

## ABSTRACT

Kierkegaard and Modern Moral Philosophy:  
Conceptual Unintelligibility, Moral Obligations and Divine Commands

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We moderns have lost a grasp on some of our most commonly used moral concepts. Or rather, the moral concepts that we use everyday have, in our grasp, lost the intelligibility they once enjoyed. Contemporary moral judgments are linguistic survivals from practices that have been largely abolished in many spheres of modern society. And although we continue to use the same expressions, many of our moral utterances are now lacking in content, due to our having relinquished the conditions for their intelligibility. Elizabeth Anscombe argued for this thesis in her 1958 article, “Modern Moral Philosophy.” I demonstrate that there are good reasons to believe that Anscombe’s diagnosis of our modern moral predicament is correct before turning to point out that Anscombe was not the first to propose such a radical picture of our moral situation. Over a century before Anscombe, Søren Kierkegaard diagnosed the disorder of our modern moral language and thought and worked to identify, expose and correct modernity’s conceptual confusions. Kierkegaard’s diagnosis of the disorder of our modern moral language and thought has remarkable commonalities with Anscombe’s. Nevertheless,

whereas Anscombe famously suggested that we would do well to abandon our use of the moral “ought” and of the notions of moral “right”, “wrong” and “obligation,” Kierkegaard prescribes a different solution. Instead of jettisoning our unintelligible moral concepts, Kierkegaard suggests, we should recover a divine law conception of ethics that would render our moral language and thought intelligible once again. I argue that such a recovery of a divine law conception of ethics is a viable option; specifically, I argue that a divine command theory of moral obligation—conceived as a special case of a social theory of obligation and developed with an eye toward the essential roles played by both institutional rules and the virtues—is theoretically defensible and deserves to be taken as a serious metaethical option by contemporary ethical theorists.

Kierkegaard and Modern Moral Philosophy:  
Conceptual Unintelligibility, Moral Obligations and Divine Commands

by

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A Dissertation

Approved by the Department of Philosophy

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Submitted to the Graduate Faculty of  
Baylor University in Partial Fulfillment of the  
Requirements for the Degree  
of  
Doctor of Philosophy

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May 2009

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## ACKNOWLEDGMENTS

There are many to whom I am indebted, whether intellectually, materially or spiritually; it is a pleasure to call to mind those who have had a positive impact on my life and work. First, I am infinitely indebted to my parents, Mike and Linda Cantrell. One of the greatest blessings of my life is my having been raised by parents so abounding in love that even my decision to pursue a Ph.D. in philosophy was warmly encouraged. Any attempt to enumerate specific debts to my father and mother is bound to fall far short, for their steadfast love has constituted the very essence of my personhood and has served as a solid foundation for my intellectual and spiritual development. My life has been enriched with goods greater than I can comprehend thanks to their efforts; whatever success I achieve necessarily presupposes the great investment of love they have made in me.

Another of the greatest blessings of my life is my having been raised in rural Arkansas, among honest, hard-working, kind-hearted people who “are never very far from what they are.” One such person is Ragan Sutterfield, now a farmer in the foothills of the Ozark mountains in central Arkansas; besides generally expanding my intellectual horizon through thoughtful conversation, Ragan was the first person to introduce me to the thought of Søren Kierkegaard. If it weren’t for Ragan’s influence, it is likely—perish the thought!—that I never would have considered serious study in philosophy. Another such person is Wayne Smith, the owner of a small trucking company in Morrilton,

Arkansas. Wayne's incredibly generous financial support allowed me to study debt-free at Oxford University in the summer of 2000.

My debts to Norbert O. Schedler, the Founding Director of the Honors College at the University of Central Arkansas and my undergraduate mentor, are immense. Norb (as he is affectionately known) is simply an extraordinary human being. Besides being the visionary for and creator of the Honors College—that most vibrant and intellectually fertile institution—Norb took particular interest in me, encouraged my philosophical proclivities and spent countless afternoons in conversation with me on topics ranging from Augustine to the realism/nominalism debate to the thought of Jean-Luc Marion. If Ragan Sutterfield gave me the wherewithal to consider serious study in philosophy, Norb gave me the wherewithal actually to pursue it. Furthermore, Norb made it possible for me to receive generous financial support for study at Oxford University in 2000, for study at Teikyo University in Maastricht, The Netherlands and L'Abri Fellowship in Huemoz, Switzerland in 2001, for study at Yale University in 2002, and again, for travel to attend an important conference in 2003.

Among those to whom I have intellectual debts, C. Stephen Evans stands out. My debt to Steve Evans goes back to a time when I knew him only as the author of books that I had read on Kierkegaard and the philosophy of religion. His work and teaching has fundamentally informed my understanding, not only of countless substantive issues in philosophy, but also of the way in which philosophy itself can be done with great integrity. It has been a genuine privilege to work with Steve as my advisor on this dissertation project.

I am grateful to my other committee members who have helped me to bring this project to completion: Robert C. Roberts, Robert B. Kruschwitz, Margaret Watkins and David Lyle Jeffrey. I am also grateful to the Baylor Department of Philosophy and to the Baylor Graduate School for their generous financial support which has made possible my completion of the philosophy Ph.D. program, and which has provided “more than reasonable” funding for travel to present my work at numerous professional philosophical conferences.

My other debts include those to: Charles Harvey, my first teacher of Kierkegaard; Jim Shelton, a man always ready to debate; Rick Scott, the man who fueled my interest in social theory; Doug Corbitt, a friend, a mentor and a good man; Bart Dunlap, a friend and valued conversation partner; Jeff Russell, a friend and theological resource; Ken Wilson, an intellectual role model; Jeff Hatton, a purveyor of Truth; Michael Beaty, a man of practical wisdom; Todd Buras, a generous senior colleague; and Jay Bruce, an extraordinary human being and a good friend.

Speaking of extraordinary human beings, I would like to express the warmest gratitude to my wife, Sarah. Sarah was, and remains, so far out of my league in beauty, grace, charm and intelligence that after nearly a decade of marriage I remain astounded at her choice to be my wife. Sarah has always enabled me to accomplish more and greater things than I ever would have felt confident enough to attempt on my own. Jonathan Edwards once referred to the love that he shared with his wife as an “uncommon union”; I can think of no better words to describe the love that Sarah and I share. It is to Sarah that I dedicate this work.

To my delightful wife, Sarah—  
a good and perfect gift from above

## CHAPTER ONE

### Anscombe on Morality and its Discontents

#### *1.1 Introduction*

The language of moral right, wrong and obligation is ubiquitous in our culture. Read the editorial section of any newspaper, listen to the rhetoric of political candidates, or simply hang around with a group of high school students for very long and one is likely to encounter various expressions of outrage or remorse at a purported violation of moral duty, a question regarding the moral permissibility of some action, or a simple exhortation to “do the right thing.” A deep-seated concern with moral considerations frequently motivates individuals to give voice to their moral convictions in everyday conversations.

It is an instructive exercise to push those individuals who articulate such convictions to explain the basis for their claims. Often, people are at a complete loss to elaborate on what they are trying to say. A typical response to this unusual kind of questioning is simply to repeat what they have already asserted (e.g., “Well, I just think that it is wrong” to do such and such), perhaps followed by the incredulous suggestion that “of course you know what I am talking about.” What is here revealed is the utter inability of many modern individuals to articulate any basis upon which their moral convictions could be justified. This inability is curious, especially given the passion with which moral convictions are typically held. Of course, the observation that many people today are morally incapacitated in this way does not in any way invalidate the correctness

of their moral judgments; it does, however, indicate the presence of a disorder afflicting our contemporary moral language, thought and practice.

In *After Virtue*, Alasdair MacIntyre points out that, although contemporary moral claims give the *appearance* of appealing to objective criteria of assessment, our culture in fact *lacks* any criteria by which moral claims might be rationally adjudicated. The historical explanation MacIntyre sketches is “that moral judgments are linguistic survivals from the practices of classical theism which have lost the context provided by these practices.”<sup>1</sup> MacIntyre explicitly acknowledges the “deep indebtedness” of his view to a paper published in 1958 by Elizabeth Anscombe titled “Modern Moral Philosophy.”<sup>2</sup> In this paper, which has come to be recognized as one of the most influential, controversial and perplexing papers in all of twentieth century ethics, Anscombe calls modern moral philosophers actually to *abandon* their use of moral notions of permission, prohibition and obligation—to abandon, in brief, that mutually inter-definable<sup>3</sup> set of notions which together constitute the “deontological family” of moral concepts.<sup>4</sup>

In this chapter, I explore Anscombe’s account of how our moral language could come to be in such disarray and argue that her thesis provides revealing explanations for the odd characteristics of morality that twentieth-century moral philosophers have recognized. In the first several sections I explicate Anscombe’s argument before turning

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<sup>1</sup> Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame Press, 1981), 60.

<sup>2</sup> *Ibid.*, 53.

<sup>3</sup> Taking permission (“right”) as primitive, prohibition (“wrong”) pertains to what one is *not* permitted to do, while obligation pertains to what one is *not* permitted *not* to do.

<sup>4</sup> In all that follows I use “morality” to refer exclusively to these deontological concepts.

to evaluate Anscombe's historical thesis regarding the development of our modern moral notions. Anscombe's historical thesis is that our modern moral notions of right, wrong and obligation are the degenerate leftovers from the now-defunct Christian divine law conception of ethics. After introducing Anscombe's understanding of the development of so-called "modal" terms and tracing their subsequent moralization, I identify three odd features (or "symptoms") exhibited by the contemporary understanding of morality which, it turns out, are precisely what we should expect to observe if the disorder of our contemporary moral language and thought is in fact due to the historical rejection of a divine law conception of ethics. As we shall see, the presence of these odd features of morality confers a great deal of plausibility upon Anscombe's historical thesis.

### 1.2 "*Modern Moral Philosophy*"

In the most general terms, "Modern Moral Philosophy" is a sweeping, if highly selective, critical survey of ethics from Aristotle to G.E. Moore with a view to discovering what light can be shed on the modern conception of morality. In brief, Anscombe despairs of the possibility that any well-known modern moral philosopher possesses the conceptual tools necessary to elucidate our ways of talking about morality. In fact, she argues that Hume did us all a service "by showing that no content could be found in the notion 'morally ought'."<sup>5</sup> As a consequence of the perceived plague of conceptual unintelligibility upon the house of moral obligation—which, it will be recalled, in 1958 enjoyed a virtual monopoly on ethical discussion—Anscombe argues that it is simply not profitable for us to do moral philosophy until proper ethical categories can be developed. And given the contemporary intellectual climate, she is

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<sup>5</sup> G.E.M. Anscombe, "Modern Moral Philosophy," *Philosophy* 33, no. 124 (January 1958): 8.

pessimistic about the prospects for salvaging a plausible scheme of moral obligation. Hence her thesis that “the concepts of obligation, and duty—*moral* obligation and *moral* duty, that is to say—and of what is *morally* right and wrong, and of the *moral* sense of ‘ought,’ ought to be jettisoned if this is psychologically possible.”<sup>6</sup> Of course, Anscombe’s pessimism about moral obligation is balanced by an optimism regarding a return to an ethic of the virtues. Indeed, Anscombe’s remarks in this essay are often credited with fomenting the renewal of reflection on the virtues in recent decades.

Anscombe begins her argument by noting one important way that the modern conception of morality contrasts with Aristotle’s virtue ethics. “The concepts which are prominent among the moderns,” she says, “seem to be lacking, or at any rate buried or far in the background, in Aristotle.” In particular, Aristotle has little, if anything, to say about moral obligation; indeed, “if someone professes to be expounding Aristotle and talks in a modern fashion about ‘moral’ such-and-such, he must be very imperceptive if he does not constantly feel like someone whose jaws have somehow got out of alignment: the teeth don’t come together in a proper bite.”<sup>7</sup>

Anscombe notes that it is characteristic of modern morality to countenance statements that one “should” or “ought to” or “needs to” perform some action “in the sense in which one can be obliged or bound by law, or something can be required by law.”<sup>8</sup> The closest thing in Aristotle’s ethics to this notion of moral obligation is drawn from the idea of *eudaimonia* or flourishing. Certain actions are necessary for human

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<sup>6</sup> Anscombe, “Modern Moral Philosophy,” 1.

<sup>7</sup> *Ibid.*, 2.

<sup>8</sup> *Ibid.*, 5.

flourishing; hence, there is a sense in which one “should” or “ought to” or “needs to” perform those actions. As Anscombe explains, for Aristotle, “the flourishing of a man *qua* man consists in his being good (e.g. in virtues); but for any X to which such terms apply, X needs what makes it flourish, so a man needs, or ought to perform, only virtuous actions.”<sup>9</sup> More generally, “the terms ‘should’ or ‘ought’ or ‘needs’ relate to good and bad: e.g. machinery needs oil, or should or ought to be oiled, in that running without oil is bad for it, or it runs badly without oil.”<sup>10</sup> Again, to say of an organism “that it needs [a particular] environment . . . is . . . to say . . . that it won’t flourish unless it has it.”<sup>11</sup> But, needless to say, such uses of “should” or “ought” or “needs” cannot qualify as moral in the modern sense of being bound (as if by a law) to perform some action.

But if our modern conception of morality is not derived from Aristotle—from whom, Anscombe claims, we have directly inherited the term “moral”<sup>12</sup>—from whence is it derived? “The answer,” she says, “is in history; between Aristotle and us came Christianity, with its *law* conception of ethics. . . . In consequence of the dominance of Christianity for many centuries, the concepts of being bound, permitted or excused became deeply embedded in our language and thought.” Hence, terms like “should”, “ought” and “needs” acquired a distinctive sense—“a sense,” Anscombe says, “in which they imply some absolute verdict (like one of guilty/not guilty on a man) on what is described in the ‘ought’ sentences used in certain types of context.”<sup>13</sup>

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<sup>9</sup> Anscombe, “Modern Moral Philosophy,” 18.

<sup>10</sup> *Ibid.*, 5.

<sup>11</sup> *Ibid.*, 7.

<sup>12</sup> *Ibid.*, 1.

<sup>13</sup> *Ibid.*, 5.

One might expect Anscombe, a devout Catholic, to desire to advance those ethical notions deriving from a Christian divine law framework. But the reality is complicated. Regardless of what categories it seems Anscombe personally would have found congenial, she actually recommends that modern moral philosophers *abandon* their use of the notion of moral obligation. The reason? Modern moral philosophy has abandoned the Christian divine law conception of ethics, thus divesting the notion of moral obligation of intelligibility. According to Anscombe, “It would be most reasonable to drop [the notion of moral obligation]. It has no reasonable sense outside a law conception of ethics; [modern moral philosophers] are not going to maintain such a conception; and you can do ethics without it, as is shown by the example of Aristotle.”<sup>14</sup>

Anscombe elaborates:

Naturally it is not possible to have such a conception unless you believe in God as a law-giver; like Jews, Stoics, and Christians. But if such a conception is dominant for many centuries, and then is given up, it is a natural result that the concepts of ‘obligation,’ of being bound or required as by a law, should remain though they had lost their root; and if the word ‘ought’ has become invested in certain contexts with the sense of ‘obligation,’ it too will remain to be spoken with a special emphasis and a special feeling in these contexts.<sup>15</sup>

Anscombe draws an analogy: it is as if the notion “criminal” were to remain when criminal law and criminal courts had long been abolished and forgotten. The situation, if she is right, is the interesting one of the survival of a concept outside the framework of thought that conferred intelligibility upon it.

As a consequence, she says, the moral “ought” has become a term of “mere

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<sup>14</sup> Anscombe, “Modern Moral Philosophy,” 8.

<sup>15</sup> *Ibid.*, 6.

mesmeric force.”<sup>16</sup> Moreover, having been cut loose from their moorings, the drifting notions of moral right and wrong have become dangerous by their potential for use in legitimizing paradigmatically unjust actions, such as the intentional procurement of the judicial execution of an innocent person. Such potential (and actual) “consequentialist” abuse of the notion of moral obligation explains Anscombe’s support for a renewal of reflection on virtue-ethical categories, which she thinks are applicable to actions purely in virtue of their “factual description.”<sup>17</sup> Hence, her recommendation is that we discard the moral “ought” and its associated notions and return to what is, roughly, the “ordinary” ought of Plato and Aristotle. In this way, Anscombe believes, we can best avoid both the unintelligibility and the corruption that characterizes so much of modern moral philosophy.

### *1.3 Anscombe on “Stopping Modals”*

Anscombe writes that the moral ought is spoken with “a special emphasis and a special feeling” and that it is “apt to have a strong psychological effect.” She says that it carries an “atmosphere” that is “characteristically solemn” and invokes a “peculiar force.”<sup>18</sup> One should note that this is all well and good as far as it goes. There is nothing wrong, in principle, with a signification that functions in part to evoke a strong psychological response. Some terms have the capacity naturally to evoke a greater psychological response than others. Several years ago, Bernard Williams discussed the distinction between ethically “thin” terms (like “ought”) and ethically “thick” terms (such

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<sup>16</sup> Anscombe, “Modern Moral Philosophy,” 8.

<sup>17</sup> Ibid., 17-18.

<sup>18</sup> Ibid., 6, 8.

as “treachery”, “brutality” and “courage”). As he noted, application of thick descriptive terms inevitably involves an evaluation of a situation, person or action; when such descriptions are thought appropriate, they are capable of evoking a strong psychological response and of providing one with reasons for action.<sup>19</sup>

The problem Anscombe sees with the moral ought, however, is that its psychological effect appears to be produced by what she labels “mere mesmeric force.” What does she mean by this phrase? To date no attempt has been made rigorously to elucidate what Anscombe means by saying that the force of the moral ought has come to be “merely mesmeric.” Getting to the bottom of this claim will help to confer plausibility on Anscombe’s claims regarding the unintelligibility of the moral “ought.” I believe that the key to understanding Anscombe’s claim can be found in a pair of her articles that appeared (surprisingly enough) twenty years after the publication of “Modern Moral Philosophy.” These are her essays, “Rules, Rights and Promises” and “On the Source of the Authority of the State.”

In these essays so-called “modal” terms play an essential role. Modal terms (or modals, for short) come in mutually definable pairs of possibility and necessity. Anscombe notes that the actual use of modals is much more prevalent than philosophers usually take account of. Contemporary deontic logic, for example, is itself only the first extension of consideration of modals beyond logical and natural necessity and possibility. Nevertheless, she explains, “there is in fact a huge array of uses of modals, of can, can’t,

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<sup>19</sup> Cf. Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), 129-30.

need, need not, has to, doesn't have to, is free to, is not free to, must, must not, ought, need not, necessary, possible, together with the modal inflections of other words."<sup>20</sup>

Anscombe points out that, among the many uses of modals there is a particular range of uses that might be united under the heading of "stopping someone from doing something." Examples might include "You can't move your king," "You ought not to commit adultery" or "You mustn't rest your elbows on the table." Anscombe labels such uses, appropriately enough, as "stopping modals."<sup>21</sup> (This range of uses is negative in character—they *stop* someone from doing something; the corresponding positive uses—those that *compel*—Anscombe calls "forcing modals.") Stopping modals have this peculiar characteristic: they are used to tell someone that he or she "can't" do something that he or she plainly *can* do, as is made manifest by the fact that he or she sometimes *does*.<sup>22</sup> To understand the logic of these kinds of modals, Anscombe asks one to

think of the game played with very small children where several players pile their hands on top of one another. Then, if one of them doesn't pull his hand out from the bottom, you say "You have to put your hand on top"; if he pulls it out too soon you say "No, you can't pull it out yet, so and so has to pull his out first." "You have to," and "you can't" are at first, words used by one who is making you do something (or preventing you), and they quickly become themselves instruments of getting and preventing action.<sup>23</sup>

Elsewhere, regarding the statement, "You can't move your king," Anscombe asks one to

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<sup>20</sup> G.E.M Anscombe, "On the Source of the Authority of the State," *Ratio* 20, no. 1 (1978): 10.

<sup>21</sup> *Ibid.*, 11.

<sup>22</sup> Note that not all modals expressing impossibility are stopping modals. The "can't" in "He can't swim, so someone needs to help him," for example, does not stop one from swimming; rather, it indicates one's inability to swim.

<sup>23</sup> G.E.M. Anscombe, "Rights, Rules and Promises," *Midwest Studies in Philosophy*, Volume III, ed. Peter A. French, Theodore E. Uehling, Jr. and Howard K Wettstein (Minneapolis, University of Minnesota Press, 1980), 321.

think how a child learns to play chess. It grasps the idea of a rule partly from this use of “You can’t.” After all what it ‘can’t’ do, in another sense it perhaps plainly *can*, if you don’t physically stop it. But these utterances [i.e., “You can’t move your king;”] first accompany other methods of preventing or stopping an action, and then by themselves they function to prevent or stop it.<sup>24</sup>

Initially, adults physically will have to stop a child from doing what he or she “can’t” do, but eventually the child learns the appropriate response to stopping modals and thus comes to grasp the meaning of rules like “You can’t move your king.” “It is characteristic of human intelligence,” Anscombe says, “to be able to learn the response to a stopping modal without which it could not exist as a linguistic form.”<sup>25</sup> And in fact, this process is not limited to the acquisition of the concept of a rule; rather, essentially the same process is generally at work in the acquisition of the concepts of “rules, etiquette, rights, infringements, promises, pieties and impieties,” for these all characteristically involve the use of stopping modals.<sup>26</sup>

Now the use of a stopping modal is often accompanied by what *appears* to be an independent reason. It is crucial to note, however, that such appearances are often deceiving, as in this case: “You can’t move your king—it’s against the rules.” A bit of reflection will demonstrate that neither clause can be explained on its own. It simply is not true in any sense *independent of the rules of chess* that one cannot move one’s king, e.g., when it is in checkmate. And going the other direction: what does it mean that moving one’s king is against the rules of chess if not that one “cannot” do it? Indeed,

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<sup>24</sup> Anscombe, “On the Source of the Authority of the State,” 11.

<sup>25</sup> *Ibid.*, 11.

<sup>26</sup> Anscombe, “Rights, Rules and Promises,” 321.

that's precisely what the rule is: one's "being unable" to move one's king. Anscombe remarks:

The reasons why [this use of "cannot"] is at once so clear and so inexplicable are these: it is clear because we have learned to respond to these stopping cannots, to comply with them, to issue them ourselves, to infringe them. It is inexplicable because, look as we may, we cannot find an *interpretation* of this 'cannot' . . . The truth is: there is no interpretation to give.<sup>27</sup>

In this situation there is simply nothing more to be said that could elucidate why the king in checkmate "cannot" be moved other than that it is forbidden by the rules of chess.

Following Anscombe, let's call the would-be independent reason a "*logos*." As she notes, once these linguistic practices exist, sometimes the modal clause, "You can't . . .", can become detached from the *logos*, thus making the modal clause and the *logos* appear to express separate, free-standing facts. Thus, after being told "You can't move your king," sometimes a child will come to believe this claim and to assert it with a most passionate conviction in relevantly similar circumstances—perhaps adding that such a thing is *also* against the rules.

Now, adults are not quite as susceptible to this particular mistake. Because games like chess are conventional creations, we are well aware that the facts regarding how to play them depend upon nothing deeper than social agreement; hence, passionate conviction does not generally come into such matters. There are, however, a plethora of other everyday circumstances in which what we might call the socially-constructed character of certain familiar realities is typically lost to consciousness. These include the giving of promises, the invocation of rights, or any of an innumerable variety of actions involving property ownership. And note well that, among adults, passionate conviction

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<sup>27</sup> Anscombe, "On the Source of the Authority of the State," 12.

often *does* come into play here. Just think of the passionate conviction underlying statements such as “He can’t do that—he *promised!*” or “Hey! You can’t do that—that’s *my* car!” Statements like these are spoken with something at least on the same continuum as the “special emphasis and . . . special feeling” that Anscombe speaks of in “Modern Moral Philosophy.” But even here, most cool-headed adults are, upon reflection, fully capable of recognizing the (at least partially) conventional character of institutions like promise-keeping and private property.

#### *1.4 Right, Wrong and Obligation*

If Anscombe’s discussion of stopping modals teaches us anything, it is that our notion of *wrongness* is crucially dependent upon our linguistic practices. Perhaps not surprisingly, the same can be said for the related notions of *rightness* and *obligation* as well. In a remarkable little book, *Ethics, Faith and Reason*, published in 1984, Richard Taylor explores the conceptual terrain of right, wrong and obligation, and he comes to the same conclusions as Anscombe,<sup>28</sup> while giving no indication of having been influenced by her thought on these matters.<sup>29</sup> Considering Taylor’s work in conjunction with Anscombe’s at relevant points will help to advance the discussion in many ways, the first of which is demonstrating the generalizable character of Anscombe’s thinking about modal terms.

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<sup>28</sup> Taylor’s thinking was heavily influenced by Arthur Schopenhauer’s critique of Kant’s ethics, especially by section 2 of chapter 4 of Schopenhauer’s *On the Basis of Morality* (Indianapolis, IN: Bobs-Merrill, 1965), which itself dramatically anticipates the central argument of Elizabeth Anscombe’s “Modern Moral Philosophy.”

<sup>29</sup> Richard Taylor, *Ethics, Faith and Reason* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1984); republished as *Virtue Ethics: An Introduction* (Amherst, NY: Prometheus Books, 2002). My citations are from the republication.

Taylor points out what Anscombe noted, namely that our concept of wrongness is dependent upon the everyday practice of “stopping someone from doing something.” “The very first notion any child has of something being *wrong*,” Taylor says, “is simply that it is not allowed, by parent, teacher, or whomever. That is the sum and substance of its meaning for that child.”<sup>30</sup> Likewise for the derivative concept of rightness: an action is right if it is not forbidden. Thus, Taylor says, “the ideas of right and wrong are basically and originally inseparable from the ideas of what things are *permitted* and what things *forbidden*.”<sup>31</sup>

Besides stopping modals, Anscombe briefly mentions forcing modals, that is, modal terms used to *compel* someone to do something.<sup>32</sup> Although she does not dwell on these terms at any length, their salient characteristics are easy enough to make out. Somewhat similar to stopping modals, forcing modals have this peculiar feature: they are used to tell someone that he or she “must” or “has to” perform some action that he or she could avoid doing, as is made manifest by the fact that people commonly neglect to do the things that one “must” do. What (in this sense) one “has to” do, then, in another sense one clearly does *not* have to do. Another way to put it is to say that forcing modals are perfectly compatible with the non-occurrence of what “must” or “has to” be.

(As an interesting aside, this notion of practical necessity implies the *possibility* of what “must” be, but not its *actuality*—in familiar terminology, “ought” implies “can” but

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<sup>30</sup> Taylor, *Virtue Ethics*, 8.

<sup>31</sup> *Ibid.*, 8.

<sup>32</sup> Anscombe’s mention of forcing modals can be found in “Rules, Rights and Promises,” 321.

not “is”; hence, this notion of practical necessity has quite different features from, say, metaphysical necessity, which implies actuality as well as possibility.)

If the thesis I have attributed to Anscombe about the relationship between our notion of wrongness and the use of stopping modals is correct, then it seems that a plausible and parallel explanation of our notion of obligation can be found in the use of forcing modals. Just as our notion of wrongness emerges in childhood from our being stopped from doing something, our notion of obligation emerges from childhood experiences of being compelled to do something. Think again of how a child learns to play a game. In a game of checkers, for example, upon having a black checker placed in juxtaposition to one’s red checker one might be told, “You have to jump the black checker.” As with stopping modals, at a very early stage adults will physically have to demonstrate to a child what he or she “has to” do in such circumstances. Eventually, however, the child learns the appropriate response to utterances beginning “You have to . . .” and such utterances will take the place of physical compulsion. To grasp what it means to “have to” do something, in the sense of one’s being required by another to do it, then, is to grasp the notion of obligation.

