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## ESSAY REVIEW

*Creating the Kingdom of Ends* by **Christine Korsgaard**. Cambridge University Press, 1996. Pp. 442 (indexed). *The Sources of Normativity* by **Christine Korsgaard**. Cambridge University Press, 1996. Pp 273 (indexed).

JOHN HARE, Calvin College

I want to start by saying that I have found Christine Korsgaard the most helpful current exegete of Kant's moral philosophy. She has given us a series of articles, collected into a book *Creating the Kingdom of Ends*, and another book, *The Sources of Normativity*, which consists of her Tanner lectures at Cambridge, responses by various philosophers, and her reply to the responses. In this second book she has raised what she calls "the normative question", which is the question for a moral agent, "Why should I be moral?", where this is understood not as a prudential question ("Why is morality in my interest?"), but a question about justification all things considered, "Why should I accept the moral demand as a demand upon me?". Korsgaard's isolating this question for analysis has been extremely fruitful. I am going to suggest, however, that her answer to the question is neither true nor true to Kant.

A good place to start is with Korsgaard's account of the central place that autonomy occupies in Kant's moral theory. An autonomous agent, for Kant, is both the legislator of the moral law and in submission to it. Korsgaard claims that this combination allows us to answer her normative question. She says that autonomy is the source of obligation, or alternatively the source of all value.<sup>1</sup> The argument for this starts from the fact that we are reflective beings, and this means that we have to act under the idea of freedom.<sup>2</sup> This is not to say that we cannot act under the bidding of desire or of some outside authority, but the reflective mind must endorse the bidding. We must "make it our maxim" to do what the desire or the outside authority bids us do. The free will must be in this sense self-determining. But because the will is a causality, it must also act according to some law or other, "since the concept of a causality entails that of laws".<sup>3</sup> The will therefore has to be its own law. This way of putting the point relies on the notion of causality as essentially under law. We can say alternatively that the will is practical reason, and therefore cannot be conceived as acting and choosing for no reason. Reasons are derived from universal principles or laws,



and so the free will must have such a principle. But because the will is free, no law or principle can be merely imposed on it from outside. Kant concludes that the will must have its *own* law or principle. Korsgaard then presents an elegant argument that this law must be equivalent to the categorical imperative, as represented by the Formula of Universal Law. "The problem faced by the free will is this: the will must have a law, but because the will is free, it must be its own law. And nothing determines what that law must be. *All that it has to be is a law.* Now consider the content of the categorical imperative, as represented by the Formula of Universal Law. The categorical imperative merely tells us to choose a law. Its only constraint on our choice is that it has the form of a law. And nothing determines what the law must be. *All that it has to be is a law.*"<sup>4</sup>

I will make two objections to this argument. First, it is not true that all practical reasons are derived from universal principles or laws, if this is taken to mean that individual or singular reference has to be excluded. Korsgaard fleshes out the requirement of universality as follows, "If I give myself a law, if I am not merely the place where an impulse is operating, then what I do essentially involves a reference to other occasions when I might do otherwise. ...And that means that if I am to regard *this* act, the one I do now, as the act of my *will*, I must at least make a claim to universality, a claim that the reason for which I act now will be valid on other occasions, or on occasions of this type -*including this one, conceived in a general way.* Again, the form of the act of the will is general. The claim to generality, to universality, is essential to an act's being an act of the will."<sup>5</sup> It is a mistake, however, to think that practical reasons have to be universalizable in the strong sense that singular reference has to be eliminable from all parts of them. We need to distinguish various term-positions in a judgement, and see that the universalizability requirement does not function symmetrically with respect to all of them. If I judge that I ought to help my son Paul with his homework, I am committed by the strong universalizability requirement to the judgement that anyone in my sort of circumstances (including being a father) ought to help anyone in Paul's sort of circumstances (including being the father's son). But once we distinguish between what I have elsewhere called the agent position, the recipient position and the action position in the judgement, we can see that I can have a practical reason as long as I am committed to helping *Paul* whenever he is in this sort of circumstance.<sup>6</sup> The term in the action position is here universal (namely, helping with homework), but this does not require that the terms in agent position and recipient position be universalizable as well. In Korsgaard's language, an occasion could be "conceived in a general way" as follows: whenever Paul has homework and needs my help with it. There may be an argument which Korsgaard (or Kant) can provide which would show that universalizability is required of practical reasons in *all* their term positions. But she has not provided such an argument, and I do not know of any such argument which does not beg the key questions. So we can grant that giving practical reasons requires some degree of generality, for otherwise we would not be giving *reasons*. But the strong universalizability requirement does not follow from this, and it is the strong requirement that Kant needs in order to show the equivalence of autono-

