Georgia State University

ScholarWorks @ Georgia State University

Philosophy Theses   Department of Philosophy

7-18-2008

A Comparative Study of the Ethics of Christine M. Korsgaard and Jean-Paul Sartre

Michael Christopher Zander

Follow this and additional works at: https://scholarworks.gsu.edu/philosophy_theses

Part of the Philosophy Commons

A COMPARATIVE STUDY OF THE ETHICS OF CHRISTINE M.

KORSGAARD AND JEAN-PAUL SARTRE

by

MICHAEL C. ZANDER

Under the Direction of Sebastian Rand

ABSTRACT

Christine M. Korsgaard and Jean-Paul Sartre both locate the source of ethical normativity in human reflective consciousness. Korsgaard's claims that human beings are essentially rational, and that our rational nature is an adequate source of ethical content. Sartre argues that a conception of human nature this minimal is insufficient to provide ethical content, and that we must look to our particular projects and identities to provide moral content. I will argue that Sartre is correct that a view of human nature this minimal is inadequate to generate moral content, but that because Sartre is unable to demonstrate how norms based contingent projects and identities can produce universally binding ethical norms, his theory also fails. The failure of both projects illustrates the weakness of a conception of ethics as universal obligation because it fails by its own standard to produce it goal of universally binding ethical norms with content.

INDEX WORDS: Content, Ethics, Obligation, Korsgaard, Sartre

A COMPARATIVE STUDY OF THE ETHICS OF CHRISTINE M.

KORSGAARD AND JEAN-PAUL SARTRE

by

MICHAEL C. ZANDER

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

Master of Arts

in the College of Arts and Sciences

Georgia State University

2008

A COMPARATIVE STUDY OF THE ETHICS OF CHRISTINE M.

KORSGAARD AND JEAN-PAUL SARTRE

by

MICHAEL C. ZANDER

Committee Chair: Sebastian Rand

Committee: Andrew Altman
William A. Edmundson

Electronic Version Approved:

Office of Graduate Studies
College of Arts and Sciences
Georgia State University
August 2008

TABLE OF CONTENTS

I. Introduction

§ 1. The Content Problem

Christine M. Korsgaard and Jean-Paul Sartre both claim that human beings are the sources of normativity as the creators of moral norms. Using Kant's ethics of autonomy as a starting point Korsgaard and Sartre develop similar arguments that consistency requires we regard human beings as inherently valuable since human beings are the source of value itself. The principal difference between Korsgaard and Sartre is that Korsgaard bases her ethical theory on a universal conception of human nature that is the same regardless of gender, historical period, social class, culture, race, and so forth, treating these differences as inessential where ethics is concerned. Sartre rejects the idea of a universal human nature transcending contingent circumstances in favor of an ethical theory that takes into account the ways in which particular identities and contexts define the interactions between situated reflective consciousnesses. Deploying Sartre's insights on the importance of the circumstances of moral choice and the role of particular identities in ethics, my goal will be to demonstrate that Korsgaard's theory is susceptible to the criticism often made of Kantian ethics that it is too formal and unable to generate ethical content. Following that, I will argue that though Sartre's approach represents an improvement over Korsgaard's in terms of solving the content problem, in the end Sartre's own ethics is also unable to generate universally binding moral content.

I will present both theories as attempts to solve the content problem ascribed to Kantian ethics, and evaluate them in that regard in comparison with each other. Kantian ethics is often criticized for being purely formal and lacking content. Kantian ethics gives us the abstract form of obligation, that I ought to do X as a means to Y, with X being some action leading to some

end Y. Because Kantians argue that obligations must be categorical, that is they must hold for all persons in all possible circumstances, Kantian ethics must be both extremely general and abstract to cover all possible situations. The complaint is that as a result Kantian ethics fails to adequately designate which actions I ought to take and which ends I ought to pursue. The problem is thus explaining how we go from the universal form of obligation to particular obligations sufficiently specific to guide our actions in concrete circumstances.

Korsgaard's theory is rooted in her conception of our shared human identity as rational animals, and that this most general identity is the foundation of universal moral norms that transcend contingent circumstances. Because human beings are rational animals who must reflectively endorse their impulses in order to act autonomously, normativity arises out of the need for human reflective consciousness to have norms to guide actions. Korsgaard ties normativity to identities, and claims that our various identities give rise to binding obligations that may only be violated at the risk of harm to the integrity of those identities. Though according to Korsgaard all identities provide norms, particular identities are too contingent to serve as the foundation for ethical norms. Korsgaard claims that ethical norms must be categorical, meaning that they must hold for all persons in all possible situations, and so she must base ethical normativity on an identity common to all persons. That identity is our most general human identity.

The challenge for Korsgaard is to demonstrate that this most general of human identities provides sufficient content to guide our specific moral choices, while simultaneously presenting a plausible explanation for why our more particular identities may not serve as a basis for ethical obligations. Korsgaard's conception of human nature must be broad enough to encompass all of humanity in order to provide the general moral criteria she needs, and yet must be specific

enough to guide ethical choices in concrete situations. Korsgaard must justify why, though she ascribes normativity to identities such as mother, friend, or citizen, it is only to our identity as human beings that is a proper source of ethical norms. And having rejected the specific obligations tied to such particular identities as a source of moral content, she must demonstrate that obligations based on this most general identity are not so formal that they lack moral content sufficient to guide moral choice in actual practice.

Sartre denies that there is a universal human identity that can serve as the basis for ethics, instead arguing that because human beings have no fixed nature that precedes their existence, ethics is fundamentally the project of creating a meaning and a value for humanity. For Sartre the source of normativity is also human reflective consciousness, but because there is no universal human nature transcending the particular identities and circumstances of individuals, each human being creates an image of what humanity should be through their actions. Sartre claims that freedom is the universal human value that is the source of all other values, but as an abstract value it is not sufficient to yield moral content outside of particular circumstances. Because moral choice always takes place within a particular context, Sartre argues that moral norms must take contingent circumstances into account if they are to be specific enough to guide our actions. Freedom as a value lacks content until we fill it in through particular lived choices. It is thus only through the concrete and contingent projects of situated individuals that the universal value of freedom generates moral content.

The challenge for Sartre is to explain how universal moral obligations are possible without a universal conception of human nature to serve as a foundation for ethics. If we are not all fundamentally the same, with our sameness serving as the ground for shared ethical obligations, then Sartre must provide some other foundation for ethical obligations that is both universal and

binding. Sartre does not want to reduce ethics to a purely individual matter that is nothing more than an expression of personal preference, but to avoid this outcome Sartre needs a shared value that holds for all human beings, regardless of their circumstances, to serve as a basis for ethics. Sartre claims that this shared universal value is freedom, but he must explain how freedom as a norm can generate universally binding ethical content.

The problem is thus to develop an ethical theory that is able to generate ethical norms that are both universally binding and specific enough to serve as a guide in making concrete moral choices. Korsgaard stresses the universal foundation of ethics in a shared human nature as a necessity for categorical moral obligations. Sartre stresses the importance of context and the situated particularity of individuals as necessary for generating content specific enough to guide moral choice in concrete circumstances. I will argue that human nature as conceived by Korsgaard's is too formal and abstract to generate specific ethical content. I will also argue that though Sartre's ethical theory more adequately takes into account the role of the particular in generating ethical content, that freedom as a universal value is also too formal to generate specific ethical content. Though Sartre's project is more successful than Korsgaard's in that it both more clearly grasps the limitations of an ethics of abstract obligation and the importance of context and the particular in generating ethical content, in the end I will claim that both theories are unable to overcome the Kantian content problem because they are unable to overcome the limitations of a conception of ethics as universal obligation.

§ 2. Methodology

I will begin by laying out Korsgaard=s theory in a general way to provide a basis for comparison with Sartre's. This will consist in a brief examination of the central aspects of Korsgaard's theory as explicated in *The Sources of Normativity*. I will then lay out some Hegelian criticisms of Kant's ethics, and argue that Korsgaard's ethical theory is also susceptible to these criticisms. I will examine Kant's ethics proper only as far as necessary to demonstrate the applicability of the Hegelian criticisms of Kant to Korsgaard. Overall, I will attempt to focus as much as possible on the unique aspects of Korsgaard's version of Kantian ethics, as they have interesting parallels to Sartre's own approach to solving the content problem.

I will then lay out the central features of Sartre's early ethics, concentrating on his critique of Kantian ethics in *Existentialism and Humanism* and the posthumously published *Notebooks For An Ethics*.[1] Presenting a definitive ethical theory is impossible where Sartre is concerned, as Sartre never completed the ethical project the *Notebooks* were intended to become.[2] Sartre abandoned this project as too individualistic and idealistic, meaning that it was too abstract, formal, and Kantian.[3] Sartre's ethical thinking underwent further revisions and developments following the publication of the *Critique of Dialectical Reason,* where Marxism become a more dominant thread in his ethical thought.[4] My interest for the purposes of this thesis is primarily with Sartre's critical engagement with Kantian ethics, and the implications that his criticisms of Kant have for Korsgaard's modified version of Kantian ethics. For this reason I will confine

---

[1] Though Sartre's early ethical project remains uncompleted, the materials available are sufficient to present an approximation of Sartre's theory through reconstruction of the above mentioned texts. It is perhaps best to term this theory *Sartrean*, rather than explicitly Sartre's, due to the extensive interpretation necessary by both various Sartre scholars and myself to draw out this theory. For simplicity's sake and because of my belief that this theory is generally what Sartre had in mind, I will continue to refer to it as Sartre's theory.
[2] Anderson, Thomas C., *Sartre's Two Ethics: From Authenticity to Integral Humanity.* (Chicago: Open Court, 1993), p. 43. Cited hereafter as *TE.*
[3] *TE,* p. 87.

myself almost entirely to Sartre's early ethics, which presents a detailed critical encounter with Kant's ethical thought. I will mention Sartre's later Marxist ethics only briefly in order to demonstrate that Sartre himself thought his early ethics was still too abstract and formal, and to show that the initial moves he made in his early ethics towards the concrete were pushed further in that direction in his later ethics.

Following a general description of Sartre's early ethics, I will begin a comparison of both Korsgaard's and Sartre's positions on key issues. Through a comparative analysis of the two theories I will draw out the role that universal human nature and particular identities play within their shared framework of an ethics based on human reflective consciousness. Next I will argue that though Sartre's emphasis on the importance that situatedness plays in ethics presents a substantial improvement over Korsgaard's more abstract approach, Sartre's theory is still susceptible to the charge of Kantian formalism. Finally, I will suggest that an ethics based on universal obligation will likely always be susceptible to this problem, and that Sartre's attempt at solving it points to the necessity of a fuller view of what it means to act morally within a situation in order to generate an ethics with adequate moral content for practical application.

