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Micah Lott

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MORAL DUTIES AND DIVINE COMMANDS: IS KANTIAN RELIGION COHERENT?

Micah Lott

Kant argues that morality leads to religion, and that religion consists in regarding our moral duties as divine commands. This paper explores a foundational question for Kantian religion: When you think of your duties as divine commands, what exactly are you thinking, and how is that thought consistent with Kant's own account of the ways that morality is independent from God? I argue that if we assume the Kantian religious person acts out of *obedience* to God, then her overall outlook will be inconsistent. I then develop an account of regarding duties as divine commands that does not involve acting out of obedience to God. This account, however, faces an objection—that without obedience, one cannot actually be thinking of duties as divine commands. In the final section, I consider this objection and suggest a response.

1. *Duty, Divine Commands, and Kantian Religion*

Immanuel Kant holds two positions that appear to stand in tension with one another, if not outright contradiction. On the one hand, Kant claims that morality leads to religion, and that religion consists in regarding God as the moral lawgiver and our moral duties as divine commands. On the other hand, Kant insists that we do not need any thought about God in order to recognize our moral duties or to be motivated to act morally—and he appears to reject a divine command theory of morality, on the grounds that it is based in heteronomy and offers a material, rather than formal, principle of morality.¹ Here are some examples of Kant making the first point, about duties as divine commands:

Morality thus inevitably leads to religion, and through religion it extends itself to the idea of a mighty moral lawgiver outside the human being, in whose will the ultimate end (of the creation of the world) is what can and at the same time ought to be the ultimate human end.²

¹See *Groundwork* 4:441–445, esp. 4:443, and *Critique of Practical Reason*, 5:39–41. For an argument that the *Groundwork* passage is directed specifically at the position of Crucius, and not all divine command theories, see Hare, *God and Morality*, 152–155. In *Critique of Practical Reason*, Kant cites Crucius as a proponent of the view he is rejecting. The translations of Kant's texts used here are listed in the References.

²Kant, *Religion*, 6:6.



Hence an ethical community is conceivable only as a people under divine commands, i.e. as a *people of God*, and indeed *in accordance with the laws of virtue*.³

[A]ll religion consists in this, that in all our duties we look upon [*ansetzen*] God as the lawgiver to be honored universally.⁴

Here are some examples of Kant making the second point, about the independence of morality from God:

Hence the will is not merely subject to the law but subject to it in such a way that it must be viewed as also giving the law to itself and just because of this as first subject to the law (of which it can regard itself as the author).⁵

Pure reason is practical of itself alone and gives (to the human being) a universal law which we call the *moral law*.⁶

Moreover, it is not to be understood by this that it is necessary to assume the existence of God *as a ground of all obligation in general* (for this rests, as has been sufficiently shown, solely on the autonomy of reason itself).⁷

So far as morality is based on the conception of the human being as one who is free but who also, just because of that, binds himself through his reason to unconditional laws, it is in need neither of the idea of another being above him in order that he recognize his duty, nor, that he observe it, of an incentive other than the law itself . . . Hence on its own behalf morality in no way needs religion (whether objectively, as regards willing, or subjectively, as regards capability) but is rather self-sufficient by virtue of pure practical reason.⁸

Looking at these passages together, a reader might reasonably wonder: what gives? If morality is grounded in the autonomy of reason, and if we have no need of God to recognize our moral duties and observe them, and if we don't lose sight of these points about morality, then what are we supposed to be doing when we regard our moral duties as divine commands given by God the mighty moral lawgiver? This question is closely related to, but distinct from, the question of *why* Kant thinks we must regard our duties as divine commands—i.e., why Kant believes that morality leads to religion. In this paper, I will touch on the *why* question, but my focus will be on the more basic *what* question. Put simply: when one thinks of one's moral duties as divine commands, what exactly is one thinking—and how is that thought consistent with Kant's own account of morality's independence from God?⁹ Because conceiving of duties as divine commands

³Kant, *Religion*, 6:99.

⁴Kant, *Religion*, 6:103–104.

⁵Kant, *Groundwork*, 4:431.

⁶Kant, *Critique of Practical Reason*, 5:31.

⁷Kant, *Critique of Practical Reason*, 5:125.

⁸Kant, *Religion*, 6:3.

⁹Of course, the best way to figure out the nature and content of this thought might be to consider why Kant believes we must regard our duties this way. Even so, it is worth keeping in mind that these are distinct issues. Works that focus on the why question include: Hare, "Kant on Recognizing Our Duties"; Wood, "Religion, Ethical Community, and Evil"; Kain, "Interpreting Kant's Theory of Divine Commands."

is at the heart of Kant's rational religion, this question is asking about the central and defining attitude of the Kantian religious person.¹⁰

We might assume that fulfilling duties that we regard as divine commands is the same as *obeying* God. Call this the Obedience Assumption. The Obedience Assumption is natural and *prima facie* reasonable, both on conceptual and textual grounds. If you take yourself to have been commanded to do something, and you do it for that reason, that sure looks like obedience. And Kant speaks often about obedience to commands, declaring at one point that "commands are laws that must be obeyed."¹¹ Thus to think of duties as *divine* commands seems to be the same as thinking them as laws given by God that must be obeyed. And to fulfill one's duties from such a thought seems to be the same as *obeying* God. It is no surprise, then, that John Hare describes the Kantian religious person as acting "out of obedience to God."¹²

But given the Obedience Assumption, it becomes difficult to see how the Kantian religious person could occupy a coherent point of view. In the next section, I consider some features of obedience to commands in ordinary human contexts. I argue that the more we think about what is involved in obeying commands, the harder it becomes to see how one could recognize moral duties as divine commands while also maintaining Kant's claims about morality's independence from God.¹³ In §3, I consider the interpretations of Kantian religion offered by Allen Wood and John Hare, respectively. I argue that *so long as* we retain the Obedience Assumption, neither interpretation can make the Kantian religious outlook consistent.¹⁴ In §4, I offer an account of regarding duties as divine commands in which the Kantian religious person does not act out of obedience to divine commands (or, equivalently, out of obedience to God). This account of the Kantian religious attitude avoids the problems that

¹⁰By "Kantian religious person" I do not mean any religious person who might also be described as a "Kantian" in some meaningful sense. I mean an adherent of Kantian rational religion as laid out by Kant, especially in *Religion*.