Taylor agrees and succinctly sums up these ideas: “*Wrong*, then, essentially and originally means *forbidden*. *Right*, similarly, means *permitted*. And *obligatory* means *required*.”<sup>33</sup> Rights, wrongs and obligations are realities not merely reflected in but actually constituted by social practices. Imagine a world, he says, in which an isolated plurality of primitive individuals live in close enough proximity that they occasionally encounter one another by chance, but otherwise have no significant social interaction.

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<sup>33</sup> Taylor, *Virtue Ethics*, 8.

Suppose that there is no government among these people, no laws, no customs and no rules. In the absence of laws, nothing is unlawful, and hence there are no crimes. Indeed, in the absence of social institutions of any kind, whether written or unwritten, nothing is forbidden or required. In such a situation, then, no action would be wrong and no action would be obligatory—and neither could any action meaningfully be said to be right.<sup>34</sup>

### *1.5 God Forbid! The Advent of Morality*

It is important to point out that the notions of right, wrong and obligation that have been discussed thus far are not yet *moral* notions. They are simply generic deontological concepts of being permitted, forbidden and required that normally arise during childhood. Interaction with others in a social context is necessary for the development of these deontological concepts, but there is no need that this context be, say, religious in character.

Adding a certain kind of religiousness to the mix, however, does introduce a whole new level of complexity. Central to Anscombe's argument in "Modern Moral Philosophy" is her claim that Christianity gave a far greater significance to the already-existing notions of right, wrong and obligation. Her claim, it will be recalled, is that "between Aristotle and us came Christianity, with its *law* conception of ethics. . . . In consequence of the dominance of Christianity for many centuries, the concepts of being bound, permitted or excused became deeply embedded in our language and thought."<sup>35</sup> Hence, she says, terms like "should", "ought" and "needs" "have now acquired a special so-called 'moral' sense—i.e. a sense in which they imply some absolute verdict (like one

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<sup>34</sup> Taylor, *Virtue Ethics*, 12.

<sup>35</sup> Anscombe, "Modern Moral Philosophy," 5.

of guilty/not guilty on a man) on what is described in the ‘ought’ sentences used in certain types of context.”<sup>36</sup> The generically social notions of right, wrong and obligation are, we might say, “horizontally relative” to particular human interests and institutions. Anscombe’s claim is that Christianity stamped these terms with a novel “moral” sense, a sense that points to God’s will and hence is “horizontally absolute,” fixed and wholly independent of variable human interests and institutions.

Like Anscombe, Taylor argues that “the contribution of the Christian religion was to lift the distinction between right and wrong . . . to the level of *moral* right and wrong. This was considered to be a real distinction, higher than anything that is purely human and hence conventional.”<sup>37</sup> Echoing Anscombe’s statement that moral claims imply the existence of an “absolute” verdict, Taylor several times describes moral obligation and the distinction between moral right and wrong as “absolute,” explaining that this novel kind of obligation is supposed to take precedence over every other kind of obligation, whether social, legal or otherwise.<sup>38</sup>

Anscombe and Taylor are at one in recognizing that, with some notable exceptions,<sup>39</sup> prior to Christianity the notions of right, wrong and obligation were limited to merely legal or generically social uses; that is, for the most part, these notions were widely and routinely used only to express permissions, prohibitions or requirements that

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<sup>36</sup> Anscombe, “Modern Moral Philosophy,” 5.

<sup>37</sup> Taylor, *Virtue Ethics*, 72-3.

<sup>38</sup> Cf. *Ibid.*, 25, 74, 78, 81.

<sup>39</sup> Anscombe mentions the Jews and the Stoics as operating with a divine law conception of ethics; cf. “Modern Moral Philosophy,” 5. Taylor briefly mentions the *Antigone* and Socrates in a similar connection, and implausibly dismisses the idea of Socrates as having anything to do with this kind of ethic; cf. *Virtue Ethics*, 7. I believe there is much to be said for all of these examples and I hope to explore this idea in a future essay.

were thought to arise out of human convention. But with the advent of Christianity (so they argue), these terms acquired a new and awesome sense, a sense that is used to convey the requirements, prohibitions and permissions of God himself. Thus, Christianity created a cultural context within which one could intelligibly say, e.g., “Treating slaves harshly is neither legally nor customarily forbidden, but one morally ought not to do it nonetheless.” In these contexts, such prohibitions were understood as finding their source in the divine law.

As Anscombe and Taylor explain, the moral notions of right, wrong and obligation acquired a taken-for-granted status as Christianity expanded its sphere of influence over many centuries and then enjoyed cultural hegemony for many more. But then a very strange thing happened. The religious underpinnings of the erstwhile-novel notions of moral right, wrong and obligation began to be called into question. The notion of obedience to divine law went out of fashion and the idea of a reified “morality” took on a life of its own.

To appreciate the incredible strangeness of the situation that Anscombe and Taylor describe, consider the following scenario. Imagine that, for whatever reason, obedience to the laws of the government of the United States goes out of fashion (suppose, say, that there is some tremendous catastrophe that destroys the government’s capacities to legislate and enforce the law). But imagine that, instead of giving up the notions of *legal* right, wrong and obligation, suppose that we keep right on using them. In fact, these notions take on a life of their own, as is made manifest by the fact that we talk of something called “legality” and have fierce debates over the content of “legal” stipulations. As time goes on, various so-called “legal philosophers” weigh in on the

debate, articulating various *theories* of legality. One group claims that legality is a deliverance of pure reason; another holds that legality consists in bringing about the greatest good for the greatest number; another insists that we have a special “legal sense”; yet another maintains that legality consists in inculcating the virtues. This is an absurd scenario, to be sure. But something quite similar has happened to morality. Over the course of many centuries our culture has gradually inched away from the divine law conception of ethics that gave us our notions of moral right, wrong and obligation. As a consequence, Anscombe argues, these notions have been divested of intelligibility.

Taylor’s account again parallels Anscombe’s. Taylor observes that, historically, Christian ideas became so deeply entrenched in Western culture that when the idea of a divine lawgiver was finally discarded, philosophers kept right on using notions of morality, “not noticing that, in casting God aside, they ha[d] also abolished the conditions of meaningfulness for moral right and wrong.”<sup>40</sup> “The result,” Taylor says,

is that philosophers, with the exception of those few who take religion very seriously, are apt to talk nonsense the moment they address themselves to questions of ethics. They do not know that they are talking nonsense, because they find other philosophers who talk the same way, using such terms as duty, obligation, moral right and wrong, and so on. There is no way of checking what they say against any facts, and therefore they have no way of knowing whether what they are saying is true or even meaningful.<sup>41</sup>

Similar to Anscombe, then, Taylor argues that once-meaningful notions can be divested of intelligibility by being deprived of the conditions that conferred meaning upon them.

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<sup>40</sup> Taylor, *Virtue Ethics*, 3.

<sup>41</sup> *Ibid.*, 2.

In particular, “the concept of moral obligation,” he says, is “unintelligible apart from the idea of God. The words remain, but their meaning is gone.”<sup>42</sup>

### *1.6 Three Symptoms in Need of a Diagnosis*

What should we think about Anscombe’s (and Taylor’s) thesis? Are our modern moral notions of right, wrong and obligation really the unintelligible leftovers from a now-defunct divine law conception of ethics? For now, I propose to postpone consideration of the issue of unintelligibility and (insofar as it is possible) to focus solely on the historical question: are our modern moral notions in fact survivals from the rejection of a divine law framework? Good reasons can be given for thinking that they are.

In “Modern Moral Philosophy,” Anscombe pointed to the “mere mesmeric force” with which modern moral language is spoken as evidence for her claim. Furthermore, in the wake of the publication of her article, other moral philosophers began for the first time to recognize as problematic various other features of morality. Philippa Foot, for one, charged that no sense can be made of the “special dignity and necessity” attaching to moral claims. A few years later, J.L. Mackie pointed out how “queer” any alleged moral entity (that is, any entity that served as a truth-maker for moral claims) would have to be. In the following pages I conceive of the problematic features pointed out by these twentieth-century thinkers as tell-tale *symptoms* of what is wrong with our modern moral language, thought and practice. These symptoms help to confer plausibility upon Anscombe’s historical claim, in that they are precisely what we should expect to observe

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<sup>42</sup> Taylor, *Virtue Ethics*, 84.

if the disorder of our contemporary moral language and thought is in fact due to the historical rejection of a divine law conception of ethics.

If Simon Blackburn's recent dismissive comments are any indication,<sup>43</sup> it is not overstating the case to say that Anscombe's historical thesis is viewed with contempt in many quarters today. This is no doubt partly due to the incredible brevity with which Anscombe makes her arguments, especially when these are considered with an awareness of the great amount of historical research and philosophical argumentation—easily several dissertations worth—that would be required to establish the truth of her many claims in “Modern Moral Philosophy.” To be sure, one does wish that Anscombe had been at least a little less cavalier. As for the present project, I make no pretensions to develop a comprehensive case even for Anscombe's historical thesis within the confines of this chapter. I only claim to convey some of the deep insights into our modern moral language, thought and practice that Anscombe's thesis makes possible. I shall have more to say later about what would be needed to establish the truth of Anscombe's historical claim. For now I turn to the three symptoms of morality I identified above, morality's “mere mesmeric force,” its special inescapability and its queerness; I shall consider these symptoms individually before turning to demonstrate how they confer plausibility upon Anscombe's historical thesis.

*Symptom One: The “Mere Mesmeric Force” of Morality*

Moral judgments are often made with passionate conviction. Appreciating this fact is especially important for getting to the bottom of the special kind of normativity that moral language is supposed to have. The difficulty with the normativity of morality

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<sup>43</sup> Simon Blackburn, “Simply Wrong” *Times Literary Supplement* (September 30, 2005).

can be seen if we begin from the following dilemma: Is the ground of morality conventional<sup>44</sup> or is it non-conventional? That is, is morality grounded merely in human social convention or does it possess some ground that transcends human convention?<sup>45</sup> There are upsides and downsides to both possibilities, and we will consider each in turn.

Consider the following statement: “One morally ought not to be cruel to children.” First, consider what would be the case if the ground of this moral prohibition were merely conventional—that is, wholly grounded in human social convention. If the ground is merely conventional, then it turns out that there is a pedestrian and completely unmysterious ground for observing it, namely *that it is a convention of ours*, that it is simply *what’s done*. This is the case with other institutions. One will grant, for example, that there really is such a thing as etiquette, at least in the sense that it is a convention that governs human relationships. Recognizing etiquette as an institution *of ours* just is to acknowledge the normativity of the prohibitions associated with it (e.g., “You can’t eat food off of Johnny’s plate”). A prohibition of this kind warrants a degree of conviction in its claim on individuals just to the extent that it belongs to the public and taken-for-granted “furniture” of a social world. So, if a *moral* prohibition is likewise merely grounded in human convention, then its normative ground will be simply that morality is a convention *of ours*: the ground will be perfectly transparent and unmysterious. That is the upside to this horn of the dilemma. The downside is that, in this case, the passion of one’s conviction in the truth of moral prohibitions should be similar in crucial respects to

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<sup>44</sup> I mean “conventional” in contrast to “natural,” not in contrast to, say, “legal”; on my usage, the legal is part of the conventional.

<sup>45</sup> I do not here consider the implausible (incoherent?) possibilities of “ungrounded” or “self-grounding” moral prohibitions.

the passion of one's conviction in the truth of the prohibitions of etiquette. Thus, one's passion should be tempered by recognition of the facts, e.g., that such prohibitions are grounded in nothing but ongoing collective agreement, that they might have been vastly different, that they could be changed tomorrow, or even that they might never have existed at all. But this is something that most people will be unwilling to say about many moral prohibitions. Normal adults will steadfastly refuse to attribute a merely conventional status to prohibitions such as "One morally ought not to be cruel to children." Indeed, claims like this are made with the full force of the "special emphasis . . . and special feeling" that Anscombe speaks of in "Modern Moral Philosophy," a peculiarity that mere human social convention could never adequately justify.

Of course, if one takes the other side of the dilemma, namely, that the ground of morality is not merely conventional, then this liability is absent. But this alternative has a liability of its own. For in this case a different question arises regarding the ground of moral prohibitions, that is: what besides human social convention could possibly ground a *prohibition*? What could it possibly mean to say that there is a special sanction for a claim beginning "You can't . . ." or "You mustn't . . ."—a sanction that does not arise out of a human practice of prohibiting? We understand that the legal prohibition "You can't cast more than one ballot" is grounded in our legal institutions (and thus, in social convention); denying the conventional grounding of this prohibition would be absurd. Why then, should we fail to see the absurdity of such a denial when the prohibition is a *moral* one? Prohibitions involve someone who prohibits, so one might well question whether such a denial even makes sense. But even if we *could* make sense of a non-conventional prohibition, there are still problems; if we deny that human social

convention provides the ground of our moral prohibitions, then we have precisely thereby undercut the possibility of providing those prohibitions with the kind of pedestrian and unmysterious grounding that is enjoyed by all other kinds of prohibitions (e.g., etiquette, law, etc.). These “pedestrian” institutions have a basis in human social convention—and without a similar grounding, the normativity of *moral* prohibitions remains mysterious and unaccounted for. This is the downside of claiming that moral prohibitions are not merely conventional.

But in order to “save the phenomena” of morality—and in particular to leave open the possibility of a ground that could render intelligible the passionate conviction or “special emphasis . . . and special feeling” with which specifically *moral* claims are made—it is necessary to take this second horn of the dilemma and to deny that the ground of moral prohibitions is merely conventional. And in that case, notice the following implication: given the peculiar force with which moral claims are asserted, and given the inability to specify a pedestrian and unmysterious grounding for them, it is eminently well-put to say, as Anscombe does, that “moral ought” statements are spoken with “mere mesmeric force”; for the suggestion of normative force remains, although the source of the normativity is left mysteriously unspecified. And these days it is true: typically, a convincing moral claim shares the salient feature of a really good magic show; namely, it convinces one that there is some really compelling force at work, while leaving one completely mystified (or “mesmerized”) as to precisely what the nature and origin of that force is. This peculiar force of moral language has acquired a taken-for-granted status in our everyday discourse; its oddity, like the oddity of our English-language spelling and pronunciation of the word “two,” is only recognized once someone

points it out. Once recognized, however, such a feature of our language begs for an explanation. This “mere mesmeric force” with which moral language has come to be spoken is the first symptom of our modern moral disorder.

*Symptom Two: The Inescapability of Morality*

The second symptom to consider is the alleged inescapability of morality. In 1972, Philippa Foot published an influential essay in which she observed that contemporary moral philosophers speak of morality as uniquely involving an “inescapable” demand, an “unconditional requirement” or a “categorical imperative.”<sup>46</sup> Unlike other kinds of demands, moral judgments are thought to convey a “special dignity and necessity” in that they tell us what we have to do “whatever our interests or desires.”<sup>47</sup> The only problem, Foot says, is that modern philosophers appear to be lacking any principled way to justify the attribution of this special feature to moral judgments.

To demonstrate the difficulty, Foot turns to an example drawn from the institution of etiquette. One rule of manners dictates that a response to an invitation written in the third person should itself be written in the third person. Foot points out that such a rule “does not *fail to apply* to someone who has his own good reasons for ignoring this piece of nonsense, or who simply does not care about what, from the point of view of etiquette, he should do.”<sup>48</sup> To put it more strongly, failing to write a response in the third person does not *cease to offend* against an institution of etiquette just because one lacks a

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<sup>46</sup> Philippa Foot, “Morality as a System of Hypothetical Imperatives,” *The Philosophical Review* 81, no. 3 (July 1972): 305-316.

<sup>47</sup> *Ibid.*, 308.

<sup>48</sup> Foot, “Morality as a System of Hypothetical Imperatives,” 308.

concern for its dictates. In other words, it appears that we are subject to the demands of etiquette—“whatever our interests or desires.” Hence, the demands of etiquette and the demands of morality are indistinguishable in this regard. But if morality shares this feature with etiquette, then if we are to attribute a “special dignity and necessity” *only* to morality, there must be some *other* basis upon which we make that attribution. Can some basis for this special attribution be specified?

Very roughly, Foot says, the difference between etiquette and morality is that the demands of etiquette might reasonably be ignored. The idea seems to be that the fact that something is necessary from the point of view of etiquette does not, in itself, give one a decisive reason to act. “Considerations of etiquette do not have any automatic reason-giving force, and a man might be right if he denied that he had [a decisive] reason to do ‘what’s done.’”<sup>49</sup> A moral demand, on the other hand, is supposed to give one a decisive reason for action. But if this is the basis upon which morality is to be distinguished from etiquette, this supposition will itself stand in need of argument. *Why not* suppose that one might sometimes have a decisive reason to act immorally? Again, it simply is not clear what warrants drawing a distinction between demands of etiquette and demands of morality; yet the distinction is made quite frequently. “The difficulty,” Foot says, “is . . . to defend this proposition which is more often repeated than explained. . . . [W]e must be told what it is that makes the moral ‘should’ relevantly different from the ‘shoulds’ appearing in normative statements of other kinds.”<sup>50</sup>

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<sup>49</sup> Ibid., 309.

<sup>50</sup> Ibid.

It is sometimes suggested that moral judgments impose a special kind of necessity because they tell us what we simply “must do” or “have to do.” But the sense of this assertion is hard to make out; Foot considers several possibilities.<sup>51</sup> There is, for example, a use of “must” or “has to” that points to physical or mental compulsion: one “has to” go along if one is pulled by strong men and one “must” give in if one is tortured beyond one’s psychological ability to resist. As Foot points out, however, it is only in the *absence* of this kind of necessitation that moral judgments apply. There is, she says, another use of these words in sentences such as “I caught a bad cold and had to stay in bed” where undesirable consequences for acting otherwise are in the offing. But, once again, the necessity of acting morally is not supposed to depend on such penalties. A third range of examples can be found where one unquestioningly accepts the requirements of some role, as when a nurse says that she “has to” make her rounds at a certain time. But neither can this sense suffice to illuminate the inescapable nature of moral demands; one’s acceptance of such a role, after all, can be revoked at any time.

Finally, it is sometimes argued that some kind of *irrationality* is involved in disregarding the “should” of morality. Foot replies:

But as far as I can see these [arguments] have all rested on some illegitimate assumption, as, for instance, of thinking that the amoral man, who agrees that some piece of conduct is immoral but takes no notice of that, is inconsistently disregarding a rule of conduct that he has accepted; or again of thinking it inconsistent to desire that others will not do to one what one proposes to do to them.<sup>52</sup>

Irrational actions are those in which one defeats one’s purposes in some way or in which one does what is disadvantageous or contrary to one’s own ends. But immorality, Foot

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<sup>51</sup> Foot, “Morality as a System of Hypothetical Imperatives,” 311.

<sup>52</sup> *Ibid.*, 310.

maintains, does not necessarily involve such actions; hence, immorality does not necessarily involve irrationality.

Insofar as the “special dignity and necessity” of moral judgments is backed up by statements to the effect that moral demands are inescapable or that we simply “have to” do what is morally required, then, Foot questions whether the idea of a special moral dignity and necessity even makes sense. No doubt, she says, there will be other attempts to give sense to this “fugitive thought” of what one morally “must” or “has to” do.

“But,” she asks,

why should one insist that there must be a sense when it proves so difficult to say what it is? Suppose that what we take for a puzzling thought were really no thought at all but only the reflection of our *feelings* about morality? Perhaps it makes no sense to say that we “have to” submit to the moral law, or that morality is “inescapable” in some special way.<sup>53</sup>

And noting that people talk, for example, about the “binding force” of morality, Foot remarks that it is not clear what this means unless it is simply that we feel like we are unable to escape it. Indeed, this leads her to suggest that there is nothing behind the idea of a special moral necessity except for a deep-seated psychological conviction inculcated by the relative sternness of the way in which morality is taught. This essential, yet inexplicable, inescapability is the second symptom of morality that begs for explanation.

### *Symptom Three: The Queerness of Morality*

The third symptom to consider is the “queerness” of morality, so-called thanks to the “argument from queerness” famously advanced in 1977 by J.L. Mackie in his book, *Ethics: Inventing Right and Wrong*. This argument is one of two Mackie gives to cast doubt on the existence of objective moral values. In Mackie’s opinion, “the main

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<sup>53</sup> Foot, “Morality as a System of Hypothetical Imperatives,” 311-2.

tradition of European moral philosophy from Plato onwards has combined the view that moral values are objective with the recognition that moral judgments are partly prescriptive or directive or action-guiding. Values themselves have been seen as at once prescriptive and objective.”<sup>54</sup> Most importantly, however, the notion of objective prescriptivity has held sway even outside of the philosophical tradition. An objectivism about values, Mackie observes, also has “a firm basis in ordinary thought, and even in the meanings of moral terms.”<sup>55</sup> Thus, although Mackie thinks that G.E. Moore was mistaken in claiming that “good” names an objectively real “non-natural” quality, Mackie does not believe that Moore’s account was totally off the mark. The truth in Moore’s understanding is that everyday moral language treats the term “good” *as if it were* the name of just such a non-natural quality. According to Mackie,

ordinary moral judgments include a claim to objectivity, an assumption that there are objective values . . . And I do not think it is going too far to say that this assumption has been incorporated into the basic, conventional, meanings of moral terms. Any analysis of the meanings of moral terms which omits this claim to objective, intrinsic, prescriptivity is to that extent incomplete.<sup>56</sup>

Mackie provides examples to illustrate the incompleteness of various conflicting views of morality; he describes, for example, the “conflicts and swings of opinion” that have taken place between non-cognitivist and naturalist views of the meaning of moral terms. Each view, he thinks, gains much of its plausibility from the perceived inadequacy of the other. On one hand is naturalism, which holds that moral terms carry descriptive meaning that encompasses one’s desires, aims and goals, as well as the

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<sup>54</sup> J.L. Mackie, *Ethics: Inventing Right and Wrong* (London: Penguin Books, 1990), 23.

<sup>55</sup> *Ibid.*, 32.

<sup>56</sup> *Ibid.*, 35.

objective natural features of things. Non-cognitivism, on the other hand, denies that moral terms carry descriptive meaning; it maintains that they express merely the attitudes, prescriptions or recommendations of the speaker, whatever those happen to be and whatever they happen to be directed toward. While non-cognitivism accounts well for the prescriptivity of moral judgments, it fails to capture the commonsense idea that this prescriptivity is itself an *objective* feature of the world. It is not, after all, a mere matter of personal preference whether some particular act is cruel, just, etc.; thus, non-cognitivism leaves one with the sense that reference to something more external to or transcendent of the individual is needed.

For its part, naturalism satisfies the desideratum of objectivity, and that by linking objective description of one's desires with corresponding objective descriptions of natural features of the world. In so doing, however, naturalism reveals its inadequacy on another count. Commonsense notions of morality require that moral demands are "categorically" imperative, not just imperative for those with certain interests or desires. But naturalist accounts can only ground a quite limited kind of prescriptivity for people with particular desires/interests in particular kinds of situations. Thus, although naturalism may account well for the objectivity of moral judgments, it fails adequately to account for their peculiar prescriptivity.<sup>57</sup>

Instead of trying to force our moral language into molds of meaning to which they are ill-fitted, Mackie argues that we should simply accept that language at face value; that is, we should accept the fact that our moral language commits us to the existence of objectively prescriptive entities. It happens, he thinks, that we are mistaken, for no such

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<sup>57</sup> Mackie, *Ethics*, 32-33.

entities actually exist. In this case, “the denial of objective values will have to be put forward . . . as an error theory, a theory that although most people in making moral judgments implicitly claim . . . to be pointing to something objectively prescriptive, these claims are all false.”<sup>58</sup> Mackie makes the case for his “error theory” by giving two arguments that cast doubt on the existence of objective moral values: one from the relativity of moral judgments and the other from the “queerness” of the alleged moral entities. Only the latter will concern us here.

Mackie argues that “the difficulty of seeing how values could be objective is a fairly strong reason for thinking that they are not so.”<sup>59</sup> After all, if there were objective values, he thinks, they would have to be entities “of a very strange sort, utterly different from anything else in the universe.”<sup>60</sup> Mackie gives Plato’s Forms as a “dramatic picture” of what objective values would have to be like. The Form of the Good, for example, is an eternally existing, extra-mental reality that provides one not only with knowledge of what is good but also with “an overriding motive” to pursue it.<sup>61</sup> An objective “right,” he says, would have “to-be-pursuedness” built into it and an objective “wrong” would likewise have “not-to-be-doneness” built in.

Mackie’s discussion of the argument from queerness contains an ambiguity that has led at least one critic to dismiss it without confronting its strongest possible formulation. Clarifying this ambiguity will help to demonstrate the formidable challenge that the argument from queerness poses to the modern use of moral language.

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<sup>58</sup> Mackie, *Ethics*, 35.

<sup>59</sup> *Ibid.*, 24.

<sup>60</sup> *Ibid.*, 38.

<sup>61</sup> *Ibid.*, 23, 40.

No doubt focusing on Mackie's comments to the effect that an objective value would provide "an overriding motive" to pursue it,<sup>62</sup> David Brink interprets the argument from queerness as trading on the alleged intrinsic power of moral values to motivate, to move or to cause one to act. On this interpretation, Brink claims, "Mackie is claiming that moral realism requires the truth of *internalism*," the view that "the recognition of moral facts itself either necessarily motivates or necessarily provides reasons for action."<sup>63</sup> Motivational internalism holds that knowledge of moral facts is intrinsically motivating; this view is contrasted with motivational externalism, which is just the denial of motivational internalism. A motivational externalist will hold that it is possible, e.g., for one to recognize that one has an obligation without thereby being motivated to fulfill it. Brink proposes to avoid Mackie's sceptical conclusion by denying the link between moral realism and motivational internalism and suggesting that moral realists adopt motivational externalism instead.

Now if Mackie were concerned merely with motivation, Brink's motivationally externalist moral realism would provide an effective response to the argument from queerness. But as Richard T. Garner points out, the heart of Mackie's concern is not with morality's power to motivate but rather with morality's authority. "It is the peculiar combination of objectivity and prescriptivity," Garner explains, "rather than any intrinsic

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<sup>62</sup> Mackie, *Ethics*, 40. Mackie bears responsibility for this ambiguity, which arises at several points in his discussion. In the course of discussing Plato, for example, Mackie comments that apprehending the Forms "will not merely tell men what to do but will ensure that they do it, overruling any contrary inclinations." Cf. pp. 23-4.

<sup>63</sup> David O. Brink, "Moral Realism and the Sceptical Arguments from Disagreement and Queerness," *Australasian Journal of Philosophy* 62, no. 2 (June 1984): 113.

motivational power, that makes moral facts and properties queer.”<sup>64</sup> Again, “moral facts are not just unusual in the way that facts about quarks and black holes are unusual, they are unusual in an unusual way—they demand.”<sup>65</sup> Hence, if objective moral requirements exist, then one has an *objective duty* to fulfill them, regardless of one’s motivational state. And it is the objectivity of such duties that accounts for the genuine queerness of morality. We understand what it would mean for friends, family members or our boss to make demands on us, but what would it mean for *reality* to do so? The difficulty of explaining how this is possible is the really irksome issue behind Mackie’s argument from queerness. The queerness of morality, then, is the third symptom of disorder exhibited by modern morality.

### *1.7 The Symptoms of Morality and the Rejection of Divine Law*

The three symptoms of morality—its “mere mesmeric force”, its inexplicable inescapability, and its “queerness”—are features of our moral language, thought and practice that moral philosophers of the past fifty years have discovered to be quite peculiar and worrisome. My final task in this chapter is to show the plausibility of thinking that we worked ourselves into this situation by rejecting a divine law conception of ethics, a conception with which we formerly could make sense of the features to which these symptoms point.

Let us begin with the “mere mesmeric force” of our moral language. As we saw above, the passion of one’s conviction in (what one considers to be) a moral prohibition

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<sup>64</sup> Richard T. Garner, “On the Genuine Queerness of Moral Properties and Facts” *Australasian Journal of Philosophy* 68, no. 2 (June 1990): 143.