---

[4] *TE*, p. 88.

II. Korsgaard's Ethics

§ 1. Korsgaard's Model of Autonomy

Korsgaard explains autonomy, or the freedom of the will, in terms of what she calls reflective endorsement. Korsgaard claims that for a will to be free it must be self-directed, which is to say it must legislate for itself, or provide rules for its own actions. If desires, impulses, or reasons exterior to the will were what caused the will to act it would not be free, but instead determined by these external causes. The autonomous will must thus be able to form principles for itself by which to test whether an impulse is an acceptable reason for action. Korsgaard explains: "Each impulse as it offers itself to the will must pass a kind of test for normativity before we can adopt it as a reason for action."[5] Because human consciousness is essentially reflective "we human animals turn our attention on to our own perceptions and desires themselves, on to our own mental activities, and we are conscious of them."[6] Self-consciousness leads to a need for normativity "for our capacity to turn our attention to our own mental activities is also a capacity to distance ourselves from them, and to call them into question."[7] We no longer act automatically on our desires and impulses as reflective distance calls into question whether we should act upon them, whether we should reflectively endorse them as acceptable motivations for action.

Legitimate motivations for the will to act are reasons, or as Korsgaard defines it, "The normative word 'reason' refers to a kind of reflective success."[8] We have an impulse to act, but we do not do so automatically because the reflective distance created by the structure of human

---

[5] Christine M. Korsgaard, *The Sources of Normativity*. Edited by Onora O=Neill. (Cambridge: Cambridge University. Press, 1996), p. 91. Hereafter cited as *SN*.
[6] *SN*, p. 93.
[7] *SN*, p. 93.
[8] *SN*, p. 93.

consciousness calls the impulse into question. The impulse must be evaluated against some norm or standard to determine whether it can pass the test of reflective endorsement, and if it does we have a reason to act. But by what standard do we evaluate impulses to determine whether they qualify as reasons for action, and through what process does successful reflective endorsement occur? This is the question Korsgaard will attempt to address.

Korsgaard, following Kant, uses the concepts of law and causality as the basis for her explanation of how reflective endorsement occurs. Korsgaard lays out Kant's position as follows: "He defines a free will as a rational causality which is effective without being determined by an alien cause. Anything outside of the will counts as an alien cause, including the desires and inclinations of the person. The free will must be entirely self-determining. Yet, because the will is a causality it must act according to some law or other".[9] Reasons or motivations to act must be endorsed by the will through a reflective process thereby making them the will's own, and since a will as a causality must be guided by a law, some rule or principle must be used by the will to evaluate impulses and determine whether they count as acceptable motivations for action.

A principle or rule is thus needed for the process of reflective endorsement to proceed, but the principle must be one the will gives to itself if the will is to remain free of external control. Korsgaard explains, "Since reasons are derived from principles, the free will must have a principle. But because the will is free, no law or principle can be imposed on it from outside. Kant concludes that the will must be autonomous: that is, it must have its *own* law or principle."[10] This is the case because "until the will has a law or principle, there is nothing from

---

[9] *SN*, p. 97.
[10] *SN*, p. 98.

which it can derive a reason."[11] Once a law or principal has been chosen the process of

reflective endorsement becomes a matter of producing reasons from principles, in essence

making the impulses a cause of action for ourselves by acknowledging that they are compatible

with our principles and thus acceptable motivations for action.

    The question raised at this point then becomes, "What principle should I choose for myself?"

Korsgaard's initial answer to what principle a free will must choose is found in the particular

formulation of Kant's categorical imperative known as the Formula of Universal Law: "The

categorical imperative, as represented by the Formula of Universal Law, tells us to act only on a

maxim which we could will to be a law."[12] That is to say, we should choose a principle or

maxim that we would be willing to have hold universally for everyone, one that we would be

willing to have as a universal law governing everyone's actions. This is a formal constraint

imposed by the nature of willing, according to Kantian sense of laws as universal. The will

requires a law to act, and because all laws are universal they should be equally binding on all

rational beings.

    This formulation of the categorical imperative does not provide specifics as to the content of

the law to be chosen, but merely requires that it be in the form of a law. The Formula of

Universal Law, which Korsgaard refers to as 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*."[13] The Formula of Universal Law

recognizes the formal structural requirement that the will as a causality must act in accordance

with a law. But something more is needed for reflective success because reflective endorsement

requires normative content that is specific enough to guide our actions in concrete situations.

---

[11] *SN*, p. 98.
[12] *SN*, p. 98.

Something is required beyond the formal structure of a law required for willing, as some criterion is needed to distinguish moral actions from immoral ones.

Because innumerable principles fit the formal requirements necessary to count as laws, the categorical imperative has often been criticized for providing no specific moral content. Korsgaard acknowledges that any law is universal, and that because of this the categorical imperative allows for widely divergent principles to serve as a basis for action:

> 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 desire 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.[14]

To state this in a way that is perhaps clearer, there are various principles that a person could will as a universal law without violating the formal constraints of the Formula of Universal Law. If a person wills that everyone should follow the principle that each of their desires is a reason to act, they have willed the universal law of impulsiveness, or the law of the wanton. If a person wills the principle that everyone should act only on those desires that respect their own humanity but without consideration for the humanity of others they have willed the universal law of the egoist. And if a person wills the principle that everyone should act only on those desires that respect all people's humanity, they will have willed the moral law. All that is required of the principle is that it be in the general form of a law, and a wide variety of principles meet the formal constraint of generality.

Korsgaard is looking for something more than limited formal constraints described above. Her aim is to demonstrate that we should choose a principle with moral content. Korsgaard believes we are obligated to choose the moral law as our principle. For this demonstration she believes another of the formulations of the categorical imperative, the Formula of Humanity, is

---

[13] *SN*, p. 99.
[14] *SN*, p. 99.

required. A free will is the first requirement of reflective success, but it is not enough by itself; reflective success also requires acting in accordance with an ethically normative principle, or the moral law. [15]

Korsgaard explains: "Kant thought that we could test whether a maxim could serve as a law for the Kingdom of Ends by seeing whether there was any contradiction in willing it to be a law which all rational beings could agree to act on together."[16] The Kingdom of Ends was Kant's way to designate the community of all rational beings. Kant believed that any free will reasoning correctly would come to the same conclusions, and therefore all rational wills would necessarily develop the same principle as a guide to their actions. Korsgaard wants to present an updated set of arguments to demonstrate that we must accept the moral law based on a conception of human nature as essentially rational. Her arguments do not depend on Kant's concepts of pure reason or a priori principles, but rather on a description of human nature. Kant thought human nature too contingent a basis for morality, but Korsgaard believes that by using human nature as the foundation for morality she can provide a less formal and abstract basis for ethics while retaining its universal quality. This is the central project of *The Sources of Normativity*: establishing Kant's ethics of obligation based on a naturalistic conception of human beings as rational animals.

---

[15] Korsgaard in making a distinction between what she calls the formal law of a free will as represented by the Formula of Universal Law, and the more substantive moral law as represented by the Formula of Humanity. Kant thought these two linguistic formulas were two ways of saying the same thing, and were in fact equivalent. Korsgaard departs from Kant in claiming that the different forms of the categorical imperative are not equivalent, but agrees that one of Kant's formulations of the categorical imperative, the Formula of Universal Law is necessarily the law of a free will. She claims that it is formal or lacking in content. Another of Kant's formulations of the categorical imperative, the Formula of Humanity, she claims does have moral content. The former she now refers to as the categorical imperative, and the later she calls the moral law, though Kant himself would have considered both as versions of the categorical imperative. The reason Korsgaard makes this distinction is that she believes the common criticism of Kantian ethics that it is purely formal and lacking in content comes from conflating the two formulations as the same principle, which she believes they are not. The Formula of Universal Law is formal rather than substantive, but the Formula of Humanity has content.

§ 2. Practical Identity and Normative Content

The normative claims of morality, as Korsgaard rightly observes, originate in self-consciousness. Initially, self-consciousness gives rise to self-identity: "The reflective structure of the mind is a source of 'self-consciousness' because it forces us to have a *conception* of ourselves."[17] The result is the formation of what Korsgaard terms a practical identity, "a description under which you find your life to be worth living and your actions to be worth undertaking."[18] This is not a single simple description of ourselves, but rather a complex set of identities formed through the various ways in which we make sense of who we are. "You are a human being, a woman or a man, an adherent of a certain religion, a member of an ethnic group, a member of a certain profession, someone's lover or friend, and so on."[19] Any of these various identities have built into them a degree of normative content, and the requirements of living up to norms of these identities are the basis of the normative obligations we place on ourselves. That is to say, "All of these identities give rise to reasons and obligations. Your reasons express your identity, your nature; your obligations spring from what that identity forbids."[20]

Korsgaard addresses identity and the threat of loss of identity in terms of integrity. She writes, "Integrity is oneness, integration is what makes something one. To be a thing, one thing, a unity, an entity; to be anything at all: in the metaphysical sense, that is what it means to have integrity. But we use that term for someone who lives up to his own standards."[21] To violate the unconditional obligations that arise out of our central conceptions of ourselves "is to no longer be able to think of yourself under the description under which you value yourself and find your

---

[16] *SN*, p. 99.
[17] *SN*, p. 100.
[18] *SN*, p. 101.
[19] *SN*, p. 101.
[20] *SN*, p. 101.
[21] *SN*, p. 102.

life to be worth living and your actions to be worth undertaking."[22] If we violate the norms of

our practical identities, then our conceptions of ourselves start to fragment and shatter, and this is

the threat of not living up to the normative obligations built into the ways in which we conceive

ourselves.

　One might object, however, that our self-identity is not that fragile, and therefore obligations

based on our practical identities are not that strong. For example, what of the person who claims

a few exemptions they are not entitled to on their tax returns, or who breaks the speeding laws

although they know these things violate the norms of good citizenship? Do these people really

risk destroying their identities as citizens? Korsgaard acknowledges "that you can stop being

yourself for a bit and still get back home, and in cases where a small violation combines with a

large temptation, this has a destabilizing effect on the obligation. You may know that if you

always did this sort of thing your identity would disintegrate…but you also know that you can do

it just this once without any such result."[23] Identity need not fragment over minor lapses, or

perhaps even major lapses if they are infrequent enough, as our practical identities are too stable

to collapse that easily. If we continuously violate the norms of our identities in minor ways, or

commit major violations of those norms, then we will inevitably start to wonder if we are the

type of person we once thought we were.