¹¹Kant, *Groundwork*, 4:416.

¹²Hare, "Kant on Recognizing Our Duties," 469.

¹³A.T. Nuyen notes a tension in Kant's statements, some of which sound like those of a "Divine Command Theorist" and others those of a "Moral Autonomy Theorist." And Nuyen attempts to show how Kant's statements are consistent. But he does not bring into view the problem that interests me here, about how to conceive of the attitude of the Kantian religious person, and in particular the way (if any) that the Kantian religious person can be said to fulfill her moral duties from *obedience* to God. See Nuyen, "Is Kant a Divine Command Theorist?" Likewise, the problem for Kant's view that I raise here is not discussed by Firestone and Jacobs in their extended treatment of challenges to Kant's *Religion*. See Firestone and Jacobs, *In Defense*.

¹⁴Hare clearly affirms what I am calling the Obedience Assumption. See Hare, "Kant on Recognizing Our Duties," 469; Hare, "Kant's Divine Command Theory," 272–274. It is less clear that Wood affirms the Obedience Assumption, but there are strong suggestions that he does, at least in some places. See Wood, "Religion, Ethical Community, and Evil," 501–502, 507–508. In any case, my goal is not to attack these two interpreters, but to explore the issues that arise once we assume that the person who fulfills duties regarded as divine commands acts out of obedience to God.

arise from obedience, but it faces a difficulty of its own—that without obedience to God, the Kantian religious person is not actually thinking of moral duties as divine *commands*. In the final section, I consider this objection and suggest a possible response.

2. *Commands, Obedience, and Morality*

Kant says that morality leads through the concept of the highest good to religion, which is “*the recognition [Erkenntnis] of all duties as divine commands.*” Moral duties must “be regarded [*angesehen werden*] as commands of the Supreme being.”¹⁵ Our question is what this recognition involves, what regarding moral duties this way consists in. It seems reasonable to start with the attitude of obedience to commands, and to consider ordinary instances of obedience. After all, commands are a familiar feature of human life—e.g., a sergeant commands a private to dig a ditch, a parent orders her child to clean his room. Why not suppose that regarding duties as divine commands, and fulfilling them as such, can be understood along the same lines as the attitude of the private who obeys his sergeant or the child who obeys his parent? That is what I am calling the Obedience Assumption. The problem with this approach is that our ordinary notion of obedience to commands appears to be incompatible with Kant’s claims about the independence of morality from God.

To see the problem, consider a simple case: A sergeant orders a private to dig a ditch, and the private obeys by digging a ditch. If we ask the obedient private why he dug the ditch, then he can reply, “Because my commanding officer ordered me to dig it.” In a different scenario, the private might have heard the command, but then dug the ditch simply because he thought it was a good idea. Or he might have dug the ditch “because” the sergeant ordered him to do it, but only in the sense that the sergeant’s order alerted him to the fact that the ditch needed digging—e.g., without it, there would be a flood in the camp. But in those cases, the private will not have *obeyed* the sergeant’s command, even though he will have done the thing he was commanded to do. To obey a command, I must act as commanded *because* I have been commanded. As Robert Paul Wolff says: “Obedience is not a matter of doing what someone tells you to do. It is a matter of doing what he tells you to do *because he tells you to do it.*”¹⁶

When I obey a command, the fact of the command is essential to my reason for acting. And in acting *because* I have been commanded, I acknowledge the commander’s practical authority over me—i.e., her right to be obeyed, and her capacity to give me decisive reason to do (certain) things by ordering me to do them. An act of commanding presupposes such authority as the ground of the command’s normative significance for the

¹⁵Kant, *Critique of Practical Reason*, 5:129.

¹⁶Quoted in Green, “Legal Obligation and Authority,” § 2.

recipient of the command.¹⁷ Hence if a fellow private, rather than a sergeant, starts ordering me to dig ditches, I can reject his “commands” as presuming an authority that he in fact lacks. Colloquially put: You’re not the boss of me.

Suppose, then, that we apply this familiar sort of obedience to commands to the case of regarding our moral duties as divine commands. In ordinary cases, obeying a command means being in a position to explain why you did something by saying something like: “Because she told me to, and she’s the boss.” Thus if we ask the Kantian religious person (who regards moral duties as divine commands) why she fulfills some duty, e.g. keeping her promises, she will be able to say: “Because God told me to, and God is the boss.” Likewise, in ordinary cases of obedience one takes the command to have a normative significance that is grounded in the commander’s practical authority. Understood along these lines, the person who regards moral duties as divine commands must think of moral duties as having a normative significance that is based in God’s practical authority.

The problem, however, is that this way of thinking about one’s moral duties conflicts with Kant’s claims about the independence of morality from God. First, it conflicts with Kant’s claim that, in morality, a person does not need “the idea of another being above him in order that he recognize his duty.”¹⁸ For in ordinary cases of recognizing and obeying a command, the idea of another being above you is *precisely* what you need to have in mind—“above” in the sense of having practical authority over you. Second, it conflicts with Kant’s claim that we are not required

¹⁷Mark Murphy denies this: “But sincere commanding requires not belief in one’s authority but, at most, belief that one possesses some superiority relevant to the modification of reasons for action through the speech-act. A bully can, without possessing practical authority, give commands, in part because he or she has, through physical strength or other means of making other’s lives unpleasant, the capacity to modify the reasons for action others have by his or her commands. The commander does not as such imply that he or she is an authority over the commanded” (*An Essay on Divine Authority*, 28).