<sup>65</sup> *Ibid.*, 143.

will exceed the passion of one's conviction in any prohibition regarded as (merely) conventional. Thus, in order to "save the phenomena" of morality, it is necessary to deny that the normativity of moral prohibitions is grounded in mere human convention. Yet (as we saw), precisely by doing so, one undercuts the possibility of providing moral prohibitions with the pedestrian and unmysterious grounding that is enjoyed by all other kinds of prohibitions. We can only expect, then, that morality will have a *non*-pedestrian and at least somewhat mysterious ground. But there is no need to deny the essential insight that prohibitions arise out of a *practice* of prohibiting. This will no doubt raise an important question, namely, if the practice is not a conventional—i.e., a (merely) *human*—one, then what is it? In brief, all that is necessary to allay the "mesmeric" aura of moral prohibitions is to allow for a greater-than-human, authoritative prohibitor, a relationship to whom is of overriding importance to one. God is the salient candidate for such a prohibitor, and God's law is surely the salient candidate for grounding moral prohibitions (requirements, etc.). And to be sure, the grounding of moral prohibitions in the law of God accounts quite well for the "special emphasis and . . . special feeling" with which they are asserted in everyday conversations.

Above we considered how, after being told "You can't move your king," a child will come to believe this claim and to assert it with a most passionate conviction in relevantly similar circumstances—perhaps adding that such a thing is *also* against the rules. In such cases, we saw, the modal clause (i.e., "You can't move your king") has become detached from the *logos* (i.e., "Moving your king in such-and-such circumstances is against the rules of chess"), thus making these statements *appear* to express separate, free-standing facts. As we saw, the appearance is deceiving, however, for a bit of

reflection demonstrates that neither clause can be explained on its own. It simply is not true in any sense independent of the rules of chess that one cannot move one's king, e.g., when it is in checkmate; and to say that moving one's king is against the rules *just is* to say that one "cannot" do it while playing the game.

Now, it is plausible that, just like the child playing chess, individuals socialized within a culture that is heavily indebted to the Judeo-Christian tradition could come passionately to assert claims like "You morally ought not to commit adultery," supposing this to express a fact that is independent of its being forbidden by divine law. And in fact, this is precisely what *has* occurred. The inextricable link between the modal clause and the *logos* of moral claims has become lost to consciousness and "morality" has become reified into some other, peculiar thing. Again, one could imagine the absurdity of the parallel legal case. The fact expressed by a voting official who says "You legally can't vote twice" is not independent of that expressed by "Voting twice is against the law." Anyone who supposed of "legality"—as we do of "morality"—that it refers to something independent of the law would clearly be terribly confused.

Within a divine law framework, then, statements like "You morally ought not to commit adultery—committing adultery is forbidden by God's law," are perfectly intelligible and wholly unproblematic. (Or at least, I shall argue that this is the case. Obviously there is much work still to be done as to how God is the ground of such laws.) Although spoken with great force, that force is by no means "mesmeric," because the ground of the prohibition is clearly specified. Crucially, it is only with the *rejection* of a divine law conception of ethics that the force of the prohibition becomes mesmeric; for

then the *logos* is rejected, leaving only the inexplicable “You morally ought not to commit adultery—” full stop.

So much, then, for the first symptom, the “mere mesmeric force” of morality. The second symptom is morality’s “special dignity and necessity” or its special inescapability. Philippa Foot points out the difficulty in specifying how moral requirements differ, say, from the rules of etiquette. A rule of etiquette, she says, “does not *fail to apply* to someone who has his own good reasons for ignoring this piece of nonsense, or who simply does not care about what, from the point of view of etiquette, he should do.”<sup>66</sup> Like moral requirements, then, rules of etiquette appear to apply to us “whatever our interests and desires.” In short, we cease to offend against neither the institution of etiquette nor that of morality just because we lack a concern for their dictates. So what is the difference between them? Although Foot despairs of finding some basis for the special inescapability of morality, I am far more optimistic.

The key is to be found in the recognition that, strictly speaking, *persons*, not abstract *institutions* are the things offended against when one violates some rule. Institutions mediate personal relationships between people, and so in a loose sense Foot is right that institutions are offended against when a rule is broken; but this manner of speaking is only derivative from the offense given to a *person* with whom one has a relationship that is mediated by that institution. Thus, if I eat peas with a knife or if I sop my plate with a roll, then in a loose sense, I offend against etiquette. It is most appropriate, however, to say that I offend *polite company* when I do such things. Foot is certainly correct that, supposing I don’t give a flip about etiquette, I will still offend my

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<sup>66</sup> Foot, “Morality as a System of Hypothetical Imperatives,” 308.

polite dinner companions when I break one (or several) of its rules. But what Foot's loose manner of speaking prevents her from noticing is crucial for seeing the difference between the inescapability of etiquette and that of morality, namely, *I can avoid polite company and thus escape the demands of etiquette*. Furthermore, this observation is generalizable: I can avoid the requirements of *any* human institution simply by extricating myself from the personal relationships that those institutions mediate.

Unlike etiquette, morality is inescapable in that I can *never* avoid situations in which its demands apply to me. As Richard Garner puts it, "we can escape the imperatives of etiquette by moving into a box on the street, but not even in a box on the street are we free of the imperatives of morality."<sup>67</sup> For moral requirements are *wholly* inescapable. Now, there is no need to deny the essential insight that obligations arise out of relationships that are mediated by institutions. But if there are demands that are wholly inescapable in the way moral demands are supposed to be, then all that is needed to make sense of this aspect of morality is some relationship to a person from which I am wholly incapable of extricating myself and which is itself mediated by an institution. Again, surely God is the salient candidate for that person and God's law is the relevant institution.

Like etiquette, morality is an institution; yet, unlike etiquette, morality's demands are objective in the sense that they are not dependent upon human convention and human social-constructive activity. Thus understood, then, if "convention" refers to the merely human, then morality turns out to be a non-conventional institution that mediates God's relationship with human beings. Indeed, when viewed in this light, Bernard Williams is

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<sup>67</sup> Richard Garner, "On the Genuine Queerness," 138.

certainly correct to label morality as a “peculiar institution,”<sup>68</sup> for there is nothing else quite like it. Nevertheless, within a divine law framework, the special inescapability of morality is intelligible and unproblematic. It is only with the rejection of a divine law conception of ethics that the special inescapability of morality loses its basis. Indeed, even the most impressive of recent attempts to ground inescapable moral obligations—Christine Korsgaard’s *The Sources of Normativity*—fails in the end to do so. Without criticizing Korsgaard’s project, I shall only point out that even she acknowledges that “there are limits to the depth of obligation” that her naturalistic project can ground.<sup>69</sup> This symptom of morality—the inescapability of moral demands—inevitably points toward a divine law conception of ethics.

Finally, we come to the “queerness” of morality. An objective “right,” Mackie says, would have “to-be-pursuedness” somehow built into it and an objective “wrong” would likewise have “not-to-be-doneness” built in. Thus, morality requires the existence of queer entities that are simultaneously objective and prescriptive. A way of explaining how our moral language has come to commit us to the existence of objectively prescriptive entities—indeed, the way that Mackie himself suggests—is “to say that ethics is a system of law from which the legislator has been removed.”<sup>70</sup> Mackie suggests that the notion of objective prescriptivity could have been derived from either

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<sup>68</sup> Cf. Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), chapter 10.

<sup>69</sup> Christine Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996), 159-160. See the criticisms of Korsgaard raised in Ton Van Den Beld, “The Morality System with and without God,” *Ethical Theory and Moral Practice* 4 (2001): 383-399; see also Maria Alvarez and Aaron Ridley, “The Concept of Moral Obligation: Anscombe *contra* Korsgaard” *Philosophy* 82 (2007): 543-552.

<sup>70</sup> Mackie, *Ethics*, 45.

the positive law of a state or from a supposed system of divine law. Then, after briefly summarizing Anscombe's "Modern Moral Philosophy," Mackie commends her argument, saying, "There is much to be said for this view."<sup>71</sup>

Of course, Mackie goes on to argue that Anscombe's paper does not provide a complete answer to the "queerness" problem, and he is certainly correct. After all, Anscombe is concerned only with the intelligibility of the deontological notions of obligation, permission, etc. and not at all with axiological ones. As such, Anscombe's argument does nothing to dispel the queerness of value properties. Since we (like Anscombe) are concerned only with the grounding of deontological properties, however, this is not a concern.

What will perhaps be most surprising to many is the stridency of Mackie's agreement with Anscombe. Again, as Mackie himself claims, "there can be no doubt that some features of modern European moral concepts are traceable to the theological ethics of Christianity. The stress on quasi-imperative notions, on what ought to be done or on what is wrong in a sense that is close to that of 'forbidden', are surely relics of divine commands."<sup>72</sup> In other words, Mackie thinks Anscombe's historical thesis is right: the notions of moral right, wrong and obligation are survivals from a divine law conception of ethics. Indeed, he goes so far as to concede that "if the requisite theological doctrine could be defended, a kind of objective ethical prescriptivity could be thus introduced."<sup>73</sup>

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<sup>71</sup> Mackie, *Ethics*, 45.

<sup>72</sup> *Ibid.*

<sup>73</sup> *Ibid.*, 48.

That is, Mackie believes that a divine law conception of ethics would actually dispel the queerness of morality.

### *1.8 Conclusion*

In this chapter I have traced the development of our notions of right, wrong and obligation from their origin in childhood through their moralization in connection with a divine law conception of ethics and finally to their problematization once this conception is rejected and the inextricable link between divine law and morality is lost to consciousness. I have shown that careful consideration of the odd symptoms recognized by twentieth-century moral philosophers confers plausibility upon Anscombe's thesis that our moral notions are in fact survivals from a now-defunct divine law conception of ethics. Because the latter is a historical thesis, it is nicely supported by the fact that there *was* an identifiable time in our history when, in J.B. Schneewind's words, "established conceptions of *morality as obedience [to God] came increasingly to be contested* by emerging conceptions of morality as self-governance," the latter of which today has become "so widely [accepted] that most moral philosophy now starts by assuming [it]."<sup>74</sup> This time is the sixteenth through the eighteenth centuries, and Schneewind's recent monograph provides the best historical research to date in support of Anscombe's thesis. All told, then, this historical fact, combined with the capacity of Anscombe's thesis to provide a revealing diagnosis of the symptoms recognized by twentieth century moral philosophers, provides compelling reasons to think Anscombe is correct in her diagnosis of how we got ourselves into our current moral predicament.

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<sup>74</sup> J.B. Schneewind, *The Invention of Autonomy: A History of Modern Moral Philosophy* (Cambridge: Cambridge University Press, 1998), 4; my emphasis.

## CHAPTER TWO

### The Problem of Modern Moral Unintelligibility

#### *2.1 Introduction*

In “Modern Moral Philosophy” Elizabeth Anscombe argued that our modern moral language and thought (i.e., that language and thought that makes use of the moral “ought”, or of the notions of moral “right”, “wrong” and “obligation”) has become unintelligible; as a consequence, Anscombe suggested that we would do well to abandon such language altogether. In this chapter I expound and clarify Anscombe’s statements regarding the unintelligibility of morality; in doing so, I seek to demonstrate the plausibility of many of her specific claims pertaining to morality’s unintelligibility, many of which have gone without comment in the literature since her essay’s publication in 1958.

To appreciate the peculiar unintelligibility of the modern moral “ought”, it will be helpful first to get clear on how notions like “ought” might be used *intelligibly*.

Anscombe thinks that “ought” and other modals often enjoy intelligibility *outside* of modern moral contexts. In particular, she discusses two kinds of ways in which “ought” might be intelligibly used. First is the “ordinary” ought, which can be either broadly Aristotelian or else what we might call “institutional” in character. Second is the “divine law” ought, which in the modern Western context is largely associated with the historical impact of Christianity and those cultural contexts that it shaped in the centuries after it emerged out of Judaism. As we shall see, the derivation of Christian divine law notions

out of the Jewish Torah is particularly important for understanding Anscombe's claims of unintelligibility as they relate to the modern moral ought.

Anscombe's diagnosis of moral unintelligibility extends to both the everyday expressions of ordinary individuals as well as to the theories of modern moral philosophers. The unintelligibility of the former is problematic, but the unintelligibility of the latter is even more aggravated, given the particular ways in which modern (largely secular) moral philosophers have tended to revise their theories of moral obligation. Furthermore, as I shall show, Anscombe's remarks on the semantics and metaphysics of moral obligation actually anticipate the divine command theory defended by Robert M. Adams in his widely read *Finite and Infinite Goods*. Many other philosophers (i.e., those who are unwilling to maintain a divine law conception of ethics) finally appear to be taking Anscombe's advice to abandon the language of moral obligation. It is to the "ordinary" ought that we now turn.

## 2.2 The "Ordinary" Ought

In "Modern Moral Philosophy" Anscombe contrasts the "moral" ought with what she calls the "ordinary" ought.<sup>1</sup> Anscombe argues that the moral ought is unintelligible and that we would do well to dispense with its use; the ordinary ought, on the other hand, is "quite indispensable."<sup>2</sup> "It may be possible," she says, "if we are resolute, to discard the notion 'morally ought,' and simply return to the ordinary 'ought,' which, we ought to notice, is such an extremely frequent term of human language that it is difficult to

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<sup>1</sup> G.E.M. Anscombe, "Modern Moral Philosophy," *Philosophy* 33, no. 124 (January 1958): 5, 14, 19.

<sup>2</sup> *Ibid.*, 5.

imagine getting on without it.”<sup>3</sup> A major difference between the ordinary ought and the moral ought is, Anscombe thinks, that the former, but not the latter, can be inferred from “is” statements, that is, from purely descriptive premises. Anscombe discusses two subtypes of the ordinary ought, what I shall call the “institutional” ought and the “Aristotelian” ought, respectively.

### *The Institutional Ought*

Anscombe treats the institutional ought while discussing how, in the course of exposing the “sophistry” of David Hume, one is led to discover matters that need a lot of explaining. In fact, the passage in “Modern Moral Philosophy” where she discusses this kind of ought is actually an abstract for an entire paper that she published the very same year (1958), entitled “On Brute Facts.” In that paper, Anscombe asks the reader to suppose that she says to her grocer, “Send so many potatoes to my house,” and that the grocer has potatoes carried to her house and left there, along with a bill. These facts, Anscombe says, are “brute” relative to certain other facts—e.g., that she now owes the grocer money. This fact—her owing money to the grocer—is, indeed, *a fact*; supposing otherwise results in absurdity. Consider the absurdity of Anscombe’s (in a Humean-inspired state of mind) saying to the grocer:

Truth consists in agreement either to relations of ideas, as that twenty shillings make a pound, or to matters of fact, as that you have delivered me a quarter of potatoes; from this you can see that the term does not apply to such a proposition as that I owe you so much for the potatoes. You really must not jump from an “is”—as, that it really is the case that I asked for the potatoes and that you delivered them and sent me a bill—to an “owes”.<sup>4</sup>

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<sup>3</sup> Anscombe, “Modern Moral Philosophy,” 18.

<sup>4</sup> G.E.M. Anscombe, “On Brute Facts” *Analysis* 18, no. 1 (January 1958): 69.

Certainly, it *does* follow from the fact that Anscombe said “Send so many potatoes” to her grocer and that the grocer had these actions performed that—as a matter of *fact*—Anscombe now owes money to the grocer, at least in normal circumstances.

I must add the qualifier “at least in normal circumstances” to ward off the possibility of special circumstances which would invalidate the inference. An example of special circumstances that Anscombe gives is that of her taking part in a film production. In that context, supposing even that Anscombe and her grocer are acting out their normal, everyday roles of customer and grocer, if Anscombe were to say “Send so many potatoes” and the grocer sent them along with a bill (all according to a script), this would amount not to a real sale but to a piece of acting. Alternatively, suppose that, in real life, the grocer arranged to have someone go and retrieve the potatoes soon after they were delivered; in that case, the grocer has not really supplied Anscombe with potatoes, hence she cannot be said to owe him anything at all. Specifying all the possible circumstances that would invalidate the inference from “is” to “owes” would be an impossible task; nevertheless, as Anscombe says, “I can know perfectly well that the grocer has supplied me with potatoes”; therefore she can know perfectly well when she owes him money.<sup>5</sup> The possibility of special circumstances need not threaten what we can discover to be the case in normal circumstances.

In normal circumstances it follows from the brute facts that Anscombe says “Send so many potatoes to my house,” and the grocer sends them, etc., that Anscombe owes her grocer money. And if she owes him money, then certainly she *ought* to pay him. Thus, there is a legitimate inference from “is” to “ought” by means of “owe”. But what makes

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<sup>5</sup> Anscombe, “On Brute Facts,” 71.

this inference possible? Anscombe notes that *institutions* play an essential role in this inference.

In the spirit of Anscombe, John Searle helpfully suggests that this gap from “is” to “ought” (or even, Anscombe might say, from “is” to “owe”) is bridged by what he calls “institutional facts.”<sup>6</sup> To get a grip on the character of institutional facts, Searle directs attention to the difference between two types of descriptive statements. Some descriptive statements, like “Smith has brown hair” are simple empirical paradigm cases; others are more involved. “Jones got married,” “Smith made a promise” and “Brown hit a home run,” for example, are every bit as descriptive as the first but also seem very different from it. The difference is that the latter statements contain words (“married,” “promise” and “home run”) that presuppose the reality of various *institutions*. That Jones got married is true only given the institution of marriage; without it, all he does is get dressed up, utter certain words, make certain gestures and get his car vandalized. Again, that Brown hit a home run is true only given the institution of baseball; without it, he can manage only to hit a stitched leather sphere with a piece of wood over a far-away fence. That Jones got married and that Smith hit a home run are *institutional* facts, as opposed to *brute* facts (which do not presuppose the existence of any institution).

Some statements, then, express institutional facts, which presuppose certain institutions; and institutions, in turn, are systems of what Searle calls “constitutive rules.” Constitutive rules create or define forms of activity whose existence depends upon those rules. Thus, marriage, chess, baseball, and promising are all (more or less complex) systems of constitutive rules.

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<sup>6</sup> John R. Searle, “How to Derive ‘Ought’ from ‘Is’” *The Philosophical Review* 73, no. 1 (January 1964): 43-58.

Constitutive rules have the general form: “Brute fact X counts as institutional fact Y.”<sup>7</sup> Thus, hitting a stitched leather sphere with a piece of wood over a far-away fence counts as a homerun in the context of a baseball game. Or rectangular green bills with presidential portraits issued by the US Government count as money in the context of financial transactions within the United States. Given systems that include constitutive rules like this, it is a matter of institutional fact that there are home runs or marriages or money.

Most important for our purposes is that some systems of constitutive rules involve obligations; thus, it is often a matter of institutional fact that one has an obligation to do something, given that some state of affairs obtains. Searle gives the example of a baseball player’s being tagged out and told by the umpire to return to the dugout. In these circumstances, the player certainly *ought* to return to the dugout. As Searle notes, it would be utterly preposterous for the player to stand his ground and argue that one cannot derive an “ought” from an “is,” and that therefore he does not have to do any such thing. By undertaking to play baseball a player commits himself to observing certain constitutive rules, some of which clearly impose obligations.<sup>8</sup>

Returning to Anscombe’s grocer example, then, we can see that when Anscombe says “Send so many potatoes to my house,” and the grocer sends them, along with a bill, these are facts that are brute relative to the institutional fact that Anscombe owes her grocer money. This institutional fact presupposes the institution of commerce, which is a system of constitutive rules; by undertaking to engage in the institution of commerce, one

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<sup>7</sup> This form is similar to one given by John Searle in *The Construction of Social Reality* (New York: The Free Press, 1995), 28.

<sup>8</sup> Searle, “How to Derive ‘Ought’ from ‘Is’,” 56.

commits oneself to observing these rules, one of which imposes the obligation to pay money upon receiving goods in certain circumstances.

Finally, Anscombe indicates that one is given a *reason* to observe one's institutionally-imposed obligations by the fact that doing so is virtuous and failing to do so is a vice. Thus, Anscombe's failure to pay her grocer the money she owes him is an instance of "bilking," which she says, "is . . . a species of 'dishonesty' or 'injustice'";<sup>9</sup> the latter, in turn, are vices, which make one bad *qua* human being. Hence, institutional oughts (or ought-nots) have an indirect tie in to virtue or vice, which provides grounding reasons for one's observing them. We now turn to the second subtype of the "ordinary" ought, which has a *direct* tie to virtue and vice.

### *The Aristotelian Ought*

In chapter one, we considered Richard Taylor's thought experiment regarding the socially-derived character of the notions of right, wrong and obligation.<sup>10</sup> Recall that Taylor asks his reader to imagine an isolated plurality of primitive individuals who live in close enough proximity that they occasionally encounter one another by chance, but otherwise have no significant social interaction. There is no government among these people, no laws, no customs and no rules. As we saw, nothing is unlawful in the absence of laws, and hence there are no crimes; indeed, in the absence of social institutions of any kind, whether written or unwritten, nothing is forbidden or required. In such a situation, no action is wrong and no action is obligatory—and neither is any action meaningfully said to be right.

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<sup>9</sup> Anscombe, "Modern Moral Philosophy," 4.

<sup>10</sup> Richard Taylor, *Virtue Ethics: An Introduction* (Amherst, NY: Prometheus Books, 2002), 12.

To extend the thought-experiment, suppose that at some point two such primitive individuals encounter one another in the forest. This time, however, suppose that one, instead of quietly withdrawing, violently attacks the other with a spear and carries off food that the other was carrying. Such actions cannot be described as *wrong*, although they are certainly *harmful* to the injured party. Again, suppose that a third individual came along and, seeing that the first had been injured, renders aid and provides him with food. Again, these actions can be described as neither *obligatory* nor *right*, although they are certainly *beneficial* to the injured one. The important point to notice is this: whereas the notions of right, wrong and obligation presuppose a social context with established laws, rules or customs, the notions of harm and benefit presuppose no such thing. Injuries can take place anywhere; crimes, infringements, transgressions or other wrongs cannot. As Taylor says, “Rules are needed only for describing such injury as wrongful; they are no precondition of injury itself.”<sup>11</sup>

Previously we considered the role that so-called “modal” terms play in the development of the notions of right, wrong and obligation. The fact that there are conditions of health and injury that are specifiable independently of these notions creates the possibility of a range of uses for modal terms that is different from those we have previously considered. As Anscombe says, the meanings of these terms are tied to the *good* that some action would accomplish or to the *need* that some action be performed. In her words, “the terms ‘should’ or ‘ought’ or ‘needs’ relate to good and bad: e.g. machinery needs oil, or should or ought to be oiled, in that running without oil is bad for

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<sup>11</sup> Taylor, *Virtue Ethics*, 14.

it, or it runs badly without oil.”<sup>12</sup> Again, remarking upon this sense, she explains that to say of an organism “that it needs [a particular] environment . . . is . . . to say . . . that it won’t flourish unless it has it.”<sup>13</sup> This use of “ought,” then, is teleological: it applies to those actions that help a thing to flourish. With respect to human beings, Anscombe says that “essentially the flourishing of a man *qua* man consists in his being good (e.g. in virtues); but for any X to which such terms apply, X needs what makes it flourish, so a man needs, or ought to perform, only virtuous actions.”<sup>14</sup>

As properly applied to human action, then, this use of modal terms points specifically to an action’s virtuousness or viciousness *vis-a-vis* some conception of human flourishing. Modal terms, it will be recalled, come in mutually definable pairs of possibility and necessity; therefore, the salient use of these terms is specifically to point out what actions are possible and necessary for a flourishing human being. Following Anscombe, we shall refer to this as the “Aristotelian” ought, due to the fact that the kind of language needed to express it was available to Aristotle. It should be kept in mind, however, that she characterizes this language as “roughly how Plato and Aristotle talk,”<sup>15</sup> so her label, “Aristotelian,” should be understood as including roughly the constellation of concepts that are shared by both Plato and Aristotle.

Aristotelian modals are to be distinguished not only from “moral” modals, but from “institutional” modals as well. To see the difference, consider that the use of institutional modals is limited to contexts where someone is institutionally required

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<sup>12</sup> Anscombe, “Modern Moral Philosophy,” 5.

<sup>13</sup> *Ibid.*, 7.

<sup>14</sup> *Ibid.*, 18.

<sup>15</sup> *Ibid.*

(forbidden, permitted) to do something; thus, in chess it is said, “You have to move your king” when the king is in check and there remains a legal move. Aristotelian modals, on the other hand, do not have this limitation. This is seen in the fact that, to say to someone who is overweight, e.g., “You ought to get more exercise,” is not to *require* that person to do the thing. Of course, Aristotelian modals can be used in institutional contexts as well. Thus, observing that a piece is unguarded and in danger of being captured, a bystander to a chess game might suggest to a player whose turn it is to move, “You really ought to move your rook.” In this context, the Aristotelian ought points specifically to an action’s virtuousness or viciousness *vis-a-vis* a conception of good chess playing. But, again, no requirement is being made.

This last example can be of help in responding to a possible objection to my entire procedure of specifying the Aristotelian ought. By beginning with a far-out thought experiment involving oddly anti-social primitives (it might be objected) it is really questionable how many of my conclusions can be thought to apply to real-life human beings. After all, as Aristotle maintained—and surely he is correct—humans are political animals, so to abstract away the social dimension of human life is to take away what should be an essential factor in any adequate ethical conception. Human life must take place in society. And insofar as human relationships are *necessarily* mediated by institutions with customs and rules (of whatever variable form), customs and rules actually *do* turn out to be a precondition for certain types of virtue and vice (or of health and disease broadly conceived).

This is an important objection, and there is much truth in it. All that I wish to emphasize is that many virtues can be specified without reference to antecedently

existing rules, customs, laws, etc. What the objection shows is what Hume recognized long ago, namely that certain virtues, such as justice, are “artificial” in that they typically presuppose the existence of institution-mediated human social relationships. Anscombe’s grocer case, discussed above, is a good example of this kind of case. (I take it, by the way, that the use of Aristotelian modals which presuppose some institutional context is precisely what Alasdair MacIntyre has in mind when in *After Virtue* he proposes to speak of virtues as dependent upon social practices.<sup>16</sup>) Nevertheless, while it is true that Aristotelian modals can sometimes be dependent upon institutional contexts for their intelligibility, this is not for them a necessary feature (as it is for institutional and moral modal terms).

Finally, we noted in chapter one that as far as “moral” modals are concerned, “ought” implies “can”; moral necessity implies possibility—but interestingly, not actuality. It is instructive to point out that, with respect to Aristotelian modals, it is doubtful whether these imply even (practical) possibility. Thus, during a famine it would be perfectly intelligible to say of a starving man, “He ought to have something to eat.” This is an Aristotelian modal that points to the badness of the man’s situation *vis-a-vis* a conception of human flourishing (which, of course, includes one’s having adequate and proper nutrition). An Aristotelian “ought,” then, cannot even be taken to imply “can.” Nevertheless, it remains the case that if it is true that one “ought” to do such-and-such—in the Aristotelian sense of “ought”—then one certainly has a *reason* to do it. Actions that one “ought” to do in this sense are virtuous and either (partially) consist in or

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<sup>16</sup> Cf. Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame Press, 1981), 187ff; although my examples from the game of chess are merely examples, it is instructive that MacIntyre himself refers to chess as an example of the kind of “practice” he has in mind (cf. p. 187).

contribute to realizing one's *telos* as a human being. This concludes our discussion of the ordinary ought; we now turn to consider the divine law ought.

### 2.3 The "Divine Law" Ought

Anscombe says that "between Aristotle and us came Christianity, with its *law* conception of ethics. For Christianity derived its ethical notions from the Torah."<sup>17</sup> To get a handle on the salient features of the Christian divine law conception of ethics—from which our modern moral notions are themselves derived—it will be helpful to consider the structure of the ethical notions found in the Jewish Torah. To begin, Cora Diamond points out that, in the context of a life of a person who is living by the divine law of the Torah, it is perfectly intelligible for that person to say (of some action that one is commanded by Yahweh to do), "This is what I ought to do," indicating the fact that the command gives one a reason for action.<sup>18</sup> There are two possibilities to consider here.

