

# PART I

## PHENOMENOLOGY AND BEYOND



# KANTIANISM AND PHENOMENOLOGY

Steven G. Crowell

Even more than his theoretical works, Immanuel Kant's ethical writings can be said to effect a break with traditions of philosophy going back to the ancient Greeks. In particular, his "Copernican Revolution" in metaphysics, purporting to show that reason is incapable of gaining theoretical knowledge of ultimate reality, rules out the approach to ethics most common in ancient, medieval, and early modern philosophy – one that depends on a metaphysical theory of the good, specifically the human good. In contrast to such "eudaimonistic" theories, Kant provides an alternative conception, often called "deontological," of how reason functions in ethics, one that treats issues of right – of duty, obligation, and law – as amenable to formal or procedural solutions that do not presuppose any metaphysical theory of what material goods are. "Kantianism," then, generally refers to ethical theories that emphasize the need to justify moral and other norms under modern conditions of interest-pluralism – that is, in the absence of agreement over which material values *ought* to be preferred.

To the extent that Kantian theories depend, or seem to depend, on contingent assumptions – scientific assumptions about a disenchanted, deterministic world, perhaps, or historical assumptions about the rise of liberal society – they have drawn criticism from phenomenologically oriented philosophers. Phenomenologists hold that such assumptions must be put out of play, the better to describe ethical phenomena as they give themselves in concrete experience. Thus Max Scheler went so far as to "reverse" Kant's "Copernican Revolution"<sup>1</sup> and to strip practical reason of its critical role. To the Kantian, however, the phenomenological approach to ethics can look like an attempt to rehabilitate a pre-modern, metaphysically dogmatic, conception of the relation between theory and practice. Jürgen Habermas, for instance, whose "discourse ethics" is a recent version of Kantianism, argues that Husserl's approach to ethics cannot do justice to the "norms of a universal legislation derived from practical reason," since he remains dependent upon an objectivist "ontology, from which he unconsciously borrows the traditional conception of theory" as contemplation of the "given" order of the *cosmos*.<sup>2</sup>

A deep rift thus separates phenomenological and Kantian approaches to ethics, and it is no surprise that the early phenomenological response to Kantianism (for instance, in Husserl and Scheler) was almost entirely negative. And when Kantian motifs later began

showing up in phenomenological works (as in the late Husserl, then Heidegger and Sartre), this did not stem from any systematic rethinking of the relation between the two philosophical tendencies. Though some recent phenomenological projects (for instance, Paul Ricoeur's *Oneself as Another* (1990)) try to do justice to the legitimate claims of both Kantianism and phenomenology, and though recent work in Kantian ethics (for instance, Christine Korsgaard's *Creating the Kingdom of Ends* (1996) and Barbara Herman's *The Practice of Moral Judgment* (1993)) emphasize a side of Kant that is more congenial to phenomenology, a genuine dialogue has yet to be established.

Husserl claimed that "when abstracted from Kantian 'metaphysics,' Kant's thinking and inquiry moves *de facto* in the framework of the phenomenological attitude,"<sup>3</sup> but while there is some truth to this, the fact remains that far more than "metaphysics" separates Kant's approach to ethics from Husserl's and from most of the phenomenologists who followed him. Even shorn of its most characteristic "metaphysical" assumption – the distinction between phenomena and noumena – Kant's idea that the ethical function of reason is not to cognize material values and goods but to legislate laws of conduct (duties, obligations) stands in marked contrast to the phenomenological view. Phenomenology – especially in Husserl but arguably far more pervasively – operates with a conception of reason as the intuitive grasp of essences and their necessary interconnections; it tends toward a kind of moral realism as the correlate of a theoretical "science of values." Kantianism, in contrast, rejects the view of ethics as a science and argues for the primacy of *practical* reason. Here moral philosophy is not a matter of attaining a certain kind of ethical knowledge but of demonstrating the legitimacy of reason's claim to *construct* norms – that is, to make values unconditionally normative (hence moral) by formulating them as laws of the will. Perhaps these two views of reason's role need not conflict, but if *rapprochement* is to be sought it is first necessary to appreciate something of what motivates their differences. To this task the present chapter is devoted, though it makes no claim to being a comprehensive account of Kantianism, much less a thorough summary of its phenomenological reception.

## 1 Phenomenological Value Theory

In the "Prolegomena" to the *Logical Investigations* (1900), Husserl argued that "each normative, and *a fortiori*, each practical discipline" – hence ethics conceived as an account of what one ought to do – "presupposes one or more theoretical disciplines as its foundations."<sup>4</sup> His reasoning here reveals the deepest rift between a phenomenological and a Kantian approach to ethics. For Husserl, in order to judge that "A soldier should be brave," for example, "I must have some conception of a 'good' soldier," a conception that must be founded "on a general valuation which permits us to value soldiers as good or bad according to these or those properties" (*LI*, p. 84). In other words, the normative statement's validity depends upon a non-normative, purely theoretical, account of what a soldier is (a functional definition) that specifies those properties that enable something to fulfill the function (hence be a valuable, "good," soldier). If the theory shows that courage is among those properties, then the normative judgment, "A soldier should be brave," is warranted. Husserl defines a "basic norm" as "the normative proposition which demands generally of the objects of a sphere that they

should measure up to the constitutive features of the positive value-predicates to the greatest extent possible” and argues that “this role is, for instance, played by the categorical imperative in the group of normative propositions which make up Kant’s ethics, as by the principle of the ‘greatest possible happiness of the greatest possible number’ in the Ethics of the Utilitarians” (*LI*, p. 85). But in this he misconstrues the fundamental difference between Kant’s ethics and utilitarianism, for Kant’s categorical imperative is not a “basic norm” in Husserl’s sense. It does not presuppose a theoretical account of “the positive value-predicates” of a certain domain of objects which are to be realized by adhering to it (presumably, “a good will”); rather, it expresses the ground of obligation itself – that which, prior to all consideration of whether my will or intention is virtuous (that is, instances a functionally defined good), gives it the form of *law*, something unconditionally binding.