I like Murphy’s example, but I think it supports the opposite conclusion from the one that he draws. Consider what we would naturally say to a bully who is bossing people around: “Who do you think you are to tell people what to do? Who made you king? You’re not the boss around here. Stop telling people what to do!” Such a response highlights the fact that the bully’s acts of commanding indeed presuppose practical authority. In giving commands, the bully is acting *as if* he had authority. And in rejecting him as a mere bully, rather than a genuine authority, we are saying that his presumption of authority is false—that, in fact, he has no right to order us around. Of course, we might nevertheless comply with the bully’s demands for prudential reasons, especially if he has the power to make our lives miserable. But in dealing with a bully this way, we are not really obeying his commands as commands.

In any case, what is really crucial to my argument is not that sincere commanding presupposes practical authority. What matters is that there is a central type of obedience that involves recognizing the practical authority of another person. That is the sort of obedience that is relevant here, since Kant clearly does not think that God is a bully. And whatever recognizing duties as divine commands involves, it cannot be like our “obedience” to a bully, where we comply for merely prudential reasons.

¹⁸Kant, *Religion*, 6:3.

to “assume the existence of God *as a ground of all obligation in general* (for this rests, as has been sufficiently shown, solely on the autonomy of reason itself).”¹⁹ For if God is not the ground of obligation, and if the ground of obligation is rather the autonomy of reason, then how can it be correct to regard our moral duties as having a normative significance that is based in God’s practical authority over us—i.e. to fulfill them in an attitude of obedience to divine commands? And third, if pure practical reason “gives (to the human being) a universal law which we call the *moral law*,” then it looks like a mistake to obey the moral law out of obedience to God conceived as the mighty moral lawgiver.²⁰ If anyone is the boss here, it would seem to be pure practical reason, not God.

Might we resolve these worries if we suppose that the Kantian religious person thinks of moral obligation as grounded *both* in pure practical reason *and* in God’s practical authority? After all, there is nothing strange about a private who thinks both (a) that digging the ditch is a good idea, because it will prevent a flood in the camp, and (b) that he has decisive reason to dig the ditch anyway, because his sergeant has ordered him to do so. Might not the outlook of the Kantian religious person have a similar structure? Her reasons to fulfill her moral duties would be overdetermined, and she would understand them as such.

I will return to this suggestion in §4 below. But for now, what matters is that it does not solve the difficulties raised by the idea of obedience to divine commands. There is indeed nothing strange about the outlook of the private who digs a ditch out of obedience, while also recognizing that digging the ditch is simply a good idea. But the issue here is what is internal to his motivation *insofar as* he acts from obedience. And *insofar as* he acts from obedience, there is an importance sense in which the action’s being a good idea is neither here nor there. *Qua* someone who acts from obedience, he does not dig the ditch because it will prevent a flood, but because he has been commanded to do so. This is brought out by the fact it can make sense for a private to dig a ditch out of obedience even if he has no understanding of why it is a good idea, or even if he believes (perhaps correctly) that it is a bad idea.

In the case of Kantian religion, the parallel with the soldier would be someone who thinks both (a) that morality is independent of God in all the ways that Kant insists, and (b) that she has reason to fulfill her moral duties because God has commanded her to do so. The problems emerge when we think about what is internal to her motivation *insofar as* she acts from obedience. For if the Kantian religious person is like the obedient private, then there is an important sense in which further considerations are neither here nor there: *qua* someone who acts out of obedience to God, she does not fulfill his moral duties for any reason other than *because* God commands her to. And that looks like a mistake, given Kant’s own account of morality’s independence from God. Obedience at best fails to bring into

¹⁹Kant, *Critique of Practical Reason*, 5:125.

²⁰Kant, *Groundwork*, 4:431.

view, and at worse it seriously misrepresents, the idea that moral obligations are grounded in our nature as free beings and in self-legislation. Nor does obedience fit with the claim that the person who acts dutifully “is in need neither of the idea of another being above him in order that he recognize his duty, nor, that he observe it, of an incentive other than the law itself.”²¹

So it looks like obedience—or at least obedience in the familiar sense—cannot be the right way to understand what it means to regard our moral duties as divine commands. This suggests that, for Kant, regarding our duties as divine commands is not the same as obeying divine commands—i.e., that we should jettison the Obedience Assumption. I explore this idea in §4 below. First, however, I will consider two interpretations of Kantian religion. My goal in considering these two interpretations is to show that *if* we assume that regarding duties as divine commands is the same as obedience to God, then Kant’s overall position remains inconsistent on either interpretation.

3. Two Recent Interpretations of Kant and Divine Commands

3.1. Wood: Duties, Divine Commands, and Ethical Community

Allen Wood sums up Kantian religion this way: “To be religious, for Kant, is to view all one’s duties as commands issued to one by God.”²² At the same time, Wood says, Kant holds that morality is independent from divine commands in at least four ways: (1) God’s will is not the *ground* of moral obligation. (2) God’s commands do not provide the *motivation* for fulfilling our moral duties. (3) God’s commands do not determine the *content* of our moral duties. (4) We do not acquire *knowledge* of our moral duties from special divine revelation.²³

In discussing duties and divine commands, Wood’s primary focus is on what I earlier called the *why* question: If morality is independent of God in these ways, why should moral agents consider their duties as divine commands?²⁴ The best answer, Wood argues, lies in Kant’s idea of ethical community. Morality requires that we pursue the highest good, happiness in proportion to virtue. Because of the social sources of evil in human beings, the pursuit of the highest good must be a collective pursuit—a union of individuals working toward the same end—and thus morality requires that we join with others in an ethical community.²⁵ In this community, the

²¹Kant, *Religion*, 6:3.

²²Wood, “Religion, Ethical Community, and Evil,” 498.

²³Wood, “Religion, Ethical Community, and Evil,” 500.

²⁴This is true in both Wood, “Rational Theology, Moral Faith, and Religion,” and Wood, “Religion, Ethical Community, and Evil.”