my and following the categorical imperative. If I am right about practical reasons, we can formulate a weaker notion of autonomy, such that an agent puts herself under the moral law, whether her maxim is universalizable in all its term positions or only in the action position. This weaker notion of autonomy will be consistent with a natural interpretation (though not Kant's own) of the formula of the moral law as treating other people as ends in themselves. But it will not generate the equivalence with the categorical imperative which Korsgaard wants.

I am going to focus, however, on a second objection. Even if we could show the equivalence of autonomy and following universal law, and even if moral law were necessarily fully universalizable (in the way I have just denied) we would still not have shown the equivalence of autonomy and following the *moral* law. Korsgaard concedes this, when she admits the distinction between the categorical imperative and the moral law.<sup>7</sup> This distinction is the residue she accepts from the otherwise unsuccessful "empty formalism" objection to Kant which has been lobbed at him from at least Fichte onwards. Korsgaard says, "Now the Kantian argument which I just described establishes that *the categorical imperative* is the law of a free will. But it does not establish that *the moral law* is the law of a free will. Any law is universal, but the argument I just gave doesn't settle the question of the *domain* over which the law of the free will must range. And there are various possibilities here. If the law is the law of acting on the desire of the moment, then the agent will treat each desire as a reason, and her conduct will be that of a wanton. If the law ranges over the agent's whole life, then the agent will be some sort of egoist. It is only if the law ranges over every rational being that the resulting law will be the moral law."<sup>8</sup> Korsgaard then proceeds to give an argument to show that reflection requires extending the domain in this way to every rational being, and this is the argument which I think (alas!) fails.<sup>9</sup>

Korsgaard's argument is that what distinguishes humans from other animals is their ability to act on the basis of a self-conception, what she calls "a practical identity". Humans have many different such identities, such as "mother", "philosopher", "American". But she thinks these identities share the feature that they give rise to unconditional obligations. "When an action cannot be performed without loss of some fundamental part of one's identity, and an agent could just as well be dead, then the obligation not to do it is unconditional and complete."<sup>10</sup> The acting self here concedes to the thinking self its right to governance. "This is a relation not of mere power but rather of authority. And *that* is the authority that is the source of obligation". It is true, Korsgaard concedes, that an agent can shed practical identities, by ceasing to think of herself as a mother or an American. But she cannot, as an agent, have no practical identity at all. For unless she is committed to some conception of her practical identity, she will lose her grip on herself as having any reason to do one thing rather than another - and with it, her grip on herself as having any reason to live and act at all. And now the conclusion. *This* reason for conforming to her particular practical identities is not a reason that *springs from* those particular practical identities. It is a reason that *springs from* her humanity itself, from her identity simply as *a human being*, a reflective animal who

needs reasons to act and to live. And this means she has recognized the force of the moral law, or at least, it does so if valuing humanity in her own person rationally requires valuing it in the persons of others.<sup>11</sup>

I do not think this argument works. As I see it, the problematic point is where Korsgaard assumes that practical identities generate unconditional obligations, where this is "a relation not of mere power but rather of authority". This is sometimes true, but not always. One way to show this is to point to those cases where an agent is split between practical identities. A heroin addict can be under the sway of a practical identity which requires her to live a certain way; and she may feel that if she cannot live that way, she could just as well be dead (or, to put this a bit differently, she may be willing to die to get what the practical identity requires.) But she may not endorse that identity except at those times when she is immersed in it. She may find herself crying out at other times, with Paul in his letter to the Romans, "The evil that I would not, that I do". As Paul goes on to say, "So then, with my mind I am a slave to the law of God, but with my flesh I am a slave to the law of sin." The fact that, while I am a slave to sin, I feel that my very identity is at stake in obtaining some good does *not* show that I have an obligation, let alone an unconditional obligation, to obtain it. It is true that while an agent is immersed in a practical identity, she cannot *question* the overridingness of the reasons which the identity gives her for action. But this can easily be a measure of power rather than authority.