No doubt this difference is made less perspicuous by Kant’s procedure, in the *Foundations of the Metaphysics of Morals*, of presenting the categorical imperative as “analytically” contained in the idea of a “good will,” thereby inviting the suspicion that the normativity of reason’s law is derived from that idea. However, though Kant introduces the categorical imperative in the context of an account of the “common rational knowledge of morals” – and so, in fact, in the context of a phenomenology of “ordinary moral consciousness” – this is not meant to establish the validity of the categorical imperative, but only to suggest that ordinary moral consciousness is not unfamiliar with the idea of obligation. Where the validity of the categorical imperative is established – in subsequent sections of the *Foundations* and in the *Critique of Practical Reason* – it is not some theoretically determined idea of a “good will” that does the work. On the contrary, the categorical imperative provides the ground for defining what a morally good will is.

Phenomenologists have not been blind to this aspect of Kant’s ethics. On the contrary, Kant’s claim that pure practical reason is sufficient to define the moral goodness of a will is the target of two fundamental phenomenological criticisms: the first finds Kant’s view of reason excessively formalistic, and the second rejects his moral psychology as too thin to recognize the manifold ways in which moral norms arise within the overall nexus of our motivations, desires, valuations, and attitudes. Provide a richer phenomenology of moral experience as the context for a theoretical reflection on the norms implicit in evaluative life generally – so this argument goes – and the question of “unconditional” obligation that Kant places at center stage will evaporate.

Consider, for instance, the concept of a “will which is to be esteemed as good in itself without regard to anything else.”<sup>5</sup> Kant’s initial point is a descriptive one: we do not judge the worth of the “will” – that is, the volitional intention oriented toward bringing about a certain effect in the world – according to whether that effect is in fact achieved. Normally, however, we do evaluate the will in terms of the goodness of the end it pursues, and this is where Kant raises the crucial question of what gives such a will *moral* worth. Is it the end, or the procedure through which it adopts that end? For Kant, it is the latter. Moral worth does not lie in the will’s object or aim, but in the fact that it acts “from duty.” Thus my act is not morally good because it aims to bring about some good thing in the world, but because it conforms to a formal law of reason that enjoins that the maxim of the act be universalizable. It is the latter that makes the act into a duty or obligation and provides the authority to override my possibly countervailing “inclinations.” Thus the question of

whether the end to be brought about through my act is an objectively good one is, from Kant's point of view, irrelevant: it is not the goodness of the end but the will's conformity to the *form of law* that makes it morally normative.

Phenomenological value theory sees these matters quite differently. Though their positions diverge in important ways, both Husserl and Scheler criticize Kant's equation of reason with mere form (the form of law), arguing that no concrete duties can be determined without attending to the content of the act. Where Kant sees all such content as contingent or a posteriori – hence as an unsuitable basis for universal moral norms – the phenomenologists offer a theory of the *material a priori*, of contents that, as “objective” goods and values, do not need to be brought under the form of law in order to exhibit rationality. Thus where Kant defines the motive of the good will (duty) in terms of its “respect for law” – that is, in terms of its willingness to test its maxim against the form of law (universalizability) – Husserl sees the motive to lie in the material of the desire underlying the will itself. Husserl's version of a categorical imperative – “do the best that is attainable under the circumstances” – is a law that describes the good will but does not serve as its motive. So also in Scheler there is no specific moral motive, no formal motive of duty, but rather moral values are instantiated when the will brings about or realizes higher, in preference to lower, non-moral goods. Against Kantian formalism, then, phenomenological value theory defends a material a priori and a *teleological* or “perfectionist” conception of ethics.

These two concepts – material a priori and teleological perfectionism – are closely linked and arise from phenomenology's reflective, descriptive approach to moral experience. From the phenomenological perspective, Kant's sharp distinction between reason and “sensibility” yields an anemic moral psychology that has disastrous results for ethical theory. By divorcing the supposedly formal law of the will from those material contents that derive from the “faculty of desire” (further reduced to “self-love”), Kant obscures the rich intentional weave of emotive, affective, and volitional life as it is lived. Specifically, Kant lumps all material incentives of the will – all particular objects of my desire – under the heading of “inclination” and argues that they are irrelevant for understanding the moral worth of an action, since no such incentive can give rise to an obligation.

There are several reasons for this. First, Kant argues that only experience can show whether some object or other will stimulate the faculty of desire, will incline me toward choosing it. Since for Kant experience can demonstrate no necessary connection between any object and my feeling toward it, the whole sphere of feeling lacks rationality. Second, to the extent that reason can establish necessary connections between some desired end and certain actions, these connections yield only “hypothetical” imperatives. *If* I desire the end, *then* I “ought” to engage in the actions that, as means, are required to bring it about. Since Kant holds that it is my interest in realizing the end that gives these actions whatever value they have, such hypothetical imperatives could yield universal obligations only if there is a universal material interest common to all rational beings. But, thirdly, Kant argues that the only possible candidate for this universal material interest – namely, happiness – is too indeterminate to yield genuine practical laws. Human flourishing is an idea of “imagination” and not a concept accessible to rational, theoretical determination. Hence there is nothing in the sphere of content – in the moral psychology of desire and inclination – that can support the concept of moral obligation.

Phenomenologists like Husserl and Scheler reject a basic premise of this picture – the idea that reason is a pure faculty of law imposing itself on lawless material – and argue that reason is implicit in the content itself. More specifically, sensibility, impulse, and inclination are understood to be teleologically oriented toward rationality. It is possible, therefore, to elaborate a substantive moral realism, a concrete theory of the “objective good,” in which philosophy discovers a priori material values that serve as norms for achieving the good – or, equivalently, rational – life. Careful phenomenological description of the relations between the intentionalities that enter into all practical experience reveals that though all consciousness of value is connected with feelings and desires, this does not render the values themselves contingent or subjective. Because Husserl follows moral sentiment theorists in holding that feelings do not create, but only *disclose*, values that are, in themselves, objectively valid, he can propose an a priori theory of values, of which ethics (and moral philosophy) is a particular branch.