　Another problem arises when different ways in which we value ourselves come into conflict,

such as when being a good citizen by obeying the laws of our country would involve

participating in an unjust law that violates our identity as human beings. Korsgaard

acknowledges "that some parts of our identity are easily shed, and, where they come into conflict

---

[22] *SN*, p. 102.
[23] *SN*, p. 102.

with more fundamental parts of our identity, they should be shed."[24] Korsgaard uses the

example that "a good soldier obeys orders, but a good human being doesn't massacre the

innocent."[25] In a situation like this a soldier would be right to disobey orders, that is, to place his

human identity as more fundamental than his identity as a soldier. Likewise, civil disobedience

to unjust laws in order to end segregation places our identity as human beings before our identity

as citizens.

But if we are looking for a principle to choose as the law of a free will, how are we to judge

which of our practical identities are the most essential? Korsgaard acknowledges that most of

our identities are contingent and relative; for instance, we may be born into a family that is part

of a particular religious sect, and we may at some point renounce this membership. The norms

of this identity do not hold for everyone, but rather only for the members of that sect, and we

could abandon these norms. Likewise the duties of citizenship in a particular nation may vary

substantially from those of another nation, and by changing our citizenship, we would change

our obligations. Such contingent identities, though giving rise to norms, are unable to provide a

stable basis for ethics. They also provide no criteria for choosing between various identities

where a moral conflict arises between them.

But Korsgaard argues there is one identity that we all share, one which is not contingent or

local, that is also the foundation of all our other identities: our identity as human beings. It is

upon the norms of this identity that our acceptance of the moral law, the Formula of Humanity,

as the principle of a free will is based. By human identity Korsgaard means "a reflective animal

who needs reasons to act and live."[26] Reflective endorsement depends on our practical identities

as, "we endorse or reject our impulses by determining whether they are consistent with the ways

---

[24] *SN*, p. 102.
[25] *SN*, p. 102.

in which we identify ourselves."[27] Because of our reflective nature, all of our practical identities are based on the human need for reasons for action as evaluated through reflective endorsement of impulses, and therefore all of our other identities are dependent on our foundational human identity.

Korsgaard rejects moral realism and the idea that the objects we choose as ends are intrinsic goods. This is because "Were it not for our desires and inclinations – and for the various physiological, psychological, and social conditions which give rise to those desires and inclinations – we would not find their objects good." [28] Because we are the source of all values, the objects we choose as ends have no inherent worth in themselves, but acquire value from us. As the source of all values, if anything is to be valued at all we must value ourselves. To value anything else while not valuing the source of value itself would be inconsistent. Or as Korsgaard states it: "the value of humanity itself is implicit in every human choice…if there is such a thing as a reason for action – then humanity, as the source of all reasons and values, must be valued for its own sake."[29]

So we see that Korsgaard's claim is that we must value ourselves if we value anything, but how does this demonstrate that a free will must accept the moral law as our principle? Because Korsgaard regards human nature as essentially rational, we must avoid contradiction if we are to retain our humanity. Because of this if we value our own humanity as a source of values, then we must value the humanity of others as well. That is, "Since I regard my humanity as a source of value, I must in the name of consistency regard your humanity that way as well."[30] Just as I am an end as a source of values, so also are other people ends in themselves, and thus they must

---

[26] *SN*, p. 121.
[27] *SN*, p. 120.
[28] *SN*, p. 122.
[29] *SN*, p. 122.

be treated in accord with the moral law that I must treat them always as ends and never simply as means. To do otherwise would be to contradict ourselves, and thereby to damage the integrity our own human identity.

---

[30] *SN*, p. 133.

III. The Formalism Objection

Kant's ethics has often been criticized for being excessively abstract and lacking in specific

moral content. Kant's claimed that the universal and formal was the essential in ethics, and that

the particular or concrete was inessential. This was because Kant thought that anything that was

contingent would be too uncertain a basis for ethics. A proper foundation for ethics would have

to be categorical, which is to say it must hold for all persons regardless of circumstances. But

because an ethics that is abstract enough to cover any and all circumstances must necessarily

lack specificity, it has been criticized as purely formal and lacking in content. The objection is

that Kantians must either be content with an ethics that is so abstract that it is inadequate to serve

as a guide for actions in actual practice, or they must surreptitiously bring in content from the

particular identities and circumstances which they have already rejected as inessential. The

critics claim that both Kant and his followers have in fact incorporated elements of the particular

and contingent into their ethics in order to generate content, and in so doing they have

contradicted themselves. In this section I will first describe this objection to Kant's own

philosophy, and then suggest why it also applies to Korsgaard's modified version of Kantian

ethics.

This line of criticism, first put forward by Hegel, is developed ably by F. H. Bradley. Bradley

describes the goal of Kantian morality as the realization of the good will, which is a will that is

free, autonomous, and universal.[31] Bradley describes formality as the essential characteristic of

the good will: "In formality we see they are all one. I am autonomous only because I am free,

free only because I am universal, universal only because not particular, and not particular only

when formal."[32] The will is free, autonomous, and universal only because it is formal and not

---

[31] Bradley, F. H., *Ethical Studies*, 2nd ed. (Oxford: Oxford University Press, 1927), p. 144. Cited hereafter as *ES*.
[32] *ES*, p. 144.

determined by anything particular or contingent, but a will that is formal is also without content and empty. To illustrate this point further Bradley notes the characteristics of a universal standard, which must be equally formal if it is to be categorical and hold regardless of any contingent circumstances:

> Such a standard is a form or it is nothing. It is to be above every possible this or that, and hence can not be any this or that. It is by being *not* this or that, that it succeeds in having nothing which is not common to every this and that. Otherwise there would be something which would fall without its sphere; it would be only one thing among others, and so would no longer be a standard. But that which can be common to everything is not matter or content, but form only.[33]

To be universal, Kant's standard must have a domain that covers every possible contingency, but in so doing it must not contain anything limiting in the form of particular content.

In formulating both a moral end and a moral standard that are beyond all particularity and contingency, Kant created an ethics that is both universal and empty of content. If this were the totality of Kant's ethics it would be both consistent and completely useless in concrete circumstances. But as Bradley observes, "I am not mere form; I have an 'empirical' nature, a series of particular states of the 'this me', a mass of desires, aversions, inclinations, passions, pleasures, and pains, what we may call a sensuous self. It is in this self that all content, all matter, all possible filling of the form must be sought."[34] As described by Korsgaard, Kantian ethics supplies content by running the particular impulses of our phenomenal selves through the formal test of non-contradiction, and rejecting any contradictory impulses brings our phenomenal self into accord with the model of the formal good will. Where the formal self and the particular self come into conflict, the formal self must prevail if we are to be moral. Or as Bradley describes it, "Morality is the activity of the formal self forcing the sensuous self."[35]

---

[33] *ES*, p. 145.
[34] *ES*, p. 145.
[35] *ES*, p. 146.

Kantian morality may be summed up as follows: "Do not contradict yourself, i.e. let all your acts embody and realize the principle of non-contradiction; for so only can you realize the formal will which is the good will."[36] The problem is that the formal will must transcend all particulars to meet Kant's definitions of what it means for the will to be free, autonomous, and universal, and yet for the good will to have content it must be realized through our sensuous self. But the sensuous self is the phenomenal self in space and time, and "the predominant character of existence in space and time is, in one word, its particularness, what is ordinarily called its concreteness, the infinitude of its relations."[37]

This leads to the basic contradiction of Kantian morality, that for it to be practically useful it must provide content, and yet for it to be categorical it must remain formal and empty. Or as Bradley describes it, "'Realize non-contradiction' is the order. But 'non-contradiction' = bare form; 'realize' = give content to: content contradicts form without content, and so 'realize non-contradiction' means 'realize a contradiction'."[38] If a Kantian is content to leave morality as a thing of the abstract and atemporal noumenal world, then they have a consistent but practically useless morality; if they wish to realize it in the phenomenal world of time and space, then they must give it content, and in trying to realize universal form through particular content they seek to bring about a contradiction.

It is likely this concern about explaining how it is possible produce a universal form with particular content, as much as developing a Kantian theory that is compatible with the prevailing naturalism of contemporary philosophy, that motivated Korsgaard to put forward a version of Kantian morality founded on a view of human beings as rational animals. Kant rejected human nature as too contingent a basis for morality, but Korsgaard's human identity theory presents a

---

[36] *ES*, p. 148.
[37] *ES*, p. 149.

novel approach to explaining how Kantian formalism generates particular moral content. Because it is founded on a naturalistic description of human nature Korsgaard's version of Kantianism initially appears better suited to explaining how we may realize the formal good will within our phenomenal sensuous selves. Placing a naturalistic yet universal conception of human nature as the foundation for morality presents the promise of retaining the generality characteristic of Kantianism while explaining how particular moral content that is useful in practical moral decision making is generated.

The problem is that the essential human identity that serves as the foundation for morality in Korsgaard's theory is so abstract and general that it is as empty and formal as Kant's description of the good will. A human identity that is elastic enough to apply to every human being who has yet or will ever live, regardless of race, gender, ethnicity, class, historical situation, and so on is too general to generate moral content.[39] And the particular identities that might generate particular moral content Korsgaard rejects as too contingent a basis to produce an adequately categorical Kantian morality. Korsgaard has thus recreated the Kantian contradiction of trying to realize the formal as the particular by proposing a formal definition of human identity and then giving it content by attempting to realize it in individual human beings in all their particularity and concreteness. The particular is secondary and must give way to the universal, but if the universal in all its formality is to have content it must depend on the particular to supply it. And thus the particular becomes the essential, and Korsgaard must look to the particular identities she rejected as a source of moral content to provide it, or leave her ethics without content.

---

[38] *ES*, p. 151.

[39] One might object that surely even this thin of an identity would be enough to preclude murder. But what is murder other than wrongful killing? No serious person is likely to argue in favor of the rightness of wrongful killing, as by definition it is already morally suspect. But if some killing is wrongful and other types of killing are justified, then we are presented with the problem of determining which particular circumstances would lead to a determination of wrongful versus justified killing. These are the types of judgments that an ethics of abstract obligation is ill suited to handling.

To develop this idea further, consider this restatement by Bradley of his objection to Kantian morality:

> What duty for duty's sake really does is first to posit a determination, such as property, love, courage, &c., and then to say that whatever contradicts these is wrong. And, since the principle is a formal empty universal, there is no connexion between it and the content that is brought under it...Thus to get from the form of duty to particular duties is impossible. The particular duties must be taken for granted, as in ordinary morality they are taken for granted.[40]

Applying this objection to Korsgaard's own example of a good soldier following orders, but a good human being not killing the innocent, we see the same pattern. In this case, Korsgaard assumes the norm not to harm the innocent. But to know what innocence means in this context is to assume the rules of warfare and the norms that dictate different treatment of combatants and civilians. To say that a generic human being has moral duties is to say nothing other than that he must will in the form of a law, and it is only by incorporating particular identities that moral content can be produced. Korsgaard asserts that the generic human identity is the foundation of moral values while our particular identities may not be while simultaneously assimilating the moral content that comes from the particular norms and practices associated with identities such as soldier and civilian.