Why do I say that feeling her identity is at stake does not itself show that an agent has an obligation? Because I do not want to say that a Nazi who has reflectively endorsed killing Jews is given an obligation to kill them just by his endorsement. G.A. Cohen gives us the case of the idealized Mafioso, "When he has to do some hideous thing that goes against his inclinations, and he is tempted to fly, he steels himself and we can say of him as much as of us, with the same exaggeration or lack of it, that he steels himself on pain of risking a loss of identity."<sup>12</sup> Here Korsgaard bites the bullet. She argues that the Mafioso does have the obligation to do the hideous thing (though it is not a moral obligation but some other undefined kind). "There is a sense," she says, "in which these obligations are real -not just psychologically but normatively. And this is because it is the endorsement, not the explanations and arguments that provide the material for the endorsement, that does the normative work."<sup>13</sup> On her view, if the Mafioso (or the Nazi) can endorse reflectively the judgement that he should go out and kill, then he *should*. Korsgaard is prepared to say, for example, that if human beings decided that human life was worthless, then it *would be* worthless. "The point is just this: if one holds the view, as I do, that obligations exist in the first-person perspective, then in one sense the obligatory is like the visible: it depends on how much of the light of reflection is on." I hasten to add that Korsgaard goes on to say that the Mafioso has a *deeper* obligation to give up his immoral role. This is because "the activity of reflection has rules of its own; and one of them, perhaps the most essential, is the rule that we should never stop reflecting until we have reached a satisfactory answer, one that admits of no further questioning....Following that rule would have led the Mafioso to morality".

Korsgaard feels she has to concede that the Mafioso has the obligation to

do the hideous thing, because of her position that "it is the endorsement that does the work". On her view, the endorsement creates the obligation. She reaches this view by rejecting what she thinks is its alternative, namely that obligations are things we *discover*, and her reason is that this kind of substantive moral realism cannot help us with the normative question. (I will return to her reasons for saying this in a moment.) I think she has fallen into a trap here. It is wrong to think that we have to choose between a substantive version of moral realism on the one hand and constructivism on the other. This dichotomy is seductive, but it overlooks an important kind of middle ground.<sup>14</sup> The dichotomy suggests that if obligations are not something we *discover* (as we might discover a new sub-species of armadillo), this commits us to saying that they are something we *create* (as though they were like armchairs). But there is an important possibility to consider, that obligations are not like either of these. The prescriptivist insight of R. M. Hare, which Korsgaard does not seem to have considered, is that there is the same kind of grammatical mistake in saying we create obligations as in saying we discover them. The mistake is what R.M.Hare calls "the descriptivist fallacy", taking the term from J. L. Austin. Austin, in turn, appeals to Kant. "It has come to be commonly held that many utterances which look like statements are either not intended at all, or only intended in part, to record or impart straightforward information about the facts: for example, 'ethical propositions' are perhaps intended, solely or partly, to evince emotion or to prescribe conduct or to influence it in special ways. Here too KANT was among the pioneers. We very often also use utterances in ways beyond the scope at least of traditional grammar. It has come to be seen that many specially perplexing words embedded in apparently descriptive statements do not serve to indicate some specially odd additional feature in the reality reported, but to indicate (not to report) the circumstances in which the statement is made or reservations to which it is subject or the way in which it is to be taken and the like. To overlook these possibilities in the way once common is called the 'descriptive' fallacy."<sup>15</sup> There is nothing wrong with saying that to make a normative judgement is to claim to state a normative fact, but we should be alert to the possibility that saying this disguises from us that normative judgements have their own distinctive kind of grammar. In particular, as Austin warned us, we need to be alert to the possibility that such judgements are intended, solely or partly, to evince emotion (as the emotivists said) or to prescribe conduct or a kind of life (as the prescriptivists said). One way to be guilty of the descriptive fallacy is to assume that to know the meaning of a normative word like "good" is just like knowing the meaning of "red", namely to know to what we may or may not apply it.<sup>16</sup> So we look for obligations or values, in the same spirit as we might look for sub-species of armadillo. And we assume that if we do not find them *in the world* independently of us, they must be like (not armadillos but) armchairs, things we have *made*. But the assumption is a mistake, the mistake of thinking that language always works in the same kind of way.<sup>17</sup> This is the mistake of those who think they have to move from a rejection of substantive moral realism to a *creative* moral (anti-) realism.<sup>18</sup>