First, it is possible that a divine command might enjoin some action that one "already" has a reason to do. Perhaps Yahweh commands that one is to bathe regularly or to avoid the consumption of dangerous foods; absent a divine command to this effect, one already has "ordinary," Aristotelian reasons to do these things, for they contribute to one's flourishing. In these cases, the fact that Yahweh commands such actions simply adds to the reasons one already has.

Second, and more important in the context of the Torah, Diamond says that "it makes sense to say of Yahweh that he has commanded someone to do something which

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<sup>17</sup> Anscombe, "Modern Moral Philosophy," 5.

<sup>18</sup> Cora Diamond, "The Dog that Gave Himself the Moral Law" *Midwest Studies in Philosophy*, XIII (1988): 162.

that person would otherwise have had no reason to do, or even to do something (as in the case of the command to Abraham to sacrifice Isaac) which that person had every reason *not* to do.”<sup>19</sup> In this ancient Israelite context, it is perfectly intelligible for one to be in a situation where one believes that one “ought” to perform some action, but has no motive to do it other than the command of Yahweh. In particular, there is no need for the recognition of any *good* that the act—considered just in itself, apart from the fact that it is commanded—would accomplish or of any *need* that would be met thereby. “Divine law” modals, then, are very different from Aristotelian modals, which have a direct tie to human virtue. Aristotelian modal terms point to the character of an action as virtuous or vicious *vis-a-vis* some conception of human flourishing; “divine law” modals, on the other hand, point in a completely different direction, that is, to the character of an action as obedient or disobedient *vis-a-vis* the divine law.

We saw above that actions that one ought to do—in the Aristotelian sense of “ought”—are virtuous and either (partially) consist in or contribute to realizing one’s *telos* as a human being; if it is true in this sense that one “ought” to perform some action, then one certainly has a *reason* to do the thing. But how or why does *divine law* gives one a reason to act? As Diamond notes, an answer to this question requires a story to be told, a story that “involves . . . a reference to the person’s trust and to Yahweh’s promises. Why he should trust Yahweh, what it would mean for him to obey or disobey, these have to be understood in relation to Yahweh’s doings with the man himself . . . or with the people to which he belongs.”<sup>20</sup> As she points out, divine law modals *also* have a

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<sup>19</sup> Diamond, “The Dog that Gave Himself the Moral Law,” 163; my emphasis.

<sup>20</sup> *Ibid.*, 163.

tie in to virtue, but that tie is revealed through the story and not in the description of the kind of act that Yahweh commands. Her comments on this point are worth quoting at length. A person's reason for doing what is commanded is not

tied to the character of the act, but to the relation between the person and Yahweh. We can see why Yahweh's command to do a particular act gives the person commanded reason to do the thing, if we look at his and his people's relation to Yahweh: we can see what it would be, what breach of trust, what ingratitude, what kind of pride and folly, to refuse to obey. What is striking in Deuteronomy is the repetition in it of an argument why the people to whom the divine statutes have been given must obey them all. The account looks backwards and forwards: backwards to what Yahweh has done in his caring for this people as 'the apple of his eye,' bearing them away from troubles, like an eagle bearing them on its pinions; and forwards to what is promised, blessing and curse. The pattern of argument looking backwards and forwards echoes the reasons Abraham was given for obedience and trust: this is what Yahweh has done for you, this is what he promises.<sup>21</sup>

The basis for obedience to the divine law of the Torah is a richly beneficial relationship between Yahweh and the people of Israel. A requirement made by Yahweh gives one a reason to act (in part) because of the profound care that Yahweh has provided and because Yahweh promises to promote one's welfare in times to come.

This particular observation is given added weight by the discovery of the remarkable parallels between ancient Near Eastern suzerainty treaties and the covenantal structure of the Hebrew scriptures. Anscombe's remark that Christianity derived its ethical framework from the Jewish Torah warrants exploring this connection.

Understanding the structure of suzerain-vassal treaties will help us to understand the ethical framework of the Jewish Torah, thereby illuminating important features of framework of divine law that Christianity derived from it. In 1955, George E. Mendenhall published a book titled *Law and Covenant in Israel and the Ancient Near*

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<sup>21</sup> Diamond, "The Dog that Gave Himself the Moral Law," 163-4.

*East*, in which he reported this unanticipated development and consolidated the relevant historical research.<sup>22</sup> It turns out that, in the Near East of the mid-second millennium B.C., it was quite common for a suzerain (a great king or emperor) to establish treaties with subordinate vassals. These arrangements were somewhat analogous to the relationship of feudal lords to their vassals in medieval Europe and not altogether unlike modern day international treaties. Of course, suzerain-vassal treaties were not merely legal contracts but involved affection as well; the suzerain was viewed as a great liberator or protector, even as a father figure to the vassals whom he ruled. There are any number of situations that might lead to the establishment of a treaty, but typically, these circumstances involved the vassal's need to protect and provide for the welfare of his territory.

Ancient Near Eastern suzerain-vassal treaties typically involve several elements. These include a *preamble*, which identifies the great king making the treaty; a *historical prologue*, which articulates the circumstances that led to the treaty; *stipulations*, i.e., the terms of the treaty, or a list of directives to which the vassal must adhere; *blessings and cursings*, stating the goods to be expected for obedience and the sanctions to be expected for disobedience; finally, *provisions* for deposit of the text and for its periodic public reading.

Of most importance for our purposes is the historical prologue. In his summary of the importance of the discovery of these ancient treaties for understanding the Hebrew scriptures, Michael Horton says:

[The historical prologue of a suzerain-vassal treaty] wasn't just window dressing; it justified everything that followed. Given the history—let's say that the suzerain had rescued the smaller nation from an invading army—what could be expected

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<sup>22</sup> George E. Mendenhall, *Law and Covenant in Israel and the Ancient Near East* (Pittsburg: The Biblical Colloquium, 1955).

other than the hearty acceptance of a grateful people? By telling the story of what happened, the suzerain showed that the lesser king was in no bargaining position. The lesser king and his people had been treated mercifully and had no claim upon the great king.<sup>23</sup>

The remarkable discovery of the last century was that the structure of the Hebrew Torah closely parallels the structure of these secular suzerain-vassal treaties. In fact, as Meredith G. Kline shows in *The Treaty of the Great King*,<sup>24</sup> the book of Deuteronomy *just is* a treaty document prepared to record the covenant made between Yahweh and Israel “on the plains of Moab,”<sup>25</sup> complete with a preamble, historical prologue, stipulations, blessings and cursings and provisions for continuity of the covenant.

After a brief preamble (1:1-1:5) that introduces the text of Deuteronomy and identifies Moses as the covenant mediator on behalf of Yahweh, there follows a long historical prologue (1:6-4:43) that recounts the events leading up to Yahweh’s establishment of the present covenant. The prologue recounts highly specific historical events, but the general gist is as follows: “I am Yahweh your God who brought you out of the land of Egypt, out of the house of slavery, who met with you at Mt. Horeb, who guided you through the great and terrible wilderness, who went before you in a pillar of fire by night and a cloud by day, who fed you and gave you water, who healed your diseases, who performed countless miracles for your benefit, who with longsuffering endured your murmuring, disobedience, provocations and idolatry, who fought on your behalf, who defended you against your adversaries who were stronger and mightier than you, who delivered your enemies into your hand, who warned you against calamity, who

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<sup>23</sup> Michael Horton *God of Promise: Introducing Covenant Theology* (Grand Rapids, MI: Baker Books, 2006), 26.

<sup>24</sup> Meredith G. Kline, *The Treaty of the Great King* (Grand Rapids, MI: Eerdmans, 1963).

<sup>25</sup> Cf. Deuteronomy 31:26.

gave you possession of the land of your habitation, who gave you rest, who multiplied you as the number of the stars of the sky and who is near you when you call. Your eyes have witnessed the mighty acts that I have done for you and you have heard of others from your fathers; *therefore*, keep all my commandments.”

The nurturing relationship between Yahweh and the people of Israel provides one with reasons to fulfill Yahweh’s requirements. It is because certain things had *happened* in the relationship between Yahweh and Israel that the people of Israel’s honor of Yahweh is a virtue and their disrespect is a vice; furthermore, the fact that honor is a virtue in this context (combined with the fact that Yahweh requires the people to do certain things) means that the people of Israel were in fact *obligated* to have no god before Yahweh, to remember the Sabbath, etc.<sup>26</sup> Indeed, it is in this historical context that even the blessings and cursings that Cora Diamond emphasizes must be understood. For without a knowledge of Yahweh’s long history of providential care for the people of Israel, a simple list of blessings for obedience and cursings for disobedience, by itself, would not distinguish Yahweh’s governance from the bullying of a tyrannical despot. The basis for obedience to the divine law of the Torah, then, is the profoundly beneficial relationship between Yahweh and the people of Israel.

In *Finite and Infinite Goods* Robert M. Adams articulates a divine command position that is consonant with the Christian tradition. He stresses the importance of such a relationship to God for giving one proper motivation to obey God’s commands. Adams acknowledges the role that fear of punishment for disobedience plays in keeping morality

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<sup>26</sup> I shall have much more to say about the relationship between virtue and obligation in chapter five. For now, let me just say that the ancient Hebrews viewed obligation as a kind of emergent social phenomenon; on this conception, obligation is not reducible to virtue but is grounded in relationships where virtue entails obedience to the legitimate social requirements that are placed upon one.

afloat, but this is not, he says, the salient motive for keeping one's obligations. Adams speaks first of generic social obligations. "The . . . explanation I wish to pursue," he says, "is that *valuing one's social bonds* gives one, under certain conditions, a reason to do what is required of one by one's associates or one's community (and thus to fulfill obligations, understood as social requirements)."<sup>27</sup> Adams explains that the kind of reason he has in mind is not one that arises out of a desire to obtain or maintain some relationship, but rather a reason that is present because one values the relationship that one already has. As he says, "My complying is an *expression* of my valuing and respecting the relationship. This is a motivational pattern in which I act primarily *out of* a valuing of the relationship, rather than with the obtaining or maintaining of the relationship as an *end*."<sup>28</sup>

Adams then applies this framework to one's relationship to God: "As in the case of human social bonds, the force of . . . reasons [arising from a relationship to God] depends on the value of the relationship, which theistic devotion will rate very high indeed. If God is our creator, if God loves us, if God gives us all the good that we enjoy, those are clearly reasons to prize God's friendship."<sup>29</sup> Adams goes on to describe "gratitude" as "an excellence, a form of excellence of prizing excellent relationships and of acknowledging the good deeds of others."<sup>30</sup>

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<sup>27</sup> Robert M. Adams, *Finite and Infinite Goods: A Framework for Ethics* (Oxford: Oxford University Press, 1999), 242.

<sup>28</sup> *Ibid.*; Adams's emphases.

<sup>29</sup> *Ibid.*, 252.

<sup>30</sup> *Ibid.*, 253.

Adams's comments capture the salient features that the Christian divine law conception of ethics shares with the context of a life lived under law of the Jewish Torah. Gratitude is a virtue; the appropriateness of gratitude for the profound welfare that God provides makes what he requires of one genuinely *obligatory*. In the Christian tradition, the virtue that brings about this obedience is variously conceived as faith, hope or love, or what we might variously construe as the virtue of honor, respect or (again) gratitude.<sup>31</sup> While all of this is not spelled out in Anscombe's particular account of the Christian divine law conception of ethics, it is certainly suggested by what she does say about it. As with institutional and Aristotelian modals, the reason-giving force behind the use of divine law modals depends on a tie in to virtue. Unlike Aristotelian modals, however, this tie is indirect, for that tie is revealed through the story of a relationship and not in the description of the kind of act that God requires.

#### 2.4 *The Unintelligible "Moral" Ought*

Anscombe claims that the moral ought, and hence the moral notions of right, wrong and obligation, are the unintelligible leftovers from a now-defunct divine law conception of ethics. We considered an argument for thinking that our moral notions are the products of a historical rejection of a divine law conception in chapter one. Now it is time to consider Anscombe's conceptual claims regarding the present unintelligibility of the moral ought, what I shall call her "unintelligibility thesis."

It has gone unrecognized that Anscombe's "Modern Moral Philosophy" actually argues for two *different* unintelligibility theses, one pertaining to morality as a general

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<sup>31</sup> I shall give a detailed explanation of the structure of the divine law conception of ethics as Anscombe and others conceive it in chapter five.

cultural phenomenon and another pertaining specifically to the use of moral notions by modern (secular) moral philosophers. Brian Leiter has criticized several recent Anglo-American “morality critics” like Michael Slote, Michael Stocker, Susan Wolf and Bernard Williams for failing to draw a distinction between morality as a cultural phenomenon and moral theory as a philosophical venture.<sup>32</sup> It is instructive that Leiter fails to mention Anscombe—the first major twentieth century Anglo-American morality critic—in this connection. The most likely explanation for this omission is that her argument simply does not commit this error, for Anscombe criticizes both morality and moral theory in turn. In this section we will consider Anscombe’s unintelligibility claim as it relates to morality as a general cultural phenomenon; later we will take up her criticism of modern moral theory.

Returning again to Anscombe’s own words, she says that if a divine law conception of ethics

is dominant for many centuries, and then is given up, it is a natural result that the concepts of “obligation,” of being bound or required as by a law, should remain though they had lost their root; and if the word “ought” has become invested in certain contexts with the sense of “obligation,” it too will remain to be spoken with a special emphasis and a special feeling in these contexts.<sup>33</sup>

A few lines later, Anscombe continues: “The situation, if I am right, was the interesting one of the survival of a concept outside the framework of thought that made it a really intelligible one.”<sup>34</sup> Anscombe says that the moral ought “contain[s] no intelligible

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<sup>32</sup> Brian Leiter, “Nietzsche and the Morality Critics” *Ethics* 107, no. 2 (January 1997): 250-285.

<sup>33</sup> Anscombe, “Modern Moral Philosophy,” 6.

<sup>34</sup> *Ibid.*

thought,” that it “no longer signifies a real concept at all” and that “it has no reasonable sense outside a law conception of ethics.”<sup>35</sup>

To begin to get a grip on the unintelligibility of the moral ought, we should ask: in what does this unintelligibility consist, specifically as it is used in everyday life of ordinary individuals within our culture? Perhaps the best way to get at this question is to point out that the modern moral ought is *inexplicable* in a way that institutional, Aristotelian and divine law oughts are not. As we noted in chapter one, the language of moral right, wrong and obligation is ubiquitous in our culture. Frequently in the course of everyday conversation one encounters questions regarding the moral permissibility of some action, expressions of outrage or remorse at some purported violation of moral duty, or exhortations to “do the right thing.” Such sentiments are characteristically expressed using the moral “ought”. But what reason does one have for doing what one ought—in the modern, “moral” sense of “ought”—to do? The inability to answer this question is the source of considerable perplexity to many who are led to reflect upon it.

Cora Diamond’s discussion is again helpful in laying bare the central issue. In what follows, I shall adapt an example she gives to best convey the salient problematic features of the moral ought. Diamond asks us to consider an actual case described in Laura Ingalls Wilder’s *The Long Winter*.<sup>36</sup> As the story goes, a community in South Dakota is caught off guard by a sudden blizzard in October 1880. As it happens, blizzards come and go at regular intervals for several months. Without adequate preparation for the unusually harsh winter, the people grow desperately hungry.

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<sup>35</sup> Anscombe, “Modern Moral Philosophy,” 8.

<sup>36</sup> Diamond, “The Dog that Gave Himself the Moral Law,” 166ff.

Eventually a storekeeper named Loftus puts up money for some wheat and two young men risk their lives to get it into the community. Loftus now wants to make an enormous profit off of his starving neighbors. Ultimately, however, the despicable character of this action is impressed upon him and he decides to sell the wheat for no more than what it costs him.

If Loftus were asked what prompted him to turn away from gouging his neighbors, it would make sense for him to say, e.g., “I could not do such a thing.” This, we should notice, is an *Aristotelian* “could not” in that it points to the intrinsic viciousness of this act of injustice. We can, however, imagine the story going a different way, a way that would have given Loftus a different kind of reason. Suppose that Loftus were impressed by a divine law that specifically condemned taking advantage of people who are especially vulnerable in this way. In this case, if it were suggested to him that he should charge an extraordinary amount for the wheat, it would (again) make sense for him to say, “I could not do such a thing.” But this time the “could not” is a *divine law* modal; it points, not to the intrinsic viciousness of the act, but to the action’s being forbidden by divine law. The most important feature of a divine law modal in this connection is that its appropriate use is not determined by the perceived character of an action as virtuous or vicious. In other words, whether one “ought” or “ought not” to do something *in the divine law sense* remains an open question even when that action is believed to be virtuous or vicious.

In the Aristotelian sense of “ought”, one ought to perform an action because doing so is contributive to the development of virtue in that it (partially) constitutes or contributes to one’s flourishing. With respect to institutional modals, one typically ought

to do an action because one has undertaken to participate in some institution, thereby committing oneself to observe the rules of that institution; observing such rules is virtuous and failing to do so is vicious. Again, with respect to divine law modals, a story can be told: one ought (i.e., is obligated) to do an action because doing so is what God requires of one. And what reason does one have for doing what God requires?—One has reason, in part, because God has given one *literally* every good that one enjoys and God has one's deepest welfare in mind, promising still more good to come. In this situation, honoring (i.e., loving, having faith in) God is a virtue; therefore, one ought (i.e., is obligated) to do the specific things that God requires.

But what about the *moral* ought? As we saw in chapter one, the language of moral right, wrong and obligation militates against its being merely conventionally sanctioned; furthermore, the moral ought is supposed to be inescapable or categorically imperative, so it does not presuppose one's undertaking to participate in any institution. To that extent, then, the moral ought is not institutional in character. Again, much language of moral right, wrong and obligation in our culture is neither recognizably Aristotelian nor intended to be such. And neither is it tied to notions of divine law; reference to the law of God is of the very *essence* of the divine law ought, but this is not so for modern morality, as can be seen by considering this question: does one who claims that morality requires no reference to God speak nonsense? One who makes such a claim may be mistaken, to be sure, but almost no one would hold it to be utter nonsense.<sup>37</sup> Yet the same question, asked of the divine law ought, must receive quite the opposite answer.

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<sup>37</sup> In fact, in philosophical discussion, some have argued that any morality that *requires* reference to God is nonsense. See, e.g., James Rachels, "God and Moral Autonomy," in *Ten Essential Texts in the Philosophy of Religion*, ed. Steven M. Cahn (New York: Oxford University Press, 2005), 19-31; originally published as "God and Human Attitudes" *Religious Studies* 7 (1971): 325-337.

Divine law modals are *necessarily* tied to God's law. And this claim is what fundamentally distinguishes divine law modals from moral modals.

The consequence of all of this is that morality is seen to employ a particularly inexplicable "sense" of "ought". Supposing it to be clear that a particular action would be virtuous, the question of whether one *morally* ought to do it is *not* settled thereby, just as the question of whether divine law enjoins that action is not settled thereby. Like the divine law ought, the moral ought retains the feature that it remains an open question whether one *morally* ought (or ought not) to do something even when it is clear that that action is virtuous or vicious *vis-a-vis* a conception of human flourishing. Furthermore, its ground is derived neither from mere human convention nor from divine law. Hence, in having these peculiar characteristics the moral ought—as it appears in typical expressions of our culture—is unintelligible.

### 2.5 Moral Unintelligibility as Incomplete Signification

So far we have seen why the moral ought is unintelligible as a general cultural phenomenon. In this section I shall give a more rigorous explication of the source of this unintelligibility than anyone has offered thus far. I shall proceed by considering what is perhaps the most common objection to Anscombe's general cultural unintelligibility claim. This objection has frequently appeared in the literature, being discussed by Louis Kort, Peter Winch, Cora Diamond, R.W. Beardsmore and James Conant.<sup>38</sup> Kort's articulation of this objection is the earliest and also the best:

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<sup>38</sup> Cf., Louis F. Kort, "Moral Theories and Theological Presuppositions" *Southern Journal of Philosophy* 13 (Summer 1975): 251-254. Peter Winch, "Who is My Neighbor?" in *Trying to Make Sense* (Oxford: Basil Blackwell, 1987), 154-166, as well as Winch's "Professor Anscombe's Moral Philosophy" in *Commonality and Particularity in Ethics* ed. Lilli Alanen, Sarah Heinamaa and Thomas Wallgren (New York: St. Martin's Press, 1997), 177-196. Cora Diamond, "The Dog that Gave Himself the Moral Law," 161-179. R.W. Beardsmore, "Atheism and Morality" in *Religion and Morality* ed. D.Z. Phillips (New

Why . . . should it be thought that in this secular era, moral discourse involving terms like ‘ought’, ‘right’, and ‘wrong’ must retain its old associations with religious beliefs to be intelligible, that the meanings of such terms in moral contexts cannot have *evolved* so that the moral theories we now use them to express neither presuppose nor entail any theological doctrines[?]<sup>39</sup>

Or as Winch puts it, surely what follows from Anscombe’s argument is *not* that the moral ought is now unintelligible, but only that it no longer expresses quite the *same* concept as it did in the days when it was associated with a divine law conception of ethics.<sup>40</sup> In the remainder of this chapter I shall respond to this objection, first as it pertains to morality as a cultural phenomenon, and then as it pertains to modern moral theory.

To begin a response to this objection, it is very important to understand the *kind* of unintelligibility that Anscombe accuses general cultural expressions of the moral ought as having. Note that Anscombe never says that the moral ought is *intrinsically* unintelligible; what she does say is that it has “no discernable content” and “no *reasonable* sense outside a divine law conception of ethics” (my emphasis).<sup>41</sup> Hers is really a very simple and plausible claim. Anscombe thinks that the modern moral ought is “unintelligible” *not* in the sense of signifying an internally incoherent or self-inconsistent concept (such as “square circle”), but rather in the sense of *incompletely* signifying a concept which would have been *fully* signified within a divine law framework. Recall that Anscombe says that the “terms ‘should,’ ‘needs,’ ‘ought,’ ‘must’—acquired this special [moral] sense by being equated in the relevant [e.g., divine

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York: St. Martin’s Press, 1996), 235-249. James Conant, “Nietzsche, Kierkegaard and Anscombe on Moral Unintelligibility” in *Religion and Morality* ed. D.Z. Phillips (New York: St. Martin’s Press, 1996), 250-298.

<sup>39</sup> Kort, “Moral Theories and Theological Presuppositions,” 252.

<sup>40</sup> Winch, “Professor Anscombe’s Moral Philosophy,” 178f.

<sup>41</sup> Anscombe, “Modern Moral Philosophy,” 8.

law] contexts with . . . ‘is required to,’ . . . in the sense in which . . . something can be required by law.”<sup>42</sup> Quite plausibly, then, if “morally ought” means “required by divine law” within a divine law framework, then a use of that term *outside* that framework will fail to signify the divine law content. Thus impoverished, however, the sense of “moral ought” will be not “required by divine law,” but simply “required [. . . ?]” with the source of the requirement left mysteriously unspecified. This is precisely why Anscombe says that the moral ought “no longer signifies a real concept at all,” yet still retains the “suggestion . . . of a *verdict* on my action.”<sup>43</sup> A second crucial point to note is that it is reasonable to ask of any suggestion that some action is required, required *by what?* or *by whom?* Only *inside* an appropriate framework can an answer to this question be given; indeed, this inability to specify the source of the requirement is part of why Anscombe describes the moral ought as having come to be used with the peculiar kind of force we examined in chapter one. The “mere mesmeric force” of the moral ought is a telltale symptom of precisely the kind of unintelligibility that comes from this concept’s being incompletely signified.

Following Hume, Anscombe believes that no sentence containing this modern notion of “morally ought” can be inferred from “is” statements (i.e., statements of fact). And this claim makes sense: by virtue of having the incomplete signification, “required [. . . ?],” “morally ought” cannot be inferred from any statement describing, say, what God commands—for then what would be inferred is *not* a statement with the predicate “required [. . . ?]” but rather one with the perfectly intelligible predicate “required by

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<sup>42</sup> Anscombe, “Modern Moral Philosophy,” 5.

<sup>43</sup> *Ibid.*, 8.

divine law.”<sup>44</sup> And so on for statements describing any other source of requirement. So the modern notion of “morally ought” cannot be inferred from “is” statements. This interpretation is in keeping with Anscombe’s comments that

this word “ought,” having become a word of mere mesmeric force, could not, in the character of having that force, be inferred from anything whatever. It may be objected that it could be inferred from other “morally ought” sentences: but that cannot be true. The appearance that this is so is produced by the fact that we say “All men are  $\Phi$ ” and “Socrates is a man” implies “Socrates is  $\Phi$ .” But here “ $\Phi$ ” is a dummy predicate. We mean that if you substitute a real predicate for “ $\Phi$ ” the implication is valid. A real predicate is required; not just a word containing no intelligible thought.<sup>45</sup>

Accordingly, Anscombe’s position is that it does not follow from the formulas, e.g., that “Humans are required [. . . ?] to love their neighbors” and “Repaying debts are acts of loving one’s neighbors” that “Humans are required [. . . ?] to repay debts”; for “required [. . . ?]” is not itself a real predicate.

And why not? It is instructive to note that as Anscombe depicts it (but also in straightforward logical terms), the notion of requirement connotes, minimally, a three-place relation:  $x$  is required by  $y$  to  $z$ . Within a divine law context all of the variables can be filled in: e.g., “*Human beings are required by God to love their neighbors.*” But this cannot be done if the divine law framework is rejected; the closest that one can come in these circumstances will be: “Human beings are required [. . . ?] to love their neighbors.” The predicate is incomplete because the  $y$  term is left unspecified.

This formula really amounts to an attempt to express in a *two*-place relation something that can only be adequately expressed in a *three*-place one. It is as if one were trying to express the predicate “between” as a two-place relation: e.g., “The desk is

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<sup>44</sup> Or, strictly speaking, by God, period.

<sup>45</sup> Anscombe, “Modern Moral Philosophy,” 8.

between the lamp [. . . ?].” Clearly, this formula does not contain a real predicate. The notion is therefore unintelligible, although not internally incoherent or self-inconsistent. The unintelligibility comes from the incomplete specification of one of the terms of the relationship. And this unintelligibility explains why a formula containing such a pseudo-predicate cannot be inferred from anything whatsoever, not even from other formulas using the same pseudo-predicate.

In sum, then, the moral ought is unintelligible, although not internally incoherent or self-inconsistent; and this because of its failure to specify the *source* of the requirement it implies. This incomplete specification, in turn, is due to “morally ought” having become deprived of an appropriate context. “For its suggestion is one of a *verdict* on my action . . . [a]nd where one does not think there is a judge or a law, the notion of a verdict may retain its psychological effect, but not its meaning.”<sup>46</sup>

On Anscombe’s view, then, the meaning of the modern moral ought in its cultural expressions could not generally have “evolved” into one that is intelligible, due to the simple fact that the source of the requirement is left mysteriously unspecified. As we have seen, the notion of requirement minimally connotes a three-place relation: *x* is required by *y* to *z*. Yet, strangely, adding the magical modifier “*morally* required” is somehow thought by many effectively to change the concept into a two-place relation: *x* is morally required to *z*. Of course, the same thing happens with “*legally* required”: *x* is legally required to *z*. But here, everyone will recognize that “*x* is legally required to *z*” is merely an elliptical expression for “*x* is required *by the law of the state* to *z*”—which is, clearly, a three-place relation. So, one is led to wonder, whence comes the widespread

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<sup>46</sup> Anscombe, “Modern Moral Philosophy,” 8.

inability to draw the corresponding inference for “morally required”?

Having dispensed with a divine law conception of ethics, we have come to think of the notion of moral requirement as *merely* a two-place relation, or even (as in standard deontic logic—and here I am admittedly crossing over into the territory of moral theory) as expressible by a deontic operator attaching to propositions with practical content. (The latter scheme even countenances statements in which *both* the *x* and *y* terms are suppressed, such as “It is morally required that debts are repaid.”) But such attempts to express the nature of moral requirement possess, in Anscombe’s words, only a “delusive appearance” of intelligibility.<sup>47</sup> And unfortunately, a half-century after the publication of Anscombe’s paper, the majority of everyday individuals and even many moral philosophers remain firmly in the grip of these delusions.