Korsgaard *necessarily* must assume certain social practices and the values associated with them if she is to produce particular moral content, because what it means to treat someone as an end in the abstract is unclear. This is why Korsgaard adopts the meaning of innocence above as it has been formed within the context of certain particular social practices and the norms associated with them. What it means to treat someone as an end depends upon circumstances and particular identities, as an enemy combatant presumably has the same human identity that a civilian does, and some justification for treating them differently is required. The soldier knows to treat an enemy soldier differently than a civilian, and what counts as "innocence" in this

situation, exactly because of the particular identities of the individuals involved. But rather than acknowledging the role played by particular identities in providing norms in this case, Korsgaard instead unconvincingly characterizes them in terms of norms tied to the soldier's human identity. Because Korsgaard insists morality is categorical and transcends any particular contingent circumstances, she has first reduced the particular to the inessential, and then through the backdoor borrowed moral content precisely from the particular identities and associated norms she rejected as unsuitable to provide a basis for morality. Circumstances matter for ethics in a way that the Kantian determined to find a categorical rule beyond circumstances is unable to account for.

---

[40] *ES*, p. 156.

IV. Sartre's Ethics

§ 1. Abstract Norms Lack Content

Sartre's early ethics starts from a position of agreement with the basic Kantian ethical insight that one should "never regard another as a means, but always as an end."[41] But, Sartre objects, "If values are too uncertain, if they are still too abstract to determine the particular, concrete case under consideration, nothing remains but to trust in our instincts."[42] Sartre is here accepting the Hegelian criticism that the formality of Kantian ethics leaves it empty of content, and as a result no obligations specific enough to guide particular moral choices are designated. Because Kantian morality is too abstract to give specific moral content based on its formal guidelines alone, in the end all it can do is endorse or reject whatever arbitrary impulses, identities, and social practices it is confronted with based on the contingent circumstances of the individual. In this way what the Kantian rejected as too contingent to act as the basis of morality becomes the source of moral content, and thus the essential in ethics. Sartre's goal is to retain the Kantian insight that we must respect others as ends, while avoiding the Kantian problem of being unable to explain in concrete terms what that means.

Sartre's existentialist ethical theory attempts to avoids the charge of empty formalism leveled against Kantians by demonstrating how the universal nature of moral willing interacts with concrete circumstances to create moral values. Elaborating on his views on Kantian ethics, Sartre writes the following: "Although the content of morality is variable, a certain form of this morality is universal. Kant declared that freedom is a will both to itself and the freedom of others. Agreed: but he thinks that the formal and universal suffice for the constitution of a

---

[41] Sartre, Jean-Paul, *Existentialism and Humanism*, in *Basic Writings*, edited by Stephen Priest. (London: Rutledge, 2001), p. 36. Cited hereafter as *EH*.
[42] *EH*, p. 36.

morality. We think, on the contrary, that principles that are too abstract break down when we come to defining action."[43] Sartre thus agrees with Kantians that the form of morality, and of moral willing, is necessarily universal. The problem is that because ethical "content is always concrete, and therefore unpredictable; it has always to be invented."[44] For example, it is easy enough to grant that treating someone as an end would mean not murdering them. But not all killing is murder, and not killing to protect an innocent from a sociopath might in fact be wrongful, so a blanket universal rule to never kill anyone seems unworkable. There is a difference between killing for profit and killing in self-defense, and in these differences there is exhibited a variable element in determining what counts as moral in a given situation that cannot be decided in the abstract. At the same time, there is a danger of having normativity swallowed up by contingency if all actions are ethically equivalent because there is no non-relative context independent criterion through which a moral judgment can be made. The challenge for Sartre is thus to find a way to explain how universal ethical form is expressed through particular ethical content in a way that retains normativity.

§ 2. Human Nature as Formal

To understand Sartre's ethical theory it is best to start with his rejection of the notion of a universal human nature that may serve as a foundation for moral norms. Sartre does not accept the notion "that each man is a particular example of an universal conception, the conception of Man."[45] He then notes that "in Kant, this universality goes so far that the wild man of the woods, man in the state of nature and the bourgeois are all contained in the same definition and have the same fundamental qualities."[46] This view sees man's essence as transcending any historical

---

[43] *EH*, p. 32.
[44] *EH*, p. 52.
[45] *EH*, p. 27.
[46] *EH*, p. 27.

epoch or particular circumstances. All human beings, regardless of gender, race, nationality, or historical period are fundamentally the same. Any differences between them are secondary, and where morality is concerned inessential.

Sartre's ethics originates from the contrary position that in the case of human beings existence precedes essence. Sartre writes: "Man first of all exists, encounters himself, surges up in the world – and defines himself afterwards. If man as the existentialist sees him is not definable, it is because to begin with he is nothing. He will not be anything until later, and then he will be what he makes of himself."[47] Individual persons come into the world without an essential nature that precedes their existence. As a result, each person must form their own conception of what it means to be human.

Sartre sees this as a natural consequence of his atheism and rejection of metaphysical values. Sartre restricts his philosophy to the phenomenal world, and as a result he has no recourse to a supernatural creator to fashion man in his own image, and to thereby fill in the content of what it means to be human. Traditionally, God conceived of as creator played the key role in ethics by providing man with a set nature to live in accordance with:

> When God creates he knows precisely what he is creating. Thus, the conception of man in the mind of God is comparable to that of the paper-knife in the mind of the artisan: God makes man according to a procedure and a conception, exactly as an artisan manufactures a paper-knife, following a definition and a formula. Thus each individual man is the realization of a conception in the divine understanding.[48]

But because the essence of each particular human being would already exist before they are born, their true nature is determined in advance, and any lack of coincidence between the particular man and the universal conception of man must be a failure of the individual to live up his true nature. Man's nature would therefore provide an objective criterion for ethical criticism of the individual who fails to conform to the universal conception of Man.

---

[47]*EH*, p. 28.
[48] *EH*, p. 28.

But "if God does not exist there is at least one being whose existence comes before his essence, a being which exists before it can be defined by any conception of it."[49] That being, of course, is man. With no creator to define human nature in advance, each person is left to form their own conception of what it means to be human. And because the individual is forming a conception of humanity in general, this conception once formed is projected universally to all human beings.

§ 3. Freedom and Normativity

The foundation of Sartre's ethics is the human condition as defined by a formal human consciousness embodied in a concrete situation world. Human consciousness is free because it is formal. Because it is nothing by itself it represents a negative break with the causality of being. This break with being and causation provides the reflective room necessary to form an ideal image of the world as we think it ought to be, and to shape it accordingly. Because being is indifferent to value, it must be human consciousness in its negativity that is the source of value. Our ability to imagine alternative states of being and value some of those states over others creates normativity.

Because human consciousness by itself is formal, it is empty without the world it reflects. Values are formed through formal freedom willing that certain concrete states of being should come to be instead of others. Values are therefore a synthesis of human consciousness and its objects willed as ends. These values are exemplified by our projects through which we try to realize our ideal image of the world by acting upon it. While it is possible to form abstract principles based on the values we create through our actions, it is our concrete choices that Sartre believes should be the focus of ethics.

---

[49] *EH*, p. 28.

Sartre does not offer a particular conception of human nature because his conception of the human subject as free consciousness embodied in the world is insufficient to provide one. Individual human beings find themselves in particular historical and cultural environments, and human formal freedom expresses itself in terms of its context such that there are many competing conceptions of human nature. Because there is no given human nature that transcends all periods of human history and cultures, human beings are left to create an ideal image of humanity through their actions just as they create and idea image of the world. Moral willing, being universal in its nature, requires that when we will something as a good for ourselves we also will as a good for others. But because circumstances matter in ethics the moral norms that we create are willed as moral goods only for those in similar situations. When we act we form an image of how all human beings should act in the same circumstances. Our particular actions form examples for others to emulate, and we should act only as we would wish all other people to act in similar circumstances. We, in effect, form an image of human nature as we would have it be through our concrete actions.

Sartre sees normativity as originating from human consciousness, and human freedom as the foundation of all values. In Sartre's philosophy consciousness plays a role similar to that played by the will in Kant's philosophy: it is the source of freedom because of its negative break with being, but because it is formal it is lacking in content without the world it reflects. Sartre therefore claims that moral willing, to have content, must be in the form of the willing of concrete ends in the world. It is not enough to will general principles as these are too abstract to give concrete content, but instead we will our values in terms of the projects we carry out in the world.

In order to illustrate this point, Sartre uses the example of the coward and the hero. One could say the project of becoming a coward or a hero is the project of embodying the values of cowardice or heroism through an identity we create for ourselves through our actions. Sartre explains, "The existentialist, when he portrays a coward, shows him as responsible for his cowardice…He is not like that on account of a cowardly heart or lungs or cerebrum, he has not become like that through his physiological organism; he is like that because he has made himself into a coward by his actions."[50] Sartre's claim is that the acceptance of the total responsibility for what we become is a consequence of freedom that is not easy to face. And it is no better for the hero than it is for the coward:

> If you are born cowards, you can be quite content, you can do nothing about it and you will be cowards all your lives whatever you do; and if you are born heroes you can again be quite content; you will be heroes all your life, eating and drinking heroically. Whereas the existentialist says that that the coward makes himself cowardly, the hero makes himself heroic; and that there is always the possibility for a coward to give up cowardice and for the hero to stop being a hero. What counts is the total commitment, and it is not by a particular case or particular action that you are committed altogether.[51]

It is thus the continued commitment to a particular course of action, and the accumulation of actions over time, that makes one a coward or a hero, and the possibility always remains that one will abandon the prior commitment in favor of a new project.

§ 4. The Source of Values

Sartre's central claim is that all individuals, being free, are forced to invent morality for themselves. Sartre argues that reflective consciousness requires that we must value something if we are to act at all. But because the world does not contain values other than through man, we must create values rather than discovering them. Reflective consciousness requires reasons to act. If values are not to be discovered existing either a priori or as readymade entities in the world, then our only option is to create values for ourselves.

---

[50] *EH*, p. 37.

Sartre writes, "A platonic Good that would exist in and by itself makes no sense…It would be contradictory as an aberrant synthesis of being and ought-to-be."[52] This is a result of Sartre's view of being as a pure positive plenitude. To speak of the Good is to speak of how things should be, as opposed to how they are, and this makes no sense with regard to something that can only be what it is. The ought-to-be of the Good only has meaning for a being that is capable of being what it is not, that is to say, man. Which is to say that normativity enters the world through human beings; we are the sources of normativity.