Korsgaard rejects what she calls "substantive moral realism", which is

the introduction of intrinsically normative entities into our ontology.<sup>19</sup> Her central reason for rejecting it is that it is no help with what she calls “the normative question”, with justifying the claim that we have obligations at all. Substantive realism is here simply redundant; it says we have obligations because they *exist*.<sup>20</sup> She does not appeal to Wittgenstein at this point, but her objection is reminiscent of what he says about “idling” or language “going on holiday”.<sup>21</sup> Or we might make the point as Aristotle does, in reply to Plato’s realism about the good, that the form is “of no use” (*mataion*).<sup>22</sup> Substantive moral realism is different from what Korsgaard calls “procedural moral realism”, which grants that there are moral truths, moral facts and moral knowledge, but holds that these are derivative from the procedures by which we answer moral questions. Procedural moral realism is thus constructivist.<sup>23</sup> A procedural realist holds that “there are facts, moral truths, about what we ought to do, but that is not because the actions are intrinsically normative. They inherit their normativity from principles which spring from the nature of the will –the principles of practical reasoning.” The procedural moral realist thinks that there are answers to moral questions *because* there are correct procedures for arriving at them. The substantive moral realist thinks that there are procedures for answering moral questions *because* there are moral truths or facts which exist independently of those procedures, and which those procedures track. Korsgaard construes Kant as a procedural moral realist, in terms of this distinction.

But if we accept the prescriptivist insight I mentioned earlier, we can see that there is a kind of moral realism which lies between substantive moral realism as Korsgaard construes it and procedural moral realism. I want to lay out a proposal on this intermediate ground which I think is both true and consistent with Kant, though I cannot prove that Kant actually held it. I will call this proposal “transcendent moral realism”, for want of a better label. I am relying here on an overall interpretation of Kant’s philosophy which distinguishes three moments in it: empirical realism, transcendental idealism, and transcendent realism. I cannot defend this interpretation here, but it is a traditional one.<sup>24</sup> On this interpretation, the objects of our experience should be construed as real; but when we consider the transcendental conditions of our experience, we have to concede that the objects of our knowledge are constituted under the categories of the understanding. So far the idealism. But Kant does not waver in his commitment to the view that the things in themselves are themselves also real, though they transcend our knowledge. Kant’s position, as I understand it, is that we are entitled to certain beliefs about this transcendent world, because these beliefs are required by what he calls “the fact of reason,” that we are under the moral law. I want to suggest that these beliefs give us a good way to understand the intuition that the good is, so speak, more fundamental than the evil, though our experience is full of both good and evil. According to this intuition, when we will what is good, we repeat or fit a goodness which underlies the universe as a whole. I think this intuition is religiously compelling, though it is obscure as I have stated it. I am going to urge a way of construing it that avoids both substantive moral realism in Korsgaard’s sense and creative moral (anti-) realism.

Transcendent moral realism is quite consistent with the prescriptivist

insight I described above. For us to make a right moral judgement is, on this view, not to state that the noumenal world is a certain way (for example, to state that God wills something), but to repeat in *our wills* the willing of a postulated divine being. Kant's ethics has this vertical dimension throughout his career, and Korsgaard neglects it.<sup>25</sup> The moral law is the law of the Kingdom of Ends of which we are merely members, not the head. Korsgaard glosses the Kingdom of Ends as "the republic of all rational beings", and talks about personal friendship as "a kingdom of two".<sup>26</sup> But it is important to Kant that the relationship between the sovereign and the ordinary members of the kingdom is not symmetrical. "A rational being belongs to the kingdom of ends as a *member*," Kant says in the *Groundwork*, when, although he is the legislator of its universal laws, he is also himself subject to these laws; "he belongs to it as its *head*, when as the legislator he is himself subject to the will of no other."<sup>27</sup> It is important that this passage comes in the *Groundwork* just a few pages before his discussion of heteronomy, which is much more familiar. The head of the kingdom of ends is God, for Kant, and this is a constraint on our interpretation of what Kant goes on to say about heteronomy and divine command. I have argued elsewhere that Kant endorses autonomous submission to God's commands, and that he is objecting in the *Groundwork* not to Divine Command Theory in general but to a particular form of it which he found in Crusius.<sup>28</sup> For now, what is important is that Kant's language about making the law should not be construed as a form of creative (anti-) realism. I will illustrate this by pointing to a more extreme form of expression which Kant allows himself to use, although I think he would have been amazed by some of the interpretations it has been given in the twentieth century. He says, "The righteous man may say: I will that there be a God".<sup>29</sup> What does Kant mean? That we *create* God? No. If we did create God, God would be unable to do what Kant thinks it is morally necessary that we believe God can do, namely to transcend radically the capacities of our intellect and will. It is this transcendence that enables God to play the role of head of the kingdom of ends, where we are merely members of this kingdom. What Kant means by talking of our will is that we *appropriate* God, or make God *our* God. We have to commit ourselves into the hands of this king of the kingdom of ends. Kant is not a creative (anti-) realist about God. He thinks we are required to believe that God exists as creator, ruler and judge. In the same way, when he says that we make the moral law, he is not a creative (anti-) realist about moral obligation or moral value. He is saying that we have to appropriate the moral law, to make it *our* law. This is the first-person perspective that Korsgaard rightly insists upon. The moral law is always a law *for* an agent. But it does not follow from this first-person perspective that "the obligatory is like the visible: it depends on how much of the light of reflection is on." It is the descriptive fallacy which leads to the quest for something analogous to the visible which can be the kind of entity constituted by the agent's reflective endorsement.