## 2.6 Modern Moral Metaethics

Anscombe argues that the terms “should”, “ought” or “needs” acquired a special, “moral” sense thanks to Christianity. As she says, they “acquired this special sense by being equated in the relevant contexts with ‘is obliged,’ or ‘is bound,’ or ‘is required to,’ in the sense in which one can be obliged or bound by law, or something can be required by law.”<sup>48</sup> She goes on to say that “[t]o have a *law* conception of ethics is to hold that what is needed . . . is required by divine law.”<sup>49</sup> These and other passages make it appear that Anscombe is making a semantic claim about the *meaning* of “morally ought”; specifically, the claim seems to be that “morally ought” just *means* “required by divine

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<sup>47</sup> Anscombe, “Modern Moral Philosophy,” 18.

<sup>48</sup> *Ibid.*, 5.

<sup>49</sup> *Ibid.*

law.” If this is her claim, then several interrelated semantic claims regarding the notions of moral duty, moral rightness, moral wrongness, etc. can be attributed to her. On this view, for example, “morally *wrong*” means “*forbidden* by divine law.” It is worth pausing to note that this is essentially the view that Robert M. Adams has labeled and criticized as an “unmodified divine command theory of ethical wrongness.” Adams objects to such a view, arguing that the word “[morally] wrong” is used in ethical contexts “by many people who cannot mean by it what the theory says they must mean, since they do not believe that there exists a God.”<sup>50</sup> But this is precisely Anscombe’s point: by “morally wrong,” we moderns normally do not mean anything so substantive as “forbidden by divine law.” And this is because our modern notion of moral wrongness is a degenerate derivative from the complete notion that held currency within the Christian divine law conception of ethics.

I should hasten to reveal that I do not believe that Anscombe is best interpreted as holding the semantic claim that “morally ought” means *precisely* “required by divine law.” Although she speaks of the moral ought as deriving from specifically “divine” law, it is plausible to understand that as part of her historical thesis rather than as part of her conceptual unintelligibility thesis. That is to say, Anscombe does not appear to hold specifically *divine* law to be essential to the intelligibility of the moral ought; some other kind of law might suffice to render the notion fully intelligible. Thus, there is a sliver of truth in the objection (from the previous section) that surely something besides divine law could serve to render the moral ought intelligible; however, as it turns out, this objection fails to understand Anscombe’s argument. For as Duncan Richter points out, Anscombe

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<sup>50</sup> Robert M. Adams, “A Modified Divine Command Theory of Ethical Wrongness” in *The Virtue of Faith and Other Essays in Philosophical Theology* (Oxford: Oxford University Press, 1987), 97-122.

herself mentions “the possibility of retaining a law conception [of ethics] without a divine legislator.”<sup>51</sup> She even says that the search for such a conception has some interest in it. And it is not difficult to understand her reason for taking an interest in this kind of inquiry (at least in the *abstract*): Anscombe’s aim is to encourage intelligible ethical discourse; from the perspective of one with that concern, it is better (all else being equal) that modern moral philosophers (who persist in using the language of moral obligation, but who “are not going to maintain . . . [a divine law] conception”<sup>52</sup>) locate their language within *some* moral theory that they will accept and which renders it intelligible.

But this is certainly not to say that Anscombe finds the *concrete* theoretical alternatives to a divine law conception all that promising. Anscombe considers and rejects several other ways that one might try to give intelligibility to the moral ought. First, tying “morally ought” to the norms of society fails to impress; after all, it can certainly be the case that one morally ought to violate the norms of society, so social norms cannot do the job. Second, Anscombe rejects as absurd the notion of “legislating for oneself”: “whatever you do ‘for yourself’ may be admirable,” she says, “but it is not legislating.”<sup>53</sup> Third, Anscombe considers the idea of the universe as a legislator, with moral obligation tied to the laws of nature. This is quite unlikely to lead to good results, however: “it might lead one to eat the weaker,” says Anscombe, “but [the laws of nature] would hardly lead anyone nowadays to notions of justice.”<sup>54</sup> Fourth, Anscombe

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<sup>51</sup> Adams, “A Modified Divine Command Theory of Ethical Wrongness,” 13; cf. Duncan Richter, *Ethics After Anscombe: Post “Modern Moral Philosophy”* (Dordrecht, The Netherlands: Kluwer Academic Publishers, 2000), 3.

<sup>52</sup> Anscombe, “Modern Moral Philosophy,” 8.

<sup>53</sup> *Ibid.*, 13.

<sup>54</sup> *Ibid.*, 14.

considers the possibility of the universe as the embodiment of a contract. But she says, “while it is clear that you can be subject to a law that you do not acknowledge and have not thought of as law, it does not seem reasonable to say that you can enter upon a contract without knowing that you are doing so; such ignorance is usually held to be destructive of the nature of a contract.”<sup>55</sup>

Anscombe appears to be open to the possibility that at least one of these alternatives (i.e., the idea of the universe as a legislator) could give intelligibility to the moral ought (even though she thinks it is a singularly unpromising possibility otherwise). This is a sufficient ground for doubting that she is committed to the semantic claim that “morally ought” *means* “required by divine law”; but even so, it does seem appropriate to read her as committed to the claim that “morally ought” means *at least* “required by law.” And, clearly, Anscombe believes that God is the best candidate to fill the role of “requirer” or legislator.

Given these facts, the best way to interpret Anscombe’s metaethical views is to read her as anticipating views quite similar to those articulated by Robert M. Adams. Adams follows Hilary Putnam (among others) in distinguishing between the metaphysical necessity of natures and conceptual analyticity, and the roles played by each. In particular, Adams treats the *meaning* of “moral obligation” as placing analytical constraints on—but not determining—the *nature* of moral obligation, much as the meaning of “water” places constraints on, but does not specify, the nature of water (i.e., H<sub>2</sub>O). As Adams says, “The nature of moral obligation is not given by the meanings of the words, such as ‘right’, ‘wrong’, ‘obligation’, and ‘ought’, that are used to express it.

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<sup>55</sup> Anscombe, “Modern Moral Philosophy,” 14.

What we understand if we understand what those words mean in the relevant contexts is rather a complex role that moral obligation plays in a scheme of things.”<sup>56</sup> The semantics of obligation, then, leaves open the metaphysical question regarding the nature of moral obligation. Nevertheless, it remains the case that some things are better suited to fill that role than others. Adams lists several constraints on moral obligation that he refers to as “broadly analytic,”<sup>57</sup> namely that it should ground reasons for compliance, that one is guilty in cases of violation, that blame is appropriate in cases of violation, etc. Similar to Anscombe, he considers the possibility that human social requirements or a hypothetical ideal observer might play a part in filling the role that is semantically indicated for moral obligation, but rejects them both as inadequate. In the end, Adams settles on divine commands as the best candidate to play the role specified by the meaning of moral obligation.

Likewise, it makes most sense to interpret Anscombe as holding that something’s being “required by law” is part of the semantically indicated role of moral obligation. This, perhaps along with the “absolute” and verdict-like character of moral obligation and her claim that “the concept of legislation requires superior power in the legislator,”<sup>58</sup> points to divine law as the salient candidate to fill the role of moral obligation. Therefore, although modern moral theories might have ostensibly obviated the need to make reference to God to render intelligible modern moral philosophers’ use of the moral ought, it remains an open question how well the various God-substitutes can fill the role

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<sup>56</sup> Adams, *Finite and Infinite Goods*, 234.

<sup>57</sup> *Ibid.*, 236.

<sup>58</sup> Anscombe, “Modern Moral Philosophy,” 2.

that is semantically indicated by our moral language. In the next section we shall see that this theoretical substitution can greatly aggravate an already problematic situation.

### *2.7 The Aggravated Unintelligibility of Modern Moral Philosophy*

The treatment of moral notions by modern (largely secular) moral philosophers often results, Anscombe believes, in outright incoherence. And this brings us to what I shall call the *aggravated* unintelligibility of the modern moral ought. The problem is that modern moral philosophers, in attempting to give sense to the moral ought, often try (Anscombe says) “to find an alternative (very fishy) content,” hoping “to retain the psychological force of the [moral ought]” without objectionable theological or metaphysical baggage.<sup>59</sup> In this way, the unintelligibility of the modern moral ought is transformed from incomplete signification into inconsistency. This is revealed in the fifth theoretical alternative to divine law that Anscombe considers for giving intelligibility to the moral ought, namely, the possibility of finding obligatory “norms” in human virtues.

Just as the possession of a complete set of teeth is the norm for *the* human being (as distinguished from individual human *beings*), she says, so the possession of a complete set of virtues is the norm for the human being. “But in *this* sense,” Anscombe says,

“norm” has ceased to be roughly equivalent to “law.” In *this* sense the notion of a “norm” brings us nearer to an Aristotelian than a law conception of ethics. There is, I think, no harm in that; but if someone looked in this direction to give “norm” a sense, then he ought to recognize what has happened to the notion “norm,” which he wanted to mean “law—without bringing God in”—it has ceased to mean

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<sup>59</sup> Anscombe, “Modern Moral Philosophy,” 8.

“law” at all; and *so* the notions of “moral obligation,” “the moral ought,” and “duty” are best put on the Index, if he can manage it.<sup>60</sup>

This argument illustrates an interesting point about what Glenn C. Graber calls the limitations of “normative metaethical revision.”<sup>61</sup> Graber points out that there are conceptual constraints that limit what one can intelligibly assert about certain things.

We could, for example, make the word “triangle” mean “four-sided plane figure”; but we could not *both* make this change *and*, at the same time, retain the implication that the interior angles of a “triangle” equal 180°. Similarly, we cannot both redefine moral obligation-terms in terms that are independent of a law conception of ethics and, at the same time, retain the implications that presuppose such a conception.<sup>62</sup>

Or what is perhaps a better example: we could declare that when we use the term “above,” what we *really* mean is the relation signified by “between”; however, after defining “above” in this way, what we could *no longer* do is intelligibly assert that “above” is only a two-place relation. To do so is plainly to contradict oneself. In like fashion, we could declare that when we talk about that which we have a “moral obligation” to do all we *really* mean to pick out is what would be “virtuous” or (perhaps) what action would bring about the state of affairs consisting in “the greatest good for the greatest number”; but then we can no longer *intelligibly* retain the binding, verdict-like character of our moral judgments. And it is precisely this binding, verdict-like character that gives moral obligation its special status.

It might be that an apprehension of the incoherence created by this kind of metaethical revision, combined with a rejection of divine law is finally prompting some

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<sup>60</sup> Anscombe, “Modern Moral Philosophy,” 15.

<sup>61</sup> Glenn C. Graber, “Anscombe on the Relationship between Morality and Religion” *Southern Journal of Philosophy* 12 (Summer 1974): 186.

<sup>62</sup> *Ibid.*, 186.

contemporary moral philosophers to follow Anscombe's advice to abandon the notion of moral obligation altogether. In *Ethics and the Limits of Philosophy*, Bernard Williams criticizes what he calls the "special notion" of moral obligation that operates within "the morality system" (which is really just an amalgamation of views held by Kant and W.D. Ross).<sup>63</sup> For Williams, there are no necessarily inescapable or overriding moral obligations; to think so is to have made (several) mistakes. In a very interesting article, Ton Van Den Beld traces Williams' "progress from religious agnosticism to atheism with a parallel development in ethical thought from acceptance to denial of the possibility of there being objective inescapable moral obligations."<sup>64</sup> Van Den Beld shows that in Williams' book, *Morality*, published in 1972, Williams is sceptical of religious considerations playing a role in morality, but still he acknowledges that a person's relationship with God can provide one with moral motivation as well as enable one to see one's moral obligations as stemming from that relationship.<sup>65</sup> By the time of the publication of *Ethics and the Limits of Philosophy* in 1985, however, Williams' religious scepticism has turned into outright atheism. Concurrently, his scepticism regarding the reality of overriding moral obligations has developed into outright rejection. Other philosophers appear to have followed suit.<sup>66</sup>

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<sup>63</sup> Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), 174.

<sup>64</sup> Ton Van Den Beld, "The Morality System with and without God" *Ethical Theory and Moral Practice* 4 (2001): 383-399.

<sup>65</sup> Bernard Williams, *Morality: An Introduction to Ethics* (New York: Harper and Row, 1972).

<sup>66</sup> In the literature on Anscombe's article, Robert J. Richman appears to hold this view; cf. his "Miss Anscombe's Complaint" *Journal of Value Inquiry* 10, no.1 (Spring 1976): 35-52. Simon Blackburn's recent work has no place for moral obligation whatsoever; cf. his *Ruling Passions* (Oxford: Oxford University Press, 1998).

## 2.8 Conclusion

The problem of modern moral unintelligibility is a plague upon the language, thought and practice of ordinary individuals in our culture as well as upon the theories of many modern moral philosophers. Anscombe's prescription is that we should jettison the moral ought and the associated language of moral right, wrong and obligation, for we are in no situation to make "reasonable sense" out of it in terms that alleviate (rather than aggravate) the unintelligibility. One might question whether Anscombe moves too quickly to recommend jettisoning the moral ought, as opposed to recovering the conditions of its intelligibility. We will have occasion to return to this question in the next chapter.

## CHAPTER THREE

### Kierkegaard, MacIntyre and Anscombe on Moral Unintelligibility

#### *3.1 Introduction*

We moderns have lost a grasp on some of our most commonly used moral concepts. Or rather, the moral concepts that we use everyday have, in our grasp, lost the intelligibility they once enjoyed. Contemporary moral judgments are linguistic survivals from practices that have been largely abolished in many spheres of modern society. And although we continue to use the same expressions, many of our moral utterances are now lacking in content, due to our having relinquished the conditions for their meaningfulness.

Versions of this thesis are famously present in the writings of two uncommonly perceptive twentieth-century philosophers, namely Elizabeth Anscombe and Alasdair MacIntyre. However, these thinkers were not the first to propose such a radical picture of our moral predicament. MacIntyre himself credits Nietzsche with being the first to perceive the disorder of post-Enlightenment morality. And with Nietzsche's talk of the death of God and of the modern devaluation of moral values, it is clear that he did recognize it—even in the nineteenth century. We shall have occasion briefly to explore Nietzsche's views on the unintelligibility of modern morality in chapter four. But the disorder of our modern moral language and thought was diagnosed by one even prior to Nietzsche—that is, by the nineteenth century Danish philosopher, Søren Kierkegaard. Of course, Kierkegaard's central preoccupation with the intelligible use of moral concepts

has not been generally appreciated. In this chapter and the next, I will show that Kierkegaard was, like Anscombe and MacIntyre, deeply concerned with modernity's conceptual confusions; he went to great lengths to identify, expose and correct them.

Some commentators have recently placed Kierkegaard in conversation with MacIntyre to highlight the ways in which Kierkegaard might be read as a kind of virtue theorist; while this is an interesting endeavor, it is not my concern here. Rather, a central aim of these chapters is to encourage a fresh reading of Kierkegaard by drawing attention to his deep, critical concern to help alleviate the unintelligibility of our moral language, in much the same way as MacIntyre and Anscombe were. In this chapter, my hope is that, by showing the similarities of Kierkegaard's diagnosis of our modern moral predicament to Alasdair MacIntyre's "disquieting suggestion" (in *After Virtue*) and to Anscombe's essay, "Modern Moral Philosophy," Kierkegaard's views on moral obligation and the intelligibility of our moral language will become more readily appreciable.

Before proceeding to any of these issues, however, it is necessary first to address a potential objection to my project, namely, MacIntyre's claim in *After Virtue* that Kierkegaard is *himself* part of the confusion of modern morality. It is to this objection that we now turn.

### 3.2 Kierkegaard and the Criterionless Choice

The suggestion that we conceive of Kierkegaard as a helpful critic of morality in the vein of Anscombe and MacIntyre might be surprising. After all, in *After Virtue* MacIntyre portrays Kierkegaard's thought as itself part of the *confusion* of modern morality. MacIntyre presents Kierkegaard as basing morality on an irrational, "criterionless choice," which, he says, is "at once the outcome and epitaph of the

Enlightenment's systematic attempt to discover a rational justification of morality.”<sup>1</sup>

MacIntyre's reading of Kierkegaard is based almost entirely upon *Either/Or*, a work that Kierkegaard did not sign but rather attributed to a pseudonym in order to distance himself from its contents. Kierkegaard attributed many of his works to pseudonymous personas that he created, and it is important to understand his general reasons for wishing to distance himself from these works in this way. As I explain elsewhere, each of Kierkegaard's pseudonymous works give expression

to a mode of existence or an ideal way of living that Kierkegaard does not necessarily share or even commend; thus, the pseudonymous works can serve to reveal both the requirements of the ideal Christian life as well as the limitations of sub-Christian forms of human existence. Kierkegaard envisioned the pseudonyms as ideal personality types writing from the perspectives of various existence spheres or “stages on life's way”; these spheres include aesthetic, ethical, and religious forms of existence, with the latter further subdividing into religiousness A and religiousness B, or immanent and transcendent forms of religious life, respectively.<sup>2</sup>

The bulk of *Either/Or* is constituted by the writings of the pseudonyms “A” and Judge William; these pseudonymous figures give expression to the “aesthetic” and the “ethical” life, respectively, both of which Kierkegaard considers to be sub-Christian. As a firmly committed Christian, however, Kierkegaard would not have wholeheartedly endorsed either of their views. This fact, by itself, would render dubious any attribution to Kierkegaard of the view that morality is grounded in a criterionless choice; but in fact, Kierkegaard distances himself even *further* from the work by attributing the editing of the entirety of *Either/Or* to yet another pseudonym, Victor Eremita. As a consequence, if

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<sup>1</sup> Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, second edition (Notre Dame, IN: University of Notre Dame Press, 1984), 39.

<sup>2</sup> See my entry, “Søren Aabye Kierkegaard” in *The Encyclopedia of Christian Civilization* (forthcoming in 2009 from Blackwell Publishing).

MacIntyre were right that the work expresses or illustrates the “criterionless choice” doctrine, this is not a conclusive reason to think that Kierkegaard himself would have held such a view. But in fact, there is good reason even to doubt whether *Either/Or* does express or illustrate the criterionless choice doctrine. MacIntyre’s view, although still widespread among non-specialists, has been rejected by Kierkegaard scholars in the years since MacIntyre wrote, most notably in a set of essays collected under the title of *Kierkegaard After MacIntyre*.<sup>3</sup> There is now wide consensus among scholars of Kierkegaard that this interpretation of *Either/Or* is mistaken. In sum, these are strong reasons to doubt that MacIntyre’s suspicions about Kierkegaard are warranted. There appears, then, no reason to follow MacIntyre in conceiving Kierkegaard as part of the confusion of modern morality.

### 3.3 MacIntyre and the Confusion of Morality

To clear Kierkegaard of the charge of being part of the problem is one thing; but to maintain that he accurately identified the conceptual problems besetting modern morality is something else entirely. No one has argued that Kierkegaard actually *diagnosed* the problem of modern moral unintelligibility—and that over a *century* before Anscombe and MacIntyre. Nevertheless, far from being a product of the Enlightenment project (as MacIntyre contends), Kierkegaard is actually one of the very few clear-sighted individuals who in the nineteenth century recognized the Enlightenment’s rejection of classical theism for the catastrophe that it was. Kierkegaard’s work reflects his deep and abiding concern with the conceptual unintelligibility that he observed in the world around

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<sup>3</sup> John J. Davenport and Anthony Rudd, *Kierkegaard After MacIntyre: Essays on Freedom, Narrative and Virtue* (Chicago: Open Court Publishing, 2001).

him. In fact, by way of comparison we can see that Kierkegaard's motivations for criticizing modern forms of thought go deeper than the concerns that motivated the moral critiques given by Anscombe or even MacIntyre. But to appreciate the depth and character of *Kierkegaard's* moral critique, it will be helpful first briefly to take stock of *MacIntyre's* critique of our modern moral predicament in *After Virtue*.

In the opening pages of *After Virtue*, MacIntyre presents his reader with a “disquieting suggestion.” Imagine, he says, that the natural sciences were to suffer the effects of a catastrophe. Laboratories are destroyed, textbooks are burnt, and scientists are lynched. Science education is abolished and scientific investigation is outlawed. This situation continues for an indefinitely long period of time. Eventually, however, a reaction forms and the idea of science gains approval once again—yet only fragments of the scientific enterprise remain. The immensity of what is lost is seen in the fact that people in this situation have knowledge of

experiments detached from any knowledge of the theoretical context which gave them significance; parts of theories unrelated either to the other bits and pieces of theory which they possess or to experiment; instruments whose use has been forgotten; half-chapters from books, single pages from articles, not always fully legible because torn and charred.<sup>4</sup>

Nevertheless, these fragments are seized upon and new practices are instituted that, although largely devoid of their disciplines' former significance, are given the names, for example, of “biology,” “physics” and “astronomy.” No one realizes that what they are doing is not science in any proper sense of the word at all. No one realizes this because, first, their use of scientific terminology already conforms to certain canons of consistency that vaguely resembles the systematic ways that such expressions are used in the textbook

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<sup>4</sup> MacIntyre, *After Virtue*, 1.

fragments that survived the great catastrophe; and second, because the theoretical backgrounds against which their language and practices would be rendered scientifically unintelligible have been lost. Having largely forgotten what science was all about, they have no inkling that their “science” is simply not what it’s cracked up to be. Then comes MacIntyre’s “disquieting suggestion”:

In the actual world which we inhabit the language of morality is in the same state of grave disorder as the language of natural science in the imaginary world which I described. What we possess, if this view is true, are the fragments of a conceptual scheme, parts of which now lack those contexts from which their significance derived. We possess indeed simulacra of morality, we continue to use many of the key expressions. But we have—very largely, if not entirely—lost our comprehension, both theoretical and practical, of morality.<sup>5</sup>

MacIntyre’s suggestion is that *we* have suffered just such a catastrophe with respect to our moral language and thought. We have lost the conceptual background against which the use of our moral terminology was once intelligible, and as a consequence, our moral language and thought has been thrown into disarray.

But how can this be? Surely (one might say) a catastrophe that threw our moral discourse into grave disorder would be one of the most recognizable facts of our history. Yet, our history tells us nothing of it. MacIntyre explains: “The historical hypothesis which I have sketched is . . . that moral judgments are linguistic survivals from the practices of classical theism which have lost the context provided by these practices.”<sup>6</sup> For followers of Aristotle, he says, a moral judgment would have “expressed a judgment as to what conduct would be teleologically appropriate for a human being: ‘You ought to do so-and-so, if and since your *telos* is such-and-such’ or perhaps ‘You ought to do so-

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<sup>5</sup> MacIntyre, *After Virtue*, 2.

<sup>6</sup> *Ibid.*, 60.

and-so, if you do not want your essential desires to be frustrated.” And within the context of classical theism, MacIntyre says, moral judgments are understood to include not only these teleological “oughts” but also deontological ones which “reported the contents of the universal law commanded by God: ‘You ought to do so-and-so: that is what God’s law enjoins.’”<sup>7</sup> This kind of moral judgment, MacIntyre says, required “a concept of sin,” and elicited “a new kind of respect and awe.”<sup>8</sup>

In brief, MacIntyre’s argument is that the Enlightenment rejection of the moral tradition of “classical theism”<sup>9</sup>—that is, of the teleological and divine law conceptions of morality—*was the catastrophe*. Ironically, then, the catastrophe of which MacIntyre speaks *is* one of the most recognizable facts of our history; only it has not been recognized *as a catastrophe*, for the grip on our minds of distinctively modern notions of moral autonomy largely prevents us from seeing it in this way. “The catastrophe,” he says, “will . . . have been of such a kind that it was not and has not been—except perhaps by a very few—recognized as a catastrophe.”<sup>10</sup> The grave disorder of our moral language and thought has gone unnoticed because we have been systematically blinded to the reality of our inherited moral predicament.

### *3.4 Kierkegaard and the Confusion of Modernity*

Like MacIntyre, Kierkegaard recognized the problematic state of much modern language, thought and practice. This is evident from many of his works and from the

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<sup>7</sup> MacIntyre, *After Virtue*, 60.

<sup>8</sup> *Ibid.*, 53.

<sup>9</sup> *Ibid.*, 60.

<sup>10</sup> *Ibid.*, 3.

journals he penned throughout his authorship. In 1849, Kierkegaard published *The Sickness Unto Death*, a work in which he sketched out many of the problematic forms of modern consciousness. Kierkegaard there described his relationship to modernity in terms of the analogy of a physician to a patient; this analogical framework is helpful for understanding Kierkegaard's view of modernity's conceptual confusion.

But before we can consider Kierkegaard's comments in *The Sickness Unto Death*, it is necessary to come to terms with the issue of this work's pseudonymity. Like *Either/Or*, *The Sickness Unto Death* is a pseudonymous work, appearing under the pseudonym "Anti-Climacus." The particular pseudonymous character of this work has significant implications for the way in which we should approach it. As we saw above, even if *Either/Or* did propound the notion of a "criterionless choice" at the basis of morality, given the authorial distance entailed by the pseudonymous character of the work, this doctrine could not be attributed to Kierkegaard with any confidence. And since Kierkegaard attributes *The Sickness Unto Death* to a pseudonym as well, it might be thought that much the same must be said of this work—that is, that its content cannot be attributed to Kierkegaard himself. However, this conclusion would be premature, for Kierkegaard has a special relationship to the Anti-Climacus pseudonym, which he explains in a journal entry from 1849. Contrasting two different pseudonyms, Kierkegaard says,

Johannes Climacus and Anti-Climacus have several things in common; but the difference is that whereas Johannes Climacus places himself so low that he even says that he himself is not a Christian, one seems to be able to detect in Anti-Climacus that he considers himself to be a Christian on an extraordinarily high level . . . I would place myself higher than Johannes Climacus, lower than Anti-Climacus.<sup>11</sup>

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<sup>11</sup> Søren Kierkegaard, *Søren Kierkegaard's Journals and Papers*, ed. Howard V. Hong, Edna H. Hong and Gregor Malantschuk (Bloomington, IN: Indiana University Press, 1967-1978), VI 6433.

Like *Either/Or*, *The Sickness Unto Death* is attributed to a pseudonym, so Kierkegaard does seek in some way to distance himself from the work. Unlike *Either/Or*, however, *The Sickness Unto Death* is explicitly attributed to a “Christian” pseudonymous persona, a persona whom Kierkegaard sees as occupying a “higher” level of existence than he would feel comfortable claiming for himself. In the case of works attributed to the Anti-Climacus pseudonym, then, Kierkegaard distances himself, *not* because he would repudiate the views expressed there, but rather because he does not himself live up to the high Christian standard that Anti-Climacus represents. In fact, Kierkegaard says of Anti-Climacus that “his portrayal of ideality [is] absolutely sound, and I bow to it.”<sup>12</sup> So instead of rendering dubious an attribution to Kierkegaard of the views expressed in *The Sickness Unto Death*, the fact that Kierkegaard distances himself from that work in precisely this way actually gives us reason to think that Kierkegaard views its diagnoses as spot-on accurate and its prescriptions as strongly normative. Hence, we can safely attribute the views expressed in *The Sickness Unto Death* to Kierkegaard as long as we keep in mind the very special relationship between author and pseudonym underlying the work. Accordingly, in what follows, I shall freely refer to Kierkegaard as the author of this work and its analyses.