Sartre's belief that human beings are the sources of normativity is revealed in the following assertion, "Every act, in effect, presupposes a separation and a withdrawal of the agent in relation to the real and an evaluating appraisal of what is in the name of what should be. So man has to be considered as the being through which the Good comes into the world."[53] The Sartrean conception of the Good is not that of a judgment as to the logical consistency of principles, but rather, as a positing of what ought-to-be as opposed to what is. To choose the Good is thus fundamentally to create the world as we would have it be, to transcend Being as it currently is. This is because, "Subjectivity finds its meaning outside of itself in this Good that never *is* and that it perpetually realizes...For it is always through the transcendent that I define myself."[54]

And because of the general character of moral willing, not only do we define ourselves through the transcendent Good we will, but through it we also form a conception of Man. In so doing we will that our Good also be the Good of mankind generally, and so will that others also act to realize our choice of the Good. Sartre explains, "The universal structure of the Good is necessary as that which gives it its transcendence and its objectivity. To posit the Good in doing

---

[51] *EH*, p. 38.
[52] Sartre, Jean-Paul, *Notebooks for an Ethics*. (Chicago: University of Chicago Press, 1992), p. 197. Cited hereafter as *NE*.
[53] *NE*, p. 199.

it is to posit Others as having to do it. We cannot escape this…Not only is it my ideal, it is also my ideal that it become the ideal of others. But its universality is not de facto, it is de jure like its other characteristics."[55] The Good must be willed universally as values arising from our freedom as expressed through our concrete projects. Our creative moral act is thus simultaneously the creation of an ought for ourselves, and the universal willing of an ought for others. But because our version of the Good originates from us our choice of particular projects, it is neither given in advanced or permanent. Rather, the Good is provisional in that it depends on the continuation of the particular projects that define it.

§ 5. Freedom as the Foundational Value

Not all values that we might will are equally moral, however, so to avoid relativism Sartre must offer some criteria through which to judge which values are morally acceptable. Sartre does so by offering a foundational value in light of which other values may be evaluated, and that value is freedom. Because freedom is the source of all values, it is essential for the very possibility of morality. For Sartre values are fundamentally about a break from what is in favor of what ought to be, and it is freedom that provides this break. Sartre depicts human reflective consciousness as a negative break with being that allows for the imagining of alternative ways in which things could be. Since values are not to be found as intrinsic properties of things themselves, but are instead created through our choice of certain states of being over others, our freedom to imagine and pursue alternative states of being is the source of all values. Without human consciousness, and the freedom that its negative break with being creates, there would be only facts and not values. Freedom must therefore be regarded as the foundational value from which all others originate.

---

[54] *NE*, p. 199.
[55] *NE*, p. 200.

Sartre argues that because human freedom is the source of all values, that we must value our own freedom if we are to value anything. And because we value freedom as the source of all values, we would be inconsistent if we valued only our own freedom and not the freedom of others. Sartre writes, "When I recognize, as entirely authentic, that man is a being whose existence precedes his essence, and that he is a free being who cannot, in any circumstances, but will his freedom, at the same time I realize that I cannot not will the freedom of others."[56] But if human freedom is the source of all values, how is Sartre able to offer any principle that could restrict freedom by setting up moral norms? Sartre has been criticized for incorporating the principle of consistency in arguing that if we will our own freedom we must will the freedom of others, as if freedom precedes all other values then consistency or non-contradiction would be unable to limit it. This "must" is a normative restriction on freedom that Sartre must justify.

As Linda Bell observes, "Those who affirm self-contradictions remove themselves from the framework of human communication."[57] While we all have some capacity to contradict ourselves in limited ways, to abandon consistency as a value entirely would make meaningful communication impossible. The rules of language and the practice of reason giving are built upon non-contradiction, and would break down without the value of consistency. And as Anderson points out, in any case, "it is impossible to accept reasons in support of valuing logical consistency or rationality without, in effect, begging the question! Reasons will have value, and so be persuasive, only to one who has already freely chosen to value rationality."[58] The converse of this is that it would make no sense for someone who had rejected consistency as a value to demand reasons to adopt it, as the demand itself depends on an acceptance of the value being

---

[56] *EH*, p. 43.
[57] Bell, Linda A. *Sartre's Ethics of Authenticity*. (Tuscaloosa: University of Alabama Press, 1989), p. 57. Cited Hereafter as *EA*.
[58] *TE*, p. 62.

rejected. There is, in effect, no way to prove the value of consistency without first valuing consistency.

Anderson notes that Sartre "seems (correctly, in my opinion) to suggest that it would be logically inconsistent, and inconsistent with human reality, especially human reality, to desire a meaningful existence and not first and foremost value the human freedom that alone is the source of all meaning and value."[59] But for this argument to hold one must accept consistency as a value, but it is impossible to argue that one should do so in a non-question begging way. The answer Sartre would offer is that while theoretically it is possible to abandon consistency as a value entirely, and impossible to prove its value without begging the question, in actual practice it is unlikely to be a real possibility because it is so foundational to language and communication. Consistency is simply necessary if we are going to give reasons at all. And once Sartre has established freedom and consistency as the foundation basis of morality, he is able to demonstrate that just as we must will our own if we are to value anything at all, so must we also will the freedom of others.

§ 6. The Formalism Objection Redux

A more serious objection to Sartre's early ethics is that an ethics based on abstract freedom is as formal as the Kantian morality he criticizes. Sartre is not advocating a only a formal freedom, one like Kant's freedom of the will, but also concrete freedom. David Detmer uses the following examples to explain the difference between formal freedom and concrete freedom: "The slave, the unemployed worker, and the prisoner are free in one sense of the word, that designated by such expressions as 'freedom of choice' and 'ontological freedom,' but relatively unfree in another sense, that designated by 'freedom of obtaining' and 'practical freedom.'"[60] For

---

[59] *TE*, 63.
[60] Detmer, David. *Freedom As A Value*. (La Salle: Open Court, 1986), p. 63. Cited Hereafter as *FV*.

example, we could say that because of human reflective consciousness the prisoner locked away in his cell is as free to will that he take a walk in the park as jailor at his work. Both have a formal freedom to give meaning to their situations and will as they wish in accordance with the concrete restrictions on their freedom – imprisonment and employment obligations. But Sartre is interested in not only the ontological freedom to will an end, which we might say is a necessary but not sufficient condition for ethics, but also in the practical freedom to obtain that end. We need ontological freedom in order for moral responsibility to exist, and we need moral responsibility as a foundation for ethics. But for Sartre ethics must also encompass concrete freedom, as a formal freedom that treats the prisoner or the slave as equally free to the jailor or the master would be nothing but a cruel hoax.

Ethics should start from the position of acknowledging that the ontological freedom of the prisoner and the jailor may be equivalent, but their level of practical freedom is drastically different. A concrete ethics based on freedom should be concerned with increasing the practical freedom of all persons, as for Sartre ontological freedom is purely formal in that it exists equally for everyone regardless of circumstances by virtue of human reflective consciousness. And it is the distinction between these two types of freedom that form the basis for moral criticism in Sartre's ethics.

For Sartre, ontological freedom is the formal freedom that removes us from the determinism of causality, and because it is formal it is also absolute in that it transcends any situation. Detmer explains: "Any consciousness, no matter what its situation, is *absolutely* free in the sense that it is not its situation—that, through its nihilating behaviors, it can separate itself from all that is external to it, and from whatever might attempt to ensnare or enslave it, and, in so doing,

disentangle itself from the chain of causal determinism."[61] This freedom is in some sense

outside of any situation because, like Kant's freedom of the will, it is able to transcend any

particular situation. "I am absolutely free because no situation can completely determine how I

will interpret that situation, what project I will form with respect to that interpretation, or how I

will act in attempting to carry out that project."[62]

The problem though is exactly that an abstract freedom of this sort is outside of any situation

and in that sense absolutely free, but we as concrete human beings are limited by the facticity of

our situations. As Detmer notes, "The prisoner is always free to attempt an escape or to adopt an

attitude of resignation, but not simply to make the prison bars disappear without effort or risk."[63]

Human beings consist of a transcendent reflective consciousness that is embodied in a concrete

situation that places real limits on the exercise of our freedom. The ideal for Sartre is to make

our formal freedom real concretely through the increase of the practical freedom "to obtain our

freely (in the ontological sense) chosen ends.[64] It is our ontological freedom that makes practical

freedom a possibility in "that a being who lacks the power of conscious choice cannot be

enslave, nor can the freedom of such a being be enhanced or diminished…because one cannot

alter the *quantity* of a *quality* which is not present in the first place."[65] But because we are

concrete beings ontological freedom is insufficient to the realization of our ends. If we are to

realize those ends we will need to realize them concretely in our situations, and this requires

practical freedom to carry out our projects.

If we combine this distinction between ontological freedom and practical freedom with

Sartre's argument that we must value both our own freedom and the freedom of others, we see

---

[61] *FV*, p. 64.
[62] *FV*, p. 64.
[63] *FV*, p. 64.
[64] *FV*, p. 67.

the Sartrean ethic emerging. For Sartre to treat others as ends means to act so that we increase their practical freedom, and thereby enable them to realize their freely chosen ends. We see here that the charge leveled against Sartre that he is a radical subjectivist, that any freely chosen end is permissible as all that matters is that it is freely chose, is not a correct representation of his position. Those actions that increase human practical freedom are moral, while those that limit human practical freedom are immoral. When "inventing" ethics this criterion is meant to provide a basis for making judgments that some actions are moral while others are immoral.

There is another sense in which Sartre's ethics could be argued to be formal, and that is the objection that Sartre's version of what it means to treat people as ends is just as formal as the Kantian notion. Anderson observes that "to say we should value the concrete freedom of others is to offer rather thin advice…Sartre offers no guidelines or specific recommendations as to whose concrete freedoms are to be supported and those who are not."[66] Though "Sartre clearly manifests his support for the oppressed and alienated, rather than their powerful oppressors," Sartre fails to "justify his preferential option for the oppressed."[67] We might say that we should act against those who try to limit human freedom while we support those who act to expand human freedom, but again without obligations specific enough to guide actions in concrete cases we are trapped in the Kantian bind of not knowing what actions to take based on incredibly vague notions of abstract obligation.

What does it mean, exactly, to advance human practical freedom? Sartre defines it in terms of socialism. Sartre claims that the foundational project we should all choose is "the ultimate

---

[65] *FV*, p. 68.
[66] *TE*, p. 83.
[67] *TE*, p. 83.

end which is always the founding of a reign of concrete freedom."[68] That is, the foundational

project is bringing about concretely his own version of the Kantian kingdom of ends: "a society

without classes, therefore without violence, without lies, for a free mankind."[69] But "few

particulars are offered about how a classless city of ends could be brought into being in our

concrete historical situation, nor how it might function politically and economically."[70] Sartre

seems to assume a particular form of ethics rather than either describing it or justifying it. What

we see here looks like the familiar pattern of assuming a conventional ethics, in this case a

socialist one, to provide particular content to the abstract notion of obligation. Sartre, though

importantly recognizing the importance of realizing values concretely, seems to have run up

against the same Kantian dilemma of either presenting an ethics that is universal but too abstract

to guide our concrete actions, or having to questionably assume some particular ethics in order to

incorporate moral content into the form of abstract universal obligations.