²⁵As Kant says: “The highest good cannot be achieved merely by the exertion of the single individual toward his own moral perfection, but instead requires a union of such individuals into a whole working toward the same end - a system of well-disposed human beings, in which and through whose unity alone the highest moral good can come to pass” (*Religion* 6:97–98).

moral law is a universally valid *public* law, recognized by all. The members of this community must regard themselves as bound by the commands of a common lawgiver. But unlike the members of a juridical community, the members of an ethical community cannot regard themselves as the lawgiver. For they cannot know each other's innermost motivations, and the laws of an ethical community apply to innermost motivation, not mere outer compliance. Thus the lawgiver of an ethical community must be conceived as someone who "knows the heart" of the people. Because only God knows the heart, only God is fit to be conceived as the lawgiver of an ethical community.²⁶ As Kant says:

There must therefore be someone other than the people whom we can declare the public lawgiver of an ethical community. But neither can ethical laws be thought of as proceeding originally [*ursprünglich ausgehend*] merely from the will of this superior (as statutes [*Statute*] that would not be binding without his prior sanction [*Befehl*]) for then they would not be ethical laws, and the duty commensurate to them would not be free virtue but an enforceable legal duty. Therefore only such a one can be thought of as the supreme lawgiver of an ethical community, with respect to whom all true duties, hence also the ethical, must be represented as *at the same time* his commands; consequently, he must also be one who knows the heart in order to penetrate to the most intimate parts of the dispositions of each and every-one and, as must be in every community, give to each according to the worth of his actions. But this is the concept of God as a moral ruler of the world. Hence an ethical community is conceivable only as a people under divine commands, i.e. as a people of God, and indeed in accordance with the laws of virtue.²⁷

Wood claims that this notion of God as supreme lawgiver is consistent with Kant's claims about morality's independence from God. The key, according to Wood, is that "Kant distinguishes the *legislator* of the law, the one who issues a command and may attach sanctions to it, from the law's *author*, the one whose will imposes the obligation to obey it."²⁸ We are to regard God as the legislator, or lawgiver, of the moral law. This means supposing that God commands the law and attaches sanctions to it. (To speak about attaching sanctions here is, I take it, a way of describing God's role in guaranteeing that happiness is proportional to virtue within the highest good.) But we are not to regard God as the author of the moral law. Rather, "only the idea of the rational will of every rational being as such

²⁶For a challenge to Wood's claim that the community is essential for explaining Kant's invocation of divine commands, see Kain, "Interpreting Kant's Theory of Divine Commands," 139: "Why think that a divine intention to judge and reward or punish the behavior of everyone in a community would constitute a command, while a divine intention to reward or punish a solitary individual would fail to constitute a command (as Wood seems to imply)? . . . What is essential to the notion of command on Kant's account is that a will promulgates a rule with an eye toward judicial and executive determinations of reward and punishment, whether for one or many."

²⁷Kant, *Religion*, 6:99.

²⁸Wood, "Religion, Ethical Community, and Evil," 507.

can be conceived as its *author*."²⁹ And thus, Wood claims, we can consistently think of God as the moral lawgiver while maintaining that morality is independent from God in the four ways noted above. For regarding God as lawgiver, and our moral duties as divine commands, does not require appealing to God's will in order to explain: (a) the ground of moral obligation, or (b) moral motivation, or (c) the content of our moral duties, or (d) our knowledge of our moral duties.

However, there are two issues with Wood's appeal to Kant's distinction between the legislator of the law and the author of the law. The first issue is a lack of textual support. Wood interprets Kant as holding that the author of the law, but not the legislator, is the one whose will imposes the obligation to obey it. But that does not seem to fit with Kant's texts. In his lectures on ethics from the late 1770s, Kant says that a legislator, even when he is not the author of the laws, is able to impose the obligation of acting in accordance with them.³⁰ And in the *Metaphysics of Morals*, Kant says that the legislator, even when he is not the author of the laws, is "the author (*autor*) of the obligation in accordance with the law."³¹

The second issue concerns the Obedience Assumption and the difficulties we considered in the last section. So long as we maintain that the proper response to a divine command is obedience, then *even if* we grant Wood's interpretation of Kant's distinction between legislator and author, that distinction is not sufficient to make Kant's view consistent. As noted above, obedience to a command *as* a command requires that one takes the fact of being commanded to give one decisive reason to act as commanded, and that one regards that reason as grounded in the practical authority of the commander.³² Thus if one thinks of moral duties as the commands of God, and if one *obeys* them as such, then one must regard the authority of those commands—their bindingness—as grounded in God's authority. But how is that different from thinking of God as the one whose will imposes the obligation to obey the law, which is an idea that Wood rejects? The attitude of obedience to a superior's command seems incompatible with the conception of a superior (in this case, the legislator) as one who issues commands but whose will does not impose an obligation to obey. So if we assume that regarding duties as divine commands is a matter of obedience to God, then the attitude of the Kantian religious person will not be appropriate to what God really is—namely, a (mere) legislator whose will does not impose an obligation to obey. Given the Obedience Assumption, the outlook of the Kantian religious person, as conceived by Wood, remains inconsistent.

²⁹Wood, "Religion, Ethical Community, and Evil," 507.

³⁰Kant, *Lectures on Ethics*. See the section "Of the Lawgiver," 76–77.

³¹Kant, *Metaphysics of Morals*, 6:227.

³²Of course, the practical authority of the commander need not be ultimate. That authority might itself be grounded in something else.

