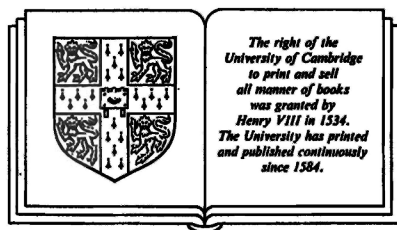


# Hegel's Ethical Thought.

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## The emptiness of the moral law

### 1. The emptiness charge

In Chapter 7 we reviewed some of Hegel's complaints against the moral standpoint from his Frankfurt writings: its alienation of reason from sense, its tendency to hypocrisy, its abstraction from the relationships of social life, its commitment to an "ought" which can never become an "is." Hegel's best known criticism of morality, first appearing in the Jena writings, is the emptiness charge. It says that morality is doomed to be an "empty formalism," that from the moral standpoint there is no criterion at all of moral right and wrong (*PR* § 135R).

The emptiness charge is sometimes presented specifically as a criticism of Kantian ethics, especially of the first formulation of the moral law in Kant's *Foundations*, the so-called formula of universal law (FUL):

FUL: "So act that you can will the maxim of your action to be a universal law" (*G* 421/39).

The charge is that the test proposed by the FUL draws no real distinction between maxims. From one point of view all maxims pass it, whereas from another any maxim fails it.

The emptiness charge is also presented as a more general indictment against the moral standpoint as a whole. In this version it claims that no "immanent doctrine of duties" can be formulated from the moral standpoint at all, because this standpoint provides nothing but an "empty principle of subjectivity" (*PR* § 148R). Morality is the standpoint of the individual moral subject who judges actions by a standard of the good, whose content is drawn from both right and well-being, taking into account not only the agent's well-being but also the well-being of others. Thus Hegel might seem to be making the highly implausible claim that no principle formulated in terms of human rights and welfare could ever draw any distinction at all between good and evil or rule out any action whatever as immoral.

One way to make sense of Hegel's position here might be to distinguish also between a weaker and a stronger form of the emptiness charge. To say that the FUL, or Kantian moral philosophy, or the moral standpoint generally, cannot give us a completely satisfactory account of our duties is clearly weaker than saying that they can make no distinction between good and evil and are unable to exclude any action whatever as morally wrong. Even if the FUL shows some actions or maxims to be wrong, it may still fall short of

providing a fully adequate account of duties if there are some cases that it fails to cover or in which it yields the wrong results. A similar weakness might belong to every principle adopted from the moral standpoint if this standpoint abstracts from important factors in human life that any adequate theory of duties must take into account. Hegel did not vigorously pursue any argument in favor of this broader but weaker form of the emptiness charge. (We will have a little more to say about it, though, in § 11 of this chapter.)

It is plain that at least in his Jena period, Hegel regards Kantian moral philosophy as providing the moral standpoint with its most perfect theoretical expression. Using that as a starting point, we could develop a second interpretation of Hegel's emptiness charge (though it is not inconsistent with the first one). Other philosophers may formulate moral principles employing the notions of right and universal well-being, and such principles may succeed in being more than empty formalisms. But if Kantian morality is the only adequate expression of the moral standpoint, then none of these other principles is securely based in the moral standpoint itself. If Kant's principle is empty, then that would show that the moral standpoint as a whole is empty. Thus Hegel might see the emptiness of Kant's principle as a unique strength in Kant's moral philosophy from the standpoint of philosophical understanding, even if it is a fatal weakness in it from the standpoint of practical ethics. In § 6 we will see that this reading of Hegel's emptiness charge has at least this much confirmation: The emptiness charge is not only a criticism of the FUL, but also says that no contentful moral principle is available from Kant's philosophical standpoint.

## 2. Kant's formula of universal law

Hegel's emptiness charge against the FUL is also expressed by later philosophers, such as Mill:

When [Kant] begins to deduce from [the formula of universal law] any of the actual duties of morality, he fails, almost grotesquely, to show that there would be any contradiction, any logical (not to say physical) impossibility, in the adoption by all rational beings of the most outrageously immoral rules of conduct. All he shows is that the *consequences* of their universal adoption would be such as no one would choose to incur.<sup>1</sup>

The charge was not original with Hegel either. In one of the very first critical discussions of Kant's *Foundations*, Gottlob August Tittel maintained that Kant's principle has no content unless interpreted in a utilitarian sense. The immorality (for example) of borrowing money with no intent to repay it can be derived from the principle only if Kant's argument is that the universalization of the agent's maxim would undermine the generally beneficial practice of money lending.<sup>2</sup>

Similar views were endorsed by Fichte, who insists that Kant's FUL must be treated as "merely heuristic," and "by no means constitutive" of morality.

[The FUL] is not a principle but only a consequence of the true principle, the

command of the absolute self-dependence of reason. The relation is not that because something can be a principle of universal legislation, therefore it should be the maxim of my will; on the contrary, it is just the opposite, that because something ought to be a maxim of my will, therefore it can also be a principle of universal legislation. (SL 234/246)

Fichte's own fundamental principle of morality is unashamedly formalistic: "*Always act according to the best conviction of your duty, or: Act according to your conscience*" (SL 156/164, 163/173). Fichte holds that the content of duty must be arrived at independently of the fundamental principle, through a process of conscientious *theoretical* inquiry (SL 163–177/173–187; see below, Chapter 10, § 2).

The FUL is Kant's first formulation of the principle of morality in the *Foundations*. He gives it the most extensive deduction, and develops its casuistical implications in greatest detail. Even so, it is a mistake for Hegel and other critics to fasten exclusively on the FUL in their attempts to prove that Kantian ethics is empty of content. The FUL is also casuistically the least ambitious of Kant's three formulations in the *Foundations*. As Hegel himself seems at times to appreciate (PhG ¶ 429), the FUL does no more than provide us with a permissibility test for isolated individual maxims. If a maxim can be willed as universal law, it is permissible to act on it; but if it cannot be so willed, then it is impermissible. Though Kant's illustrations of the formula are organized according to a taxonomy of positive duties, the FUL cannot tell us what any of our positive duties are. Kant's four arguments from the FUL, if successful, show that one may not follow the specific maxims concerning suicide, false promising, and so on, which he mentions. They cannot show that it is always contrary to duty to commit suicide or make false promises, since those acts might also be done from quite different maxims which (for all these arguments show) may pass the FUL test.

By contrast, Kant's second principle, the "formula of humanity," forbids all conduct that treats rational nature as a means only and not at the same time as an end. It lays on us the positive (though wide and imperfect) duty of furthering the purposes of rational beings (G 428–431/46–49). The third principle or "formula of autonomy," though superficially similar to the FUL, does not merely forbid us to act on maxims that cannot be willed as universal law, but also enjoins us to act on any maxim belonging to a *system* of maxims suitable for universal legislation (G 432/50, 436/55).<sup>5</sup> Thus the formulas of humanity and autonomy both provide for positive duties in a way that the FUL cannot. Hegel and other critics will not have shown Kantian ethics to be empty of content until they have demonstrated the emptiness of these other formulas along with that of the FUL.