We can return, then, to the Mafioso or the Nazi and revise what we should say about his obligations. Does he or does he not have the obligation to do the hideous thing? Immediately the question has to be, who is talking here? If Korsgaard says, "The Mafioso has an obligation to do the



hideous act", then *she* is prescribing. But she gives us abundant evidence that she does not share the Mafioso's practical ideal, and the fact that *he* endorses it does not show that she has to do so. This is why her report that he has reflectively endorsed some ideal does not serve as a source of the normativity of *her* judgement that he has an obligation. We can say that she has reported that *he* has a source for normative judgement as long as we do not interpret this word "source" veridically, to imply that (in our judgement now) there really is such normativity flowing from this source. There is a complication here. It is possible to argue that the Mafioso has a *prima facie* obligation to do whatever he thinks he has an obligation to do, without making the argument depend on creative moral (anti-) realism. I think Korsgaard is not always clear which form of the argument she is using. She quotes Cohen's point, "that there is a real sense in which you are bound by a law you make for yourself until you make another".<sup>30</sup> The point is that I could argue in my own voice that people should be conscientious, meaning that they should do what they think they should do, other things being equal. If I make such an argument, then the "source" of the first person normativity here is *my* endorsing the virtue of conscientiousness; though it will then follow that if the Mafioso thinks he should do some hideous thing, I can use his endorsement as my criterion for the judgement that he should do it, other things being equal (which in this case, I judge that they are not, as shown by *my* use of the term "hideous").

What is the significance of the recognition (*erkenntnis*) of duties as divine commands? I want to make four points about this. First, if one supposes the duty is God's command, then one will suppose that God will make it possible for the duty to be fulfilled. God does not ask a person to do what is impossible. It might be replied that to believe something is one's duty is already to believe it possible, simply because "ought" implies "can"; this will be true whether one recognizes duties as God's commands or not. But while the reply is true, it ignores the point that the kind of assistance that is believed available is different if it is God who is believed to be providing it. There will accordingly be a different assessment of what one's duties can be, as constrained in this way by possibility. A person can believe that she ought to do something (for example, forgive an enemy) even though she cannot do it by her own devices, or by any human devices, but only by God's help. In this case, the required assistance comes inside her, to enable her to will something very difficult. In other cases, the required assistance may come outside her, the removal of some outside impediment. Believing in the possibility of God's assistance changes what we believe morality can demand of us. A subsidiary point here is that we have to believe that we *can* will the good, ranking it above even our own happiness. Believing in the possibility of God's assistance allows us to believe in the possibility of what Kant calls "the revolution of the will", by which this ranking is accomplished.

A second point is that if a person supposes a duty to be God's command, she will suppose that it is consistent with her own happiness in the long run. This is one part of Kant's moral argument. It is already implied by the first point, if the premise is added that we can only will what we believe to be consistent with our own happiness in the long run. The con-

ception of God in Kant's moral argument is of a perfectly rational and omnipotent being, who will therefore bring about the greatest good which is virtue and happiness in strict proportion. But theists who dislike Kant's emphasis on rationality can have a moral argument that emphasizes God's love instead. The conception of the greatest good is a world in which everyone is virtuous and everyone is happy, and this is Kant's translation of the psalmist's idea of righteousness and peace embracing each other (Psalm 85: 10). This is the world, we can say, that a perfectly loving being will create to the extent that it is consistent with the possibility of human beings also choosing evil.