3.2. Hare: Asymmetrical Joint Authorship of the Obligation to Obey

John Hare offers a different interpretation of Kant's claims about moral duties and divine commands. Whereas Wood holds that God does not in any way impose the obligation to obey the moral law, Hare argues that God does impose the obligation, although God does so *together with us*. Hare claims that by the time Kant wrote the *Groundwork* he was operating with a distinction between two kinds of author: "There is the author of the law and there is the author of the obligation in accordance with the law. Put carefully, it turns out that God and we can be jointly seen as authors in one sense, namely authors of the obligation of the law, and neither God nor we can be seen as authors of the law directly."³³ Moreover, even though we are with God jointly authors of the obligation of the law, this joint authorship is not symmetrical. The moral law applies to us as rational beings who are members of the kingdom of ends. God also belongs to this kingdom, but not as a member. Rather God is the *head* of the kingdom. Thus, according to Hare, there is an asymmetry in our joint authorship of the obligation of the law: "We ordinary moral agents have to see our role as recapitulating in our own wills the declaration in God's will of our duties. This is how we are lawgivers; we declare a correspondence of our wills with the law (which we do not create). For me to will the law autonomously is to make it my law."³⁴

Hare fleshes out this picture by comparing it to examples of ordinary authority. One example is a student who takes a logic course because doing so is required by his department.³⁵ Another example is a citizen who pays her taxes because doing so is required by the law. Both of these, Hare says, are instances of autonomous submission. Each person acts autonomously *as* a student or *as* a citizen precisely by willingly submitting to an obligation. And the same thing can be said of our moral duties conceived as divine commands: "To extend this analysis to the context of divine command theory, we could say that an agent acts autonomously out of her practical identity as a citizen of God's kingdom only if she acts out of obedience to God."³⁶ In every case, the agent's obedience is autonomous because the agent and the authority have a shared end, and "there is nothing heteronomous about willing to obey a superior's prescription because the superior has prescribed it, as long as the final end is shared between us."³⁷ With respect to morality, that shared end is the highest good, in which morality is proportioned to happiness: "The point of morality is to further one's own perfection and the happiness of others. The kingdom of ends is the place where these two goals coincide."³⁸ Thus, according to Hare, to regard moral duties as divine

³³Hare, "Kant on Recognizing our Duties," 462.

³⁴Hare, "Kant on Recognizing our Duties," 462. See also Hare, *God's Call*, 92–97.

³⁵Hare, "Kant on Recognizing Our Duties," 468–471, and Hare, "Kant's Divine Command Theory," 267–272. The example of the student is borrowed from Christine Korsgaard.

³⁶Hare, "Kant on Recognizing our Duties," 469.

³⁷Hare, "Kant on Recognizing our Duties," 471.

³⁸Hare, "Kant on Recognizing our Duties," 467.

commands is to think of them as duties that pertain to one as a citizen of the kingdom of ends, in which God is the head who has “combined in one person the legislative, executive and judicial functions which Kant thinks should be separated in a well-run earthly republic.”³⁹

Hare disagrees with Wood about the relationship between moral obligation and the divine will. But Hare’s interpretation also faces difficulties, again arising from the notion of obedience. The basic problem is this: If the Kantian religious person acts from obedience to God, and we construe divine commands as similar to authoritative prescriptions like departmental rules or civil laws, then it’s hard to see how the attitude of the Kantian religious person is consistent with Kant’s claims about the independence of morality from God. Hare is concerned to show that submission to divine commands need not be heteronomous—that there is such a thing as *autonomous* submission to authority. Let us grant that. Even so, fulfilling one’s moral duties as an act of autonomous obedience to God still requires one to act from some thought about God as an authority who issues commands. And that seems to conflict with Kant’s claim in the preface to *Religion*: “So far as morality is based on the conception of the human being as one who is free but who also, just because of that, binds himself through his reason to unconditional laws, it is in need neither of the idea of another being above him in order that he recognize his duty, nor, that he observe it, of an incentive other than the law itself.”⁴⁰ In cases like the student or the citizen, their autonomous submission *does* need the idea of another being above them—i.e., whoever has established the departmental policies, in the one case, or the tax laws, in the other.

Hare has a reply to this worry. According to Hare, the preface to *Religion* assumes a distinction between what human beings are *qua* free beings and what human beings are *qua* dependent beings or “creatures of need.” On this interpretation, Kant’s point is that *so far as* we are free, we have no need of a being over us, and in that way morality *on its own behalf* does not need religion. However, we are also dependent beings, and “*our* morality needs religion because of the sort of beings we are . . . We belong to two worlds (sensible and insensible) and, as such, we *do* need the idea of a being over us, and of an incentive other than morality.”⁴¹ What Hare has in mind here is Kant’s argument that the highest good requires us to postulate the existence of God. Because we are creatures of need we unavoidably seek our own happiness. Morality commands us to pursue the highest good, in which happiness is proportioned to virtue. But “we cannot adopt this end as an intended consequence without believing it possible; and we cannot believe it possible without assuming “a higher, moral, most holy, and omnipotent being who alone can unite the two elements of this good.” This requires us to believe not merely in the possibility but the actual existence of God.”⁴²

³⁹Hare, “Kant on Recognizing our Duties,” 469. See also Hare *God’s Call*, 109–114.

⁴⁰Kant, *Religion*, 6:3.

⁴¹Hare, *God and Morality*, 163.

⁴²Hare, *God and Morality*, 165.

This reply, however, does not solve the problem about obedience to God. Let us grant that, for Kant, the pursuit of the highest good requires us to believe in the existence of God. This yields belief in God conceived as the guarantor of the highest good. But conceiving of God this way is not the same as conceiving of God as a superior who issues commands that we must obey. This is true even if we suppose that God wills the highest good, and that God wills for us to pursue the highest good. It is one thing to think, "I must pursue the highest good, and the highest good is only possible if God exists, and in pursuing the highest good I am doing what God wills me to do and taking up the same end as God." It is another thing to think, "I must pursue the highest good (or fulfill any of my duties) *because* God commands me to do so." Obedience requires the second attitude, not merely the first. And even if Kant's argument from the highest good shows that we must adopt the first attitude, it does not show that we must adopt the second attitude. Nor does it reveal how the second attitude is consistent with Kant's claims about the independence of morality from God. So even if *qua* dependent beings we do need "the idea of a being over us," this is not the idea of God as a superior who issues authoritative commands that must be obeyed. This is not a being "over us" *in the same sense* that departmental authority is over the student or the political authority is over the citizen—i.e., it is not the idea of God as a practical authority. Furthermore, the idea of God as the guarantor of the highest good does nothing to answer the question: Why is even autonomous obedience to God appropriate, if it is actually pure practical reason, rather than God, that "gives (to the the human being) a universal law which we call the *moral law*"?