Even against the FUL, however, Hegel's arguments will be seen to fail.

### 3. Contradictions and conflicting volitions

In the *Critique of Practical Reason*, Kant applies the FUL to a case in which a man, now deceased, has left a sizable deposit in my care without leaving

any record of it. Kant argues that I cannot universalize the maxim of denying the deposit and appropriating the money, since then "the principal would annihilate itself, because the result would be that no one would make a deposit" (*KpV* 27/27). Hegel replies:

But that there are no deposits – where is the contradiction in this? That there are no deposits would contradict other necessary determinacies, just as that a deposit is possible fits together with other necessary determinacies and thereby becomes necessary. But other ends and material grounds are not to be called upon. (NR 462/77)

Hegel insists that the test provided by the FUL is nothing beyond the principle of contradiction, and that this is a test that any maxim can pass (*EL* § 54; *PR* § 135R). Kant does speak of a maxim's "contradicting" or "annihilating" itself when considered as a universal law, and he does say that there would be a "contradiction" in a system of nature in which some maxims were universal laws (*G* 422/40). Yet Hegel is surely wrong to say that this is a test that any maxim can pass. There definitely are principles that one person can follow, but that it would be contradictory to suppose that all follow: For example, "I will never work, but always live by exploiting the labor of others." If everyone followed the principle, there would be no laborers left to exploit, and so it would be impossible for anyone to live by exploiting the labor of others. One problem for Kant, however, is that some maxims of which this seems to be true are morally innocuous: For example, "I will occasionally accompany others through a doorway, and on those occasions I will always go through the door last." Kant's test seems to yield false negatives in the case of maxims like this one. This is a problem that an adequate defense of the FUL would have to solve.

Hegel misunderstands the FUL's test for maxims, at least as it applies to the case of the deposit. Kant neither needs to show nor tries to show that the maxim would literally result in a self-contradiction if universally followed. His argument is rather that if my maxim of gaining money through the appropriation of the deposit were universalized, then people would not trust others with deposits. Consequently, it would be impossible for me to gain money by following my maxim, because I would never have been given the deposit in the first place.<sup>4</sup> This argument employs some empirical claims (about how people would behave if my maxim were a universal law of nature), but it appeals to no "other ends or material grounds," that is, none other than those contained in my maxim itself. The argument shows that I will an impossible or self-contradictory world in the sense that I will both (1) that I profit by appropriating the deposit and (2) that circumstances be such that I could never gain money in this way.

We might wonder whether there is any real impossibility in my willing here. It seems perfectly possible for me to will two incompatible states of affairs (such as having my cake and eating it, too), so why can't I will both that my maxim should be a universal law and that I should successfully act on it in this case? The answer depends on a more precise understanding of Kant's use of the verb "to will" (*wollen*). Kant distinguishes "willing" from

merely "wishing." "Willing" a state of affairs is not the same as wanting or desiring it. To will something, I must employ means to bring it about, or at least be prepared to employ some means (*G* 394/10). To will both that I have my cake and that I eat it, I must simultaneously try to eat the cake and try to keep myself from eating it. Conflicting volitions, unlike conflicting wants or wishes, are mutually incompatible.

Hegel's theory of ethical life derives our ethical duties from social relationships and institutions. Sometimes Hegel misunderstands the FUL because he imposes on it the assumptions of his own theory. Thus he interprets the example of the deposit as if it turned on the validity of the institution of private property. He appears to think that the FUL is applicable to cases like the deposit, only if it can be shown that the absence of this institution would result in a contradiction (*NR* 462–464/77–79; cf. *PhG* ¶¶430–433, *PR* § 135R, *VGP* 3: 368–369/460–461). This misconstrues the moral issue at stake in the example, which is the sanctity not of private property but of personal trust.<sup>5</sup> The question is whether I can consistently will that I should profit by betraying someone's trust and also will that all should betray the trust of another when they stand to profit from it. This issue could certainly arise in a society where property did not exist, and in that sense Hegel is quite wrong to suggest that Kant's argument about the deposit depends on the institution of property.

#### 4. The universal law test

In the *Foundations* Kant distinguishes cases like this one, where the maxim as universal law involves an internal self-contradiction, from cases where the universalized maxim cannot be willed to be a universal law because such a will would necessarily conflict with itself on grounds external to the maxim. For example, Kant argues that we cannot will as universal law the cold-hearted man's maxim of refusing charitable help to those in need. The argument is that if we ourselves were in such need, we could not will that others should deny us the help we require. Here Kant plainly does need to call upon "other ends and material grounds" beyond what are given in the maxim to be tested. He supposes that all rational beings have ends they cannot hope to reach without the help of others. He takes for granted that we would not choose to deny ourselves that help if it were needed. Like the assumption about how people would behave if no one could be trusted with a deposit, this is an empirically founded assumption about how rational beings would behave under the envisioned counterfactual circumstances.

It might be objected that the assumption is normative rather than empirical, telling us not how they would behave but how it would be *rational* for them to behave. Even so, it is still an assumption that depends on empirical facts about what rational beings need and desire. It might also be possible to describe fictional beings whose needs and desires are such that it would not be irrational for them to forego all appeal to the charitable aid of others.<sup>6</sup>

Kant's argument depends on the empirical fact that we humans are not such beings. Moreover, if the assumption is normative, it is not *morally* normative. It deals with the rational pursuit of self-interest, not with moral duty.

But the result of the argument is moral, not prudential. Since it is a counterfactual circumstance that the cold-hearted man's maxim holds as a law of nature, there is no sense in which Kant's argument is based (as Schopenhauer falsely alleges) on a covert and corrupt appeal to self-interest.<sup>7</sup> Kant does not reason that I should help others because, if I do, they will help me. Kant's argument does rest on a supposition about the structure of our self-interested desires. It says that no human being could rationally will to sacrifice all her ends (even survival) whenever achievement of the end requires the beneficent assistance of someone else. But nothing in Kant's argument involves an "appeal to material grounds" in any sense that would contradict Kant's view that the good will acts solely from duty.

Tittel and Mill both try to portray Kant not as a covert egoist, but as a covert consequentialist. Kant's arguments never depend on the consequences of a maxim's actual adoption, though they do involve claims about the hypothetical consequences of its *universal* adoption. This interest in consequences seems properly consequentialist only if we add the premise (as Kant never does) that my following a maxim will somehow make it more likely to be universally followed. Moreover, the FUL does not reject a maxim simply on the grounds that its universal adoption would be *undesirable* (as Tittel and Mill both claim in Kant's behalf). Instead, the maxim is rejected because of a conflict of volitions, because willing the maxim as universal law conflicts either with the maxim itself or with something else that the agent wills.

