); rpt. in *Ethics, Religion, and Politics: Collected Philosophical Papers of G. E. M. Anscombe, Volume III* (Minneapolis, MN: University of Minnesota Press, 1981) pp. 26–42.

24. (Cambridge, MA: Harvard University Press, 1985). Williams wants us to recognize that obligations "form just one type of ethical consideration." (p. 196) Some actions are not obligatory but more or less than obligatory: admirable, or heroic, or simply what a person of good character would do. (p. 179) Williams's view is similar to Hume's view that the motive of obligation is appropriate for one kind of moral consideration (that of justice) but not all. (See nn12, 14, 22.) Williams regards attempts to treat all ethical claims as forms of obligation (by means of such devices as Ross's *prima facie* obligations, or imperfect duties, or general duties, or duties to oneself) as fundamentally misguided. (pp. 178–92) The point of such attempts, I believe, is not merely to impose an artificial orderliness on the moral terrain, nor to license blaming people who ignore certain ethical claims, but to explain how these claims have normative force for the agents who act on them. Williams does see that this is part of the motive for the idea of general or imperfect or *prima facie* obliga-

tions, but thinks that it is an error to suppose that all practical necessity, or normative force, springs from obligations. (p. 196) Even if he is right, some account of the normative force of these claims is needed, as he would agree. See n27.

25. Anscombe says that the terms 'should' and 'ought' have now acquired a special so-called 'moral' sense—i.e., a sense in which they imply some absolute verdict (like one of guilty/not guilty on a man) on what is described in the 'ought' sentences." (cited in n22, p. 29, see also p. 32) Williams says: "... once I am under the obligation, there is no escaping it, and the fact that a given agent would prefer not to be in this system [the morality system] or bound by its rules will not excuse him; nor will blaming him be based on a misunderstanding. *Blame is the characteristic reaction of the morality system.*" (n24, above, p. 177; my emphasis) This seems to me wrong; the morality system Williams describes in the text is distinctly Rationalistic, but the emphasis on blame, and on the general ideas of merit and demerit, is more characteristic of Sentimentalist theories, for reasons I mention in the text. Kant notices the ways the duties of respect *restrict* our practices of blaming: he says that "the reproach of vice . . . must never burst out in complete contempt or deny the wrongdoer all moral worth, because on that hypothesis he could never be improved either—and this is incompatible with the idea of man, who as . . . a moral being can never lose all predisposition to good." (MV 463/128–129). I discuss this attitude to blame in "Morality as Freedom," forthcoming in *Kant's Practical Philosophy Reconsidered: Proceedings of the Seventh Jerusalem Philosophical Encounter*, forthcoming from Kluwer Academic Publishers.

26. This is most explicit in the theory of Adam Smith, who has more to say about moral motivation than Hume or Hutcheson, and who gives a more positive account of the role of the motive of duty. Smith says: "When our passive feelings are almost always so sordid and selfish, how comes it that our active principles should often be so generous and so noble? . . . It is not the soft power of humanity, it is not that feeble spark of benevolence which Nature has lighted up in the human heart, that is thus capable of counteracting the strongest impulses of self-love. It is a stronger power, a more forcible motive, which exerts itself upon such occasions. It is reason, principle, conscience, the inhabitant of the breast, *the man within, the great judge and arbiter of our conduct.*" (*The Theory of Moral Sentiments*, loc. cit. p. 137; my emphasis) The "man within," Smith's impartial spectator, develops by a process of internalization that begins with our judgment of the conduct of others. Sympathizing with others who in a similar way judge us turns our attention to our own conduct, and by this process we are led to the idea of an internal spectator whose judgment is the motive of duty. (loc. cit. 109–78)

27. To be fair, Williams also discusses this side of the idea of obligation, in the chapter cited and in "Practical Necessity" (*The Philosophical Frontiers of Christian Theology: Essays presented to D. M. MacKinnon*, ed. Brian Hebblewaite and Stewart Sutherland [Cambridge: Cambridge University Press, 1982] rpt. in Williams's *Moral Luck* [Cambridge: Cambridge University Press, 1981]).