With the issue of pseudonymity out of the way, therefore, we can now turn to consider Kierkegaard’s actual views. Like MacIntyre’s “disquieting suggestion,” Kierkegaard’s message in *The Sickness Unto Death* is sobering. In the Preface Kierkegaard compares his relationship to modernity with that of a physician’s relationship to a critically ill patient. He describes his role as having “a resemblance to

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<sup>12</sup> Kierkegaard, *Søren Kierkegaard's Journals and Papers*, VI 6433.

the way a physician speaks at the sickbed; even if only medical experts understand it, it must never be forgotten that the situation is the bedside of a sick person.”<sup>13</sup> Kierkegaard perceives that the peculiar “sickness” of modernity is such that its sufferers are largely incapable of recognizing that anything is wrong and so are likely to find the true diagnosis of their condition unbelievable. Thus, extending the metaphor, Kierkegaard says that “the physician, precisely because he is a physician (well informed), does not have complete confidence in what a person says about his condition.”<sup>14</sup> The depth of the problem can be seen in that, when the patients understand the accurate diagnosis of their condition *and even believe it to be true*, they are still without the ability to recognize their symptoms for the undesirable effects of sickness that they are.<sup>15</sup>

The state of modernity, therefore, is in one respect similar to the state of one who is intoxicated with alcohol: the malady seriously hinders its sufferer’s ability accurately to judge one’s own degree of impairment; and even when the true state of one’s condition is pointed out, the intoxicated individual is simply too impaired to care. Hence, one will act with a mistaken confidence even when one’s situation is much more serious than one is able to appreciate. To be sure, if (as one thinks) one is suffering from no great ill, then there is certainly no need of a physician. Yet, “invariably,” Kierkegaard says, “what error needs most is always the last thing it thinks of—quite naturally, for otherwise it would not, after all, be error.”<sup>16</sup>

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<sup>13</sup> Søren Kierkegaard, *The Sickness Unto Death: A Christian Psychological Exposition for Upbuilding and Awakening* trans. Howard V. and Edna H. Hong (Princeton: Princeton University Press, 1980), 7.

<sup>14</sup> *Ibid.*, 23.

<sup>15</sup> *Ibid.*, 23.

<sup>16</sup> *Ibid.*, 92.

Kierkegaard's portrayal of modernity's predicament in *The Sickness Unto Death* bears recognizable similarities to MacIntyre's "disquieting suggestion." Nevertheless, Kierkegaard's diagnosis of modernity's ills points to a disorder on a more fundamental level than MacIntyre is himself able to recognize. On Kierkegaard's diagnosis, it is the case both that the catastrophic malady from which we suffer is *worse* than MacIntyre thinks and that the solution is *closer* at hand. As Kierkegaard sees it, the disorder of our modern moral language and thought is *itself* a mere symptom of the progression of a much deeper, spiritual malady whose existence long preceded the Enlightenment. This malady is "the sickness unto death," which Kierkegaard describes as "despair" or "sin" and which consists in rebellion against God.

The solution to modernity's sickness, Kierkegaard thinks, is an authentic Christianity, understood not as assent to an abstract set of doctrines but as an existential faith in Christ as Savior and Redeemer. Only a rigorous training in Christianity can provide the necessary means for overcoming our spiritual despair. But since our thinking in moral matters has become confused, Christianity's prescription is, Kierkegaard says, like a jack that "cannot be used because there is no firm ground but only marshland and bog."<sup>17</sup> Hence, Kierkegaard's concern throughout his writings is to free his reader from various deceptions by firming up and clarifying the categories upon which one's self-conception is based. For once moral and religious realities (and idealities) are clearly understood, the reader is confronted with his or her inability existentially to live up to their demands; the reader then must face the discrepancy between her actual existence and the requirements that are internal to those categories in which she professes to live.

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<sup>17</sup> Kierkegaard, *The Sickness Unto Death*, 101-2.

Such an encounter is likely to result in attempts to approximate those ideals more closely until the individual finally despairs of her own effort, at which point she may be led to place her faith in Christ for the righteousness that she does not herself possess.

Kierkegaard's conceptual work is intended to help the individual come to the realization that she is really experiencing a sickness that leads to spiritual death. This work is evident in *The Sickness Unto Death*, but also in many other places besides. In fact, Kierkegaard's great dismay at the disorder he recognizes in the moral, religious and philosophical thought of his day is conveyed in writings from throughout his lifetime.

Not long after the initiation of his authorship in 1843, for example, Kierkegaard's journal records a telling lament on the moral and religious ideas being promoted by pastors, of all people. The very ones who should have been working to clarify and impress moral concepts were in fact muddying the conceptual waters. In response, Kierkegaard protests, "What an enormous conceptual confusion in our time!"<sup>18</sup>

Again, in 1854, several months before his death, Kierkegaard's journals demonstrate that the problem of ethical and religious confusion remained an abiding concern. Kierkegaard's comments here divulge his insight, shaped by years of observation, that concepts that have become unintelligible are in many respects similar to counterfeit money:

What money is in the finite world, concepts are in the world of spirit. All transactions are conducted with them. When it so happens that generation after generation everyone takes over the concepts he got from the previous generation—and then devotes his days and his time to enjoying this life, works for finite goals, etc.—it all too easily happens that the concepts are gradually distorted, become entirely different from what they were originally, come to mean

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<sup>18</sup> Kierkegaard, *Journals and Papers*, I 622.

something entirely different, come to be like counterfeit money. Meanwhile all transactions nevertheless continue to be conducted smoothly with them.<sup>19</sup>

Then, extending the same metaphor, Kierkegaard speaks of the need for a conceptual “audit”:

No one wants the business of auditing the concepts. . . . No, the human thing to do is to treat the concepts as superficially as possible and to plunge into the concrete details of life the sooner the better, or in any case not to be particularly scrupulous about the concepts, not so scrupulous that one cannot move full speed into the concrete details of life. Nevertheless auditing is needed, and more and more with each decade.<sup>20</sup>

Over time, Kierkegaard notices, concepts have a tendency to become distorted like coins in circulation, to come to mean something very different from the original; yet “all transactions . . . continue to be conducted smoothly,” as if nothing has changed. “The auditor,” he says, “has the task of discovering counterfeits, identifying them and thereby rendering them impossible.”<sup>21</sup> Kierkegaard’s journals reveal that he thought of himself as just such an auditor of modern concepts. But even beside his journals, much of Kierkegaard’s work, including *The Concept of Anxiety*, *The Book on Adler*, and *Works of Love*, are attempts to clarify the ethical and religious confusion that he sees around him. To survey all of this work, describing Kierkegaard’s many conceptual insights is beyond what I can accomplish here. Of all his books, *Works of Love* provides perhaps the greatest treasure of reflection on moral concepts, and especially of reflection on moral obligation; hence, it is to a consideration of Kierkegaard’s views on the concept of moral obligation in *Works of Love* that we shall turn. Whereas we have seen that the broad

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<sup>19</sup> Kierkegaard, *Journals and Papers*, VI 6921.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

features of MacIntyre's "disquieting suggestion" were present in Kierkegaard's *The Sickness Unto Death*, we shall now discover that Kierkegaard's *Works of Love* anticipates Anscombe's critique of morality in "Modern Moral Philosophy."

### 3.5 Kierkegaard's Shall and Anscombe's Ought

Kierkegaard's *Works of Love*, originally published in 1847, is now recognized as his major work in ethics. Notably, the book contains Kierkegaard's exposition of the love commandment given by Jesus Christ as recorded in the Gospel of Matthew: "Love the Lord your God with all your heart and with all your soul and with all your mind. This is the first and greatest commandment. And the second is like it: You shall love your neighbor as yourself."<sup>22</sup> When speaking of this command to love the neighbor, Kierkegaard emphasizes<sup>23</sup> *shall*—in Danish, *skulle*, the strongest modal verb meaning "must, has to, or is required to"—as in the title of his second chapter, "You *Shall* Love." Kierkegaard uses the emphatic *shall* throughout *Works of Love* to indicate the extraordinary kind of claim that is made on one by the Christian requirement.

It is interesting that Kierkegaard concentrates so much on the *shall*, but what is even more interesting is that Kierkegaard is not alone in giving this kind of term such attention. J.L. Mackie has remarked on the curious fact that much attention in Anglo-American ethics is (or has been) focused on the word "ought". Of course, as he points out, an utterance beginning, "You ought not . . ." usually fails to capture the same quality

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<sup>22</sup> Cf. *Matthew* 22:37-39; cf. *Deuteronomy* 6:5 and *Leviticus* 19:18. Jesus is himself quoting from the Jewish Torah here.

<sup>23</sup> I say "emphasize" instead of "italicize" because the earliest Danish editions of *Works of Love* contain no italicizations, due to the limitations of the press's blackletter typeface. Rather, there the author's handwritten emphasis (however indicated) is rendered by spacing out the letters (i.e., "s k u l l e"). Of course, contemporary Danish editions and the English translations of *Works of Love* appropriately employ italicization as the standard way of rendering Kierkegaard's intended emphasis.

of imperativeness that an utterance beginning “You shall not . . .” normally conveys. (Indeed, we even apply different labels to these utterances—while the first seems like a simple statement, the second is clearly a command.)

Anyone who “means business,” Mackie says, will use “must” or “shall” instead of “ought” or “should.”<sup>24</sup> Nevertheless, as Anscombe (among others) has pointed out, there is within our discourse a second, more forceful sense of “ought” that carries what she describes as a “special emphasis and a special feeling.”<sup>25</sup> And, curiously, when speaking of this forceful sense of “ought”, Anscombe’s “Modern Moral Philosophy” evinces a textual idiosyncrasy that is strikingly similar to Kierkegaard’s treatment of the *shall*. When speaking of the forceful “moral” *ought*, Anscombe characteristically uses italic font. This is an interesting feature of her essay that has gone almost without comment in the literature. (Indeed, the only comment is by Simon Blackburn who, in a *Times Literary Supplement* review of Anscombe’s work, takes notice of what he calls Anscombe’s “sinister italicizations” and cynically wonders whether they can bear the weight of Anscombe’s claims about morality.<sup>26</sup>)

Anyone can recognize at least a superficial similarity between Kierkegaard’s *shall* and Anscombe’s *ought* when it is pointed out: they are both emphatic modal auxiliary verbs. And this similarity could be dismissed as merely an interesting coincidence—if it were not for other relevant similarities that indicate that Anscombe’s *ought* and Kierkegaard’s *shall* are, in fact, closely correlative concepts.

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<sup>24</sup> J.L. Mackie, *Ethics: Inventing Right and Wrong* (London: Penguin Books, 1990).

<sup>25</sup> Anscombe, “Modern Moral Philosophy,” 6.

<sup>26</sup> Simon Blackburn, “Simply Wrong” *Times Literary Supplement* (September 30, 2005).

As my discussion in chapter one bears out, the moral *ought* has two distinctive features, namely, a peculiar inescapability and a peculiar ground.<sup>27</sup> What Kierkegaard says in connection with his use of *shall* suggestively mirrors these distinctive features; it is worthwhile to explore the parallel features of these two terms.

First, let's consider the peculiar inescapability. As we saw in chapter one, contemporary moral philosophers speak of morality as uniquely involving an "inescapable" demand, a "categorical imperative," or an "unconditional requirement."<sup>28</sup> Unlike other kinds of demands, moral judgments are thought to convey a "special dignity and necessity" in that they tell us what we have to do "whatever our interests or desires."<sup>29</sup> Anscombe captures this aspect by saying that the *ought* has "now acquired a special so-called 'moral' sense—i.e. a sense in which [it] impl[ies] some *absolute verdict*."<sup>30</sup>

Now let's consider Kierkegaard's use of *shall*. The first instance comes in the course of his exposition of the love commandment given by Jesus Christ as recorded the Gospel of Matthew.<sup>31</sup> Commenting on this commandment, Kierkegaard is clear that "a person should love God *unconditionally* in obedience and love him in adoration."<sup>32</sup> Indeed, Kierkegaard affirms that one's obligation to God is inescapable in that it obtains

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<sup>27</sup> For both features, cf. Anscombe, "Modern Moral Philosophy," 5; regarding the special authority of the *ought*, Anscombe also later speaks of it in connection with prohibitions that are absolute in character (cf. *ibid.* 9-10).

<sup>28</sup> Philippa Foot, "Morality as a System of Hypothetical Imperatives," *The Philosophical Review* 81, no. 3 (July 1972): 305-316.

<sup>29</sup> *Ibid.*, 308.

<sup>30</sup> Anscombe, "Modern Moral Philosophy," 5; my emphasis.

<sup>31</sup> Cf. *Matthew* 22:37-39.

<sup>32</sup> Kierkegaard, *Works of Love*, 19; my emphasis.

regardless of whether acting in accordance with that obligation is in (what one understands to be) one's interests: "But you shall love God in *unconditional obedience*," he says, "even if what he requires of you might seem to you to be to your own harm, indeed, harmful to his cause."<sup>33</sup> On Kierkegaard's view, God has such authority that one should love God even *more* than one loves one's own self: "There is only one," he says, "whom a person can with the truth of eternity love more than himself—that is God. Therefore, [the love commandment] does not say, 'You shall love God as yourself' but says 'You shall love the Lord your God with all your heart and all your soul and all your mind.'<sup>34</sup> This, in fact, is "the first and greatest commandment" given by Jesus, the *only* command to which the command to love the neighbor is subordinate.<sup>35</sup> (In a related discussion in *Fear and Trembling*, Kierkegaard's pseudonym Johannes de Silentio even comes close to Anscombe's own language of the "absolute verdict" when he refers to an individual's relationship to God as a "relation to the absolute"; speaking of faith as obedience to God, he says that "there is an absolute duty to God, . . . the individual relates himself as the single individual absolutely to the absolute."<sup>36</sup>) The unconditionally normative and absolute nature of obedience to God shows that Kierkegaard's *shall* possesses a peculiar inescapability that is very much like that possessed by Anscombe's *ought*.

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<sup>33</sup> Kierkegaard, *Works of Love*, 20; my emphasis. Cf. 117.

<sup>34</sup> *Ibid.*, 19.

<sup>35</sup> Cf. Matthew 22:37-8.

<sup>36</sup> Søren Kierkegaard, *Fear and Trembling and Repetition* trans. Howard V. Hong and Edna H. Hong (Princeton: Princeton University Press, 1983), 70.

The second distinctive feature of the *ought* is its peculiar ground. Kierkegaard's *shall*—founded, as it is, in divine law—surely qualifies as possessing a peculiar ground if anything does. Speaking of the love commandment, Kierkegaard makes his affirmation of its divine origin fully explicit: “There at the boundary where human language halts and courage fails, there revelation breaks forth *with divine origination* and proclaims what . . . did not arise in any human being's heart.”<sup>37</sup> Kierkegaard continues in this vein, often speaking of doing what God requires as the fulfilling of “the Law.” Again Kierkegaard says,

You *shall* love—this, then, is the word of the *royal Law*. And truly, my listener, if you are capable of forming a conception of the state of the world before this word was spoken, . . . then in relation to this Christian imperative, as in relation to everything Christian, you will humbly confess with the wonder of faith that such a thing did not arise in any human being's heart.<sup>38</sup>

Kierkegaard's reference to “the *royal Law*” at the beginning of this passage is an allusion to James 2:8, which describes the commandment to love one's neighbor in these very terms. The claim that is repeated from the previous quotation, namely, that the command to love the neighbor “did not arise in any human being's heart,” is itself an allusion to *I Corinthians* 2:9<sup>39</sup>; we may call this claim Kierkegaard's “divine origination thesis.”

Kierkegaard believes that *love as an obligation* has its origin in divine revelation, and that this origin is at once *metaphysical* and *epistemic*. First, it is metaphysical in that an individual's moral obligation to love the neighbor is metaphysically grounded in divine law; hence, a moral obligation itself does “not arise [i.e., originate] in any human being's

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<sup>37</sup> Kierkegaard, *Works of Love*, 24-5; my emphasis. Cf. also 42.

<sup>38</sup> *Ibid.*, 24; Kierkegaard's emphasis.

<sup>39</sup> *I Corinthians* 2:9 is itself an allusion to *Isaiah* 64:4, in the Jewish Torah.

heart.” But Kierkegaard goes even farther than this, claiming that the very *notion* of love as an obligation would never have occurred to humans, left to their own resources; this is the sense in which the divine origin is epistemic. Hence, on Kierkegaard’s view, both the *fact* of moral obligation and the *knowledge* that one is morally obligated require divine law.

Importantly, however, Kierkegaard does not appear to hold that the divine origin of love as a commandment is *conceptual*; that is, Kierkegaard makes no argument that an explicit concept of divine law is *analytically* contained within the notion of the obligation to love the neighbor. As such, Kierkegaard’s thesis regarding the divine origin of the *shall* correlates very well with Anscombe’s view of how the *ought* originated. As I argued in chapter two, Anscombe does not appear to hold that divine law is *conceptually* required for rendering moral obligation intelligible. However, she does hold that divine law is *metaphysically* necessary for grounding the moral *ought* as well as *epistemically* necessary for originating the notion of moral obligation. We can recall her answer to the question of how the *ought* became so prominent in our moral language and thought: “the answer,” she says, “is in history: between Aristotle and us came Christianity, with its *law* conception of ethics. In consequence of the dominance of Christianity for many centuries, the concepts of being [morally] bound, permitted, or excused became deeply embedded in our language and thought.”<sup>40</sup> Anscombe’s remarks indicate that she holds a very similar position to Kierkegaard with respect regarding the origin of the concept of moral obligation in divine law; Kierkegaard’s *shall* and Anscombe’s *ought* both find their metaphysical and epistemic origins in divine law.

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<sup>40</sup> Anscombe, “Modern Moral Philosophy,” 5; Anscombe’s emphasis.

At this point, it might be objected that Anscombe's *ought* cannot really be as closely correlated with Kierkegaard's *shall* as I have argued. After all, Anscombe uses *ought* to carry the *unintelligible*, distinctively modern moral sense of the term—and surely (so it might be claimed) Kierkegaard has no such (unintelligible) sense in mind when speaking of the *shall*. The fact is, however, that in “Modern Moral Philosophy,” Anscombe's usage of the emphatic *ought* is actually split between contexts where it is clear that she intends it to convey the unintelligible “moral” sense and others where it is clear that she has divine law in mind.<sup>41</sup> That is, sometimes she uses *ought* to express what is required in the unintelligible, distinctively modern sense of “morally” (where the source of the requirement is unspecified) and other times she uses it to express what is unambiguously required by divine law. As Anscombe employs *ought*, then, the term is elastic enough for both uses.<sup>42</sup> And as we shall see later in discussing Kierkegaard's “spoiled pagan,” it is appropriate to use Kierkegaard's *shall* in precisely the same manner. Thus, like Anscombe's *ought*, there is a use of Kierkegaard's *shall* that carries the unintelligible “moral” sense. Ironically, therefore, the thought behind this objection actually provides us with one *more* reason to see Kierkegaard's *shall* and Anscombe's *ought* as closely correlated.

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<sup>41</sup> For example, in rebutting the objection that one who operates with a divine law conception of ethics must presuppose “a ‘practical principle’ running ‘I *ought* (i.e. am morally obliged) to obey divine laws’,” Anscombe flatly states, “But actually this notion of obligation [i.e., of the intelligible *ought*] is a notion which only operates in the context of law” (18). And in this context it is clear that such an *ought just is* the “divine law” *ought*. Cf., among many others, p. 17 for instances where Anscombe's italicizations are used to indicate the unintelligible moral *ought*.

<sup>42</sup> The “divine law” *ought* has a peculiar grounding thanks just to the fact that its source is God's law. As for the “moral” *ought*, we saw in chapters one and two that it is treated as having a peculiar ground, although what constitutes that ground is typically unspecified. Something like Mackie's “queer” objectively prescriptive entities might be needed to ground it. So whether *ought* carries the “divine law” sense or the “moral” sense, it is treated as having a peculiar source.

Viewing Kierkegaard's *shall* and Anscombe's *ought* as correlative concepts provides a starting point for demonstrating that Kierkegaard anticipated Anscombe's critique of our modern moral language and thought. In what follows, I shall explore the polemical targets of *Works of Love* in order to show just how closely Kierkegaard's critique parallels Anscombe's.

### 3.6 *The Polemical Targets of Works of Love*

Anscombe's "Modern Moral Philosophy" provides a general framework for thinking about a range of possible attitudes one might take toward the idea of moral obligation. Listing these various types will be helpful for seeing the similarities between Kierkegaard's *Works of Love* and Anscombe's essay. First, Anscombe discusses a *pre-divine law type*, one who lives prior to the advent of the divine law conception of ethics, and hence, prior to anything resembling the notion of moral obligation; such an individual would have no familiarity with a notion of moral obligation. Second, there is a *divine law type*, one who consciously accepts a divine law conception of ethics, and thus, possesses a notion of moral obligation. Third, there is what we might call a *post-divine law* or "*modern moral*" type, one who lives subsequent to the rejection of a divine law conception of ethics, yet who still uses the notion of moral obligation. Finally, there is what we might call a *post-moral type*, one who perhaps has followed Anscombe's advice and dispensed with the notion of moral obligation altogether.

Turning now to Kierkegaard's *Works of Love*, C. Stephen Evans has plausibly argued that this book has three main polemical targets, which Evans (following Kierkegaard's language) labels the "unspoiled pagan," the "spoiled pagan" and the "deluded pagan." I shall return to consider each of these characters in turn, so I will only

briefly introduce these figures here. The “unspoiled pagan,” first of all, is one who, in Kierkegaard’s description, has not “learned thoughtlessly to patter Christianity by rote or has not been spoiled by the delusion of being a Christian.”<sup>43</sup> A pagan of this type is one who is likely to find Christian ethical teachings shocking, due to the person’s never before having encountered such a demanding sense of what morality requires. Although Kierkegaard certainly does not rule out the possibility of present-day unspoiled pagans, the paradigm representatives of this category are certain individuals inhabiting the culture of ancient Greece. It is not difficult to recognize Kierkegaard’s unspoiled pagan as correlated with Anscombe’s pre-divine law type of individual.

The second polemical target of *Works of Love* is the “spoiled pagan.” The spoiled pagan, as Evans writes, “is a kind of secular, ‘emancipated’ thinker who attempts to take over the substance of Judaeo-Christian ethics without its foundation.”<sup>44</sup> The important characteristic separating the spoiled pagan from the Christian is that, unlike the latter, the spoiled pagan does not recognize the importance of divine law for originating and grounding one’s notion of moral obligation. Again, there is a parallel to Anscombe: Kierkegaard’s spoiled pagan just is Anscombe’s post-divine law or “modern moral” type, one who lives subsequent to the rejection of a divine law conception of ethics, yet who wishes to maintain the notion of moral obligation.

The third figure is what Evans calls the “deluded pagan.” As he says, “the deluded pagan is the person in Christendom who essentially thinks and lives as a pagan,

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<sup>43</sup> Kierkegaard, *Works of Love*, 25.

<sup>44</sup> Evans, *Kierkegaard’s Ethic of Love*, 115.

but confusedly and perhaps self-deceptively thinks of himself as a Christian.”<sup>45</sup> The deluded pagan claims to be Christian, and yet lives according to essentially pagan ethical conceptions. In the categories attributed to Anscombe above, the deluded pagan is a kind of “post-moral” individual, one who has dispensed with a notion of moral obligation altogether. We shall now turn to consider each of these figures in more detail.

### *The Unspoiled Pagan*

“Unspoiled pagan” is a label Kierkegaard uses whose primary reference is to those individuals inhabiting the culture of ancient Greece, prior to the proclamation of the Christian gospel. These individuals are “unspoiled” in that they “never had an inkling of self-denial’s love for the neighbor, whom one *shall* love.”<sup>46</sup> That is to say, they have never encountered the notion that love of the neighbor is an *obligation*; commanded love is unknown to them. Such individuals, Kierkegaard says, “divided love this way: self-love is abhorrent because it is love of self, but erotic love and friendship . . . are [genuine] love.”<sup>47</sup> The unspoiled pagan, in other words, views purely self-interested love of oneself as shameful; however, it finds one’s love for friendly companions and erotic (or romantic) love for another person as deserving of commendation.

Now Kierkegaard can agree with the unspoiled pagan’s condemnation of a directly self-centered form of love. But what about friendship and romantic love? Kierkegaard labels these latter forms of love as “preferential love.” As he says, “Christianity, which has made manifest what love is, divides otherwise [than the pagan]:

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<sup>45</sup> Evans, *Kierkegaard’s Ethic of Love*, 116.

<sup>46</sup> Kierkegaard, *Works of Love*, 53.

<sup>47</sup> *Ibid.*

[Christianity considers] self-love and passionate preferential love [to be] essentially the same, but love for the neighbor—that is [genuine] love.”<sup>48</sup> In other words, friendship and romantic love—those loves that the unspoiled pagan conceives as love’s most genuine expressions—are, Kierkegaard says, nothing other than covertly self-centered forms of love. Only neighbor love—the love that God commands—is *genuine* love.

The difference between neighbor love and preferential love, Kierkegaard says, is that the latter springs from a “natural determinant,” which he describes as a drive, inclination, or passion. He contrasts these natural forms of love with commanded neighbor love:

What a difference there is between the play of feelings, drives, inclinations, and passions, in short, that play of the powers of immediacy, that celebrated glory of poetry in smiles or in tears, in desire or in want—what a difference between this and the earnestness of eternity, the earnestness of the commandment in spirit and truth, in honesty and self-denial!<sup>49</sup>

To illustrate his point, Kierkegaard employs a rich metaphor, describing the “fire” that is in self-love as “spontaneous combustion; the *I* ignites itself by itself.”<sup>50</sup> But, he points out, “there is also spontaneous combustion” in friendship and erotic love: one’s self-love is simply extended by means of one’s natural inclination to include another within its purview.<sup>51</sup> He elaborates this point in an important passage:

Just as self-love selfishly embraces this one and only *self* that makes it self-love, so also erotic love’s passionate preference selfishly encircles this one and only beloved, and friendship’s passionate preference encircles this one and only friend. For this reason, the beloved and the friend are called, remarkably and profoundly,

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<sup>48</sup> Kierkegaard, *Works of Love*, 53.

<sup>49</sup> *Ibid.*, 25; cf. 56.

<sup>50</sup> *Ibid.*, 54.

<sup>51</sup> *Ibid.*

to be sure, the *other self*, the *other I*—since the neighbor is the *other you*, or, quite precisely, the *third party* of equality.<sup>52</sup>

In this passage Kierkegaard is no doubt referring to Aristotle's claim in the *Nicomachean Ethics* that a friend is "another self."<sup>53</sup> On this stereotypically pagan view, a friend is conceived as "[an]other self, the other I." Continuing, he asks, "But where does self-love reside? It resides in the *I*, in the *self*. Would not self-love then also start loving the *other I*, the *other self*?"<sup>54</sup> Love for a friend or for a person of romantic interest is spontaneously evoked and arises naturally. The possession of such love, Kierkegaard thinks, involves no moral task, but is simply a result of happenstance, of the way one's life happens to fall out.

Furthermore, the "staying power" of preferential forms of love pales in comparison with commanded neighbor love. After all, the ground of preferential relationships (i.e., desires and inclinations) is threatened by the inevitable alterations that take place over time in oneself or in the beloved. Neighbor love, on the other hand, is grounded in the *shall* that is eternally the same: one *shall* love one's neighbor as oneself. Neighbor love, then, is superior to preferential love in that it is completely immune to the effects of time and fortune; it is grounded in a duty that will never change.<sup>55</sup> This contrast of natural love with the dutiful love of neighbor reveals the crucial difference between the two. "[T]his is the very mark of Christian love and its distinctive

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<sup>52</sup> Kierkegaard, *Works of Love*, 53; Kierkegaard's emphases.

<sup>53</sup> Aristotle, *Nicomachean Ethics*, 1166a31, 1170b7.

<sup>54</sup> Kierkegaard, *Works of Love*, 53; Kierkegaard's emphases.