These two tests may often have similar results. The fact that I find a certain practice undesirable often gives me a sufficient reason to refuse to participate in it, and this would be enough to prevent me from willing without contradiction that everyone participate in it. Conversely, if I regard everyone's behaving in a certain way as desirable, it appears as if I would be able to will without contradiction that everyone behave in that way. But neither of these generalizations holds universally, and therefore, the universalizability test for maxims is not the same as the consequentialist one. We can see this from Kant's own examples. In Kant's argument about the deposit, the issue is not whether leaving deposits with others is a desirable practice. Kant's argument should prove to those who dislike this practice and want it abolished that they must nevertheless deal honestly with any deposits left in their charge. In the other argument the issue is not how desirable it is for people to give and get charitable help, but whether I can will that they not help me when I need it. Kant describes a man who is able for the most part to get along without the help of others and who thinks that it would be best for everyone to be like himself in this respect; the argument is clearly supposed to apply to this man, showing him that he cannot will as a universal law the maxim of refusing charitable help to others (G 398/14-15). Kant's position is that he may try to abolish the practice of charity by encouraging

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people to develop self-reliance, but it is not permissible for him to pursue his end (as our rugged individualists in politics usually do) simply by refusing help to those who need it.

Hegel claims that anything can pass the test of the formula of universal law if it is considered merely in itself, as a "simple determinateness"; but he also thinks that nothing can pass the test if resolved into the distinct and opposed moments that constitute it (*PhG* ¶¶ 430–431). Thus he argues not only that Kant's principle permits immoral conduct, but also that it may forbid conduct that is praiseworthy.

Thus the determinacy of helping the poor expresses abolition of the determinacy that is poverty; the maxim whose content is that determinacy, when tested by being raised to universal legislation, would prove itself false, for it would annihilate itself. If it is thought that the poor should be helped universally, then either there would no longer be any poor, or there would be only poor and then there would be no one who could help them; and so in both cases the help ceases. (*NR* 465–466/80)

This argument purports to show that Kant's principle forbids us to follow the principle "Help the poor!" on the ground that if everyone helped the poor, there would no longer be any occasion for anyone to help the poor, and so the maxim of helping the poor (like the maxim of appropriating the deposit) would, if universalized, annihilate itself.

We can see what is wrong with Hegel's argument as soon as we distinguish two different meanings for the maxim "Help the poor!" If my maxim is simply that of trying to abolish poverty as far as possible, then there will be no self-annihilation if everyone follows the maxim and poverty is abolished. On the other hand, my maxim may be to engage in the activity of helping the poor, where the point is not so much to improve their condition as to busy myself with helping them. That maxim is threatened with self-contradiction if everyone follows it. But that maxim is morally suspect anyway: It is the maxim of those who help the poor in order to indulge their feelings of pity or because they have some vested interest in the institutions of poor relief.<sup>8</sup>

### 5. Some unsolved problems

I conclude that Hegel's criticism of the universal law test does not succeed. Even so, it might suggest a problem with the universal law test: How do we decide how to formulate an agent's maxim in a given case? The problem is not that we have to be able to distinguish between the intent of people who help the poor in order to abolish poverty and those who help the poor because they have a vested interest in charities; any moral theory must be interested in those distinctions. The problem is that the intentions of an agent often admit of distinct but equally correct descriptions from different points of view or at different levels of generality.

Suppose I invite you to dinner. I consider serving you granola and yogurt because, although you hate them, I enjoy them and they will be good for you. What is my maxim in this case? Is it, "I will serve my guest foods I like"? Or, "I will feed my guest foods that I know are good for people"? Or,



"I will feed my guest nourishing food that I like even though I know the guest won't like it"? Or is the maxim just "I will feed my guest granola and yogurt"? All these maxims seem to be accurate expressions of my intention, but some might be universalizable whereas others are not. How do I decide which maxim to use when I apply the universal law test to the action I propose? If we answer that the maxim ought to include all and only those things that are morally relevant, then this does not solve the problem but just restates it. For the problem is that the universal law test does not provide us with any way of deciding what is morally relevant.

Suppose I want to become a parent and I make it my maxim to marry and impregnate a woman who wants to have a child with me. This maxim seems quite innocent, but as stated it is obviously not universalizable. If everyone (including, of course, women) followed it, then there would be no women left for me to marry or impregnate, since all the women who wanted children would be busy trying to marry and impregnate other women.<sup>9</sup> Here it looks as if the problem is easy to solve by reformulating the maxim in more general terms using some such phrase as "marrying and having a child with a person of the opposite sex. . . ." But how can we be sure that such reformulations do not represent an arbitrary and ad hoc adjustment of the example to our moral prejudices? Not every maxim may pass the universal law test, but the test might turn out to be too vague and flexible to provide determinate results in many actual cases of moral reasoning.

There certainly are problems with Kant's universal law test; some of them might even turn out to be insoluble. Nothing I have said in this chapter should be taken as an endorsement of the FUL or as a denial that it might be shown to be empty of content. This is cold comfort to Hegel, who seems so far from a correct understanding of the universal law test that he cannot be credited with having identified any of the real difficulties with it. To make something of Hegel's criticisms of the FUL, we must use them as the occasion for raising problems Hegel never thought of. Thus it is not surprising that most scholars simply dismiss Hegel's criticisms of the FUL.<sup>10</sup>

## 6. Kant's deduction of the moral law

Hegel's emptiness charge appears at a disadvantage when it is regarded narrowly as an attack on the FUL. To regard it in this way is also partly to misunderstand it. Hegel thinks that the FUL is empty, but he never means to charge Kant merely with having formulated his principle badly, so that it turns out to be empty of content. Instead, Hegel consistently treats this emptiness as a *necessary* feature of the standpoint from which Kant thinks about morality. Hegel does not begin with Kant's FUL, interpreting (or misinterpreting) it as setting up noncontradiction as the sole moral criterion. On the contrary, he begins with the conception of the moral standpoint as that of the abstract subjective ego, founded on the pure concept of analytic unity; and then he infers from this that noncontradiction is the only criterion morality has at its disposal (NR 459/75; PhG ¶¶ 429–430).

Thus the Berlin *Encyclopedia* derives the emptiness charge from the claim that Kant never successfully distinguishes reason from understanding, since Kantian reason supplies nothing but a formal unity to an experience whose content must come from outside (*EL* § 52). From this Hegel infers that non-contradiction is the only moral criterion *available* to Kant: "For that which practical thought makes its law . . . there is again *nothing to hand* except the same abstract identity of the understanding, that there is no contradiction in the determination" (*EL* § 54, emphasis added). The *Philosophy of Right* criticizes Kant for remaining at the moral standpoint without going on to the standpoint of ethical life, claiming that from this standpoint noncontradiction is the only criterion of duty. Only then does Hegel allude to what he calls "the further Kantian form, the capacity of the action to be represented as a universal maxim," which (Hegel says) contains no principle beyond the absence of contradiction (*PR* § 135R). We have already seen that this last claim is based on a misunderstanding of Kant's principle; but Hegel's deeper and more interesting thesis is that Kant is not *entitled* to employ a principle with any content beyond the criterion of noncontradictoriness.