And so the problems generated by the Obedience Assumption remain. If regarding duties as divine commands is the same as *obeying* God's commands, then the characteristic attitude of the Kantian religious person is incompatible with Kant's own claims about the independence of morality from God.

4. *From Duty and In Hope*

Let us take stock. Kant claims that we should regard our moral duties as divine commands. Our question is: what we are supposed to be doing when we regard our duties this way? The most natural answer is that we are taking God as an authority whom we should obey, analogous to practical authorities like parents, teachers, or political rulers. But features of obedience show that this attitude is inconsistent with Kant's central claims about morality. And thus the overall outlook of the Kantian religious person looks inconsistent. Furthermore, whatever insights we might glean from the nuanced interpretations of Wood and Hare, they are not sufficient to solve this problem.

Given the difficulties that arise from the Obedience Assumption, it seems reasonable to attempt an interpretation of Kant's religious person that abandons this assumption. In this section, I develop such an

interpretation. Let us start with a passage from the second section of *Groundwork*, where Kant says this about commands:

The representation of an objective principle, insofar as it is necessitating for a will, is called a command (of reason) [*Gebot (der Vernunft)*], and the formula of the command is called an **imperative**. All imperatives are expressed by an ought and indicate by this the relation of an objective law of reason to a will that by its subjective constitution is not necessarily determined by it (a necessitation).⁴³

A few pages later, Kant says that “commands are laws that must be obeyed, that is, must be followed even against inclination.”⁴⁴ In short, a practical law presents an action as practically necessary—as good, or to be done—and the concept of a *moral* law includes the idea of *absolute* practical necessity, as applying to all beings regardless of their inclination or purposes.⁴⁵ What the concept of command adds to the concept of law is the idea of *necessitation*, an action’s being practically necessary in the face of inclinations that may not align with the law.⁴⁶ As Kant says:

[I]f reason solely by itself does not adequately determine the will; if the will is exposed also to subjective conditions (certain incentives) that are not always in accord with the objective ones; in a word, if the will is not *in itself* completely in conformity with reason (as is actually the case with human beings), then actions that are cognized as objectively necessary are subjectively contingent, and the determination of such a will in conformity with objective laws is *necessitation*.⁴⁷

Unlike human beings, God does not have contingent needs and subjective inclinations. Thus God is not subject to commands or imperatives. But this does not mean that the divine will is lawless. Rather, the divine will necessarily accords with the moral law, and hence the notion of necessitation is out of place:

A perfectly good will would, therefore, equally stand under objective laws (of the good), but it could not on this account be represented as *necessitated* to actions in conformity with law since of itself, by its subjective constitution, it can be determined only through the representation of the good. Hence no imperatives hold for the divine will and in general for a *holy* will: the

⁴³Kant, *Groundwork*, 4:413.

⁴⁴Kant, *Groundwork*, 4:416.

⁴⁵In the preface to the *Groundwork*, Kant cites one of the Ten Commandments to illustrate the absolute necessity of moral laws: “Everyone must grant that a law, if it is to hold morally, that is, as a ground of an obligation, must carry with it absolute necessity; that, for example, the command ‘thou shalt not lie’ does not hold only for human beings, as if other rational beings did not have to heed it, and so with all other moral laws properly so called” (4:389). Given that the Ten Commandments are a paradigm case—probably *the* paradigm case – of divine commands, it is noteworthy that Kant does not mention God or the divine will in this passage.

⁴⁶Although an imperative is the formula of a command, and there are hypothetical imperatives, Kant prefers to reserve the term command for a categorical imperative. See *Groundwork* 4:416.

⁴⁷Kant, *Groundwork*, 4:412–413.

“ought” is out of place here, because volition is of itself necessarily in accord with the law.⁴⁸

Kant reiterates this point in the *Critique of Practical Reason*, where he says that the “supremely self-sufficient intelligence” is properly represented as “incapable of any maxim that could not at the same time be objectively a law.”⁴⁹ That is why the divine will is *holy*.

A striking feature of Kant’s definition of a command is that it does not include any mention of an authority who issues commands. A command is an objective principle with necessitation, and it seems that a command *per se* does not require someone who commands. In this respect, Kant’s abstract notion of command differs from the kind of ordinary commands given by sergeants, teachers, or other practical authorities. For in those cases, a command implies a superior who commands.⁵⁰

However, even if the *general* concept of a command does not require a commander, it seems that a *divine* command must have a commander. What else could a divine command be, if not a command issued by God? Kant surely recognizes this. Perhaps that is why, when discussing the recognition of duties as divine commands, Kant is quick to distinguish commands from sanctions (*Sanktionen*), which also imply a commander:

In this way the moral law leads through the concept of the highest good, as the object and final end of pure practical reason, *to religion, that is, to the recognition of all duties as divine commands, not as sanctions—that is, chosen and in themselves contingent ordinances of another’s will*—but as essential laws of every free will in itself, which must nevertheless be regarded as commands of the supreme being because only from a will that is morally perfect (holy and beneficent) and at the same time all-powerful, and so through harmony with this will, can we hope to attain the highest good, which the moral law makes it our duty to take as the object of our endeavors.⁵¹

Unlike the abstract concept of a command, the concept of a sanction does imply a commander from whose will the ordinance (*verordnung*) proceeds. And that might suggest that divine commands, which proceed from the divine will, are actually sanctions. But Kant emphatically denies this,

⁴⁸Kant, *Groundwork*, 4:414.

⁴⁹Kant, *Critique of Practical Reason*, 5:32.