<sup>55</sup> *Ibid.*, 22, 50-51; cf. 31-41.

characteristics,” Kierkegaard says, “that it contains this apparent contradiction—to love is a duty.”<sup>56</sup>

The structural parallel with Anscombe’s argument can now be made clear. Like Kierkegaard, Anscombe points out that “anyone who has read Aristotle’s *Ethics*,” and who has also encountered forms of ethics which emphasize one’s *duty*, “must have been struck by the great contrasts between them.”<sup>57</sup> Furthermore, like Kierkegaard, Anscombe argues that the moral *ought* “acquired [its] special sense [only] by being equated in the relevant contexts with ‘is obliged,’ or ‘is bound,’ or ‘is required to,’ in the sense in which one can be obliged or bound by law, or something can be required by law.” And “how did this come about?” she asks. “The answer is in history: between Aristotle and us came Christianity, with its *law* conception of ethics.”<sup>58</sup>

Anscombe and Kierkegaard both recognize that the *shall* (or the *ought*) is conspicuously absent from Aristotle’s ethics. As Kierkegaard has it, the idea that there is an *obligation* to love is a significant departure from the unspoiled pagan’s ethical conceptions. This obligation, Kierkegaard says, finds its origin in divine law and, most conspicuously, in the Christian revelation. “Take a pagan,” he says, “who is not spoiled by having learned thoughtlessly to patter Christianity by rote or has not been spoiled by the delusion of being a Christian—and this commandment, ‘You *shall* love,’ will not only surprise him but will disturb him, will be an offense to him.”<sup>59</sup> The unspoiled pagan, then, is a kind of pre-divine law type of individual.

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<sup>56</sup> Kierkegaard, *Works of Love*, 24.

<sup>57</sup> Anscombe, “Modern Moral Philosophy,” 1.

<sup>58</sup> *Ibid.*, 5.

<sup>59</sup> Kierkegaard, *Works of Love*, 25.

### *The Spoiled Pagan*

Those who become Christians will be taught to follow the commandments of Christ, that is, to think and live in accordance with a divine law conception of ethics. And this is precisely what happened as the Greco-Roman world converted to Christianity. The prominence—indeed, the hegemony—of a divine law conception of ethics was established with the rise of Christianity in the West and its expansion into many parts of the world over many centuries. As a result, however, new generations were born which regarded the *shall* simply as a given element of human experience; even while holding on to the idea of God, the notion that divine law is necessary to undergird the *shall* eventually fell by the wayside. As we saw in the previous chapter, Kierkegaard laments this confused condition in *The Sickness Unto Death*. There, he says, “On the whole, it is unbelievable what confusion has entered the sphere of religion since the time when “you shall” [*du skal*] was abolished as the sole regulative aspect of man’s relationship to God.”<sup>60</sup> A few lines later, Kierkegaard notes that, in his day, “Christian conceptions float unChristianly in the air,” much as God’s name has shamelessly and carelessly come to be used as a curse word. But given Kierkegaard’s contention that the *shall*—an ethical requirement with the force of a command—originated with a divine law conception of ethics (and with Christianity in particular), does it really make any difference whether Christianity is given up? The figure whom Kierkegaard recognizes as the “spoiled pagan” confidently, and yet naively, thinks not. It is to just such an individual that Kierkegaard in *Works of Love* addresses a series of rhetorical questions, designed to provoke him or her to reconsider this opinion. Kierkegaard asks,

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<sup>60</sup> Kierkegaard, *The Sickness Unto Death*, 115; translation modified.

“But because Christianity for so many centuries now has become the possession of the whole human race, is all mention of eternity’s change that takes place in the world with Christianity therefore to cease? Is not every generation equally close—that is, equally duty-bound to make this perfectly clear to itself? Is the change less significant because it is now eighteen centuries later? Has it now also become less significant that there is a God because for many centuries there have lived generations who believed in him, has it therefore become less significant for me—that is, if I believe it?”<sup>61</sup>

This passage requires some unpacking. “Eternity’s change that takes place in the world with Christianity” just is the transcendent proclamation of the command to love one’s neighbor as oneself. As Kierkegaard says just prior to this passage, “love had existed also in paganism, but this obligation to love is a change of eternity.”<sup>62</sup> Kierkegaard’s fundamental question, then, is the following: recognizing that the notion of the obligation to love has become “the possession of the whole human race” eighteen centuries after it was introduced, can we dispense with the idea that God’s law is still necessary to ground it?

The spoiled pagan wishes to retain the notion of the obligation, yet wants to deny that this obligation is grounded in divine law. The spoiled pagan is “spoiled” in that he or she has been taught by Christianity to think in terms of moral duty, yet he or she does not accept God as an authority; such an individual continues to use the language of the *shall*, while having abandoned the divine law conception of ethics within which it has sense.<sup>63</sup> This is why C. Stephen Evans describes the spoiled pagan as “a kind of secular,

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<sup>61</sup> Kierkegaard, *Works of Love*, 25-6.

<sup>62</sup> *Ibid.*, 25.

<sup>63</sup> Kierkegaard *usually* uses “*shall*” to refer to what is clearly understood to be commanded by divine law. However, Kierkegaard’s comments regarding the spoiled pagan’s desire to maintain the *shall* while dispensing with divine law shows that his understanding of it parallels Anscombe’s dual understanding of *ought*.

‘emancipated’ thinker who attempts to take over the substance of Judaeo-Christian ethics without its foundation.”<sup>64</sup>

Again, the parallel with Anscombe should be clear. Recall once again how she puts it: “In consequence of the dominance of Christianity for many centuries, the concepts of being bound, permitted, or excused became deeply embedded in our language and thought.”<sup>65</sup> “But if such a conception is dominant for many centuries,” Anscombe says,

and then is given up, it is a natural result that the concepts of ‘obligation,’ of being bound or required as by a law, should remain though they have lost their root; and if the word ‘ought’ has become invested in certain contexts with the sense of ‘obligation,’ it too will remain to be spoken with a special emphasis and a special feeling in these contexts. It is as if the notion ‘criminal’ were to remain when criminal law and criminal courts had been abolished and forgotten. . . . The situation, if I am right, [is] the interesting one of the survival of a concept outside the framework of thought that made it a really intelligible one.”<sup>66</sup>

Kierkegaard and Anscombe both point to the problem: if a divine law conception of ethics is abandoned but the notion of moral obligation is maintained, the only ultimately adequate basis for our moral language and thought has been destroyed.<sup>67</sup>

The spoiled pagan, (i.e., Anscombe’s modern moral type of individual) searches for a way to retain the normative force of a divine law conception of ethics without the divine law underpinning. One possibility is the attempt to ground moral law in something like Kantian self-legislation. As Evans notes, in *Works of Love* Kierkegaard

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<sup>64</sup> Evans, *Kierkegaard’s Ethic of Love*, 115.

<sup>65</sup> Anscombe, “Modern Moral Philosophy,” 5.

<sup>66</sup> *Ibid.*, 6; the second sentence begins a new paragraph.

<sup>67</sup> James Conant has an interesting and helpful analysis of this problem in his essay “Nietzsche, Kierkegaard and Anscombe on Moral Unintelligibility” in *Religion and Morality* ed. D.Z. Phillips (New York: St. Martin’s Press, 1996).

evaluates this particular move as “pure arbitrariness.”<sup>68</sup> This cryptic phrase is greatly illuminated by parallel passages in *The Sickness Unto Death*, which I shall make use of here. As Kierkegaard remarks, what he calls a “despairing” individual or self “constantly relates to itself only by way of experiments, no matter what it undertakes, . . . however perseveringly pursued. It recognizes no power over itself; therefore it basically lacks earnestness and can conjure forth only an appearance of earnestness, even when it gives its utmost attention to its experiments.”<sup>69</sup> The “experiments” here are the self’s attempts to give normatively binding criteria to oneself. The problem, however, is that one cannot—by oneself—really “bind” oneself in this way. A few lines later Kierkegaard makes this criticism more explicit; a self-legislating self “exercises a loosening power as well as a binding power; at any time it can quite arbitrarily start all over again, and no matter how long one idea is pursued, the entire action is within a hypothesis.”<sup>70</sup> In short, genuinely binding obligations simply cannot be had through the self’s resources alone. Kierkegaard compares one who tries to do this to a king who has absolute power but nothing firm to rule over; “his sovereignty,” Kierkegaard says, “is subordinate to the dialectic that rebellion is legitimate at any moment. Ultimately, this is arbitrarily based upon the self itself.”<sup>71</sup>

Again, in a journal entry from 1850, Kierkegaard comments on the problematic nature of Kantian-style self-legislation:

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<sup>68</sup> Kierkegaard, *Works of Love*, 116.

<sup>69</sup> Kierkegaard, *The Sickness Unto Death*, 68; translation modified.

<sup>70</sup> *Ibid.*, 69.

<sup>71</sup> *Ibid.*

Kant was of the opinion that man is his own law (autonomy)—that is, he binds himself under the law which he himself gives himself. Actually, in a profounder sense, this is how lawlessness or experimentation are established. This is not being rigorously earnest any more than Sancho Panza's self-administered blows to his own bottom were vigorous. . . . The maxim which I give myself is not only not a law, but there is a law which is given me by one higher than myself, and not only that, but this lawgiver takes the liberty of taking a hand in the capacity of tutor and bringing pressure to bear.<sup>72</sup>

Kierkegaard's thought here is once again paralleled by Anscombe's, who notes that people sometimes "try to find an alternative (very fishy) content [for the *ought*] and to retain the psychological force of the term."<sup>73</sup> She argues that "the concept of legislation," in particular, "requires superior power in the legislator" and so Kant's "idea of 'legislating for oneself' . . . is as absurd as if . . . one were to call every reflective decision a man made a *vote* resulting in a majority, . . . for it is always 1-0."<sup>74</sup>

Besides Kantian-style self-legislation, others may attempt to ground moral norms in human virtues. "But in *this* sense," Anscombe says,

'norm' has ceased to be roughly equivalent to 'law.' In *this* sense the notion of a 'norm' brings us nearer to an Aristotelian than a law conception of ethics. There is, I think, no harm in that; but if someone looked in this direction to give 'norm' a sense, then he ought to recognize what has happened to the notion 'norm,' which he wanted to mean 'law—without bringing God in'—it has ceased to mean 'law' at all . . .<sup>75</sup>

Kierkegaard's spoiled pagan just is Anscombe's post-divine law or "modern moral" type, one who lives subsequent to the rejection of a divine law conception of ethics, yet who wishes to maintain the notion of moral obligation. Of course, if one has moved so far

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<sup>72</sup> Søren Kierkegaard's *Journals and Papers* ed. and trans. Howard V. Hong and Edna H. Hong (Bloomington: Indiana University Press, 1967), I 188; the sentence after the ellipsis begins a new paragraph.

<sup>73</sup> Anscombe, "Modern Moral Philosophy," 8.

<sup>74</sup> *Ibid.*, 2; Anscombe's emphasis.

<sup>75</sup> *Ibid.*, 15.

away from the divine law conception of ethics as to ground moral norms in a conception of human virtues, then it is quite possible that one has ceased being “spoiled” in this way and become rather “deluded,” to use Kierkegaard’s term. It is to the “deluded pagan” that we now turn.

### *The Deluded Pagan*

Kierkegaard lived in the midst of an established Christendom, where *everyone* is assumed to be a Christian; as a consequence, he did not consider explicit unbelief to be a serious threat to the Christian faith. Perhaps this is why Kierkegaard did not consider a possible polemical target that we might label (for lack of a better term) the “post-Christian pagan.” This is an individual who not only rejects the *shall*, but who also explicitly denies that he or she is a Christian. This character might be thought of as the individual who, having already rejected the divine law conception of ethics, has taken Anscombe’s advice to jettison the *ought* as well, thus achieving some measure of consistency in his or her ethical thinking.

Bernard Williams is a paradigm example of the “post-Christian pagan.” He argues that we should reevaluate our received manner of ethical inquiry. Instead of asking questions like “What is my duty?” Williams proposes that we return to Socrates’ question, “How should I live?” understanding “should” as “simply should”—not as, e.g., a *moral* “should”—and “in itself, . . . no different in this very general question from what it is in any casual question, ‘what should I do now?’”<sup>76</sup> By making this stipulation,

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<sup>76</sup> Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), 5; the first two instances of should are italicized in the original, but the context makes it clear that he is not here speaking of the special *ought*.

Williams means to rule out any special, emphatic, moral use of modal terms along the lines of Anscombe's *ought* or Kierkegaard's *shall*. As he explains,

if someone says of another "he is a good man," we can ask whether the speaker means that he is morally good, as contrasted, for instance, with meaning that he is a good man to take on a military sortie—but the fact that one can give these various interpretations no more yields a [special] . . . sense of "good" or of "good man" than it does a military sense (or a football sense, etc.).<sup>77</sup>

Robert Richman concurs with Williams:

The only *sense* of "ought" which need or should be countenanced in moral philosophy is the "ordinary sense." Indeed, there seems no reason to suppose that there *is* an extraordinary "moral sense" of "ought," any more than there is a special "prudential sense," or, for that matter an "economic sense," a "military sense," or an "ecological sense." If one speaks of a [special] "moral ought," what he should mean, and what he does mean if he knows what he is about, is simply an ordinary "ought," the reasons in support of which are moral in character.<sup>78</sup>

Williams and Richman thus deny that there is any such thing as an inescapable, moral *ought*.

As we have already noted, Kierkegaard does not have the "post-Christian pagan" in view as a polemical target. Nevertheless, the last figure he has in view *is* "post-Christian" in one sense while being emphatically *not* post-Christian in another; this is Kierkegaard's "deluded pagan." If the post-Christian pagan repudiates both the *ought* as well as any pretension to being Christian, the deluded pagan has traveled only half as far: he or she has repudiated the *ought* while continuing to self-identify as a Christian.

Now Kierkegaard is clear that he considers a divine law conception of ethics (and its attendant "You *shall*") as essential to Christianity: if anyone asks, "What is love?" he answers with the words of the apostle Paul: "It is the fulfilling of the Law." Indeed, the

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<sup>77</sup> Williams, *Ethics and the Limits of Philosophy*, 5-6.

<sup>78</sup> Robert J. Richman, "Miss Anscombe's Complaint," *Journal of Value Inquiry* 10, no. 1 (Spring 1976): 36.

“essential and decisive” task that one must undertake as a Christian, Kierkegaard says, is fulfilling the Law.<sup>79</sup> Thus, Kierkegaard perceives the deluded pagan’s denial of a divine law ethic as a return to a pre-Christian, “merely human” form of morality. The fundamental falsehood in the merely human conception of morality is the failure to acknowledge that in relating to others one relates to God as well, for humans are bound by *God’s* law to love their neighbors as themselves. “Each one individually,” Kierkegaard says, “before he relates in love to the beloved, the friend, the loved ones, the contemporaries, must first relate to God and to God’s requirement.”<sup>80</sup> On Kierkegaard’s view, Christianity requires that God occupy a place as a “middle term” in all personal relationships. This is unlike the ethics of the natural man, which says that humans relate directly and exclusively to other humans. “Worldly wisdom,” Kierkegaard writes, “is of the opinion that love is a relationship between persons; Christianity teaches that love is a relationship between: a person—God—a person, that is, God is the middle term.”<sup>81</sup> This means that only in Christian ethics is what Kierkegaard calls “the collision” possible. According to the “purely human” understanding, for instance, one loves when one conforms to the wishes of one’s beloved. Christian love, on the other hand, mandates that one must first relate oneself to God’s requirement, and only then to the beloved; this has the consequence that one’s love for the beloved might very well appear as hatred, when one’s genuinely loving actions “collide” with the beloved’s conception of love.<sup>82</sup>

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<sup>79</sup> Kierkegaard, *Works of Love*, 95.

<sup>80</sup> *Ibid.*, 112.

<sup>81</sup> *Ibid.*, 107; this text is italicized in the original.

<sup>82</sup> Cf. *Luke* 14:26.

Kierkegaard points out that a denial of the *shall*, of the obligation to love as God commands, results in a relinquishment of any transcendent grounding for ethics. As a consequence, humans are left with their own meager abilities to discern what to do. And something like an Aristotelian conception is the likely result. “The *summa summarum* of all human wisdom,” Kierkegaard says, “is this ‘golden’ (perhaps it is more correct to say ‘plated’) mean: *ne quid nimis* [nothing too much]. Too little and too much spoil everything. This is bandied about among men as wisdom, is honored with admiration; its exchange rate never fluctuates, and all mankind guarantees its worth.”<sup>83</sup> “But Christianity, Kierkegaard says, “makes an enormous giant stride beyond this *ne quid nimis*.” Indeed, Kierkegaard specifically indicts so-called Christians who would attempt to replace a transcendent divine law conception of ethics with an ethic that has a “merely human criterion”:

Very often, however, it is overlooked that the opposite of sin is by no means virtue. In part, this is a pagan view, which is satisfied with a merely human criterion and simply does not know what sin is, that all sin is before God. No, *the opposite of sin is faith*, as it says in Romans 14:23: ‘whatever does not proceed from faith is sin.’ And this is one of the most decisive definitions for Christianity—that the opposite of sin is not virtue but faith.<sup>84</sup>

A person who substitutes humanly-devised ethical criteria for a divinely revealed one, he says, “wants to be ignorant of the human self’s far, far deeper obligation in obedience to God.”<sup>85</sup> Christendom has tried to make out that whether or not sin is sin before the eyes of God is of no consequence; but this is a simple return to the old paganism. And lest one be offended by the stringency of the Christian ethic, Kierkegaard warns that “the real

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<sup>83</sup> Kierkegaard, *The Sickness Unto Death*, 86-7.

<sup>84</sup> *Ibid.*, 82.

<sup>85</sup> *Ibid.*

reason that men are offended by Christianity is that it is too high, because its goal is not man's goal, because it wants to make man into something so extraordinary that he cannot grasp the thought."<sup>86</sup> This pseudo-Christian, the deluded pagan, along with the completely post-Christian thinkers like Bernard Williams, are examples of Anscombe's broader "post-moral" type of individual.

### 3.7 Conclusion

Kierkegaard was, like Anscombe and MacIntyre, deeply concerned with modernity's conceptual confusions; he went to great lengths to identify, expose and correct them. As we have seen, Kierkegaard's portrayal of modernity's predicament in *The Sickness Unto Death* bears recognizable similarities to the conceptual confusion identified by MacIntyre's "disquieting suggestion." Furthermore, Kierkegaard's diagnosis of the disorder of our modern moral language and thought has remarkable commonalities with Anscombe's argument. As I have shown, the emphatic, "moral *ought*" of Anscombe's "Modern Moral Philosophy" and the emphatic *shall* of Kierkegaard's *Works of Love* have deep and remarkable commonalities. Once their correlative status is recognized, deep and remarkable parallels between Kierkegaard's and Anscombe's respective diagnoses of modernity come into view. Anscombe and Kierkegaard would agree that the emphatic *ought* has its origin in a divine law conception of ethics. Furthermore, they have much the same analysis of various ways in which individuals can be related to the *ought*: Kierkegaard and Anscombe both discuss a type of individual who has never encountered the *ought*, a type of individual who thinks and lives in accordance with the *ought*, a type who lives subsequent to the rejection of a

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<sup>86</sup> Kierkegaard, *The Sickness Unto Death*, 83.

divine law conception of ethics and yet who wishes to maintain the notion of the *ought*, and a type of individual who has rejected the *ought* altogether.

Of all the various types discussed by Kierkegaard and Anscombe, the most dangerous confusion for contemporary society is that of the spoiled pagan (i.e., the individual who repudiates a divine law conception of ethics while retaining the emphatic *ought*). Since the Enlightenment, sensibilities characteristic of the spoiled pagan have increasingly become characteristic of modern moral language and thought, with the consequence that the latter has come to suffer from the very symptoms of unintelligibility we explored in chapter one. In the next chapter, we shall delve deeper into Kierkegaard's concept-clarifying comments to discover what solution he proposed for the unintelligibility of our modern moral language and thought.

## CHAPTER FOUR

### Kierkegaard (and Nietzsche) on the Metaethics of Moral Obligation

#### *4.1 Introduction*

A careful analysis of Kierkegaard's comments on the unintelligibility of our modern moral and religious language leads naturally into a consideration of his view of the basis of moral obligation. Beginning with Kierkegaard's *Works of Love*, therefore, I set out in this chapter to clarify his critique of morality by explaining his metaethical position. I argue that the best account of Kierkegaard's view of moral obligation is the view propounded by C. Stephen Evans and Philip L. Quinn, which sees Kierkegaard as committed to a divine command theory of moral obligation. In the last section, I turn to consider comments made by Friedrich Nietzsche which, atheist though he is, indicate that he was in essential agreement with Kierkegaard on this metaethical point. As we shall see, Kierkegaard and Nietzsche both held, like Anscombe, that divine law provides the appropriate basis for moral obligation.

#### *4.2 Conceptual Clarification and Moral Obligation in Works of Love*

The greatest of Kierkegaard's ethical works, *Works of Love*, was published in 1847 and is signed in Kierkegaard's own name.<sup>1</sup> In the process of writing *Works of Love*, Kierkegaard developed an important distinction that enabled him for the first time clearly to articulate his intention that this work is specifically for conceptual clarification, as opposed to some other edifying purpose. The distinction Kierkegaard draws is between

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<sup>1</sup> Hence, pseudonymity is not an issue with *Works of Love*.

an “upbuilding discourse” and a “deliberation.” An upbuilding discourse, he says, is written to exhort, persuade, move or confirm an individual in what one already understands. (In this sense an upbuilding discourse is very much like a sermon; however, Kierkegaard disclaimed this label on the grounds that “sermon” implies the possession of spiritual or ecclesiastical authority that he was manifestly without.) A deliberation, on the other hand, “does not presuppose the definitions as given and understood: therefore, it must not so much move, mollify, reassure, persuade, as *awaken* and provoke people and sharpen thought.” A deliberation is concerned with challenging, clarifying, or strengthening one’s grip on the ethical and religious concepts and categories that one unreflectively presumes to use or embody. A deliberation, Kierkegaard says, “must first fetch them up out of the cellar, call to them, turn their comfortable way of thinking topsy-turvy with the dialectic of truth.”<sup>2</sup> Unlike a discourse, a deliberation is intended to be a “gadfly,” to vex and arouse one to change how one lives by sharpening and changing one’s conceptions.

In accordance with this new distinction, Kierkegaard’s *Works of Love* is subtitled “Some Christian Deliberations in the Form of Discourses.” As a series of deliberations, Kierkegaard hoped that the work would function as a corrective to his contemporaries’ confusion of ethical and religious concepts. This is most especially true of section II of the first series, where Kierkegaard deals primarily with moral obligation and the difference between Christian and preferential forms of love. As Kierkegaard’s journals reveal, at one point he actually considered removing section II from the body of *Works of*

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<sup>2</sup> Søren Kierkegaard, *Søren Kierkegaard's Journals and Papers*, ed. Howard V. Hong, Edna H. Hong and Gregor Malantschuk (Bloomington, IN: Indiana University Press, 1967-1978), I 641; Kierkegaard’s emphasis.

*Love* and reworking it into an appendix to the entire work. He wrote: “This discourse no. 2 is omitted from the series and is to be added as an appendix to ‘Works of Love’; it is patterned more as a deliberation and also has a definitely didactic element. Therefore, that appendix: that love is a duty, that we shall love. a [*sic*] Christian deliberation.”<sup>3</sup> Jamie Ferreira observes that “it seems clear that [Kierkegaard] viewed [section II of the first series] as a discrete section intended for conceptual clarification.”<sup>4</sup> Ferreira notes that this section serves the purpose of setting out the conceptual categories that are crucial for making sense of the entirety of *Works of Love*, namely “the nature, object, and subject of obligation.”<sup>5</sup> She proposes that we read this section as prefatory to the remainder of the work, as providing the context within which we are to understand the later discussions that depict love in action. In particular, she says, “the main purpose” of section II “is to proclaim the unconditionality and scope of the commandment, the bindingness and extent of the duty.”<sup>6</sup>

Ferreira takes note of the central role that divine commands play in Kierkegaard’s *Works of Love* as a whole (and in section II, in particular). Her discussion is hindered, however, by what appears to be her inability (or unwillingness) to identify Kierkegaard’s position as a divine command theory of moral obligation. As C. Stephen Evans suggests, the fact that “a commentator as astute and well-versed as Ferreira” can hesitate in this way “is evidence of the low esteem a divine command theory of moral obligation

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<sup>3</sup> Søren Kierkegaard, *Works of Love: Some Christian Deliberations in the Form of Discourses* trans. Howard V. and Edna H. Hong (Princeton: Princeton University Press, 1995), 428.

<sup>4</sup> M. Jamie Ferreira, *Love’s Grateful Striving: A Commentary on Kierkegaard’s Works of Love* (Oxford: Oxford University Press, 2001), 30.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

generally enjoys.”<sup>7</sup> Divine command theories are still widely conceived as making morality objectionably arbitrary; and since Kierkegaard sees morality as anything but that, it makes sense that Kierkegaard scholars would shy away from identifying him as a divine command theorist of any stripe. As Evans argues, however, “it seems undeniable . . . that Kierkegaard does hold a divine command theory of obligation. For Kierkegaard, love for the neighbor is *commanded*, and its status as a serious moral duty depends on its being commanded.”<sup>8</sup> Kierkegaard sees the concept of a command as necessarily presupposing an authoritative commander, and he views God as playing this role.

Evans and Philip L. Quinn have (separately) argued that Kierkegaard is committed to a divine command theory of moral obligation.<sup>9</sup> Evans and Quinn agree that any metaethical view that merits the label of “divine command theory” must meet two requirements. First, on such a view, divine commands must be *sufficient* for constituting moral obligations (call this “the sufficiency thesis”); second, divine commands must be *necessary* for constituting moral obligations (call this “the necessity thesis”). Implicit in these requirements is the understanding that there is an asymmetrical dependence relation between divine commands and moral obligations; in other words, implicit is the idea that something’s being morally obligatory *depends* in some way on its being commanded, and

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<sup>7</sup> C. Stephen Evans, *Kierkegaard’s Ethics of Love: Divine Commands and Moral Obligations* (Oxford: Oxford University Press, 2004), 118.

<sup>8</sup> *Ibid.*, 122-3; Evans’ emphasis.

<sup>9</sup> Cf. Evans, *Kierkegaard’s Ethics of Love*, ch. 5. Cf. Philip L. Quinn, “The Divine Command Ethics in Kierkegaard’s *Works of Love*” in *Faith, Freedom, and Rationality*, ed. J. Jordan and D. Howard-Snyder (Lanham, MD: Rowman and Littlefield, 1996), 29-44; “Kierkegaard’s Christian Ethics,” in *The Cambridge Companion to Kierkegaard*, ed. Alastair Hannay and Gordon D. Marino (Cambridge: Cambridge University Press, 1998), 349-375.

not vice-versa.<sup>10</sup> According to Evans and Quinn, Kierkegaard's deliberations in *Works of Love* contain just such a view of moral obligation.

Evans's and Quinn's arguments have been subjected to criticism recently by R. Zachary Manis.<sup>11</sup> In particular, Manis argues that Evans and Quinn both fail to demonstrate that Kierkegaard holds to the necessity thesis; as a consequence, Manis argues, Kierkegaard's view fails to meet the minimum requirements for a divine command theory of moral obligation. There is no need to reproduce Evans's and Quinn's arguments or Manis's detailed criticisms here; suffice it to say that Manis provides strong reasons to doubt that Evans and Quinn have made their case. But this does not mean that I accept Manis's conclusion that Kierkegaard was not demonstrably committed to a divine command theory of moral obligation. On the contrary, I believe that there is adequate textual evidence to support the divine command interpretation.

To legitimately affirm that Kierkegaard holds to a divine command theory, then, arguments are needed to show that Kierkegaard is committed to both the sufficiency and necessity theses. Given Manis's critique of Evans and Quinn, I am not optimistic that a satisfactory deductive argument for the necessity thesis can be made from material found in *Works of Love*. But neither is such an argument necessary. For, in the following section, I will show that adequate textual support for Kierkegaard's adherence to the necessity thesis can be found in *The Sickness Unto Death*.