If Hegel's emptiness charge says that Kant is unable to provide an adequate deduction for a principle with any content and if the FUL is not empty, then we might pose Hegel's emptiness charge as a challenge not to the FUL but to its derivation. As we shall see in the next section, this is something that Hegel himself does at least once. In order to evaluate the challenge, we need to see how Kant proposes to derive the FUL.

Kant's deduction of the FUL, in both the *Foundations* and the second critique, attempts to show that the FUL is one that there is a special sort of reason or ground for following: an "objective" ground. An objective ground is "valid for every rational being as such" (*G* 413/30; *KpV* 19/17). But its universal validity cannot be merely a contingent matter of fact; it must be an *a priori* necessary ground for all rational beings. And it must be "valid in the same form for all rational beings" – that is, it must be "exactly the same determining ground for the will of all rational beings and in all cases" (*KpV* 21/20, 25/24). Thus unanimity among rational beings as to what pleases or pains them could not constitute the sort of universal validity necessary for an objective ground or an objectively grounded principle (a practical law). This unanimity would be merely contingent, and although each rational being might have a reason for promoting the universally pleasant, each one's reason would be different: My ground for promoting the universally pleasant is that it pleases *me*; your ground is that it pleases *you*. A genuinely objective ground for doing something would have to be something like: "because any rational being should do it," or "because it is rational to do it."

Kant thinks that if we can show that the FUL is objectively grounded, then that will show that we always have a sufficient and overriding reason to follow it. This is because he thinks that an objective ground is "supreme" (*oberste*) – deserving to prevail over any grounds that derive from "subjective differences between human beings" (*KpV* 32/32). This, in turn, is because he agrees with Hegel that we act more rationally when we act universally,

from grounds deriving from our essence as rational beings, than when we act from particular grounds that we have only contingently and do not share with other rational beings.

Kant will have established that it is rational to follow the FUL if he can show that this formula expresses an objectively grounded principle or practical law. This is exactly what he tries to do. His deduction of the FUL can be divided into two stages. First, Kant argues that the FUL can be derived from the very concept of an objective ground, and second, he argues that there does in fact exist an objective ground. The first stage of Kant's argument is carried out in Part II of the *Foundations* and in Theorem III of the *Critique of Practical Reason*. Kant introduces the concept of a categorical imperative or practical law, a principle involving "an unconditional and objective, and hence universally valid necessity" (G 416/34); and then he proceeds to argue that "the mere concept of a categorical imperative is sufficient to provide the formula containing the proposition that alone can be a categorical imperative" (G 420/38; cf. *KpV* 26/26). The argument purports to show that the FUL is this formula.

In Part III of the *Foundations*, Kant undertakes the second stage of his argument, claiming that freedom, which can and must be presupposed as the property of every rational will, can belong only to a will that is subject to objective principles (G 447-448/65-66). In the second critique, the second stage of Kant's argument takes a slightly different form, for instead of arguing that there is an objective practical law for rational beings because such beings must think of themselves as free, Kant insists that rational beings must think of themselves as free only because they are aware of being subject to a practical law, which is given to them as a "fact of reason" (*KpV* 47/48). This difference, however, affects only the second stage of Kant's argument. The first stage, equally necessary to both versions of the argument, is also the same in both. It will be the target of Hegel's criticism.

### 7. The failure of Kant's deduction

Kant earns only praise from Hegel for grounding the moral law on freedom, "the positive infinity of practical reason," or "the [will's] faculty of determining itself in a universal way, *thinkingly*" (EL § 54A). Hegel grants that the will is free, and that its freedom involves self-legislation according to objective grounds. Thus Hegel agrees with the second stage of Kant's deduction of the FUL. He denies, however, that any content to the moral law can be arrived at from this starting point:

Only with the recognition [of the will's freedom] the question of the *content* of the will or of practical reason is still not answered. When it is said that human beings ought to make the *good* the content of their wills, right away there recurs the question of the content, i.e., the determinacy of this content; and we get nowhere either with the mere principle of the agreement of the will with itself or with the demand to do duty for duty's sake. (EL § 54A)

This passage is not merely a repetition of the claim that the FUL is empty

of content; it contains a denial of the first stage of Kant's deduction of the FUL, the stage that attempts to deduce the FUL from the concept of a categorical imperative, objective law, or objective practical ground. As we shall now see, if Hegel's emptiness charge is understood in this way, then it turns out to be correct.

Kant claims that "the mere concept of a categorical imperative . . . provides the formula containing the proposition which alone can be a categorical imperative." His argument is this:

If I think of a categorical imperative, then I know straightway what it contains. For since the imperative contains, besides the law, only the necessity that the maxim agree with this law, but the law contains no condition which limits it, there remains nothing with which the maxim should agree except the universality of law in general, and it is this agreement alone which the imperative really represents. Hence the sole categorical imperative is this: 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; cf. *G* 402/18, *KpV* 27/27)

Kant begins with the concept of an objective ground or objectively grounded principle (a categorical imperative). He first points out that the only conceivable ground for following such a principle is the agreement of your maxim with the concept of lawfulness or universal validity: You follow it because it is rational for any rational being to follow it. From this he concludes that this agreement, and hence the only possible objective ground, consists in the possibility of willing that your maxim be followed by all rational beings. The only possible objective ground is the conformity of your maxim to the FUL.

Kant's argument may be paraphrased as follows: A practical principle is objective, or a practical law, only if there is a ground for following it which is necessarily valid for every rational being as such. But a ground of this kind can consist in nothing but the agreement of the agent's maxim with the concept of a principle that is objectively valid. This agreement, however, can consist only in the possibility of willing that the maxim be universally followed. Consequently, the only possible objective principle is: Act according to a maxim that you can will to be universally followed.

This argument is fallacious. An objective ground is universally valid, and likewise an objective principle is one that every rational being has a reason (the same reason) for following. The universal validity of an objective principle thus consists in what we earlier called its "universality of applicability." But it does not consist, as Kant seems to infer, in the rational desirability (for someone, perhaps for anyone) of the state of affairs that would result if everyone followed the principle. Kant is arguing from the premise that it is rational for each person to follow a certain principle to the conclusion that it is rational (for someone, or anyone) to will that everyone follow the principle. But that inference is not valid. From the fact that it is rational for each of us to do something, we cannot derive any conclusion about the rational desirability of the state of affairs that would result if we all did that thing.