There are, third, the various features of God's character that make possible the successful coordination of the different ends of the different members of the kingdom of ends. God sees into our hearts, and so knows what we really want. God's omniscience also allows knowledge of what is best for us, even if we do not want it, and knowledge (at least on some accounts) of the consequences for the kingdom of the general adoption of the various maxims we propose. God's holiness of the will is not tempted to diverge from what is right by inclination or partiality. So God is able, because of these characteristics, to coordinate the ends of all the members of the kingdom into a coherent whole. There is a difference, therefore, between thinking of a maxim as prescribed by another mere member of the kingdom, and thinking of it as prescribed by the head of the kingdom. We could think of the maxim prescribed by God as what any member would prescribe who was omniscient, omnibenevolent and so on, though there are various conceptual difficulties lurking in these counterfactuals.

Finally, there is the point that God is, in traditional doctrine, Lord of history, and can thus bring the kingdom of ends to its fruition. We can have not merely moral faith but moral hope. Kant says that the kingdom of heaven is represented "not only as being brought ever nearer, in an approach delayed at certain times yet never wholly interrupted, but also as arriving".<sup>31</sup> To recognize our duties as God's command is to see those duties as part of a life which is, so to speak, on the winning side.

Transcendent moral realism thus gives us a robust form of moral realism, which is not open to the central objection Korsgaard raises against what she calls "substantive moral realism". Transcendent moral realism does significant work. It is not mere 'idling'. It makes an important difference to moral life if we believe that we live in a universe that makes sense of our moral efforts. And transcendent moral realism is not merely the expression (in a misleadingly metaphysical mode) of the conviction that the world sustains moral effort. It is not merely the reductive claim that the world can somehow be described in a factual way and that we can then make the judgement that the world (so described) fits our purposes if they are morally permissible.<sup>32</sup> This reductive claim does give a reading to the intuition that there is good undergirding the world, but it is not transcendent moral realism, as I am trying to analyse it. The transcendent moral realist thinks that our purposes, if they are morally permissible, fit the purposes undergirding the world. This is, so to speak, the *direction* of fit. If transcendent moral realism is true, it will also be true that things as they are fit our moral purposes; but this will be a secondary or derivative truth.

A prescriptivist who wants to recognize her duties as God's commands will be careful not to say that "x is my duty" means just "x is commanded by God". Rather, she will say that she aspires, when she prescribes something as her duty, to recapitulate God's prescription for her willing. The claim about meaning is false for a prescriptivist because it is possible for an agent to say "x is commanded by God" *without prescribing x*. (Presumably Satan and his angels are such agents.) One way for the agent to go from the recognition that x is commanded by God to the prescription of x is, in the language I used earlier, to make God *her* God. It is only if she has appropriated God in this way that she can express the prescription that x is her duty by saying "x is commanded by God". If she agrees with Kant's limitations on the reach of human knowledge, she will not claim to know that she is recapitulating God's will; but she will nonetheless aspire to that recapitulation. Autonomy on this reading will be autonomous submission.

Transcendent moral realism is not the claim that we have to think of our morality *as if* it recapitulated the prescriptions of a transcendent moral being, even though there is no commitment within the moral life to the *existence* of such a being. Kant is sometimes interpreted this way, but this is certainly not his view. Indeed, when he says (as already quoted), that the righteous man may say, "I will that there be a God", he is denying this. R. M. Hare takes an "as if" position about the archangel who is the prototypical critical thinker (as opposed to the prole, who is the prototypical intuitive thinker); there is no commitment to the belief that there *is* any such being. The archangel is needed only as a possible being, to make sense of the structure of moral thinking. But for Kant, recognizing our duties as God's commands is like recognizing our true beliefs about the material world as deriving from how things are in themselves. It is not that we should think of our true beliefs *AS IF* there were such a relation to things in themselves, where no belief that there *are* things in themselves is implied. It is true that in the case of duties, as in the case of beliefs, we do not *know* (according to Kant's view of knowledge) that the relation obtains. But to hold a belief true and to recognize a maxim as a duty just is in both cases to be committed to the existence of the relation.