28. See for instance *Nicomachean Ethics* III.7 1115b11–14; III.12 1119b15; IV.1 1120a23; X.9 1179b30; and X.9 1180a6–8.

29. I discuss this in my "Aristotle on Function and Virtue" [*History of Philosophy Quarterly* 3 (July, 1986): 259–79, see especially 269–72]. The point is related to the fact that "... it is not merely the state in accordance with the right rule, but the state that implies the *presence* of the right rule, that is virtue."

(*Nicomachean Ethics* VI. 13 1144b27. trans. David Ross, revised by J. L. Ackrill and J. O. Urmson [Oxford: Oxford University Press, 1980] p. 157.) There is a sense in which Aristotle's virtuous person acts *from* the right rule, although it is not the same sense that the Rationalists had in mind.

30. Both Price's *Review* and John Balguy's *The Foundation of Moral Goodness: Or a Further Inquiry into the Original of our Idea of Virtue* (London, 1728; rpt. New York: Garland, 1976; hereinafter cited as "Balguy") were written directly in response to Hutcheson's theory.

31. Clarke, pp. 596–97; 608–12/192–99.

32. *Ibid.*, pp. 614/202.

33. *Ibid.*, pp. 614/202. These passages are quoted with approval by Price (118) and Frankena (*loc. cit.*, p. 59).

34. On the one side, Price incorporated Hutcheson's idea of a moral sense into his Rationalist theory. (See Price, pp. 57–68/148–52). On the other side, Adam Smith developed an account of the genesis the motive of duty, and gave it a prominent role, in a Sentimentalist context. (See n26, above.) And Joseph Butler, while aspiring like the Sentimentalists to explain morality in terms of human nature, argued that conscience is intrinsically authoritative and no sanction is needed for obeying it. See Joseph Butler, *Five Sermons Preached at the Rolls Chapel*, ed. Stephen Darwall (Indianapolis, IN: Hackett, 1983; hereinafter cited as *Butler*), pp. 11, 43.

35. Price, pp. 47–48, 146–47.

36. Price, pp. 15, 133.

37. W. D. Ross, *The Right and the Good* (Oxford: Clarendon Press, 1930, p. 3. Hereinafter referred to as "Ross.") I have already mentioned that a motivational analysis does not require this: "right act" can mean an act that a person with a certain sort of motive would do, without any implication that every such act is done from that motive and so is morally good. (See n13, above.) But this does not affect Ross's argument and so is not to the point here. Notice that Hume's use of the term 'virtuous' in the original statement of the dilemma does carry both the implication of 'right' and of 'morally good'.

38. Ross, p. 4.

39. *Ibid.*, p. 5.

40. *Ibid.*, pp. 5–6.

41. *Ibid.*, p. 5.

42. See the quotation from Clarke on p. 318 and the one from Price below, p. 320.

Balguy says "What is the Reason exciting a Man to the Choice of a Virtuous Action? I answer, his very Approbation of it" Balguy, p. 45; see also pp. 56, 61.

43. Price, pp. 186–87, 194.

44. See H. A. Prichard, "Duty and Interest" in his *Duty and Interest* (Oxford: Clarendon Press, 1928; rpt. in *Readings in Ethical Theory*, ed. Wilfrid Sellars and John Hospers (Englewood Cliffs, NJ: Prentice-Hall, 1970). Falk's paper "'Ought' and Motivation," which introduced the internalism/externalism distinction, is addressed to Prichard and Ross on just this point.

45. Ross, pp. 132–33.

46. *Ibid.*, pp. 7–11 and 34–39.

47. *Ibid.*, p. 122n.

48. *Ibid.*, p. 122.

49. Kant must mean that there is room for conceptual confusion in the case of direct inclination. If you perform a dutiful act that is also, for some people, pleasant in itself, we cannot tell whether you acted from duty or only from pleasure. But no one gives correct change just for the pleasure of it, so here we know that the action was either from duty or self-interest. But there is surely no way to tell about an actual honest action that happens to be in someone's interest that she *did it* from interest rather than duty.