Husserl admits that I cannot simply “see” the value of something in the way that I can just see its color. Values are thus not simple properties of objects, but are *founded* on such properties. They are revealed as correlates of acts of valuing – that is, affective acts, acts of feeling, in which aspects of the thing are prized or disprized by me. I see a person in ramshackle dress camped out under a freeway and I feel a complex sort of discomfort at the sight. Though I do not focus on it as a specific object, a specific sort of “disvalue” adhering to the circumstances is disclosed to me by such an act of feeling, a sense that things “ought not” to be so. Though my consciousness of this disvalue emerges in connection with feeling, this does not mean that values are epistemologically subjective. I can reflect on the disvalue – call it “injustice” – and see that it has a certain essential meaning that I recognize but do not create. And because of this objective content there can be objective – and more importantly, hierarchical – relations between the values themselves, relations that ideally constitute a rational, but *material*, ethical theory. To act rationally thus means to conform my personality to this value-hierarchy such that the feelings I have toward my circumstances reflect the proper order of values. A phenomenology of moral experience thus approximates the sort of “virtue ethics” found in Aristotle: it focuses upon character as revealed by the way the good appears to persons through the very sphere of “inclination” that Kant dismisses as morally irrelevant – the sphere of feeling, desire, affect, and attitude.

Thus if what characterizes my experience when I perceive the homeless person is not a feeling of compassion, correlated to the disvalue of injustice, but a feeling of irritation, correlated to the disvalue of being delayed, I am morally blameworthy. It is my *duty* to act in accord with the higher good, and it is my ability to *know* what this is that sets me apart from animals. As Husserl notes, animals too are capable of valuing and acting in light of what they value; however, they are not capable of “acting in accord with insight into values” as such, and so cannot choose the genuine over the apparent good, nor in that sense “act morally.”<sup>6</sup> Thus, like Kant (who ties the possibility of morality to the possibility of acting not merely according to law but according to the *idea* of law), Husserl ties morality to rational insight. But Kantians question whether phenomenological attention to the texture of moral experience can really do what it promises, namely, escape the puzzles surrounding the ground of obligation, the issue of how I can have a genuine obligation to act in a certain way.

Let us consider the issue first from Husserl's perspective, for whom the ground of obligation lies in the goodness of the will's object. Husserl denies Kant's claim that because moral obligations hold universally their normativity must stem from pure reason in the sense of "conformity to law." He points out that any truth at all can be seen to "hold universally," but that does not mean that it has its ground solely in "pure reason" (Hua XXVII, p. 403). Rather, the concept of obligation (*Sollen*) is a simple consequence of the intentional relations between the will and insight into the universally true (because objective) good itself. Husserl illustrates this with the claim that God wills X because he has insight into its goodness and *therefore* sees that he *ought* to will it. The consciousness of being obligated is thus part of the very perception of the goodness of the object (Hua XXVII, p. 405).

On Kant's view, however, this omits what is phenomenologically most distinctive about the concept of obligation. For him, it is true that God's will, being holy, will be completely in accord with reason; but though it would be "subject to the objective laws (of the good) . . . it could not be conceived as *constrained* by them," and for this reason "the 'ought' is here out of place" (*FMM*, p. 35). For one to speak of "obligation" – of an ought (*Sollen*) – it is necessary that the will be "opposed" by something that is not necessarily in accord with reason, namely, "inclination." And if this is so, then one cannot equate "being obligated" with the very perception (*Wertnehmen*) of something's being good. Quite generally, the normative (that which has the structure of an imperative) cannot be understood from the standpoint of theoretical reason alone; it is not simply a matter of *knowing* what is good. Rather, it presupposes what Kant calls "autonomy," a procedure of *practical* reason whereby it constructs the laws of its will even in the absence of the sort of insight into the objective good that Husserl and Scheler place at the center of ethics. From the Kantian perspective, phenomenological value-realism represents a metaphysical (dogmatic) solution to the problem of obligation: by declaring some things to be "intrinsically normative," it stanches the potential regress in demanding reasons for why I ought to do something. As Korsgaard writes of this strategy: "Having discovered that he needs an unconditional answer, the realist straightaway concludes that he has found one."<sup>7</sup>

Thus Kant might well agree with Husserl and Scheler that his moral psychology is thin, that his description of ordinary moral consciousness does not do justice to the complexity of our emotional and valuational lives in which moral values emerge along with all sorts of others. Certainly, there is no reason why Kantians cannot welcome work in phenomenological value theory as bringing to light the essential connections and complex relations of *Fundierung* linking the many different things we care about. Yet Kant might still wonder whether the philosophical task had been accomplished. For he never proposed to stop with a description of ordinary moral consciousness, but to examine it critically for the principle which *justified* – to the agent herself – the unconditional claim that the moral law makes upon her will. On Kant's view, this can only be achieved by showing how such a law arises *from* her own will, her own "practical reason," itself. For any other source introduces "heteronomy" and remains open to my first-person challenge to be shown why I ought to conform my will to what stems from that source. This places the agent in a very different position in relation to values than the one she occupies in Husserl's theory, and the role of reason is correspondingly different. For reason is no longer simply what registers the existence of



essential value-relations, but acts “autonomously” as that which *authorizes* which objects of choice are to have normative value, that is, are to have the status of laws.<sup>8</sup>

For Kant, theories of the phenomenological sort tend finally to deny reason any practical role at all – that is, they tend to substitute preferences, which ideally reflect the objective order of values, for reasons. Just this, in fact, is illustrated by the case of Scheler, for whom the order that is recognized to hold among values is finally not “logical” at all, but is an *ordo amoris* to be discerned, as in Pascal, through the “heart.” For phenomenology, then, reasons are essentially external: what I ought to do is fixed quite independently of any reference to the process of deliberation or rational justification through which I determine how to act. For Kant, however, it is part of the very phenomenology of the practically rational – or “free” – agent (who acts for reasons and not merely in accord with them) that nothing can be a reason for it that it has not *chosen* as its reason. As autonomous in this sense, the moral agent’s reasons are essentially internal. No value can be conceived as a *normative* reason apart from the procedure through which I endorse it by making it a law of my will, and so for Kant it is precisely insofar as I fulfill the rational requirements of this deliberation procedure – that what I *make* into a law is really suited to *be* one – that I can be said to act morally.