I will end by conceding that there is a danger in transcendent moral realism, that one simply reads off one's ethical views onto the foundation of the universe. This has been the constant tendency of thinkers who have grounded normativity in the structures of creation. They have ended by defending the prevailing power structures of their societies. Reflection on this fact led Karl Barth to say that the Fall of Adam and Eve should be understood as "the establishment of ethics".<sup>33</sup> Barth is not, however, despite appearances, rejecting the whole project of ethical inquiry. He wants to reject a certain notion of autonomy, according to which the human subject is absolutely self-determinative (this would be, in my terms, autonomy without submission); and he wants to replace it with a theological version of ethical realism. Nigel Biggar summarizes the view this way, "Instead of aspiring to equal the Creator and so to play the Lord, it is proper for the human creature to recognize and accept the divine decision, stand upon it, and, by way of repetition, witness to it. It is thus that she acts well. Correlatively, in so far as she seeks to make moral judgements

without reference to the prior judgement of God, in so far as her ethics are not basically an attempt to correspond to that judgement, she recapitulates the original sin of pride."<sup>34</sup>

Korsgaard's work is of seminal importance in the contemporary understanding of Kant's moral philosophy. But her systematic downplaying of the vertical dimension of this philosophy, together with an implicit descriptivism, have led to the false dichotomy between substantive moral realism and creative (anti-) realism which I have discussed in this review. I think Kant's answer to the normative question would go like this. We and God are both authors of the obligation in accordance with the law, though not symmetrically, but neither we nor God are the authors or creators of the law because it does not have a creator at all. Creative (anti-) realism is therefore false. Our own reason binds us unconditionally; but we still have the Idea, beyond the categories of the understanding, of a supreme lawgiver, to whom we have duties but who has no duties to us. We can properly see our duties as *this* lawgiver's commands.<sup>35</sup> This does not make Kant liable either to Korsgaard's objections to substantive moral realism or to Kant's own objection to heteronomy.<sup>36</sup>

#### NOTES

1. Christine Korsgaard, *The Sources of Normativity* (henceforth SN), Cambridge: Cambridge University Press, 1996, p. 91; and *Creating the Kingdom of Ends* (henceforth CKE), Cambridge: Cambridge University Press, 1996, p. 240-1.

2. *Groundwork of the Metaphysics of Morals* (G1) 4: 448. I will give references to Kant by the volume and page number of the Academy edition.

3. G1 4: 446.

4. SN p. 98 (emphasis original).

5. SN p. 232.

6. John Hare, *The Moral Gap*, Oxford: Clarendon Press, 1996, p. 150-169.

7. She concedes this in SN, but this is a change from CKE and, radically, from Kant himself.

8. SN p. 99. The notion of 'domain' could be clarified by using the distinction I have just described between term-positions in a moral judgement.

9. One quick way to make her argument work would be to define reflection in such a way that only the elimination of the individual perspective counts as proper reflection. This is what Tom Nagel does in *The View from Nowhere*. He does this also in his reply to Korsgaard, at SN p. 203, "The external view does not give any consideration to the fact that the person is me - it describes me in terms which would be just as available to someone else sufficiently well informed about me." But the move is too swift. It is possible, as a reflective egoist, to disengage from one's preferences and submit them to the demanding standard of long-term self-interest. (Indeed, for Kant, this kind of reflection requires an *Idea*, which he calls an idea of the imagination). This is not the kind of reflection Nagel has in mind, but he needs an additional argument to show that *his* kind of reflection (which takes us to the moral point of view) is required.

10. SN p. 102-4. Sometimes Korsgaard suggests that all obligations are unconditional, though not all are "deep". Sometimes she distinguishes between obligations which are unconditional and those which are not.

11. SN p. 121. One thing that needs clarifying here is whether it is the *fact* that the agent is a human that does the work or her *recognition* of that fact. See *ibid.* p. 123.

12. SN p. 183. The case is idealized, he says, "because an expert has told me that real Mafiosi don't have the heroic attitude that my Mafioso displays."

13. SN p. 257.

14. See Karl Ameriks, "On Schneewind and Kant's Method in Ethics", *Ideas y Valores*, no. 102 Dec. 1996, p. 48, whose interpretation of Kant "eschews the false dichotomy of 'either imposed by us or imposed by another', ... or the false trichotomy: either imposed by us, or imposed by another, or simply 'perceived' as a natural feature."

15. John Austin, *How to do Things with Words*, Oxford: Oxford University Press, 1965, p. 3. The capitalization "KANT" is original.