50. In the passage cited Kant sounds negative about honor; he says that "The ideal of morality belongs to culture; its use for some simulacrum of morality in the love of honor and outward decorum constitutes mere civilization" and that "Everything good that is not based on a morally good disposition . . . is nothing but pretense and glittering misery." But in another passage Kant speaks more leniently of honor. He is discussing the question whether the government has the right to punish two kinds of murderers: young officers who kill in duels, and unmarried mothers who kill their children to avoid disgrace. Rather surprisingly, Kant thinks there is reason to doubt whether these murderers may be punished, for he says that honor "is no delusion in these cases" and that "legislation itself . . . is responsible for the fact that incentives of honor among the people do not accord (subjectively) with the standards that are (objectively) appropriate to their purpose." (MJ 336–37/106–07). Kant is generally characterized as believing that duty and inclination are the only two kinds of motivation, but both of these passages suggest that he regards honor as something in between—a sort of proto-moral motive that precedes the genuine motive of duty in the education of the human species. I speculate that Kant means that the motive of honor approximates the motive of moral autonomy insofar as the person governed by it follows, for its own sake, a strict law of conduct which represents an ideal of character. Yet motives of honor fall short of the full-fledged moral motive because the laws of honor are not derived from autonomy itself. See n52, below.

51. See Andrews Reath, "Hedonism and Heteronomy," forthcoming.

52. Kant calls the sympathetic person a "*Menschenfreundes*" (G 398): a friend to humanity. And Sentimentalist moral philosophers thought of sympathy as a response we have to human beings as such (not just to those to whom we are particularly attached) in virtue of the universal human characteristics which make them similar to ourselves. Thus sympathy makes an end of humanity and so serves as a simulacrum of the Formula of Humanity just as honor serves as a simulacrum of the Formula of Universal Law.

53. After Butler wrote his famous Sermon XI on the consistency of benevolence with self-love, it was not uncommon for eighteenth-century philosophers to treat the principle of self-love as providing a method of choosing among various ends, all of which are valued for their own sakes. Butler argued that the pleasure we get from satisfying a desire presupposes, rather than explains, the desire: it is because we have the desire that we enjoy achieving its object. (*Butler*, pp. 46–54) The principle of self-love selects among things, all of which we desire for their own sakes, on the basis of how much pleasure we will get from achieving them. Kant apparently did not read Butler, but Butler's picture of the operation of self-love was adopted both by Hume in the *Enquiry Concerning the Principles of Morals* (ed. L. A. Selby-Bigge and P. H. Nidditch [Oxford: Clarendon Press, 1975], pp. 281–82; 301–02), and to some extent by Hutcheson in *Illustrations Upon the Moral Sense*. Kant uses the principle of self-

love in this sense—as one way of choosing among things we desire for their own sakes—but sets the principle of duty up as rival to it—as another way of choosing our purposes.

54. It may seem as if I am guilty of a commonplace error in making these remarks: confusing pleasure with satisfaction or gratification. Once I've made up my mind to do or achieve something, I am of course gratified to see it done. But that point applies even to actions undertaken for the most purely instrumental reasons, actions that are only means to other ends. The point I am making here is a different one, having to do with what it *means* to say that you have made something your purpose. My claim is that if you really succeed in making something your purpose, and so value it as an end, you will come to take pleasure in its successful pursuit. I explain this further in "Morality as Freedom." (*loc. cit.*)

55. The same point is made by other Rationalists. Price distinguishes rational from instinctive benevolence, and, like Kant, claims that instinctive benevolence is lovable but falls short of virtue. (Price, pp. 190–91, 196–97) Balguy makes a similar comparison. (Balguy, pp. 59–60) Ross says "The conscientious attitude is one which involves the thought either of good or of pleasure for some one else, but it is a *more reflective attitude* than that in which we aim directly at the production of some good or some pleasure for another, since . . . we stop to think whether in all the circumstances the bringing of that good or pleasure into existence is what is really incumbent upon us" (Ross, pp. 162–63; my emphasis)

56. Nagel employs a similar argument in *The Possibility of Altruism* (cited in n1, above), pp. 82–84.

57. I say this in spite of the fact that in the third section of the *Foundations*, Kant says that the principle that "an absolutely good will is one whose maxim can always include itself as a universal law" is synthetic because "by analysis of the concept of an absolutely good will that property of the maxim cannot be found." (G 447/65) I believe that this is a misstatement, or at least a poor way of putting the point. What is synthetic is that the moral law holds *for us*—that we are capable of having absolutely good wills. The statement that a good will is one whose maxim is universalizable is synthetic only if "good" is being used in a fully normative sense—to signify a demand on us.