Suppose I am an egoist, who thinks that one objective principle is the principle of self-love: "Always seek your own happiness." In the second cri-

tique, Kant claims that if everyone followed this principle, the result would be a conflict between people's ends and the destruction of everyone's happiness. Let us suppose that Kant is right and that I (the egoist) agree with him. I admit I cannot will that everyone should follow the principle of self-love, since this would destroy my own happiness (along with everyone else's). But does this tend in the least to show that the principle of self-love is not an objective principle? No, it does not. Kant successfully refutes one argument in favor of the principle of self-love, an argument drawn from the universality of the desire for happiness. He points out that this desire is only contingently universal, and that it fails to provide a reason that is identical for all rational beings (*KpV* 26/25). But in my defense of the claim that the principle of self-love is an objective principle, I need not make the mistake of relying on this argument. To refute one bad argument for a view is not to show that the view itself is mistaken.

Yet if the first stage of Kant's deduction of the FUL were valid, then I could not even *claim* that the principle of self-love is an objective principle without falling into self-contradiction, for Kant's argument purports to show that the only principle consistent with the concept of an objective ground is the FUL. If Kant's argument were valid, it would be impossible to maintain without contradiction that a principle is objectively grounded and also that one cannot will that that principle be universally followed. But though it is doubtless false that the principle of self-love is an objective principle, the supposition that it is one leads to no contradiction. Hence Kant's argument is not valid.

### 8. Universal applicability and collective rationality

In framing his argument Kant seems to have been misled by the connotations of his terms "practical law" and "universal law." When conscientious legislators make laws for a community, they normally have in mind that the laws should have what we earlier called "universality of applicability" (Chapter 7, § 5): Everyone should be equally subject to them. Good legislators are also guided by what life will be like for the community if the laws are universally followed; they make the laws they do because they think that everyone's following those laws will result in a system of collective behavior that is rational and generally beneficial. Let us call this second feature of a good law "collective benefit." As we noted earlier in this chapter (§ 4), collective benefit in this sense is not identical with Kant's FUL test, which says that it must be possible to will without contradiction that the law will be universally followed. Let us call this feature of a law "collective rationality." For our present purposes, collective rationality is similar to collective benefit, since both have to do with the relation of the rational agent's will to the hypothetical situation in which a maxim is universally followed.

Now although Kant's conception of a practical law contains universality of applicability, it does not contain anything like collective benefit or collective rationality. The concept of a practical law involves the idea that taking each

rational being individually, it is rational for that being to follow that law; but this leaves entirely open the question whether the result of everyone's following the law would be (collectively) desirable, or whether it would be something that a rational agent could will without contradiction. A priori we have no way of ruling out the possibility that a principle with universal applicability might dictate to each individual a course of action which she cannot will that others should follow too.

The mistake is an easy one to make because terms like "universally valid" and "universally rational" can be taken either individually or collectively. If I say that a principle is "universally valid," that might mean that for each individual, without exception, it would be rational for that individual to follow that principle. But it might also mean that any group of people all of whom followed the principle would behave in a way that is collectively beneficial or collectively rational. The phrase "what it is rational for everyone to do" contains a similar ambiguity. Of course, it might turn out that the referents of the phrase taken in the two senses are exactly the same: that the course which it is rational for each individual to take is identical with the course which, if universally followed, would result in a collectively beneficial or collectively rational system of action. To the extent that we can reasonably expect others to behave as we ourselves do, we have grounds for thinking that only collectively rational principles will turn out to have universal applicability. For if each of us can foresee that the consequences of following a certain maxim will be something we cannot consistently will, then that might provide us with a reason not to follow the maxim, and hence preclude its universal applicability. But it is only under certain contingent, empirical conditions that this would happen. We cannot infer (as Kant does) that a principle with universality of applicability is *eo ipso* a principle with collective rationality. Such an inference is simply invalid.

Someone might think that Kant could be saved from these objections by insisting that the concept of an objective ground should have been interpreted all along as containing both universality of applicability and collective rationality. Let us call this the "stronger" concept of objectivity, in contrast to the "weaker" concept that involves universality of applicability alone. If we employ this new concept of objectivity, then it will certainly be true that only a principle that can be willed as universal law can be objectively grounded, and hence that the FUL will follow from the very concept of an objective ground. This would, of course, trivialize the first stage of Kant's deduction of the FUL, but perhaps that is no reason to object to it: Kant himself seems to regard the point he is making as a trivial one: "A practical law which I recognize as such must qualify for universal legislation: this is an identical proposition and therefore self-evident" (*KpV* 27/27).

This is not a satisfactory way out of Kant's difficulties, however. The reason is that the first stage of Kant's deduction, which derives the FUL from the concept of an objective ground, needs to be combined with the second stage, which shows that there are objectively grounded principles. The deduction as a whole will not succeed if the stronger concept of objective

ground is used in the first stage of the argument while the weaker concept is used in the second stage, for it will still be an open question whether the weakly objective principles established in the second stage are strongly objective too; indeed, it will be an open question whether there are any strongly objective principles at all.

Kant's arguments never attempt to establish the existence of strongly objective principles, but only the existence of weakly objective ones. The *Foundations* claims that a free will is subject to objective principles because an objective ground arises from the rational self rather than from inclinations for external objects (G 446–447/65, 457/76). Such an argument might show that a free will is subject to weakly objective principles (principles having universality of applicability), but it cannot show that the will is subject to strongly objective principles (having collective rationality as well). Even in *The Critique of Practical Reason*, where Kant treats the existence of objective principles as a “fact of reason,” he maintains that the practical law that is such a fact is “reciprocally implied by” freedom and even “identical” with it (KpV 29/29, 42/43). The law that is given as a fact of reason is therefore only weakly objective. If we employ the stronger concept of objectivity in the first stage of Kant's deduction of the FUL, then we save that stage by trivializing it, but we only doom the deduction as a whole to failure.

Hegel may be mistaken in thinking that the FUL is empty, but he is not mistaken in thinking that Kant's starting point (in the idea of a free will and a categorical imperative) is purely formal, and incapable of leading to any determinate moral principles. Kant tries to derive a substantive moral principle merely from the concepts of an objective ground for acting and a principle that is objectively grounded. But we cannot tell, given these concepts alone, which principles, if any, are objectively grounded, are categorical imperatives. If Kant's FUL is not empty, that is because it does not follow from his starting point; this starting point is empty.

### 9. The emptiness of the moral will

A categorical imperative or practical law is an objectively grounded principle. Following such a principle because it is objectively grounded or acting from an objective ground is the same as acting from respect for law, or acting from duty (G 400/16). Thus Kant's attempt to provide a deduction of the FUL from the concept of a practical law or objectively grounded principle is the same as attempting to deduce the FUL from the idea of acting purely from duty. This is the way the deduction is in fact first presented in the *Foundations* (G 402/18). If Hegel's emptiness charge may be interpreted as the denial that any contentful moral principles may be derived from the mere concept of a categorical imperative or objective ground, then it might also be interpreted as the denial that any contentful moral principles may be derived from the idea of acting from duty.

Hegel's writings contain such denials. They go further, taking the position that the will that acts from duty is committed to act on a principle that is

purely formal and empty of content. In Chapter 8 we saw how Hegel rejects the Kantian conception of the good will as the will that acts from duty. Now we will see that at the root of the emptiness charge, as Hegel himself conceived it, lies the idea that if you embrace the Kantian conception of the good will, you are not merely unable to deduce contentful moral principles from it, but are also doomed only to empty principles. In short, the moral law is empty because the moral will is empty.