Another way to put this is to say that a rational being is an “end in itself.” So far as it is a practical being, it does not belong to any objective order or hierarchy of ends but is the basis for the construction of one. This notion of “self-legislation,” which the phenomenologists see as an artificial demand that flies in the face of our concrete experience of material values, appears, to the Kantian, as the very essence of the *practical* subject, freedom seen “from the inside.” What phenomenologists see as the question of the “base” man – am I obligated to do what is objectively good? – is, for the Kantian, precisely the question that indicates the insufficiency of all substantive moral realism as a justification of moral norms. Phenomenologists think that only the “morally blind” – those who cannot feel the normative force of some objective value – could ask such a question. For Kant, however, it follows necessarily from our practical freedom and indicates the need to find the ground of obligation in freedom itself, in the idea of rational actors as ends *in themselves*.

Let us approach this issue from a slightly different angle and grant the phenomenological claim that there are objective goods. In what sense *must* I value them? Most values will provide at best Kantian hypothetical imperatives. As Husserl recognized (though Scheler denied it), this is because values are founded in aspects of things. In Kantian terms, the normative force of my valuing those particular aspects of things will be contingent upon my interest in them. Certainly, in my pre-reflective experience the value of the hammer seems to belong solely to it (thanks to its “good” properties), but critical reflection easily shows that the very “value of that value” (Nietzsche) is a function entirely of my interests. If a certain hammer is excellent for driving nails, does this mean I ought to value the hammer? Only if I have an interest in driving nails. And if I am a strong luddite, vehemently opposed to construction of any kind, the very existence of good hammers, encouraging people to build townhouses in my neighborhood, will instantiate a disvalue relative to my interests – an objective disvalue at that. In this case there can certainly be no talk that I ought to value the good. Only *if* I value driving nails *ought* I to value the hammer. On this model of practical and evaluational life, then, if there are to be moral obligations – obligations that I have

come what may – they will have to emerge from an interest that I cannot not have, a necessary interest which will make the value of that moral value unconditional. A major difference between Kant and phenomenology concerns their different ways of handling this issue. For at this point phenomenology turns in the direction of a *teleological personalism* to establish something like this sort of universal interest – a move that takes it beyond reflective description toward metaphysics and theology – while Kant has recourse to the idea of a “Kingdom of Ends” and to a *practically* determined concept of the “Highest Good.”

Kant’s theory of the connection between morality and reason’s demand for law-likeness in our maxims makes it easy to see why morality has a universalistic character, but according to phenomenologists like Scheler it makes it difficult to account for what motivates morality. For instance, Scheler holds that if mere lawfulness is all that the will has to go on, one will be indifferent as to whether one actualizes what is noble or what is vulgar. Kant could, with some justice, argue that this is a virtue of his account, to the extent that actualizing the noble might at times require us to act immorally, and that morality is essentially a matter of interdicting such acts. But at a deeper level what is at stake in such charges is a typically Humean point against Kantian legalism: to act morally we must be *moved* to do so by “desire” for the “good”; reason by itself cannot move us. To Kant’s claim that we can be moved by the “conception of the law in itself” (*FMM*, p. 20) – that is, by “respect” for the law – the phenomenologists point out that this is precisely an example of being moved by a feeling insight into a value (*Wertnehmen*). To Kant’s argument that this feeling is a consequence of my recognition of the law’s normativity and thus does not reduce reason to dependence on my “self-love,” Scheler will respond that this is true of many other feelings: affects are not necessarily self-centered. Thus I am moved by respect because that feeling reveals the law’s value, its appropriateness for realizing material goods whose objective value is likewise accessible as the correlate of other feelings. What becomes evident here is that the difference between Kant and the phenomenologists ultimately lies in their approach to that entity in which the tension or interplay between reason and feeling is enacted – namely, the “person.”

Though Kant does not typically employ the language of value theory, it does serve him to make a crucial distinction between two sorts of value: “price” and “dignity” (*FMM*, p. 60). To say that something has a price is to say that its value is strictly instrumental and is thus subject to neutral measures of exchange. For Kant, even virtues such as nobility are not “beyond price,” that is, are not unconditionally good. That which has dignity, on the other hand, has unconditional (non-instrumental) value. Only *persons* have dignity in this sense – not, however, because persons are somehow metaphysically distinctive but because they are practically rational, can “give the law to themselves.” As autonomous, persons are the origin of a value, “moral worth,” that cannot be derived from elsewhere; as self-legislating they *exist* as ends-in-themselves (*FMM*, p. 63). It is because the value of all other things is if not defined then at least made normative by practical reason – by the construction of a universal law of obligation that I derive from the very character of willing – that the person is exemplary. As Kant puts it, “all respect for a person is only respect for the law . . . of which the person provides an example” (*FMM*, p. 21).

For phenomenologists like Husserl and Scheler, this gets things precisely backward. For them, the value of rationality is itself but one (albeit very important) objective value

whose significance in relation to other values must be conceived in light of an ultimately exemplary idea or Ideal. Because the experience of value is keyed not to critical reason but to affective intentionality, the ground of ethics must be sought in the core of the person as the “performer of acts.” The person is neither a purely rational being nor a conglomeration of “faculties,” but a spiritual unity. Because persons in this sense are valuing beings, values have a place in the world. The constellation of *what* one values is centered upon the hidden core of this valuing being – what Scheler calls the “heart” and what Husserl described in terms of “personal love” or, following Fichte, one’s “vocation” or calling. The concept of person here indicates that being who is capable of responding to claims of value on the basis of a consciousness of the wholeness or unity of her life, on the basis of a fundamental sense of being *someone*. Not one’s generic rationality, but one’s irreplaceable *individuality*, distinguishes the person as of ultimate value. The project of morality thus becomes one of willing to shape my life in light of those norms that make up the ideal of a universal human community of such persons.

Because phenomenological value theory locates the exemplarity of the person in one’s individuality, in that unique spiritual core that makes one who one is, it leads naturally to a perfectionist account of normativity. Those norms that make up the ideal of a universal human community are not the ones that emerge concretely from the center of *my* personal being – my love and calling – but those that *would* govern me were I a “perfect” person. It is easy to see that this view becomes toothless outside of an explicitly metaphysical and theological context. It is thus to the Person of God that the objective scale of values is ultimately correlated and it is this Person who serves as the measure of my own integrity – of my “heart” and my “head” in their correlation. Dilemmas and value-conflicts that arise, apparently necessarily, from my own “calling,” from the practical identity that organizes the scale of values for me, are integrally resolvable in light of divine Personhood. The descriptive justification for such speculations is, as we have seen, the idea that desire, affect, and feeling are teleologically oriented toward rationality, contain a sense and a claim that can be made explicit as the goal of the “infinite task” of human perfectibility – an historical vision anchored in something like a personalistic theology or rational faith.