⁵⁰We sometimes speak about something other than a person issuing a command—e.g. “The posted sign commands us not to go beyond this fence.” But there is no puzzle here. The sign is not really the commander but a statement of the command. The commander is whoever put up the sign as a directive to would-be fence crossers.

⁵¹Kant, *Critique of Practical Reason*, 5:129. In this passage, Kant appears to be defining sanctions (*Sanktionen*) as “chosen and in themselves contingent ordinances of another’s will.” This is an odd way of defining sanctions, which are typically understood not as ordinances themselves but as the penalties that attend the violation of an ordinance. Perhaps, then, Kant’s real intention is not to offer a definition of sanctions, but to point out a type of ordinance that is accompanied by sanctions. Or perhaps “sanctions” is not really the best translation of *Sanktionen* in this passage. In any case, these issues do not undermine the substance of my proposed interpretation of the Kantian religious attitude. Thanks to Mark Murphy for encouraging me to think about this issue.

because sanctions are chosen and in themselves contingent (*sich selbst zufällige*), whereas moral duties are not. Rather moral duties are “essential laws of every free will in itself”—a truth that would be lost if we thought of moral duties as divine *sanctions*.

I take it that a sergeant ordering a private to dig a ditch would be an example of an ordinance that is chosen and contingent. The sergeant decides to give the order, and he could have ordered otherwise—e.g., he might have ordered the private to clean the latrine, instead, and in that case it would have been latrine-cleaning, rather than ditch-digging, that was the action to be done. Kant wants to be clear that regarding our duties as divine commands does *not* mean thinking of them like that. At the same time, the idea of a divine command, unlike the most general and abstract concept of a command, does imply the *will* of another. In particular, it implies a will that is morally perfect and all-powerful. So in thinking of our duties as divine commands we are to be thinking of them as both: (1) directives related to the will of another, and in that respect similar to ordinary commands, and (2) necessary and essential laws of every free will in itself, and for that reason not mere contingent ordinances but commands that possess unconditional, objective, and universal validity.

In connection to this, consider the passage from *Religion* quoted above in section three. There Kant argues that an ethical community is conceivable only as a people under divine commands. But even so the laws of an ethical community cannot be thought of as “proceeding originally [*ursprünglich ausgehend*] merely from the will of this superior (as statutes [*Statute*] that would not be binding without his prior sanction [*Befehl*]) for then they would not be ethical laws, and the duty commensurate to them would not be free virtue but an enforceable legal duty.” The sergeant’s order seems to be an example of a command that proceeds originally merely from the will of a superior. The sergeant could have chosen to command differently, and had the sergeant not commanded the private to dig the ditch, then the private would not have had an obligation to do so. Moreover, the private’s obligation is an enforceable duty. So in saying that moral duties do not proceed originally merely from the will of God, Kant again seems to be aware that regarding duties as divine commands requires some appeal to the divine will. But again he stresses that the divine will is not to be conceived like the will of the sergeant who orders the private to dig a ditch.

We saw earlier that Kant conceives of the divine will as holy, as necessarily operating morally perfectly. It would be wrong, however, to think that we first form a conception of the divine will, and we then think of *that* will as holy. Rather what comes first is our concept of a necessarily morally perfect will, and our notion of divinity is taken from that. Thus there can be no divergence between what we affirm as divinely willed and what we affirm as in accordance with the moral law. In this respect, the divine will is clearly different from any particular human authority. To illustrate: given that killing one’s own son is in violation of the moral law, we can

be absolutely certain, in advance of any other information, that God did not will a father to kill his son. The same cannot be said for any human authority.⁵²

All of this suggests a way of understanding what it means to conceive of one's moral duties as divine commands. The dutiful Kantian religious person acts morally out of respect for the moral law. At the same time, she recognizes that the moral law is the necessary principle of the divine will. She thereby expands her overall understanding of morality to include the idea of an omnipotent and perfectly-lawful will that is capable of bringing about the highest good.⁵³ This rational idea of the divine will combines (a) our conceptually prior understanding of moral perfection with (b) the notion of a cause sufficient to bring about the highest good, which morality commands. As Kant says: "[T]he concept of the Divinity actually originates solely from the consciousness of these [purely moral] laws and from reason's need to assume a power capable of procuring for them the full effect possible in this world in conformity with the moral final end."⁵⁴ To think of one's duties as divine commands is to think of them *in light of the fact* that the moral law—which is a formal principle that pure practical reason gives to itself—is also the necessary principle of the divine will, which is a cause capable of bringing morality to fruition in the highest good. However, to think of the moral law this way is not to think of the moral law as having a normative grounding in God's practical authority over us. Nor is it to fulfill one's moral duties *because* God commands them. In that sense, the Kantian religious person does not act from obedience to God *per se*. Rather she acts from respect for the moral law, with the awareness that the law is also the necessary principle of the divine will. And thus we can describe her motivational structure this way: She acts both *from duty* and *in hope*—a hope for attaining the highest good, which she grasps as warranted because of her awareness that the very moral law for which she has respect is also the necessary principle of an all-powerful will.

This interpretation of the Kantian religious person faces a textual challenge that needs to be addressed. In at least one passage, Kant specifically refers to obedience to God: "Since all religion consists in this, that in our duties we look upon God to be honored universally, the determination of religion, so far as the conformity of our conduct with it is concerned, comes down to knowing *how God wills* to be honored (and obeyed)."⁵⁵ This suggests that, after all, the attitude of the Kantian religious person acts from obedience. But this appearance is misleading.

⁵²*Religion* 6:87. Kant is alluding, of course, to Abraham and Isaac.

⁵³"But now, if the strictest observance of the moral laws is to be thought of as the cause of ushering in the highest good (as end), then, since human capacity does not suffice to effect happiness in the world proportionate to the worthiness to be happy, an omnipotent moral being must be assumed as ruler of the world, under whose care this would come about, i.e., morality inevitably leads to religion" (*Religion* 6:8).

⁵⁴Kant, *Religion*, 6:104.