In Hegel's texts the emptiness charge is usually associated with an attack on the Kantian conception of the good will. The *Philosophy of Right* says that Kant's adherence to the moral standpoint without a conception of ethical life reduces his ethics of autonomy to "an empty formalism and the moral science to a prating about duty for duty's sake" (PR § 135R). In the *Lectures on the History of Philosophy*, Hegel puts it this way: "This is the defect of the Kantian-Fichtean principle, that it is simply formal. Cold duty is the last undigested lump in the stomach, the revelation given of reason" (VGP 3: 369/461). But in both these passages, it is unclear just how the emptiness charge and the Kantian conception of the good will are connected.

The emptiness charge came to articulation in Hegel's writings during the first years of his Jena period. It is first adumbrated in *The Difference Between Fichte's and Schelling's System of Philosophy* (1801) and developed further in Hegel's critique of Fichte in *Faith and Knowledge* (1802). Later presentations of the charge in the *Phenomenology*, *Encyclopedia*, *Philosophy of Right*, and the lectures are in fact only echoes and summaries of Hegel's most extensive exposition of the emptiness charge in the *Natural Right* (1802). It is in the early Jena writings that we must look for Hegel's clearest statements of the motivation behind the charge.

*Faith and Knowledge* is most explicit about the connection between the emptiness charge and his critique of the good will as the will that acts from duty. From the moral standpoint, Hegel says that "the content of the concept is some reality posited in an idea form as end and intention, some empirical given; only the empty form is the a priori." In morality there is a separation between the concrete action, whose content is contingent and empirical, and the pure form of duty, for whose sake alone the action is supposed to be done.

Because the emptiness of the pure will and the universal is the truly a priori, the particular is something absolutely empirical. What right and duty are in and for themselves – to give a determination of this would be contradictory. For the content at once cancels the pure will or duty for duty's sake, and makes duty into something material. The emptiness of the pure feeling of duty and the content continually cross each other up. . . . So we are free to elevate every moral contingency into the form of the concept and procure a justification and a good conscience for what is unethical. (GW 426–427/183–184)

Hegel claims that if the pure moral disposition consists in acting from the pure thought of duty, then any "content" would destroy the moral purity of the will. Or, as Hegel more succinctly puts the point later in the *Phenomenology of Spirit*: "Since the *determinate* duty is an end, it has a content, its



*content* is a part of the end, and so morality is not pure" (*PhG* ¶ 630). Suppose, for instance, that I try to think of a certain kind of action, such as keeping a promise or helping another in need, as my duty. To do this specific duty, Hegel seems to be saying, would be to act not from duty alone, but also from a more particular motive, that of keeping *this* promise or helping *this* person. But this more particular motive would cancel what Kant regards as the purity of my will. Hegel's contention is that to apply any determinate criterion of duty is to think of one's action as one's duty because it has certain determinate empirical features; and to perform it because it is a fulfillment of *that* duty is to perform it because it has *those* features.

The point could also be put by saying that if there are to be determinate duties, then to act from duty is to act from those particular duties under the empirical circumstances where they arise; but that means to act from empirical motives, and not solely from the pure motive of duty. This entails that Kantians must not apply any substantive criterion of duty, since to use such a criterion is to do the action not only from duty but also because it has whatever features satisfy the criterion. Hence the moral standpoint precludes any objective criterion for moral action; it is capable of procuring a good conscience for even the most unethical actions.

To this argument there seems a very natural Kantian reply. To act from duty is to perform the action because it satisfies the categorical imperative in one or another of its formulations. If promise keeping is entailed by some formulation of the categorical imperative, then to act from duty entails keeping promises. Thus in order to act from duty it is not only possible but even necessary to perform actions with the empirical features that make them acts of promise keeping. These empirical features should not motivate the acts, but it is a corollary of acting from the categorical imperative that one should perform acts with those features.

This reply, however, misses the point of Hegel's criticism. Hegel thinks that in order to do one's duty as this particular duty, even if one derives the empirical features of that duty from some moral principle, one must act from those empirical features, and that to act from the empirical features of the act in this way is also to act from something that has the stamp of "particularity" on it; it is to act from empirical inclinations, interests, drives, passions. Hegel's thesis is that to act from a contentful principle is always to act from empirical motives; therefore, the only way to avoid acting from empirical motives would be either not to act at all or else to act in a determinate way while abstracting entirely from the empirical content of what one is doing – and so any determinate way of acting will do. In other words, to act from pure duty is to act from a principle with no content. The motive of pure duty thus attaches just as easily to the unethical as to the right and good.

## 10. Ends and empirical motivation

Hegel's argument is perhaps most explicitly stated in the *Phenomenology*. According to the moral world-view:

I act morally insofar as I am *conscious* of performing duty only, and not *something else*, and this means in fact *when I do not* act. When I actually act, I am conscious of an *other*, an *actuality* that is at hand, and of an actuality I will to produce; I have a *determinate* end and fulfill a *determinate* duty. There is something in it that is *other* than pure duty, which alone ought to be intended. (*PhG* ¶ 637)

The crucial thesis here is that to act on a contentful principle is to pursue an end, and that to pursue an end is necessarily to act from something other than pure duty; it is to act from empirical desires. Hegel often makes this point in a very abstract way by insisting that the universal and the particular are identical (*EL* §§ 163–164), or that the universal is actualized only in the particular (*VG* 85/72). As applied to moral psychology, this means that duty or the moral law (“the universal”) can be carried out or actualized only through the medium of “the particular” – through the agent’s empirical desires, drives, and inclinations (*PhG* ¶ 622).

The meaning of Hegel’s thesis is ambiguous. Sometimes it seems to be a point about human nature, the point that people are not disposed to carry out substantial projects unless they are driven to do so by “interest,” or “self-satisfaction,” or moved at the level of their sensuous nature by elemental drives or passions: “Nothing great,” he says, “has ever been accomplished without passion” (*VG* 85/73; *EG* §§ 474–475; *PR* § 121). Such statements have an air of worldly wisdom about them, and they may even be true, but they do not pose a serious challenge to Kantian morality. They only confirm Kant’s own suspicions, in his more cynical moods, that perhaps even the best human will is impure in its motivation, so that maybe none of our actions possesses true moral worth.