The language of “rational faith” brings us back to Kant. For he too postulated something like an integration of the initially opposed faculties of the person: reason and inclination. Nor is he averse to using teleological, perfectionist language. Kant speaks of the Highest Good – namely, a realization of the Kingdom of Ends that would also fulfill the desire of the “whole person” for happiness (*eudaimonia*) – as a necessary value and point of orientation for the will, one that is unthinkable apart from theological ideas of God and immortality, and the teleological idea of infinite progress. However, there is a decisive difference. For whereas in phenomenological personalism the ultimate moral norms derive from the content of the theological Ideal of the perfect community of persons, the content of Kant’s rational faith is not the source of the moral law, but the *consequence* of its recognition. This is the deepest meaning of the “primacy of practical reason.” The moral law is not buttressed by theological speculations but rather functions as the basis for determining what ultimate values we ought rationally to believe in. As Kant puts it, the “highest good may be the entire *object* of a pure practical reason,” but it is “still not to be taken as the *determining ground* of the pure will.”<sup>9</sup> Once more, Kant’s suspicion of substantive moral realism surfaces here insofar as there appears

to be no rational way to decide between speculative versions of what human perfection would look like. One can adopt, as Husserl did, a kind of Christian communitarian ideal, or, with the later Scheler, a kind of pantheism, but there are countless other options as well. In the face of such pluralism Kant argues that we must turn to the moral law itself as that which my preferred perfectionist picture may *not* transgress – as that, in other words, which determines what I *may* (morally) “hope.” Against a phenomenological value-realism that finds freedom to be subject to laws whose origin finally lies in a postulated speculative ideal, Kant argues that we cannot “expect practical reason to submit to speculative reason, because every interest is ultimately practical, even that of speculative reason being only conditional and reaching perfection only in practical use” (*CPrR*, p. 126).

## 2 Existential Phenomenology

Phenomenological value theory certainly cannot be reduced to those points where it conflicts with Kant’s approach, and the phenomenology of affective, emotive, and volitional life has important implications for theories of virtue, character, and sociality that seem to be taking on more importance among those who otherwise pursue a fundamentally deontological line. Nevertheless, it is true that after Husserl and Scheler phenomenologists themselves began to question the idea of a theory of values and, in so doing, began to revisit themes that had been central to Kantian ethical theory. In general, there is a move away from teleological personalism toward an emphasis on the practical standpoint and questions of freedom, autonomy, judgment, and the ground of obligation. What remains constant with the earlier phenomenological criticism is a deep suspicion of Kant’s claim that reason can by itself serve as the ground of genuinely universal obligations. With this problem in mind, I turn briefly to the views of Martin Heidegger, Jean-Paul Sartre and Emmanuel Levinas.

The eclipse of phenomenological personalism and value theory begins with Heidegger, whose interpretation of phenomenology as a method for raising the “question of the meaning of being” brought the exigencies of the practical standpoint (in Kant’s sense) more to the center of methodological concern – both by way of a “hermeneutic turn” and also in the basic notion of “Dasein” defined as that being who questions the world rather than posits it. But if Heidegger draws close to Kantian motifs in his account of Dasein, it cannot be said that he sees this as a contribution to *ethics*. Thus even here the question of the relation between phenomenology and Kantian ethics remains obscure.

Heidegger’s definition of Dasein as that being “in whose being that very being is an issue” is pointedly directed at the phenomenological concept of the person as the “performer of acts,” which Heidegger finds merely negative, not supported by phenomenological evidence. The ontological status of the “I” becomes clear only when one shifts attention from the intentionality of acts to the practical, holistic “totality of involvements” arising with Dasein’s skillful coping or know-how, its “projection of possibilities for being itself.” It is in this practical context that the origin of the significance (*Bedeutsamkeit*) of things is to be found, and rather than tracing this to some ultimately mysterious center or hidden ground of valuation, Heidegger analyzes it

in terms of what he calls “care” (*Sorge*) – a worldly, temporally articulated structure of “disposition” and “understanding.”

In characterizing his notion of significance Heidegger refuses to employ the concept of value, which he sees as an artifact of an overly subjectivistic philosophical theory rather than as something that has its roots in genuine phenomenological experience. To speak of “values” is to abstract from, and to objectify one element of, the totality of involvements in such a way that one must then search for some specific act – such as “feeling” – to serve as its correlate. To break up the holistic structure of significance in this way reflects the ontology of the “present at hand” from which Heidegger would like to free phenomenology, an ontology he finds at work in Husserl’s description of the relation between theoretical and practical attitudes. It is only if one reads the structures of a merely contemplative perception of the world back into the context of practical engagement that one can analyze the latter, as Husserl does, in terms of a “fundamental” stratum of mere “thinghood” upon which are founded “acts of valuation.”<sup>10</sup> Whatever the merits of something like value theory might be, it is a misleading way of approaching the phenomenological context in which the ground of significance shows itself, namely our own being: “For subject and object do not coincide with Dasein and the world” (*BT*, p. 87).

The displacement of personalistic value theory makes possible a renewed appreciation for certain motifs central to Kant’s ethics. In his 1927 *Basic Problems of Phenomenology*, for instance, Heidegger argues that “Kant’s interpretation of the phenomenon of respect is probably the most brilliant phenomenological analysis of the phenomenon of morality that we have from him.”<sup>11</sup> Indeed, because he did not take this “basic structure of respect” seriously, “Scheler’s criticism of Kant . . . missed the point completely” (*BPP*, p. 136). Heidegger proceeds to interpret this analysis of the *personalitas moralis* as an anticipation of his own concept of Dasein, and in so doing he emphasizes precisely the aspect of Kant that earlier phenomenologists found wanting, namely, that “in subjecting myself to the law” I “raise myself to myself as a free, self-determining being” (*BPP*, p. 135). At the same time, while Heidegger finds a place in his own ontology for the notions of autonomy, freedom, and self-legislation, he does not identify them, as Kant did, with the exercise of practical *reason*. Rather, in accord with the idea that the care-structure is ontologically prior to rationality in the constitution of meaning, these Kantian notions become the “existential” categories of authenticity, resoluteness, and conscience that reflect the unity of facticity and transcendence of being-in-the-world. With the loss of the connection to practical reason, however, the question of whether Heidegger’s ontology can identify the ground of obligation becomes acute, and has given rise to many recent criticisms of Heidegger’s so-called “decisionism.”