---

[68] *NE*, p. 393.
[69] *NE*, p. 161.

IV. The Role of the Universal and the Particular in Ethics

§. 1. The Problem

When comparing the two theories, the similarities between the arguments offered for valuing others out of respect for consistency are striking. Both Sartre and Korsgaard locate the source of values in human reflective consciousness, and both argue that consistency requires that we value ourselves and others as the source of values. It's not entirely surprising that Sartre and Korsgaard would have close parallels in their ethical outlooks considering that their ethical projects are similar: both wish to retain the Kantian insight that ethics is founded on valuing ourselves and others as ends, while avoiding falling into Kantian formalism by offering ethical theories grounded in human experience. The challenge for both Korsgaard and Sartre is thus essentially the same: to explain how moral content is generated from a combination of universal form and particular facts about the world.

Their responses to this challenge differ primarily because of their varied emphasis on the importance of universality and particularity. Korsgaard's answer is to stress the primacy of universal form where ethics is concerned, and to treat particular facts as too contingent to be a basis for ethics. For Korsgaard if universal form and particular facts are in conflict, then the particular must give way to the universal. Sartre takes the position that universal form is necessary, but not sufficient, to constitute an ethics. For Sartre universal form is empty without concrete facts, and because ethics always takes place within a situation, ethics must take account of how circumstances shape ethical choices. Sartre argues that moral content requires the application of universal form to concrete facts, and that if the particular is necessary to generate moral content then it is inconsistent to treat it as inessential.

---

[70] *TE*, p. 83.

In this section I will compare the general outlines of the two ethical theories in terms of human nature and universal and particular identities. I will do so through a series of examples that illustrate how the stress on either the universal or particular play out in terms of the link between identity and obligation. Korsgaard's stress of the importance of a universal human identity to ethical normativity as opposed to Sartre's rejection of a universal human nature as too formal to act as a basis for ethics supply an excellent means to examine the differences to their approaches in more detail. In addition, their treatment of particular identities as a source of obligations presents an opportunity to see how they both might propose to incorporate particular norms into a universal framework.

Korsgaard retains a Kantian notion of ethics as necessarily categorical, which means it must transcend contingent circumstances and holding universally for all persons. Korsgaard's basis for morality is an Enlightenment concept of human nature as essentially rational. Because our universal human nature is the source of moral norms, Korsgaard claims that our contingent identities are ethically irrelevant. Because of this focus on the abstract, Korsgaard has difficulty explaining adequately the role of the particular in ethics.

Sartre thinks that an ethics that is too abstract will be unable to provide adequate guidance in making concrete ethical choices, and develops a theory of what it means to will universally within concrete circumstances. Sartre's distrust of the abstract carries over into his views on humanity where he rejects a universal human nature that transcends history and culture, and instead argues that human nature is something that is continually being recreated through human actions. In his view ethics must incorporate a respect for the contingency of human existence, which is not secondary or irrelevant, but central to ethics.

§ 2. Reasons and Obligations

    Korsgaard claims that all norms arise from our identities, be they our universal human
identity or particular contingent ones. She divides these norms into moral ones, which are
always based on our human identity, and non-moral ones based on our particular identities. In
addition she divides these norms into positive and negative norms. Korsgaard describes them in
this way: "Your reasons express your identity, your nature; your obligations spring from what
your identity forbids."[71] Reasons are thus positive norms that tell us what actions ought to be
done, and obligations are negative norms that tell us what actions ought not to be done.
Korsgaard explains, "If reasons arise from reflective endorsement, then obligation arises from
reflective *rejection*."[72]

    Korsgaard believes that moral norms must transcend any contingent circumstances or
identities, and because she claims that moral norms arise from identities she needs a universal
identity if she is to derive categorical norms. This identity is our human identity, and because it
is the only identity that transcends the contingency of particular individuals Korsgaard states that
it is the only identity that generates moral norms. Human identity as conceived by Korsgaard is
essentially rational, and the primary value associated with this identity is non-contradiction.
Because the only identity that is sufficiently universal to generate moral norms is our human
identity, and the primary value associated with this identity is non-contradiction, we can say that
the primary moral norm is that of non-contradiction. Other norms based on our more particular
identities are not a suitable basis on which to found moral norms because they lack the
universality required for moral normativity. Korsgaard's ethical project is thus that of

---

[71] *SN*, p. 101.
[72] *SN*, p. 102.

demonstrating how the foundational moral norm of rational consistency is able to generate an ethics that avoids the content problem.

Now if we look at the norm of non-contradiction in terms of reasons and obligations, we find that it is insufficient to provide reasons for action. We would never say that one ought to take some specific action merely because it is non-contradictory, and the form of non-contradiction does not recommend to us any specific actions to take. The moral norm of non-contradiction gives us one obligation, to not contradict ourselves. The whole of human morality is thus founded on the negative obligtation that we not contradict ourselves. And because Korsgaard tells us "An obligation always takes the form of a reaction against a threat of a loss of identity,"[73] we may say that ethics primary concern is maintaining the integrity of our human identity as rational beings by avoiding contradiction.

Because the negative injunction to not contradict ourselves generates no positive reasons for action in the abstract, and does not rule out any particular action as contradictory by itself, non-contradiction is devoid of content until applied to some particular impulse or action. And the contradiction will take the form of obligation, that is one ought to do X in order to achieve Y. The end that Korsgaard says we are to pursue is that of treating human being always as ends and never merely as means, and any action or impulse that contradicts that obligation will be immoral. We might say then that the one obligation tied to our human identity is the test of seeing whether an impulse or action conflicts with valuing humanity as an end in itself. This gives rise to the formal test Korsgaard calls the moral law: "The moral law tells us to act only on maxims that all rational beings could agree to act on together in a workable cooperative system."[74]

---

[73] *SN*, p. 102.
[74] *SN*, p. 99

The objection is that in the abstract the moral law is empty and purely formal, so if we are to

derive any specific directives we must run our impulse through the formal test of moral

obligation to see if they are morally permissible. To apply this test we would universalize our

actions such that we would imagine the outcome if all people acted as we propose to do. If our

proposed actions did not prove contradictory when universalized in terms of the moral law, we

would have at least passed the test of reflective rejection. Our impulse to action could then be

regarded as a proper reason for action in that it did not violate our moral obligations.

Korsgaard can provide us with no moral criteria to guide us in deciding which impulses we

should give priority to when we must choose between competing impulses that have passed the

test of reflective rejection. They are, it would seem, all morally acceptable having passed the test

of reflective endorsement. Presumably decisions between such competing impulses would be

made based on non-moral values derived from contingent identities, with those actions furthering

the identities we value most taking precedence over those we value least.[75] But since all of our

contingent identities are morally inessential, it would seem that any distinction made between

morally permissible impulses based on them would be arbitrary from the perspective of morality.

And because Korsgaard claims we are able to shed any of our contingent identities, we have no

stable basis to decide between competing impulses that have passed the test of reflective

rejection. In effect, from a moral point of view, we are left to arbitrarily follow whatever

morally equivalent impulse is the strongest at any given moment.

If all of our impulses require reflective endorsement, then we require a positive reason for

acting on one impulse over others if we are to retain our autonomy. This is because as reflective

---

[75] We could imagine, for example, our impulse to spend more time with a friend conflicting with our obligation to
get a promotion at work by putting in extra hours. Neither obligation is categorical, as they are based on are
respective hypothetical ends of maintaining the friendship and getting the promotion. In such a case of two

beings we must endorse our impulses rather than having our actions determined by whatever impulse is the strongest at the moment. A minimal negative test that rejects a certain subset of impulses as morally impermissible and then treats all morally permissible actions as equivalent would seem an insufficient basis for autonomy. And because Korsgaard regards all of our particular identities as contingent, she has no principled way to justify acting on those morally permissible impulses that correspond to non-moral reasons. Our autonomy in deciding between morally permissible reasons for action vanishes because all of our reasons for acting are based on contingent identities, and we have no meaningful justification for preferring one non-contradictory identity over another since they are all optional and equivalent from the perspective of our one categorical identity. Put another way, once an impulse passes the minimal threshold test Korsgaard has no principled means to judge which actions are preferable amongst those permissible choices. Instead she has to leave it to either the strength of our impulses to guide our choices, or to an arbitrary choice of one contingent identity over another. Simply stated, under Korsgaard's theory, all of our *reasons* for action are in a deep sense arbitrary.

§ 3. Human Nature

Sartre presented the example of a student coming to him with a moral dilemma as a means of illustrating the formality of Kantian ethics. The student was faced with the choice of either staying at home to comfort his mother or leaving to join the free French forces to help liberate France. As Sartre observes "he was hesitating between two types of morality; on the one side the morality of sympathy, of personal devotion and, on the other side, a morality of wider scope but

---

competing ends that do not violate the moral law our necessary human identity would not seem to dictate which of those ends should be primary.

of more debatable validity."[76] Sartre's student was presented with a concrete moral choice that was not answerable through a Kantian ethics of abstract obligation:

> The Kantian ethic says, Never regard another as a means, but always as an end. Very well; if I remain with my mother, I shall be regarding her as an end and not as a means: but by the same token I am in danger of treating as means those who are fighting on my behalf; and the converse is also true, that if I go to the aid of the combatants I shall be treating them as the end at the risk of treating my mother as a means.[77]

The moral law provided him with no principled way to decide whether he should to stay with his mother or join the resistance because in either case Sartre believes the student would be treating persons as ends, and this Sartre says is evidence of the formality of Kantian ethics. If we do not have a definite enough positive description of what it means to treat persons as ends, then it is unclear how we should resolve moral dilemmas such as this one. As a result of the lack of specificity about what it means to treat persons as ends, once we attempt to apply an ethics of abstract obligation to particular circumstances we run into problems of generating particular content just as Sartre's student did.

Sartre would argue that Korsgaard's conception of human nature as rational self-reflection is similarly formal in that it provides no meaningful direction where concrete actions are concerned. This conception of what it means to be human is hopelessly abstract, so of course it can give us no criteria to decide which of our impulses we should act on. Sartre's objection to Korsgaard's model of human nature would be that abstract human nature that transcends any particular situation is nothing but an empty form waiting to be filled out through out actions. For Sartre the starting-point of ethics is the realization that formal human nature cannot tell us what our actions ought to be. Instead he argues that it is through our actions that we construct a model of human nature that has content. The problem for Korsgaard is that for her formal human nature is not the starting point, but the whole story. As a result all of our reasons for action are

---

[76] EH, p. 33.
[77] EH, p. 32.

by her own standard arbitrary, and she is unable to provide us with any binding concrete positive norms for action.