Sometimes, however, Hegel suggests something different: that all action is mediated by inclination because every action has an end and the setting and pursuing of any particular end necessarily involves acting from empirical drives and inclinations. Recall the passage quoted earlier from the *Phenomenology*: “Since the *determinate* duty is an end, it has a content, its *content* is a part of the end, and so morality is not pure” (*PhG* ¶ 630). Or, as he puts it much later in the Berlin *Encyclopedia*:

An action is an end of the subject, just as [the subject] is its activity of carrying out this end. There is an action at all only through the fact that the subject is in it, i.e. through its interest, even in the most unselfish action. . . . [According to some people] drives and passions are opposed as a whole to duty for duty’s sake, to morality. But drive and passion is nothing but the vitality of the subject, through which [the subject] is in its ends and their execution. (*EG* § 475R)

Every action is itself one of the agent’s ends, since in our actions we seek to vindicate our own agency through the accomplishment of our other ends. But the vindication of my agency is always an aspect of my particular good, my subjective interest or “self-satisfaction.” From this Hegel concludes that the ethical worth of an action is not in the least diminished by the fact that it is performed from inclination or passion, since it is an inevitable fact about agency that this should be so. Instead, “the ethical has to do with the content,

which as a *universal* is something inactive, and has its activation in the subject. The fact that this content is immanent in the subject is interest, and when it lays claim to the whole of the effective subjectivity, it is passion" (EG § 475R).

Kantians must take this argument more seriously. Kant himself holds that every action has an end, acts done from duty every bit as much as acts done from immediate impulse or prudential calculation (G 436/54–55). Kant even maintains that ends that are duties (ends that it is my duty to have) play the chief role in determining our ethical duties as distinct from our duties of right (TL 381/38). Kant agrees with Hegel that there can be no application of the moral law, no specification of what our duties are, without the specification of the determinate ends of dutiful actions. Kant also holds that an act is devoid of moral worth if its motive consists in the agent's desire for the end of the action; acts so motivated are done from what Kant calls a "material principle"; such principles, he says, are without exception empirical and fall under the principle of self-love or one's own happiness (KpV 21–22/19–20). An act whose motive coincides with its end is heteronomous, done from inclination and not from duty. If all acts were necessarily of this kind, then the whole of morality (as Kant understands it) would be nothing but a cobweb of the brain.

Kant thinks it is a mistake to suppose that the motive of an action inevitably coincides with its end. An act done from duty has an end, which sometimes even includes the satisfaction of the agent's inclinations or particular interests. Kant never claims that the agent has to forego this self-satisfaction in order for the action to have moral worth. But this end, which Kant calls the "matter" of the agent's maxim, is not the motive of an action done from duty; rather, the motive in this case is the "legislative form" of the maxim, the fact that the maxim can be willed as a universal law (KpV 26–29/26–29).<sup>11</sup> One meaning of Kant's thesis that freedom of the will means that pure reason can *of itself* be practical is that an action can be performed directly by legislative reason, without the assistance of inclinations (KpV 41–42/43).

Chapter 8 expounded Hegel's reasons for rejecting Kant's view on this point. For Hegel, the relevant question of moral psychology is not about an act's psychic causes but about the intentional descriptions that provide the agent with the (internal) reasons for doing it. Since Hegel agrees with Kant that the act must be done for duty's sake, the intention of an act done by a good will must include its promotion of the good. Since every successful act also appeals to the agent because of the self-satisfaction it provides, this self-satisfaction will also belong to the intention. So equally might other empirical or self-interested motives without taking anything away from the goodness of the agent's will.

In the context of Hegel's moral psychology, to try to act solely from duty is to attempt to bring your action under no intentional description at all except that it is your duty to do it. This means abstracting yourself from the self-satisfaction necessary to every action. Such a view of oneself is incompatible with acting according to any determinate or contentful principles, since

such principles will always supply further intentional descriptions ("keeping that promise," "helping this person") under which the act is sure to be brought by an agent engaged in fulfilling a concrete duty. "Pure duty consists in the empty abstraction of pure thinking, and has its reality and content only in a determinate actuality – an actuality that is the actuality of consciousness itself, and this not as a mere thought-entity but as an individual" (*PhG* ¶ 637).

Kantians may object that abstracting from self-satisfaction with respect to motivation is not the same thing as ignoring the existence of these desires or trying to extirpate them – a course to which Kant is opposed every bit as much as Hegel (*R* 57/50). The morally relevant question is only whether our action is motivated by the desire for that benefit or by the thought of duty. If Hegel is correct, though, then this is *not* a morally relevant question at all; it may not even be a meaningful question. In practice, Kant's criterion of moral worth estranges moral worth from self-satisfaction. It encourages us to think that we cannot esteem ourselves unless we act from an outlandish supernatural motive which no one ever really has.

## 11. Emptiness and Hegelian morality

Kantians might take some comfort from a brief review of the history of the emptiness charge, because it reveals an ironic tension in Hegel's views. Hegel developed the emptiness charge in the Jena period, when "morality" was little more than a nickname for an erroneous standpoint, typified by the moral philosophies of Kant and Fichte, and firmly committed to the unhealthy idea that the good will acts solely from duty. The moral psychology that enables Hegel to defend the emptiness charge was made explicit only in the writings after 1816 – as part of a revised conception of morality that attempts to integrate it positively within a modern ethical life.

Hegel's mature conception of morality seems to open up the possibility of a morality based on the good (the right united with universal well-being) yielding contentful principles from which a doctrine of duties might be derived. But even in his later thought Hegel continues to hold that there can be no doctrine of duties from the moral standpoint, that this standpoint yields no criterion except noncontradiction, and that a contentful theory of duties requires the standpoint of ethical life (*PR* § 148R). This seems to be the emptiness charge in the weak form, which says only that morality cannot provide an "adequate doctrine of duties" (*PR* § 148R). At the same time, it would be a very broad form of the emptiness charge, since it applies even to the standpoint of morality as Hegel accepts it.

How might Hegel try to justify the emptiness charge in this form? If the moral standpoint is limited to considering nothing but the rights and welfare of individuals, then it might not be able to deal with the value we accord to social institutions, and that might prevent it from giving an adequate doctrine of duties. Hegel holds, for example, that the state is a higher end than individual well-being as such (*PR* § 258), and that we value the "leading of

a universal life" in the state for its own sake (*PR* § 258R). He might argue that these purely collective values have a role to play in determining the substance of our duties. They might, for instance, impose on us duties to show respect for due process of law (*PR* § 221) or the person of the monarch, who represents the free personality of the state (*PR* § 279), even when these acts of respect are not really necessary for the state's institutions to fulfill their end of securing the right and well-being of individuals. Such duties could be comprehended from the standpoint of ethical life, but not from the standpoint of morality, even on Hegel's most sympathetic understanding of the latter.

This may be a promising line of thought, but nowhere does Hegel devote himself to a sustained defense of it. To make his case, Hegel would have to argue that the value of rational institutions is both genuine and irreducible to individual right and well-being. He would have to show how the higher end of the state and other institutions actually does shape our duties, and he would have to show how the standpoint of ethical life can give an adequate account of the matters for which the moral standpoint is insufficient.<sup>12</sup> It is the emptiness charge in this broad but weak form that poses the most serious threat to the moral standpoint. In Chapters 11 and 12 we will examine some features of Hegelian ethical life which may lend further support to the emptiness charge in this form (see especially Chapter 12, §§ 2-3).