In a certain sense, however, such criticisms may be premature. *Being and Time* does not pretend to address ethical questions, and its implications for ethics are not obvious. Heidegger’s reticence here in part reflects a view he shared with Husserl, namely, the conviction that phenomenology is not required to “measure up” to traditional philosophical disciplines – metaphysics, epistemology, ethics – as though these contained timeless problems, but rather should discover phenomenologically what the genuine philosophical problems *are* (*BT*, p. 49). However, in his 1928 lecture course, *Metaphysical Foundations of Logic*, Heidegger did try to identify where “the question of an ethics may properly be raised for the first time,” and the indications he gives make it appear

not so foreign to the kind of personalistic approach then being pursued by Husserl and Scheler. For it seems to amount largely to working out the “philosophical anthropology” implied in his ontological concept of Dasein; or, more specifically, contextualizing questions concerning the entity, “man,” in light of a “metaphysics of existence” that places Dasein within the context of “beings as a whole.”<sup>12</sup> But Heidegger never developed such an ethics, and when the notion is mentioned again – for instance in the 1946 “Letter on Humanism” – it has changed its focus entirely. Here ethics is conceived as the question of what it means for human beings to dwell in the world, and as such it is indistinguishable from the ontological question of what it means to be. In this context, however, the Kantian question of the ground of obligation is at least acknowledged, for Heidegger insists that the task of “thinking” is to respond to the (normative) “claim” of being in which man’s “measure” is to be found. Here the Kantian “fact” of reason – the claim or obligation that is inseparable from the very practice of reason itself – is transposed to “being.”<sup>13</sup> Whether a phenomenological ethics of a quasi-Kantian sort could be generated in this way, or whether this is nothing but the apotheosis of “heteronomy,” is a question that remains open.

Jean-Paul Sartre’s existential phenomenology does not reject value theory outright; rather Sartre dwells upon the fate of the concept of value when it is divorced from teleological personalism and wedded to a conception of existence that draws heavily upon the Kantian motifs of autonomy (self-legislation) and freedom. At the same time, by facing up to the consequences of a Kantianism without the support of reason, Sartre allows the question of the ground of obligation to become a phenomenological theme in its own right.

Sartre’s approach to values is determined by his general project of inquiring into the ontological conditions of Husserl’s concept of intentionality. Arguing that the realm of phenomenality entails the existence of two radically distinct modes of being – being in itself (*en soi*) and being for itself (*pour soi*) – Sartre traces the interplay of these principles across the panorama of “human reality.” The fact that these ontological principles are “metastable” – in a kind of dialectical relationship that cannot achieve synthetic unity – means that human reality in its social aspect has the character of conflict and struggle, while the self is condemned to a perpetual oscillation between self-deception (bad faith) and cynicism. Phenomenological personalism thus takes on a new cast: the theological ideal of personal integration becomes the ultimate sign of the human being’s absurdity. In claiming that at the root of all human projects is the desire to “become God” – that is, to achieve the identity with oneself characteristic of pure being-in-itself without losing the freedom that is the condition of self-consciousness – Sartre agrees with the formal thesis of personalism. However, since freedom is the *negation* of being, this project is internally contradictory. Hence human being is, for Sartre, a ‘useless passion.’ Rather than having an inner teleological orientation toward rationality and integration, human desire, inclination, and affect pull in irreconcilable directions. In Sartre’s brand of personalism, then, perfectionist moral theories cannot get off the ground. To the extent that orthodox Marxism can be seen as a form of teleological perfectionism, the basis for Sartre’s troubled career as a Marxist becomes plain.

Sartre’s ontological framework also lends a different cast to the phenomenological notion of the ideality of values. Sartre accepts the phenomenological insight that values are correlates of affective states: “my indignation has given to me the negative value

'baseness,' my admiration has given the positive value 'grandeur.'"<sup>14</sup> But what distinguishes a value as such is that it makes a kind of claim to validity; the "ideality" of values consists in the fact that they are "demands which lay claim to a foundation" (BN, p. 76). What is the foundation of this kind of ideality or normativity? So long as my act of admiration endures, it may appear that grandeur is inscribed on the very face of things, a consequence of this or that aspect of the thing, hence that it is founded in the thing's own being. But this analysis holds only for *unreflective* experience, for consciousness that is "engaged" or absorbed in the world. Once this self-immersion collapses (for instance, when I am overcome by anguish), I recognize that the features of the thing that are supposed to provide the objective foundation for the value are themselves a function of my project, in relation to which alone they take on meaning. Here Sartre reconfirms Kant's insight into the instrumentality of values: the only foundation that value has "in being" is the fact that an "active freedom" makes it "exist as a value by the sole fact of recognizing it as such" (BN, p. 76). On this account, to say that values are "objective" is simply to say that they are acknowledged by lots of people, a circumstance that arises from the fact that most of us are engaged in situations where most other people are just like us and where our (socially predelineated) patterns of behavior involve the same sorts of instrumentalities, the same sorts of demands, and so on.

Values are sustained in being only on the basis of my various projects in which they figure, while these projects refer to my practical identity, to my "fundamental choice of myself in the world" (BN, p. 77). It follows that I can appeal to no value to justify this choice itself, since a value becomes normative only through that choice. Hence "I make my decision concerning them – without justification and without excuse" (BN, p. 78). To this extent Sartre's theory of value coincides with Kant's. It avails nothing to say that the essence of some value (e.g., nobility) exists "in itself" and can "therefore" serve to justify my acts. Because I am free precisely in the Kantian sense of autonomous, the normativity of some value or another cannot be separated from my making it into my law. At the same time, because Sartre derives the concept of freedom from the very phenomenon of consciousness and not (as Kant does) from the exercise of reason, Sartre cannot employ the sort of transcendental argument that Kant uses to derive a principle of obligation from freedom itself. Freedom does not entail a categorical imperative, and so the normativity that arises through my self-legislation is not something that holds *eo ipso* for other "freedoms." In Kantian terms, each human being is indeed an end in itself, but the exercise of the capacity that makes this true entails no obligation to treat others as ends as well. Both perfectionism *and* deontology are unsettled by Sartre's phenomenology.