Sartre agrees with Korsgaard that morality starts with recognizing the subjectivity of the other, of recognizing that they are also conscious beings and not merely objects. But Sartre would object that to act in accord with a formal conception of human nature is to present a claim without content, one that is merely formal, and therefore open to the same objections leveled against Kant. Sartre would object that Korsgaard's claims about human nature are too general and abstract to provide moral content, and that all she has done is provide the formal claim that we should value the subjectivity of others. What value that subjectivity has must be worked out in the concrete through the lived experience of the individual.

Because historically man has taken such a divergent number of principles and ways of life as his own, a model of human nature that is broad enough to cover all of humanity has to be elastic to the point of empty formality to allow for such variation. Sartre himself says that human beings are reflectively conscious, free, and embodied in the world. But these facts about what it means to exist as a human being are too minimal to provide moral content by themselves. Sartre's denial that an abstract human nature has content is not meant as a denial of the facticity of a shared human condition, but for him these general traits are too universal and abstract to provide adequate guidance in concrete situations.

Sartre claims that it is through formal freedom's situatedness within a concrete context that moral norms with meaningful content are generated. There are facts about us and our situations that are not optional in the way that Korsgaard portrays them, and it is in concrete objectivity of the situation that Sartre looks for a source of particular moral content. Sartre's emphasis on the concrete, and his recognition that the particular plays as important a role in making choices as

does the general or universal, presents the possibility that particular identities might be able to play a more important role in generating moral content that Korsgaard suggests. But the problem remains that such identities lack the universality normally associated with ethics.

Sartre thus agrees with Korsgaard's argument that we must value other human beings, but he would claim that we are still left to explain what that means in the concrete through our own particular lived experiences. Application of Korsgaard's principles would seem to require that we have some criterion to resolve conflicts between competing morally permissible reasons for actions based on contingent identities. But for this we cannot rely on the contingent identities themselves since Korsgaard claims that they are all equally optional. What might appear to us to be the identity with the highest priority at one point might very well be abandoned in favor of another at a later point, and so we are left with the problem of finding some stable identity on which to base such a criterion.

The formal conception of human nature embodied in our human identity offers no help, as at best it can rule out certain particular identities as contradictory and morally unacceptable. But this only tells us that we are obligated not to adopt certain identities as contradictory, and gives us no reasons to adopt one non-contradictory identity over another. The challenge for Korsgaard's was to give a description of human nature so general it incorporates human beings in all their varied historical and cultural incarnations, and at the same time to demonstrate that our human identity has adequate content to avoid falling victim to the same charge of formalism leveled against Kant. If she is unable to provide us with any means of deciding between morally permissible impulses we have good reason to think that this is something she is unable to do.

In addition, Identities such as mother, friend, or soldier have been rejected as too contingent to serve as a basis for moral norms. But while Korsgaard rejects morality based on contingent

identities, at the same time she must incorporate the norms associated with them to generate norms concrete enough to direct our actions. We have seen that the moral law is too abstract to solve positive moral dilemmas, and there is no reason to think that have a way to decide how to prioritize which person we treat as ends through our positive actions is any less important than knowing which negative actions we should avoid. It would seem that no positive content is possible without relying on the norms associated with them, and so Korsgaard is left with the familiar Kantian dilemma of either admitting that her ethics is empty and purely formal, or of surreptitiously adopting the norms of identities she rejected as too contingent a basis for morality to supply that content. This is the unavoidable outcome of treating a formal identity as the only one categorical enough to be the source of moral obligation.

§ 4. Particular Actions and Universal Norms

We have seen that Korsgaard's theory is deeply problematic, but the question remains whether Sartre's answer to the problem of form and content is anymore satisfactory. Sartre's solution to the problem of the general and the particular must find some way other than reliance on a formal conception of human nature to explain moral normativity. The fundamental problem for Sartre is to explain why when we act our actions must be construed as willing an ought for all persons rather than only for ourselves. Concrete facticity without universal moral form lacks the generality necessary to constitute an ethics, and so would be objectionable because it is too contingent a basis by itself to generate moral norms.

Bell's analysis of Sartre's ethics proposes a possible answer to the question of how we might create moral norms by willing universally from our concrete circumstances. Because a formal human nature is essentially empty, we are left to fashion our own conception of humanity, and "we need only to look to individual behavior to see what human *can* be and, correlatively, to see

what human beings *should* be."[78] It is for this reason that Sartre instead decides "to emphasize

that our actions create an image of the human, as we would have it be."[79] Our projects define

what human nature is in the concrete through our actions, and because when we will an ought we

will universally that not only ourselves, but all persons similarly situated should act as we do.

Not all projects and identities are equally moral however, because some further the foundational

value of human freedom while other lead to oppression and the limitation of human freedom.

Moral values would thus originate from our willing universally the value of human freedom

through generalizing our actions in furtherance of concrete freedom as an example for all persons

similarly situated to emulate. It would be the circumstances that would give content to these

actions, as they would take on the particular content of the circumstances in which they were

willed. For example, if I were to march in a protest against racism in furtherance of concrete

human freedom that would give content to what it means to value the freedom of others.

§ 5. Particular Identities and Moral Values

   Bell discusses an example meant to show that Sartre's position that our particular actions

present a universalizable concrete example of how we believe all human beings should act

commits Sartre to absurd outcomes. This example, first presented by Peter Caws, suggests that

under Sartre's theory a person choosing to be a Jew is also willing that all people ought to be

Jews. But because to be Jewish is to be set apart from other ethnic groups, "those who choose to

be Jews would never choose this for all others." [80] The Jewish ethnic identity, just as many other

particular identities, entails a specificity that does not allow for universalization in the same way

a general human identity would. Bell responds by noting that "from a moral point of view, any

morally permissible choice must be morally permissible for others similarly circumstanced; but it

---

[78] *EA*, p. 59.
[79] *EA*, p. 59.

does not follow that every morally permissible choice is a moral choice in the sense that it is meant to hold for all human beings. Within a particular set of circumstances, there may be any number of morally permissible choices."[81] But if this is the case it is not clear if Sartre is able to rely on particular identities or circumstances to provide content because this would mean that someone choosing to be a Jew is not willing morally for all persons because this identity is not universal. This would mean that the content derived from such an identity would be contingent in the same way Korsgaard says it is, and would thus be unsuitable as a source of ethical norms.

Let us consider further the role that Sartre's concept of facticity plays in his ethics. Bell describes sex and race as elements of an individual's facticity, both because they are part of an individual's object side, and because the social interpretations of those physical facts affect the ways in which others interact with them. Bell explains, "as aspects of the individual's object-side (the way he or she is seen by others), sex and race may, as it were, acquire a superstructure of social interpretation which transforms something close to brute fact into a destiny."[82]

Ethnic, religious, class or other identities may or may not be as easily recognizable and socially significant as gender or racial characteristics, but in all these instances the socially defined other has to confront and give meaning to the way in which others see them. The individual is of course free to respond in various ways by accepting, rejecting, or redefining the meaning society has given to their facticity, but it is a reality that shapes the context in which choice is excercised. Bell notes that "women, blacks, and Jews must in some way choose themselves as women, blacks, and Jews."[83] The responsibility of choosing what significance to

---

[80] *EA*, p. 60.
[81] *EA*, p. 63.
[82] *EA*, p. 61.
[83] *EA*, p. 61.

give to the way others' see us is still the individuals, but our facticity presents certain options as real possibilities for us while closing others off.

Bell lays out the following examples to illustrate the point further:

> For Sartre, having a withered arm and being bourgeois are aspects of individuals' existences regardless of particular choices they may make. Admittedly the choices are important, since they establish the significance of the withered arm and the bourgeois status and determine whether these are handicaps or advantages or irrelevancies. These are choices, however, that simply are not available to those without withered arms and who are not bourgeois.[84]

Human beings are not particular yet equivalent instantiations of a generic conception of humanity, and our particular identities matter such that "the options of woman, black, and Jew are closed to white, non-Jewish males." [85]

We see from this discussion that our particular identities are often not as optional as Korsgaard would have it, since they are often at least partially the result of facts about ourselves that are beyond our control. Our particular identities necessarily entail interpretations of the meaning of certain facts about ourselves, and these facts are not up to us. The formation of our particular identities involves both objective facts about ourselves and our circumstances, and an exercise of our freedom as expressed through our giving meaning to these facts.

So we can see that choosing to be a Jew is not as simple as adopting a given stock identity with predetermined norms. Beyond the objective constraints of adopting an ethnic identity one is not born into, there is also the question of what practices and values are sufficient, if at all, to constitute "Jewishness". While there are necessarily certain norms inherent in any particular identity as without them it would be impossible to distinguish one identity from another, adopting a Jewish identity requires answering the question of what it means to be a Jew. This means that one must chose values in relation to and through the project of being a Jew, and brings us back to considering whether any of these values are properly considered moral.

---

[84] *EA*, p. 62.

Take for example a Jewish traditionalist who thinks that part of what it means to be properly Jewish is to continue Jewish traditions. Out of loyalty to his people the Jewish traditionalist chooses not to intermarry, goes to temple regularly, and celebrates Jewish holidays in his home. In so doing Sartre would say he is willing that other Jews ought also to show loyalty to their ethnic group by keeping their traditions alive. From Sartre's perspective the traditionalist is realizing the moral values of loyalty and respect for tradition through the project of keeping Jewish traditions alive.

To expand the point let us consider a Jewish person who goes in the opposite direction. Let's suppose that she is much more cosmopolitan in outlook and thinks that our shared humanity makes us basically the same, and that emphasizing our minor cultural differences just drives people apart. In addition, this person prides herself on her rationality, and considers religion to be a useless superstition that leads to war and conflict. She chooses not to go to temple, doesn't observe the Jewish holidays, and when she meets a non-Jewish male she cares for she marries him without any thought that it would be better to marry a Jewish man and teach their children the Jewish traditions. We can say that she is expressing the values of compassion and tolerance for other human beings by wanting to avoid conflicts based on ethnic and religious differences. Through her actions she is also creating an image of Jews as she would have them be: secular and cosmopolitan.

Both would seem to be expressing freedom through their particular Jewish identities, through valuing that identity through loyalty and keeping traditions alive, or through treating that identity as largely inessential and taking a cosmopolitan and tolerant view of humanity. But they are adopting exactly opposite versions of what it means to be Jewish. Neither is obviously objectionable in terms of violating human freedom, so we are left with the impression that what

---

[85] *EA*, p. 62.

we have are two positive images of what it means to value human freedom in terms of the Jewish identity that are mutually exclusive. If Sartre cannot give us a means of determining which is preferable, it would seem that we are left with something resembling the dilemma of Sartre's student. If this is the case, it is not clear that Sartre's theory is any less formal than Korsgaard's.