16. See R.M.Hare, *Moral Thinking*, Oxford: Clarendon Press, 1981, p. 67.

17. Wittgenstein says, "Don't think, but look!" (PI 66, see PI 24 on different kinds of things we do when we "describe".)

18. I use the awkward coinage "(anti-)realism" because the view is in one way another kind of realism and in one way a kind of anti-realism. Armchairs are real, and so are values if we create them. But if we insist that "realism" refers only to views that endorse the existence of something independent of us, then the creative view is a form of anti-realism.

19. SN p. 36. Korsgaard calls a good maxim "an intrinsically normative entity", at SN p. 108. But this is not a reversal of her rejection of substantive moral realism.

20. Simon Blackburn also makes this point persuasively in "The Flight to Reality", *Virtues and Reasons*, ed. Rosalind Hursthouse *et al.*, Oxford: Clarendon Press, 1995, p. 35-6. I say this is Korsgaard's *central* reason because she has others. Of these the most significant is that she thinks "the metaphysics of the modern world" make substantive moral realism untenable, SN. p. 5. I cannot discuss this here, but I have given a reading of the contemporary debate between moral realism and expressivism in the first of the Stob lectures for 1999, which will be published as *God's Call: Moral Realism, God's Commands and Human Autonomy*, Eerdmans, 2000.

21. *Philosophical Investigations* 38 and 88.

22. *Nicomachean Ethics* I, 6, 1096b20.

23. This is a useful label which can be attached to the version of Kantianism given us by John Rawls and those influenced by him, such as J. B. Schneewind, Barbara Herman and Korsgaard herself.

24. See Heinz Heimsoeth, "Metaphysical Motives in the Development of Critical Idealism" in *Kant: Disputed Questions*, ed. M. S. Gram, Chicago: Quadrangle Books, 1967. For a recent version, used in connection with Korsgaard, see Daniel Guevara, "The Two Standpoints on the Will", *Kantian Review*, vol. 1, 1997, 82-114. Both Guevara and I are influenced by a paper by Robert M. Adams, "Things In Themselves," *Philosophy and Phenomenological Research* 57 (1997): 801-25..

25. She discusses religion briefly in CKE p. 27-35, but her conclusion is, "Optimism is restored, but it is an optimism based on a moral faith in humanity."

26. SN pp 99 and 127.

27. *Gl* 4: 433-4.

28. I argue for this in "Kant's Divine Command Theory", in D. Z. Phillips, ed., *Kant and Kierkegaard on Religion*, Boulder, Colorado: Westview, 2000; and more fully in the third Stob lecture, *op. cit.* (In footnote 20).

29. *KpV* 5: 143.

30. SN p. 257.

31. *Rel.* 6: 134.

32. The prescriptivist does not need to claim that a *purely* factual description of the world can be given. R.M.Hare in fact denies it, "Even our belief in so-called hard facts rests in the end on a faith, a commitment, which is not in or to facts, but in that without which there would not be any facts", in "Religion and Morals", in *Essays on Religion and Education*, Oxford: Clarendon Press, 1992, p. 54. He is referring to our faith or "blik" that, for example, nature is regular or that people like Hitler come to a bad end. We can still distinguish between giving an empirical description and expressing our attitude to that description. What he says about "blik", for example in "Theology and Falsification", *ibid.* p. 38, is intermediate between transcendent moral realism and the reductive claim. He wants to deny an ontological commitment to the supernatural, but he wants to affirm that we should have faith or "an attitude of worship" which is superimposed upon factual beliefs of an ordinary empirical kind.

33. *Church Dogmatics* iv/I: 448.

34. Nigel Biggar, *The Hastening that Waits*, Oxford: Clarendon Press, 1993, p. 8.

35. I am paraphrasing what Kant says at *Metaphysics of Morals* 6: 227, "One who commands through a law is the *lawgiver*. He is the author of the obligation in accordance with the law, but not always the author of the law. In the latter case the law would be a positive (contingent) and chosen law. A law that binds us a priori and unconditionally by our own reason can also be expressed as proceeding from the will of a supreme lawgiver, that is, one who has only rights and no duties (hence from the divine will); but this signifies only the Idea of a moral being whose will is a law for everyone, without his being thought as the author of the law."

36. I want to thank Patrick Kain for comments on an earlier draft of this review.