## NOTES TO PP. 131-155

- Chapter 2; G. Lukacs, *The Young Hegel*, trans. Rodney Livingstone (Cambridge, MA: MIT Press, 1975); Laurence Dickey, *Hegel: Religion, Economics and the Politics of Spirit 1770-1807* (Cambridge University Press, 1987).
2. Hegel had, of course, used the term *Sittlichkeit* before, for instance, in the *Difference* (D 93/153-154); but it is only in *Faith and Knowledge* that he began to use the term in its distinctively Hegelian sense, in which it is opposed to *Moralität*.
  3. Concerning the term "police state," however, see Chapter 14, note 11.
  4. The economics and sociology presented in this example is intended to be purely hypothetical. To look at the extent to which Hegel might endorse it, see Chapter 14, § 7.

## Chapter 8

1. The meaning of this last sentence is unclear. Does Hegel mean that no arsonist (however thoughtless) could possibly have been ignorant of the fact that a set fire might spread out of control? If so, then he probably underestimates the thoughtlessness of some arsonists. Does he perhaps mean that we are justified in treating the arsonist as if he knew it, whether he did or not? That thought would seem more appropriate to a discussion of legal accountability than moral responsibility; Hegel did not always adequately attend to this distinction (see § 2 of this chapter). Whatever Hegel's meaning is, the intent of the remark is plainly to reconcile this provision of his theory of responsibility with the implications of his term "right of knowledge."
2. See Bernard Williams, "Internal and External Reasons," *Moral Luck* (Cambridge: Cambridge University Press, 1981), pp. 101-113.
3. See Thomas Nagel, "Moral Luck," *Mortal Questions* (Cambridge: Cambridge University Press, 1979); and Bernard Williams, "Moral Luck," *Moral Luck*.
4. *VPR*17, note 125, pp. 303-304.
5. See Christine Korsgaard, "Kant's Formula of Humanity," *Kant-Studien* 77 (1986), 196, 200-202.
6. That is, just as in the dictionary any word beginning with "A" comes before any word beginning with "B," so any right has priority over any amount of well-being. See Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), pp. 42-43.
7. See Barbara Herman, "On the Value of Acting from the Motive of Duty," *The Philosophical Review* 90 (1981), 374-376.
8. See Paul Dietrichson, "What Does Kant Mean by 'Acting from Duty'?" in R. P. Wolff (ed.), *Kant: A Collection of Critical Essays* (Garden City: Doubleday, 1967); and Allen Wood, *Kant's Moral Religion* (Ithaca: Cornell University Press, 1970), pp. 245-247.
9. See Herman, "On the Value of Acting from the Motive of Duty," pp. 376-382.
10. See Richard Schacht, "Hegel on Freedom," in A. MacIntyre (ed.), *Hegel: A Collection of Critical Essays* (Garden City: Doubleday, 1972), p. 309; and G. H. R. Parkinson, "Hegel's Concept of Freedom," in M. Inwood (ed.), *Hegel* (Oxford: Oxford University Press, 1985), p. 156.

## Chapter 9

1. J. S. Mill, *Utilitarianism*, ed. George Sher (Indianapolis: Hackett, 1979), p. 4.
2. Gottlob August Tittel, *Über Herr Kants Moralreform* (Frankfurt: Pfahler, 1786),

## NOTES TO PP. 156-180

- pp. 14-15, 32-36. Cf. Fred Beiser, *The Fate of Reason* (Cambridge, MA: Harvard University Press, 1987), pp. 185-186.
3. See Thomas Pogge, "The Categorical Imperative," in Otfried Höffe (ed.), *Grundlegung zur Metaphysik der Sitten: Ein kooperativer Kommentar* (Frankfurt: Vittorio Klostermann, 1989).
  4. Here I follow the interpretation of the formula of universal law developed by Onora Nell (O'Neill), *Acting on Principle: An Essay on Kantian Ethics* (New York: Columbia University Press, 1975), Chapters 1-5.
  5. I owe this point to the text of an unpublished lecture on Hegelian ethics by Ernst Tugendhat.
  6. The novels of Ayn Rand sometimes provide moderately persuasive fictional accounts of such fantastic beings.
  7. Arthur Schopenhauer, *The World as Will and Representation*, trans. E. F. J. Payne (New York: Dover, 1969), 1: 525.
  8. Hegel may also intend slyly to suggest that the latter has to be the real maxim of those who help others. He may intend to call our attention to the hypocrisy of those who engage in charitable deeds in order to exercise power over those they "help" - or at least to feel superior to them. Or he may have in mind the point that those who give real, effective help to others on a regular basis must take on that task as a concrete vocation, and find self-satisfaction in it. He is certainly right to be suspicious of moralists who exhort us to help others without explaining how our efforts are to be rationally integrated into our own lives or the larger life of society. These points may all be well-taken, but they do not show that the maxim "Help the poor!" (taken in the sense Kant means it) contradicts itself.
  9. This example is from Bruce Aune, *Kant's Moral Philosophy* (Princeton: Princeton University Press, 1978), pp. 123-125.
  10. See Marcus Singer, *Generalization in Ethics* (New York: Alfred Knopf, 1961), pp. 292-295; Dieter Henrich, "Das Problem der Grundlegung der Ethik bei Kant und im spekulativen Idealismus," in P. Engelhardt (ed.), *Sein und Ethos* (Mainz, 1963); Andreas Wildt, *Autonomie und Anerkennung* (Stuttgart: Klett-Cotta Verlag, 1982), pp. 84-96; Christine Korsgaard, "Kant's Formula of Universal Law," *Pacific Philosophical Quarterly* 66 (1985); and Onora Nell (O'Neill), *Acting on Principle*, especially Chapter 5. An exception to the rule is Michael Hardimon, *Individual Morality and Rational Social Life: A Study of Hegel's Ethics* (University of Chicago, Ph.D. dissertation, 1985), Chapter 1.
  11. See my book *Kant's Moral Religion* (Ithaca: Cornell University Press, 1970), pp. 40-52.
  12. Later, however, we will explore the possibility that ethical life deals more satisfactorily with duties to others involving "differential pull" (see Chapter 12, § 3).

## Chapter 10

1. See E. Hirsch, "Die Beisetzung der Romantiker in Hegels Phänomenologie," *Deutsche Vierteljahrschrift für Literaturwissenschaft und Geistesgeschichte* 2 (1924), 510-522; Otto Pöggeler, *Hegels Kritik der Romantik* (Bonn: Abhandlungen zur Philosophie, Psychologie und Pädagogik: Bd. 4; 1956).
2. Richard Pregizer, *Die politischen Ideen des Karl Follen* (Tübingen: Mohr, 1912), p. 70; and K. G. Faber, "Student und Politik in der ersten deutschen Burschen-

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- its right is supreme, 101, 223-30; *see also* Yack, Bernard, 266, 283  
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*Zweck*, *see* end