An additional problem also arises for Sartre. Korsgaard would acknowledge that Jewish identity could create an obligation to keep Jewish traditions going, but because she claims that moral obligations are essentially universal, Korsgaard must say that a norm based on an ethnic identity is not a moral norm. Korsgaard argues that moral identity is "inescapable and pervasive" because it is based on a shared foundational human identity that is not "contingent or relative" and therefore "moral identity is necessary."[86] We may have norms associated with our particular contingent identities, but these norms express some other values than moral ones. Korsgaard can say a person has good reasons for keeping Jewish traditions alive as long as doing so treats other human beings as ends, but if a Jew claims to be expressing the moral value of ethnic loyalty based on their Jewish identity Korsgaard must simply say that they are wrong.

The Jewish traditionalist is willing in the general way in the way Sartre argues is required for moral willing, but only for those similarly situated. Since it is only a requirement of those with the Jewish identity to honor and practice the traditions of the Jewish people, it is only those situated as Jews that may be obligated in this way. But being issued as a moral duty it is a general duty that attaches to the traditionalist's conception of what a good Jew should do, and those Jewish traditionalists who fall short of the norms attached to their conception of what it means to be Jewish would eventually lose the integrity of this identity. The cosmopolitan Jew has a different conception of what it means to be a good Jew, and she would also lose the

---

[86] *SN*, p. 122.

integrity of her identity if she failed to live up to the norms associated with it. The two advocate different images of what it means to be human and Jewish, and this is based on their placing priority on different values. If the foundational value is freedom, and neither violate that norm, then it would seem that Sartre has no more way than Korsgaard to decide between these two positive conceptions of morality. Even if Sartre is to say that they are willing morally from particular identities, he is no more able to decide between them on a principled basis than Korsgaard.

In either of the two cases we have mentioned the person must take account of the facticity of being born into a Jewish family, of Jewish history, and of social views and stereotypes associated with being Jewish. Human freedom in the abstract is as empty as a universal conception of human nature transcending all circumstances. Human freedom must express itself through concrete situations, and in response to facticity. In doing so individuals create an image of humanity through their actions, and decide whether they place ethnic loyalty and tradition or cosmopolitan modernism and rationality as higher values. But if in willing universally for all those similarly situated two Jewish persons can create they create mutually exclusive version of the good compatible with valuing human freedom, it is not clear how much content willing from particular circumstances adds.

And there is an additional problem for Sartre. Let us consider the case of the Jewish traditionalist willing that all persons should value other persons as ends by keeping their traditions alive. In the context of Jewish traditions this doesn't seem particularly problematic, but if we take the maxim to be that all Jews should keep their traditions alive this doesn't seem sufficiently universal. If we say instead that all persons should value other persons should keep their traditions alive in some contexts this would lead to what seem like morally problematic

results. Consider the tradition of white supremacy in America, and the flying of the Confederate flag, burning crosses, and intimidating black voters for example. Or of a Nazi advocating Nazi ideology because his grandfather was a Nazi. In these contexts keeping traditions alive would seem to lessen rather than increase human freedom, and would suggest why Kantians think that moral obligations must cover all possible circumstances.

I would suggest that if willing is to be truly universal that it must be based on a universal identity. To say that all Jews must honor their traditions is not the same as to say that all persons should honor their traditions, as the previous examples illustrate. If in acting we create an image of humanity universally, then it would seem to require that our willing also be universal. Anderson makes this point in the following passage: "If my choice of a primary value is rooted in my conception of man—i.e., if my choice is of that which I believe to be valuable for myself insofar as I am human—then in effect I do propose it as a value for all who like me are human."[87] But "if my choice of a my ultimate value is based instead on what I consider valuable to me insofar as I am a unique individual, then, in my choice of it I would not be proposing it as a value for any other man.[88] This modification by Anderson of Sartre's version of willing universally seems necessary if we are to will freedom as the foundational universal value for all humanity, but in doing so we in effect reduce Sartre's position to one very close to Korsgaard's. The primary difference between them would thus be that Sartre thinks that both theories are too abstract to provide practically useful content while Korsgaard is more optimistic, though in my opinion mistakenly so.

---

[87] Foundation, p. 80.
[88] Foundation, p. 80.

VI. Conclusion

Sartre did, in fact, eventually abandon his early Kantian ethical project as hopelessly formal. Basing an ethics on a conception of ethics as universal obligation led Sartre into the same trap of formality that Korsgaard fell into. This is not surprising, as we have now seen how concrete circumstances and particular identities would need to play a necessary role in generating moral content if we are to avoid empty formalism. But because an ethics based on categorical obligations requires such a strong sense of universality, contingent circumstances and identities must be rejected as unsatisfactory foundations for ethics. This leaves one in the untenable position of incorporating the norms of particular identities and social practices to supply concrete content by simply assuming them as given, which adds a contingent quality to an approach that sought to above all to demonstrate that ethics categorical.

Sartre recognized that a universal morality that is too abstract is unable to provide adequate moral content to guide concrete moral choices, but was unable to provide this content himself within the framework of an ethics of universal obligation. Sartre's early ethics was based on the idea that the form of ethics is universal, but that its content must be particular if it is to express itself in a concrete context. But Sartre was unable to present a model of ethics that explains how an ethics that transcends all circumstances in its universality is also able to generate particular content in a principled way. This is perhaps not surprising when we consider how contradictory the notion of an ethics that is simultaneously concrete and universal is.

Sartre, nonetheless, did not abandon the goal of constructing an ethics that was both concrete and universal. He instead merely rejected the Kantian framework as hopelessly abstract. In his later ethics Sartre adopted a materialist Marxist approach to ethics, one that had been prefigured in his emphasis on the concrete and politically committed approach to ethics he was constructing

in *Notebooks*. Sartre's later ethics still incorporate freedom as the central value, but he realized that in his early ethics he was still treating man as essentially an abstract decision maker. In his later ethics he developed a fuller and less formal conception of humanity, one that incorporated human needs as an expression of what it means to be an embodied consciousness. Sartre sought to generate content through the objective restraints of being embodied, and placing objective value in necessary basic human needs. Anderson notes that "needs, which demand to be satisfied no matter what the situation, are the source of the *unconditional* character of moral norms for Sartre."[89] In human needs Sartre found sought an objective, concrete, and universal element from which to derive the content that was missing in his early ethics. Because Sartre thought of these needs as both universal and necessary, Sartre claimed they could serve as a source of universally binding obligations that are concrete and sufficiently specific to guide moral choice. This was what Sartre had sought by stressing context and the particular in his early ethics – to give content to universal obligations through situatedness – a universal end, binding and non-optional, which all persons should rightfully share in common.

Sartre hoped this change would offer a principled way to incorporate the moral norms of particular societies while evaluating them in terms of an ideal universal one. Anderson explains, "No matter how variable its particular content, every human moral system possesses an unconditional normative character, not because it is rooted in some superhuman eternal absolute, but because it is concretely rooted in the needs of human beings who are present in all kinds of conditions in different cultures and societies."[90] This is because "even the alienated moralities and norms of oppressive systems are rooted in, and obtain their unconditional character

---

[89] *TE*, p. 121.
[90] *TE*, p. 122.

from…human needs unconditionally requiring satisfaction."[91] This would mean "that alienated inhuman moralities are, at bottom, limited, truncated versions of true morality and its ultimate norm and goal."[92] If successful, this approach would provide for incorporating the norms of particular moral systems as being based on the fulfillment of human needs, while at the same time critiquing them as limited in failing to satisfy those needs fully. The universal end of humanity would thus be that of realizing true morality in the concrete in a society that as perfectly as possible satisfies human needs.

I do have space to fully evaluate Sartre's later ethics as successful or unsuccessful within the scope of this project, but I would like to suggest that it continues to suffer from the same problem of generating particular content from a universal norm. Sartre's later ethics continued the patter of his early ethics in thinking that the problem with Kantian ethics is that it is too abstract, and not concrete or empirical enough. Sartre pushed further in the direction of filling in what he could only see as a formal and abstract conception of human nature as abstract decision maker with the conception of human nature as embodied beings with non-optional needs. Sartre saw these concrete and empirical aspects of what it means to be a situated human being as a source of moral content, just as he indicated he thought they must be in his early ethics. Sartre saw that ethics based on abstract obligation was not able to supply the needed content, and so Sartre looked for what was both concrete and universal about the human condition as a ground for ethics.

The problem with this approach is that an ethics that is universal enough to be binding on all human beings in all circumstances must necessarily be incredibly vague. And as soon as one

---

[91] *TE*, p. 122.
[92] *TE*, p. 122.

attempts to apply it in a given concrete situation questions arise as to which needs are basic and which aren't, whose needs should take priority over others given limited resources, whether physical needs are primary over psychological needs, whether the existence physical needs necessitates thinking of their fulfillment as "good", etc. Answering these questions requires more specific content, and the more specific the answers become the less likely they will hold for all persons universally. Sartre's later ethics, though more concrete, which it to say more empirical, still comes up against the problem of generating norms that are both universally binding and contain content. The alternative, to say that there are no categorical norms that hold for all persons, is something Sartre rejects. So we are left with the basic contradiction of both Sartre's early ethics, and Korsgaard's ethics, of trying to develop an ethics that is universal in form but has particular content. I would suggest that this basic contradiction cannot be overcome, and that as a result the ethics of universal obligation is a failed conception of ethics. An alternative model of ethics is needed, and although I will not endeavor to present one, hopefully my analysis of the problem will contribute to that project in some way in locating the fundamental paradox in an ethics meant to be both universal and form and particular in content.

Bibliography

Acton, H. B., *Kant's Moral Philosophy*. New York: St. Martin's Press, 1970.

Anderson, Thomas C., *Sartre's Two Ethics: From Authenticity to Integral Humanity*. Chicago: Open Court, 1993.

Bell, Linda A. *Sartre's Ethics of Authenticity*. Tuscaloosa: University of Alabama Press, 1989.

Bradley, F. H., *Ethical Studies*, 2nd ed. Oxford: Oxford University Press, 1927.

Detmer, David. *Freedom As A Value*. La Salle: Open Court, 1986.

Korsgaard, Christine M. *Creating the Kingdom of Ends*. Cambridge: Cambridge University Press, 1996.

_____. *The Sources of Normativity*, Edited by Onora O=Neill, Cambridge: Cambridge University Press, 1996.

Jean-Paul Sartre, *Existentialism and Humanism*, in *Basic Writings*, edited by Stephen Priest, London: Rutledge, 2001.

_____. *Notebooks for an Ethics*, Chicago: University of Chicago Press, 1992.