⁵⁵Kant, *Religion*, 6:103–104.

In the paragraph that follows this sentence, Kant distinguishes between merely statutory and purely moral laws. He is clear that so far as there is a way to honor God that is universally valid for humans as such, this honoring concerns only “pure *moral* legislation, through which God’s will is originally engraved in our hearts.”⁵⁶ And earlier in the same section, Kant makes the following criticism of those who follow a religion of divine service:

They cannot indeed conceive their obligation except as directed to some *service* or other which they must perform for God – wherein what matters is not the intrinsic worth of their actions as much as, rather, that they are performed for God to please him through passive obedience, however morally indifferent the actions might be in themselves. It does not enter their heads that, whenever they fulfill their duties toward human beings (themselves and others), by that fact they also conform to God’s commands; hence, that in all their doings and non-doings, so far as these have reference to morality, they are *constantly in the service of God*.⁵⁷

What is noteworthy about this passage is that when Kant speaks about the true service of God, which involves moral not statutory laws, he does not distinguish between: (a) obedience to divine commands, and (b) doing what fulfills the content of a divine command. Or rather: Kant says that what matters for genuine service to God is not obedience *per se* but fulfilling the content of the command—“conforming” to the command by doing one’s moral duty. This suggests that when Kant uses the language obedience to God in the following paragraph, what he has in mind is not obedience to God *strictly speaking*—i.e., he is not thinking of persons who fulfill their duties because God commands them and from respect for God’s practical authority.

With all this in mind, let us return to the earlier suggestion that the Kantian religious person is analogous to the private who has more than one decisive reason to dig the ditch—both because it will prevent a flood, and because he has been commanded to do so. We can now see why this is a misleading analogy. In the case of the private, there are two types of normative consideration involved: one relates to a good result that is to be brought about (preventing a flood), and the other is based in the sergeant’s practical authority. Moreover, the sergeant’s authoritative command is not the same thing as the fact that digging the ditch is a good idea because it will prevent a flood. But matters are different with the moral law and the divine will. Divine commands are not a different type of normative consideration, added to the normativity of the moral law. Nor are there are two different things that can be thought of separately, as if the moral law were one thing and the divine will another. Rather, when the Kantian religious person is led from morality to religion, she comes to see that the moral law *is* the

⁵⁶Kant, *Religion*, 6:104. Kant’s language here is an echo of Romans 2:15.

⁵⁷Kant, *Religion*, 6:103.

necessary principle of the will of a being who is omniscient, omnipotent, holy, and just.⁵⁸

5. No Divine Commands After All?

If recognizing duties as divine commands does not involve acting out of obedience to God, then it is much easier to reconcile the attitude of the Kantian religious person with Kant's other claims about morality. However, we face a different problem. If the Kantian religious person does not act out of obedience to God, then it seems she is merely thinking of her duties as being in harmony with God's will, rather than as divine commands. Earlier we noted that even if you do something in the knowledge that you are doing what God wills you to do, this is not the same as obedience; it is not doing it *because* God wills you to do it. We now face the same point viewed from the other end. If you do not act from obedience, then even if you act in the knowledge that what you are doing is what God wills you to do, you are not treating the divine will as a source of authoritative commands. You are simply seeing your will as being in harmony with the divine will.⁵⁹

In response to this worry, we might point out that, in fulfilling her duties, the Kantian religious person does not see her will as being *merely* in harmony with the divine will. It is not as if her will is one thing, and the divine will is another, and the two happen to coincide. For she also thinks of that divine will as a cause capable of bringing about the highest good, happiness in proportion to virtue. And she aims to attain the highest good. So the Kantian religious person sees herself as dependent upon the divine will for achieving her aim (an aim required by morality), and she hopes for the proper proportioning of happiness and virtue that only the divine will can achieve.

That said, I think a defender of Kantian religion should concede that when we speak about regarding duties as divine commands, we are speaking loosely. We are using a notion of command that is crucially different from the type of command issued by authorities such as sergeants, parents, or political rulers. For once we understand the role that God plays in Kantian religion, we see that God is not functioning like a practical authority of the familiar sort. Nor does the central attitude of the Kantian

⁵⁸"Now the human being as a secure foundation on which he can build his faith in God . . . He tries to act according to the duties he finds grounded in his own nature; but he also has senses which present the opposite to him with a blinding bedazzlement, and if he had no further incentives and powers to resist it, then he would in the end be blinded by their dazzle. Hence in order that he may not act against his own powers, he is set by his own reason to think of a *being whose will is those very commands* which he recognizes to be given by themselves *a priori* with apodictic certainty" (*Lectures on the Philosophical Doctrine of Religion* 28:102: first emphasis added).

⁵⁹Cf. Wood, "Religion, Ethical Community, and Evil," 501: "Second, although we may hope to attain the highest good only if our will is in harmony with God's will, it has not yet been explained why we should think of this harmony specifically as our obedience to commands issued by God's will."

religious person involve obedience to God in the ordinary sense of obedience. And thus the relevant idea of command must be quite different from ordinary commands. Indeed, it is so different that one might reasonably think it is misleading for Kant to speak about divine commands, rather than harmony with, and dependence upon, the divine will.

Interpreted this way, Kant turns out to be less of a divine command theorist than some of his passages suggest—and less a divine command theorist than scholars like Hare have argued. However, this interpretation does not make God any less important for Kantian morality, or turn Kant into a more “secular” philosopher.⁶⁰ Moreover, it has the benefit of allowing us to describe the characteristic attitude of the Kantian religious person—to say what she thinks about moral duties and God—in a way that avoids inconsistencies with Kant’s other claims about morality. The alternative, it seems to me, is to grant that Kantian religion really is incoherent.⁶¹

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⁶⁰On the tendency of interpreters to secularize Kant in a way that is untrue to his texts, see Hare, “Kant’s Divine Command Theory,” 272–273 and Kain, “Interpreting Kant’s Divine Command Theory,” 128.

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