58. I formulated an earlier version of this argument in a comment on David Gauthier's paper "Kant's Refutation of Consequentialism" at the American Philosophical Association meetings in April, 1988, and I would like to thank Gauthier for prompting me to do so.

59. Perhaps it is worth saying a word about what it means to claim that a maxim has a "form." The "form" of a thing is ordinarily thought to rest in the relations among its parts, and the parts of a maxim of action (to take the simplest case) are the action to be performed and the purpose to be realized. The plausibility of Kant's thought that the rightness of a particular action rests in the form of its maxim can be seen intuitively by considering the following triples of maxims:

- A) I will knock Alex down, in order to remove him from the path of an oncoming bullet.
- B) I will knock Alex down, in order to relieve my temper.
- C) I will punch a punching bag, in order to relieve my temper.

Or:

- A) I will avoid visiting my grandmother in the hospital, in order to avoid a contagion to which I am especially susceptible.

- B) I will avoid visiting my grandmother in the hospital, in order to spare myself unpleasantness.
- C) I will avoid watching prime-time television, in order to spare myself unpleasantness.

In each set, maxims A and B concern the same act or omission, yet adopting maxim A is permissible or even good, while B is wrong. But this is not simply because of the purpose in maxim B, for maxim C contains the same purpose, yet it, once again, is permissible. What is wrong with the action whose maxim is B, then, does not rest either in the action that is performed or in the purpose for which it is performed, but in the relation between the two. And the relation between the two parts of the maxim is its form.

60. I explain my views about how the Formula of Universal Law should be applied more fully in "Kant's Formula of Universal Law," *Pacific Philosophical Quarterly* 66 (1985): 24–47.

61. It is essential to keep in mind that these considerations by themselves do not show why the action is irrational. All that this argument shows is why the maxim cannot be willed as a law—not why a rational being must only will maxims that can be willed as laws. For that part of the argument we need to take the further step described in the conclusion of this paper.

62. For instance, after praising and affirming Kant's conception of the autonomy of the will Hegel says "... still to adhere to the exclusively moral position, without making the transition to the conception of ethics, is to reduce this gain to an empty formalism ... of course, material may be brought in from the outside and particular duties may be arrived at accordingly" *The Philosophy of Right*, trans. T. M. Knox (Oxford: Oxford University Press, 1952), pp. 89–90. I owe the reference to Daniel Brudney.

63. See especially *Leviathan*, Part I, ch. 14.

64. This may be especially hard to see, because the arguments that British Rationalists use to show that moral laws are indeed laws of reason are similar to those that Kant uses to show that moral laws are laws we must rationally will. Strictly speaking, Rationalists should not give arguments *for* moral laws, since they think these laws are self-evident. But Clarke, in particular, tries to impress this self-evidence upon his audience by appeal to arguments from the "Golden Rule," and arguments from this principle are similar to those from the categorical imperative. For instance, Clarke says that if we were not corrupt, "It would be as impossible that a Man, contrary to the eternal Reason of things, should desire to gain some small profit to Himself, by doing violence and damage to his Neighbor; as that he should be willing to be deprived of necessities himself, to satisfy the unreasonable Covetousness or Ambition of another." (Clarke, pp. 619–20/208)

65. Price, p. 41/141; Hutcheson, *Inquiry Concerning the Original of Our Ideas of Virtue or Moral Good* (cited in n20, above), p. 305.

66. G. E. Moore, *Principia Ethica* (Cambridge: Cambridge University Press, 1903, pp. 5–17.

67. Ross, pp. 7–12.