In spite of his radical concept of freedom and autonomy – or perhaps precisely because of it – Sartre remained haunted by Kant's question about the ground of obligation. This can be seen from his occasional attempts to produce something like a transcendental argument that would show how the situation of freedom does in fact entail the normativity of some value, hence a universal obligation. The most well known of these efforts is perhaps the attempt, in his lecture "Existentialism is a Humanism" (1946), to reconfigure the categorical imperative itself on the basis of the very situation of choice. Here Sartre argues that in "choosing myself" I am necessarily choosing "for all men" – that is, signifying by my choice an "image of man," a vision of what "he *ought* to be."<sup>15</sup> This, according to Sartre, implies that "one ought always to ask

oneself what would happen if everyone did as one was doing,” thereby approximating something like a universalizability test for my choice (*EH*, p. 292). It is hard to see, though, how this sort of exemplarism could yield any genuine obligations, even if (as is by no means obvious) in choosing myself I do somehow choose “for all men.” For nothing in that situation entails that I ought to consider that fact in making my choice, nor does the test yield any specific results, since there is no “image of man” that could not be justified precisely by my *choice* of it.

The real heart of Sartre’s argument lies elsewhere, however. For it is in the “value” of freedom itself that Sartre appears to find what he really needs, namely, a way to show that in choosing at all I am necessarily committed to treating others in a particular way. No matter what the content of my choice, Sartre argues, I also at the same time necessarily choose freedom itself as the condition for making the choice and “as the condition of all other values” (*EH*, p. 307). If this is so, then *whatever* image of man I concretely instantiate, I also instantiate the value of freedom. Thus I “cannot not will the freedom of others” (*EH*, p. 308).

It is perhaps doubtful that a genuine obligation of this sort can be generated from the very ontology of choice, but Sartre made a more plausible, if less universal, attempt to establish an obligation to foster the freedom of others in a context that shows his transition from an ethical to a political formulation of the problem. In the essay “What is Literature?” (1948) he derives this obligation specifically from the situation of the *writer*. For consistent with his analysis of how values are connected with projects, Sartre can argue that in the very act of writing – which entails an appeal to the freedom of the reader – I am committed to value that very freedom. Hence I incur an obligation, insofar as I write, to foster conditions of concrete freedom for an infinite number of potential readers. Even if there is such an argument to be made in relation to the project of writing, however, it is clear that the obligation it yields cannot be more than hypothetical. So long as I am not already committed to a project in which political freedom is necessarily entailed as a means to an end, the “value” of freedom (as opposed to the ontological condition) cannot be seen to be necessarily normative. Sartre’s phenomenology thus leaves us in a situation where the motifs of Kantian ethics – freedom, autonomy, self-determination – predominate, but where the only obligations possible appear to be hypothetical. This means that ethics has become inseparable from politics.

It is against this reduction of ethics to politics that Emmanuel Levinas revises the project of a phenomenological ethics in a way that breaks decisively with teleological thinking (which he labels “totalizing”). Central to this revision is the Kantian question of the ground of obligation. Arguing that because the phenomenon of obligation cannot be captured in a phenomenology that starts with “being” – whether as a value theory grounded in intentionality, an existential analytic, or a theory of human reality – it is necessary to “reverse the terms”: the constitution of meaning, the task of a phenomenological ontology, must itself be seen through the prism of *ethics*. Levinas’s slogan that “ethics is first philosophy” thus echoes Kant’s claims for the primacy of practical reason. However, while Levinas insists that obligation is prior to all acts of evaluation, all choices, and all projects, he also insists that it is prior to the dictates of reason. Obligation is inseparable from the very encounter of the other as other, and only on its basis does something like reason become possible.



In Levinas's first *magnum opus*, *Totality and Infinity*, this point is made with explicit appeal to the tools of Husserlian transcendental phenomenology.<sup>16</sup> Here Levinas's strategy is an indirect one: phenomenological description of the way in which meaning is constituted at the levels of sensuous embodiment, labor, and discourse is employed to show that these all depend upon a relationship to the other human being that cannot be accounted for in their terms. The world, in short, is an intersubjective one, but an account of that very intersubjectivity seems to elude phenomenology. This, as Levinas argues, is because the other *qua* other is not encountered perceptually as an object in my horizon, or even as a "co-subject" with whom I am in the world, but in an originally *ethical* register: what Levinas calls the "face" is encountered as a word of *command*. The face is a kind of meaning that breaks with totality and teleology because it is an original "expression" that does not depend on a context supplied by history or by my constitutive consciousness. It is the "first word" of command: "you shall not commit murder" (*TI*, p. 199). Only because I have always already acknowledged the claim that such a command makes upon me do I live in a world among "persons" and become one myself.

What Levinas has in mind can perhaps be glimpsed by noting its relation to Sartre's classic analysis of *le regard*. Sartre had shown that the other's subjectivity is registered originally in those affective experiences where I find myself an object for the other – paradigmatically that of "shame" (*BN*, p. 350). Sartre argues that this response arises from a sense of my own freedom being "transcended" by the freedom of another, but this sort of ontological account can do little to explain why my becoming an object for another should be experienced precisely as shame – why, that is, the other is grasped not merely as another freedom but as a *judge*. Levinas explains this fact by denying that the other is originally encountered as another "freedom" symmetrical with my own. The other approaches me "from a height"; he does not merely "resist" my freedom, but "contests" it, calls it into question (*TI*, pp. 38, 171). The experience of the face is thus from the start an experience of obligation: "the Other cannot present himself as Other outside my conscience" (*TI*, p. 232).

Levinas's phenomenology thus reflects Kantian themes on a number of fronts. First, Levinas preserves the unconditional universality of obligation, since the normativity of the command is not derived from the contingencies of particular projects but is inseparable from the very encounter with an other as such. I cannot inhabit a human world without having always already acknowledged the ethical claim of the other upon me. Thus Levinas preserves the Kantian idea of human beings as ends in themselves – that is, as having a significance apart from the instrumental contexts in which they find themselves. However, this is not based, as it is for Kant, on the symmetry of a shared rationality, but on the asymmetry of the other's (ethical) superiority to my (ontological) freedom. For Levinas, it is only because I acknowledge the other's claim on me that I *subsequently* "speak" to the other. This engenders the mutuality of dialogue in which the norms of rationality operate and through which we seek to establish the commonalities of a shared world inhabited by equals, with equal rights. Prior to the Kantian "fact of reason" is the "face" of the other, a command that requires no justification because it makes the project of justification possible. "The principle," as Levinas puts it, "is possible only as command" (*TI*, p. 201) – that is, the universality of obligation does not derive from reason but finds it. Yet just as practical reason in Kant is not a

restriction on freedom but its fulfillment, so for Levinas the face that calls my freedom into question does not destroy it, but humanizes it, makes it *meaningful*. Finally, though Levinas identifies the experience of the face with the “idea of the Good,” it is clear that “goodness” here stands, in Kantian fashion, as a *check* on pursuit of the sort of goods that phenomenological and existential theories tend to emphasize, those that find their source in freedom itself or in the core of the person as a spiritual unity. As with Kant, the notion of obligation does not derive from a picture of human flourishing but precedes it: the good in this sense is “beyond being.”

By focusing on the problem of obligation, our treatment of the reception of Kantian ethical motifs by later phenomenologists has left out many other points of contact that have proved significant and provide contexts for ongoing work. Chief among these is the way in which the tradition of philosophical hermeneutics – represented above all by Hans-Georg Gadamer, but equally at work in thinkers like Hannah Arendt, Paul Ricoeur, and Charles Taylor – has forged a connection with Kantian ethics not so much in terms of the themes of autonomy and freedom, but in terms of the Kantian motif of *judgment*. It is in the phenomenology of judgment – whose antecedents lie in Aristotle’s theory of *phronesis* and in Kant’s conception of “reflective judgment” – that the deontological emphasis on law and the personalistic emphasis on the concrete experience of valuation (with the corresponding communitarian emphasis on the priority of the substantive good) may find the basis for a philosophically satisfying integration. The fact remains, however, that though phenomenologically oriented ethical thought has always taken place with an eye toward Kantian themes, and though current Kantianism seems open to motifs that have been well cultivated phenomenologically, the potential for mutual enrichment has as yet barely been tapped.

#### Notes

- 1 Philip Blosser, *Scheler’s Critique of Kant’s Ethics* (Athens: Ohio University Press, 1995), p. 42.
- 2 Jürgen Habermas, *Erkenntnis und Interesse* (Frankfurt: Suhrkamp, 1968); *Knowledge and Human Interests*, tr. Jeremy Shapiro (Boston: Beacon Press, 1971), p. 305.
- 3 Edmund Husserl, “Kant und die Idee der Transzendentalphilosophie,” in *Erste Philosophie, Erster Teil*, Husserliana VII, ed. Rudolf Boehm (The Hague: Martinus Nijhoff, 1956), p. 236.
- 4 Edmund Husserl, *Logische Untersuchungen*, vol. 1 (1900), vol. 2 (1901); *Logical Investigations* vol. 1, tr. J. N. Findlay (London: Routledge & Kegan Paul, 1970), p. 87. Henceforth *LI*.
- 5 Immanuel Kant, *Grundlagen der Metaphysik der Sitten* (1785); *Foundations of the Metaphysics of Morals*, tr. Lewis White Beck, ed. Robert Paul Wolff (New York: Macmillan, 1985), p. 15. Henceforth *FMM*.
- 6 Edmund Husserl, *Vorlesungen Über Ethik und Wertlehre*, Husserliana XXVII, ed. Ulrich Melle (Dordrecht: Kluwer Academic Publishers, 1988), pp. 400–1. Henceforth *Hua XXVII*. (My translation.)
- 7 Christine Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996), p. 33.
- 8 Though this is not the place to pursue the matter, the contrast here precisely mirrors the dispute between Husserl and neo-Kantians like Paul Natorp and Heinrich Rickert over the *questio juris* in epistemology. Does a phenomenology of knowledge have the resources to

- account for the possibility of genuine knowledge, as Husserl claimed, or can it only provide a description of knowledge *claims* without any principle for deciding whether these claims are ultimately valid, as the neo-Kantians argued?
- 9 Immanuel Kant, *Kritik der praktischen Vernunft* (1788); *Critique of Practical Reason*, tr. Lewis White Beck (Indianapolis: Bobbs-Merrill, 1956), p. 113. Henceforth *CPrR*.
  - 10 Martin Heidegger, *Sein und Zeit* (1927); *Being and Time* tr. John Macquarrie and Edward Robinson (New York: Harper and Row, 1962), p. 132. Henceforth *BT*.
  - 11 Martin Heidegger, *Grundprobleme der Phänomenologie* (1927); *Basic Problems of Phenomenology*, tr. Albert Hofstadter (Bloomington: Indiana University Press, 1982), p. 133. Henceforth *BPP*.
  - 12 Martin Heidegger, *Metaphysische Anfangsgründe der Logik* (1928); *The Metaphysical Foundations of Logic*, tr. Michael Heim (Bloomington: Indiana University Press, 1984), p. 157.
  - 13 Martin Heidegger, "Brief über den Humanismus" (1946); "Letter on Humanism," in *Basic Writings*, ed. David Farrell Krell (San Francisco: HarperSanFrancisco, 1993), p. 262.
  - 14 Jean-Paul Sartre, *L'être et le néant* (1943); *Being and Nothingness*, tr. Hazel Barnes (New York: Washington Square Press, 1956), p. 76. Henceforth *BN*.
  - 15 Jean-Paul Sartre, "Existentialisme est une humanisme" (1946); "Existentialism is a Humanism," in *Existentialism from Dostoevsky to Sartre*, ed. Walter Kaufmann, tr. Philip Mairet (Cleveland: Meridian Books, 1968), p. 291. Henceforth *EH*.
  - 16 Emmanuel Levinas, *Totalité et infini* (1961); *Totality and Infinity*, tr. Alphonso Lingis (Pittsburgh: Duquesne University Press, 1969), pp. 24–5, 28–9. Henceforth *TI*.

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