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<sup>10</sup> Quinn goes further, arguing that the dependence relation is a *causal* one. Cf. *Divine Commands and Moral Requirements* (Oxford: Oxford University Press, 1978); "Divine Command Ethics: A Causal Theory," in *Divine Command Morality: Historical and Contemporary Readings*, ed. J.M. Idziak (New York: Edwin Mellen Press, 1979), 305-325; "An Argument for Divine Command Ethics," in *Christian Theism and the Problems of Philosophy*, ed. Michael D. Beatty (Notre Dame, IN: University of Notre Dame Press, 1990), 289-302.

<sup>11</sup> R. Zachary Manis, "Virtues, Divine Commands, and the Debt of Creation: Towards a Kierkegaardian Christian Ethic," Ph.D. diss., Baylor University, 2006, ch. 3.

The criticisms of anti-theorists like Robert C. Roberts aside,<sup>12</sup> it is uncontroversial that *Works of Love* provides abundant textual support that Kierkegaard holds divine commands to be sufficient for moral obligations. My interlocutors, Evans, Quinn and even Manis<sup>13</sup>, agree that *Works of Love* supports the sufficiency thesis, so I shall not long dwell on establishing this point; I simply offer the following textual considerations. In an early passage, Kierkegaard considers the implications of the Christian love commandment, “You shall love your neighbor as yourself.”<sup>14</sup> He remarks, “The commandment said ‘You shall love your neighbor as yourself,’ but if the commandment is properly understood, it also says the opposite: *You shall love yourself in the right way.*”<sup>15</sup> According to this scriptural passage, one *shall* (i.e., is commanded or required to) love oneself rightly. This is significant because a few lines later, Kierkegaard indicates that one who does not love oneself rightly commits sin—and this, *precisely* because that person does not will as God commands him or her to will. Kierkegaard says: “When someone self-tormentingly thinks to do God a service by torturing himself, what is his sin except not willing to love himself in the right way? And if, alas, a person presumptuously lays violent hands upon himself, is not his sin precisely this, that he does not rightly love himself in the sense in which a person *shall* love himself?”<sup>16</sup> If

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<sup>12</sup> Although Roberts raises interesting objections, substantive engagement with the criticisms of anti-theory is simply beyond the scope of my project. Cf. Robert C. Roberts, “Kierkegaard and Ethical Theory” in *Ethics, Love, and Faith in Kierkegaard: A Philosophical Engagement* ed. Edward F. Mooney (Bloomington, IN: Indiana University Press, 2008).

<sup>13</sup> Cf. Manis, “Virtues, Divine Commands, and the Debt of Creation,” 149-151.

<sup>14</sup> Cf. *Matthew* 22:37-39.

<sup>15</sup> Kierkegaard, *Works of Love*, 22; Kierkegaard’s emphasis.

<sup>16</sup> *Ibid.*, 23; translation modified.

something is divinely commanded, Kierkegaard is saying, then it is a sin not to do it.

Thus, Kierkegaard's view is that

(1) If God commands that one  $\Phi$ , then one's failure to  $\Phi$  is sinful.

Plausibly, Kierkegaard holds sin and the violation of moral obligation to be correlative concepts (and at least this much seems to be presupposed also by Evans, Quinn, Ferreira, and Manis): a sin is what there is a moral obligation *not* to do.<sup>17</sup> Hence, if an action is sinful, then one has a moral obligation *not* to do it. Negatively put, if *not* doing an action is sinful, then one has a moral obligation to do it. Hence,

(2) If one's failure to  $\Phi$  is sinful, then one's  $\Phi$ -ing is morally obligatory.

In this case it follows from (1) and (2) that

(3) If God commands that one  $\Phi$ , then one's  $\Phi$ -ing is morally obligatory.

As it happens, (3) *just is* the sufficiency thesis: it states that divine commands are sufficient for moral obligations. *Works of Love*, then, provides textual support for Kierkegaard's commitment to the sufficiency of divine commands for constituting moral obligations. In the next section we shall see how *The Sickness Unto Death* lends support to the corresponding necessity thesis.

#### 4.3 Conceptual Clarification and Moral Obligation in *The Sickness Unto Death*

In *The Sickness Unto Death*, Kierkegaard provides us with an actual definition of sin that will prove crucial to showing that he is committed to the necessity thesis. The definition he gives is as follows. "Sin is: before God in despair not to will to be oneself,

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<sup>17</sup> Here I am referring to particular *acts* of sin (i.e., "sins" in the plural); Kierkegaard understands all particular acts of sin as being "spoken of" by his definition of "sin" (in the singular). Cf. Søren Kierkegaard, *The Sickness Unto Death: A Christian Psychological Exposition for Upbuilding and Awakening* trans. Howard V. and Edna H. Hong (Princeton: Princeton University Press, 1980), 81.

or before God in despair to will to be oneself.”<sup>18</sup> Ultimately, we will discover that (in more accessible terminology) Kierkegaard’s definition amounts to saying that sin is “violating God’s commands.”

No doubt this suggestion will strike the reader as an implausible reduction of Kierkegaard’s definition of sin. But something can be done at the outset to lessen this initial implausibility, and that is to explain what constitutes a “divine command.”

Richard J. Mouw nicely captures the sense in which I intend to use the term. “[M]y references to ‘commands,’” he says, “should be taken as a kind of shorthand that I am using to refer to a somewhat broader pattern of divine address.”<sup>19</sup> Mouw explains that, if a reader of the Bible were to attend solely to grammatical imperatives, he or she would actually overlook some of the requirements that it communicates. As he writes,

When the writer of Ecclesiastes concludes . . . that our whole duty consists in obeying God’s commandments, we must not understand him to be instructing us to attend only to divine utterances which have a specific grammatical form. He is telling us, rather, that we must conform to *whatever God requires of us*, to all that the Creator instructs us to do—whether that guidance is transmitted through parables, accounts of divine dealings with nations and individuals, or sentences which embody commands.<sup>20</sup>

Mouw expresses what, in a more general sense, is clear upon reflection on everyday social interaction: social requirements do not always (indeed, do not normally) arise as the result of a deliberately stated command. Rather, the requirements to which we are subject are often much more subtly communicated or implied, and they remain genuine requirements nonetheless.

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<sup>18</sup> Kierkegaard, *The Sickness Unto Death*, 81.

<sup>19</sup> Richard J. Mouw, *The God Who Commands: A Study in Divine Command Ethics* (Notre Dame: University of Notre Dame Press, 1990), 10.

<sup>20</sup> *Ibid.*; my emphasis.

Why, then, keep the language of divine *commands*? For two reasons. First, this language is traditional and it properly highlights a prominent link between my view and views that historically have gone under the label, “divine command theory.” Second, explicitly articulated commands are the paradigm examples of requirement-creating circumstances. Of course, there are downsides to retaining this language. John E. Hare, for example, prefers the language of “call” to that of commands; he notes that “command” stresses the power relation between God and an individual, while “call”, in his mind, more adequately captures the love relation.<sup>21</sup> There are different trade-offs either to retaining or to dispensing with the traditional language of divine commands, but I have become convinced that retaining it is the most satisfactory option. Nevertheless, if it is helpful, in what follows one may mentally substitute the word “requirement” for “command” any place that it appears without essential alteration in my intended meaning.

No doubt some skepticism regarding my “translation” of Kierkegaard’s definition of sin remains; in any case, I am confident that this understanding will naturally emerge from Kierkegaard’s text once the relevant terms are clearly comprehended. But getting to that point requires much unpacking of a cluster of Kierkegaardian notions, including those of “despair,” the “self” and what it means to exist “before God.”

### *The “Self”*

Let’s begin with Kierkegaard’s understanding of the “self” [*Selv*]. Perhaps surprisingly, this common little word connotes a richly distinctive and fundamental concept that is found throughout Kierkegaard’s writings. An exhaustive explication of

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<sup>21</sup> John E. Hare, *God’s Call: Moral Realism, God’s Commands, and Human Autonomy* (Grand Rapids, MI: Eerdmans, 2001), 53.

this notion would require a wide-ranging discussion of its use in Kierkegaard's works from *Either/Or* and *Fear and Trembling* to *Philosophical Fragments* and *Concluding Unscientific Postscript* and beyond to *The Sickness Unto Death* and *Practice in Christianity*. Fortunately, for my purposes, however, nothing like this wide-ranging kind of study is necessary. Rather, I shall limit my discussion to the salient remarks on the term that can be found in *The Sickness Unto Death*.

The first page of part one of *The Sickness Unto Death* is infamous for its initially opaque and confusing definition of "self": "The self is a relation that relates itself to itself or is the relation's relating itself to itself in the relation; the self is not the relation but is the relation's relating itself to itself. . . . If . . . the relation relates itself to itself, this relation is the positive third, and this is the self."<sup>22</sup> Lest I be accused of exacerbating the situation by seeking to illuminate Kierkegaard's difficult definition of "sin" with an even more difficult definition of "self", let me quickly move to clarify the latter concept. As Kierkegaard explains, the self, the relation (that relates itself to itself) is a consciousness of a particular kind—a consciousness that might best be described as a kind of "moral self-consciousness." This self-consciousness is "moral" in a dual sense. First, it is moral in the sense of being the consciousness possessed by an intentional, deliberative, free, willful agent: "The more consciousness," Kierkegaard says, "the more self; the more consciousness, the more will; the more will, the more self. A person who has no will at all is not a self; but the more will he has, the more self-consciousness he has also."<sup>23</sup>

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<sup>22</sup> Kierkegaard, *The Sickness Unto Death*, 13.

<sup>23</sup> *Ibid.*, 29.

But second, and perhaps even more important, this self-consciousness is moral in the sense of being a consciousness *of* ideals or requirements that one is morally bound to realize or to live up to. Kierkegaard elaborates on this dimension in another important passage. As he explains,

The self is the conscious synthesis of infinitude and finitude that relates itself to itself, whose task is to become itself, which can be done only through the relationship to God. . . . [E]very moment that a self exists, it is in a process of becoming, for the self [in potentiality] does not actually exist, is simply that which ought to come into existence.<sup>24</sup>

Kierkegaard says that the self has a task: to become itself. The self-that-one-is-supposed-to-become, of course, does not (in at least one sense) actually exist yet. As a consequence, one's self is split, as it were, into the actual (finite, limiting<sup>25</sup>) self and the potential (infinite, extending<sup>26</sup>) self. The potential self, that is, the-self-that-one-is-supposed-to-become, is simply that which one *ought* to become. A self, then, is partially constituted by the normative reality of what one ought to—but may fail to—become. Furthermore, one can carry out one's task and become the self that one ought to become, Kierkegaard says, *only* through a relationship to God. On this point, Kierkegaard explains that

every human being is primitively intended [by God] to be a self, destined to become himself, and as such every self certainly is angular, but that only means that it is to be ground into shape, not that it is to be ground down smooth . . . [each individual should] dare to be itself in its more essential contingency (which is definitely not to be ground down smooth).<sup>27</sup>

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<sup>24</sup> Kierkegaard, *The Sickness Unto Death*, 29-30.

<sup>25</sup> *Ibid.*, 30.

<sup>26</sup> *Ibid.*

<sup>27</sup> *Ibid.*, 33.

God “intends” or “destines” each individual to become a particular self. This means that the normative task that God assigns to each individual is different, although it may include elements that are universal; and it is the carrying out of an individual’s particular task (i.e., one’s becoming a particular self) that Kierkegaard refers to when he speaks of “willing (or not willing) to be oneself” in the definition of sin above. Willing to be oneself is willing to carry out the task that God intends for one to carry out.

*“Despair”*

Does one will to carry out the task that God has assigned? This question leads us to consider Kierkegaard’s notion of despair [*Fortvivlelse*] and his efforts at its conceptual clarification. To begin, Kierkegaard contrasts those who “ha[ve] the true conception of what despair is” with those who do not.<sup>28</sup> Kierkegaard observes that while a person can be quite correct that he or she is *suffering* from despair, it does not follow from this that he or she has the correct understanding of *what* despair is. Indeed, “the common view that despair is a rarity,” Kierkegaard says, “is entirely wrong; on the contrary, it is universal.”<sup>29</sup> His description of despair as universal is the first indication that Kierkegaard’s understanding of this concept pertains to matters that go far deeper than what is normally involved by the ordinary (or what Kierkegaard calls the “superficial”) concept of despair.

Of course, Kierkegaard’s concept of despair is not completely divorced from the everyday notion; in fact, some of Kierkegaard’s initial illustrations of despair are cases that anyone would clearly recognize. First, Kierkegaard gives the example of a man who

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<sup>28</sup> Kierkegaard, *The Sickness Unto Death*, 47.

<sup>29</sup> *Ibid.*, 26.

with great determination seeks success in worldly affairs. When the man whose slogan is “either Caesar or nothing” fails to achieve the great success to which he aspires, he despairs (and quite naturally so, according to the ordinary concept). Second, Kierkegaard describes a young girl in love who suffers the loss of her beloved, whether through his death or unfaithfulness. “This self,” Kierkegaard says, “. . . has now become to her an abominable void since ‘he’ died, or it has become to her a nauseating reminder that she has been deceived.”<sup>30</sup> Again, these are cases of despair that both Kierkegaard and the ordinary man on the street recognize; they are cases in which some immensely valued object has been irremediably lost. The misery of despair is that one has suffered great loss—and (in Kierkegaardian terminology) to that extent one’s “self” (i.e., one’s projected dream or goal) has suffered a death while being forced to go on living as oneself. In Kierkegaard’s words, “despair is the sickness unto death, this tormenting contradiction, this sickness of the self, perpetually to be dying, to die and yet not die.”<sup>31</sup>

Kierkegaard holds that despair is universal, and to be sure, almost everyone has episodes of emotional despair at some point in life; nevertheless, this observation is not in itself enough to capture what Kierkegaard means by saying that despair is universal. To fully appreciate his view, we must delve further into the text. “The common view” of despair, Kierkegaard says, assumes “that everyone who does not think or feel that he is in despair is not [in despair] or that only he who says he is in despair” is in despair; this common view, he says, “is totally false.”<sup>32</sup> In fact, Kierkegaard maintains, the most

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<sup>30</sup> Kierkegaard, *The Sickness Unto Death*, 19-20.

<sup>31</sup> *Ibid.*, 18.

<sup>32</sup> *Ibid.*, 26.

common form of despair to be found in the world is actually despairing *ignorance* of being in despair.<sup>33</sup> As he maintains, events which occasion experiences of emotional despair merely reveal the presence of a much more fundamental ailment. “As soon as despair becomes apparent,” he says, “it is manifest that the individual was in despair. . . . [W]henver that which triggers his despair occurs, it is immediately apparent that he has been in despair his whole life.”<sup>34</sup> In brief, occasional, episodic experiences of despair indicate nothing less than that, in reality, one suffers from full-blown, existential despair.

Kierkegaard goes to great lengths in *The Sickness Unto Death* to review the various forms that this “sickness” can take. He describes many forms: finitude’s despair, infinitude’s despair, possibility’s despair, necessity’s despair, defiant despair, the despair of weakness, unconscious despair and conscious despair; his discussion is made even more difficult by the fact that he clearly supposes that these categories cut across one another in intricate ways. There is a common element to all these forms of despair, however, and this is summed up in Kierkegaard’s statement that “to despair is to lose the eternal.”<sup>35</sup> In fact, he says that “if there were nothing eternal in a man, he could not despair at all.”<sup>36</sup> What, then, is “the eternal,” the loss of which results in despair?

### “*The Eternal*”

In general, Kierkegaard’s mention of “the eternal” [*det Evige*] (and its grammatical variants) is his poetic manner of referring to an individual’s relationship to

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<sup>33</sup> Kierkegaard, *The Sickness Unto Death*, 45.

<sup>34</sup> *Ibid.*, 24.

<sup>35</sup> *Ibid.*, 51; cf. 60f.

<sup>36</sup> *Ibid.*, 21.

God.<sup>37</sup> Of course, the particular aspect of that relationship with which Kierkegaard is concerned varies somewhat with the context in which Kierkegaard's reference appears. Therefore a brief glance at a few other passages is needed to establish the precise sense in which Kierkegaard uses the language of "the eternal" in *The Sickness Unto Death*.

Toward that end, consider the following quotation:

No matter how much the despairing person avoids it, no matter how successfully he has . . . lost himself in such a manner that the loss is not at all detectable—eternity nevertheless will make it manifest that his condition was despair and will nail him to himself so that his torment will still be that he cannot rid himself of his self . . . Eternity is obliged to do this, because to have a self, to be a self, is the greatest concession, an infinite concession, given to man, but it is also eternity's claim upon him.<sup>38</sup>

There are three important things to notice in this passage with respect to "the eternal."

First of all, it is a *binding* reality. Kierkegaard says here that eternity will "nail" one to oneself. Echoing this idea a few pages later, Kierkegaard explicitly speaks of eternity as "binding" one to the self that one is supposed to be.<sup>39</sup> Second, "the eternal" is a reality that *makes a claim* on one. Later in the book, Kierkegaard argues for the view that only a transcendent reality can make a claim on one in this way.<sup>40</sup> Finally, "the eternal" makes it possible for a human to be a self; the self is a gift that "the eternal" bestows upon one.

When Kierkegaard says that a person in despair has lost "the eternal," then, what does he mean? He does not mean that such an individual has managed somehow to evade the claims that God makes upon him or her; rather, he means that one is failing to

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<sup>37</sup> It is significant that in the (straightforwardly theological) section II of *The Sickness Unto Death*, Kierkegaard completely dispenses with poetic references to "the eternal"; thenceforth he speaks explicitly of the individual's relationship to God.

<sup>38</sup> Kierkegaard, *The Sickness Unto Death*, 21.

<sup>39</sup> *Ibid.*, 28; cf. also 20.

<sup>40</sup> *Ibid.*, 68-70.

live up to the binding requirements that God places on him or her. The salient aspect of the God-relationship that Kierkegaard is focusing on in *The Sickness Unto Death*, then, is the way that an individual's will is oriented toward the binding claims of God's requirements regarding one's self, the way one lives. This understanding is furthermore reflected by the definition that Kierkegaard gives of "faith". "The opposite to being in despair," he says, "is to have faith. Therefore, the formula set forth above, which describes a state in which there is no despair at all, is entirely correct, and this is also the formula for faith: in relating itself to itself and in willing to be itself, the self rests transparently in the power that established it."<sup>41</sup> Faith is the opposite of despair and consists in resting transparently in God, the power that established the self; being faithful consists in properly relating the self that one is to the self that God requires that one become. In other words, to have faith is to will in accordance with what God requires for one's life; consequently, to despair, to "lose the eternal," is to fail to will in accordance with what God requires for one's life.<sup>42</sup>

#### 4.4 *The Necessity Thesis in The Sickness Unto Death*

As we have seen, in *The Sickness Unto Death*, Kierkegaard provides a definition of sin that employs his distinctive (and initially opaque) terminology. I have set about

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<sup>41</sup> Kierkegaard, *The Sickness Unto Death*, 49; cf. 14.

<sup>42</sup> There is also much textual evidence to indicate that the salient aspect of "the eternal" (or the God-relationship) that Kierkegaard focuses on in the early chapters of *Works of Love* is that individual's being claimed by God's commands. Cf., e.g., Kierkegaard's contrast of natural forms of love with commanded neighbor love, and his paralleling of "eternity" and "commandment" on page 25: "What a difference there is between the play of feelings, drives, inclinations, and passions, in short, that play of the powers of immediacy, that celebrated glory of poetry in smiles or in tears, in desire or in want—what a difference between this and the earnestness of eternity, the earnestness of the commandment in spirit and truth, in honesty and self-denial!" Cf. also Kierkegaard's discussion of love's becoming a duty by its "undergoing the change of eternity" (i.e., by its being commanded) on pages 29-42.

clarifying this terminology, and although we have yet to complete this task, we have covered enough at least to get a running start at understanding the definition. Here is the definition once again: “Sin is: before God in despair not to will to be oneself, or before God in despair to will to be oneself.”<sup>43</sup> As Kierkegaard acknowledges in another context, the two instances of “oneself” in this definition are equivocal. The first instance refers to the self that *God* wills that one become; the second refers to a self that *the person* wills to become, but which is contrary to that self that God requires that one become.<sup>44</sup> With this in mind and with the understanding gained from the exploration of the Kierkegaardian notions of “despair” and the “self” in the previous section, we can faithfully rephrase Kierkegaard’s definition into more transparent terminology as follows: “Sin is: before God to fail to will in accordance with what God bindingly requires for one’s life.”

Kierkegaard makes several other helpful comments that in the context serve further to clarify that his definition of sin speaks specifically of divine commands. Immediately after giving the definition, for example, Kierkegaard says that its most important merit is that “it is the only Scriptural definition, for Scripture always defines sin as disobedience.” Then, in response to an objection that the definition is “too spiritual,” Kierkegaard has this to say: “[W]hy is it assumed to be too spiritual? Because it does not mention murder, stealing, fornication, etc.? But does it not speak of these

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<sup>43</sup> Kierkegaard, *The Sickness Unto Death*, 81.

<sup>44</sup> Kierkegaard says, “A person in despair despairingly wills to be himself. But if he despairingly wills to be himself, he certainly does not want to be rid of himself. Well, so it seems, but upon closer examination the contradiction is the same. The self that he despairingly wants to be is a self that he is not (for to will to be the self that he is in truth is the very opposite of despair), that is, he wants to tear himself away from the power that established it” (20).

things? Are they not *also* self-willfulness against God, *a disobedience that defies his commandments?*<sup>45</sup> And continuing in the very next sentence, Kierkegaard warns against

the self-willfulness that either in spiritlessness or with effrontery goes on being or wants to be ignorant of the human self's far, far deeper obligation in obedience to God with regard to its every clandestine desire and thought, with regard to its readiness to hear and understand and its willingness to follow every least hint from God as to his will for this self.<sup>46</sup>

These comments (which, along with the definition of sin, are situated together in the course of a single paragraph) clearly tie together the notions of sin, divine command and moral obligation. Sin is “disobedience that defies [God’s] commandments,” an active willing to ignore “the human self’s far, far deeper obligation in obedience to God.” Moreover, this is consistent with Kierkegaard’s later conceptual-clarifying comments occasioned by what he calls the sin of “despairing over the forgiveness of sin.” “This sin,” he says,

is conceived erroneously more often than not, especially since the time when the ethical was abolished, so that an authentic ethical word is seldom or never heard. . . . On the whole, it is unbelievable what confusion has entered the sphere of religion since the time when “thou shalt” [*du skal*] was abolished as the sole regulative aspect of man’s relationship to God.<sup>47</sup>

It is important to understand that what Kierkegaard calls “the ethical” in this passage is not a reference to the ethical “stage on life’s way” that is situated between (and contrasted with) the aesthetic and the religious stages. Rather, this passage refers to what in *The Concept of Anxiety* Kierkegaard calls the “second ethics.” There, Kierkegaard says, “the first ethics”—by which he means the inadequate, confused, secularized ethics

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<sup>45</sup> Kierkegaard, *The Sickness Unto Death*, 81; my emphases.

<sup>46</sup> *Ibid.*, 82.

<sup>47</sup> *Ibid.*, 114-5.

of his day—“ignores sin . . . [but] the second ethics has the reality of sin within its scope.”<sup>48</sup> The second ethics is the only one that Kierkegaard holds to be genuinely deserving of the name; if we were to assign it to a stage, it would undoubtedly fall within the religious sphere. As Quinn notes, this “second ethics” is a distinctively Christian ethics.<sup>49</sup> The second ethics is superior to modernity’s secular ethics, Kierkegaard thinks, in that it has a proper place for both sin and divine commands. Unfortunately, however, this “authentic,” Christian form of ethics has been abolished, with the result that ethics has languished in “unbelievable” confusion ever since. The divine command, the “thou shalt,” Kierkegaard says, is properly the “*sole* regulative aspect of man’s relationship to God.”<sup>50</sup>

Taken together, these several passages from *The Sickness Unto Death* provide contextual clues that enable us to give, with a high degree of confidence, a clearer and more succinct rephrasing of Kierkegaard’s definition of sin into the terminology of divine commands. Therefore: “Sin is: before God, to violate God’s commands.”

All that is left to complete the analysis of Kierkegaard’s definition of sin, then, is to get clear on the phrase “before God.” This phrase is of great significance, for it makes explicit what Kierkegaard always seems to assume, but which he nowhere else states, namely that there is indeed an asymmetrical dependence relation between divine

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<sup>48</sup> Søren Kierkegaard, *The Concept of Anxiety: A Simple Psychologically Orienting Deliberation on the Dogmatic Issue of Hereditary Sin* trans. Reidar Thomte and Albert B. Anderson (Princeton: Princeton University Press, 1980), 23; translation modified.

<sup>49</sup> Quinn, “Kierkegaard’s Christian Ethics,” 349.

<sup>50</sup> Kierkegaard, *The Sickness Unto Death*, 115; my emphasis.

commands and moral obligations. This significance comes through in a couple of passages, which follow.<sup>51</sup>

It was a very sound idea, one that came up frequently in an older dogmatics, whereas a later dogmatics very frequently took exception to it because it did not have the understanding or the feeling for it . . . : the idea that what makes sin so terrible is that it is before God. . . . Later, as men became more shrewd, they said: Sin is sin; sin is no greater because it is against God or before God. Strange!<sup>52</sup>

Then, a few pages later, Kierkegaard describes

a disbelieving Christianity [that] made out that sin is sin and that whether it is directly before God or not makes no difference at all. In other words, it wanted to get rid of the qualification *before God* and therefore worked out a higher wisdom

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<sup>51</sup> The phrase “before God” is an important one that occurs numerous times throughout *The Sickness Unto Death*. In many passages, Kierkegaard indicates that “from another point of view,” the individual whom he calls the “pagan” is actually incapable of sin, due to the fact that he or she is not “before God” merely in the sense that he or she does not possess an adequate conception of God (cf., e.g., 81). I believe that, for my purposes, I am warranted in ignoring this aspect of Kierkegaard’s understanding of sin (i.e., as requiring that, to be capable of sin, one must have an adequate conception of God) because Kierkegaard indicates that the “highest” understanding of sin regards *even the pagan* as “immersed in sin.” Kierkegaard says: “From a higher point of view, it may be correct to regard paganism as immersed in sin, but the sin of paganism was essentially despairing ignorance of God, of existing before God. . . . Furthermore, in one sense it is also quite true that frequently a pagan is assisted in slipping blamelessly through the world simply because he is saved by his superficial Pelagian conception; but then his sin is something else, namely, his superficial Pelagian interpretation” (ibid. 81).

Later, Kierkegaard modifies his definition of sin to presuppose one’s “being taught [what sin is] by a revelation from God” (ibid. 96). Kierkegaard leaves it ambiguous whether such revelation takes the form of special or general revelation; if it is true, as C. Stephen Evans has argued (in *Kierkegaard’s Ethic of Love*, 162f.), that Kierkegaard holds that divine commands that are promulgated to human beings through *both* special and general revelation, then even this modification to Kierkegaard’s definition of sin does nothing to invalidate my interpretation of Kierkegaard’s definition, in general, or his use of the phrase “before God,” in particular.

Furthermore, if divine commands are promulgated to human being through general revelation, then this helps to explain why the pagan’s “superficial Pelagian conception” is a sin. Pelagianism maintains that one is capable of perfect moral living through one’s own natural capacities; but if one really understands one’s moral obligations (so Kierkegaard and the Lutheran tradition would maintain), then one would realize that one is utterly incapable of perfect moral living through one’s own natural capacities. Hence, maintaining a “superficial Pelagian conception” requires that one sinfully suppress either one’s knowledge of one’s capacities or else one’s knowledge of the moral requirement, in a manner that Kierkegaard himself insightfully describes (cf. 87-96). On this last point, cf. John E. Hare’s similar argument in *The Moral Gap: Kantian Ethics, Human Limits, and God’s Assistance* (Oxford: Oxford University Press, 1997).

<sup>52</sup> Kierkegaard, *The Sickness Unto Death*, 80.

that, curiously enough, however, was neither more nor less than what higher wisdom most often is: the old paganism.”<sup>53</sup>

What makes sin so terrible, Kierkegaard says, is not that it violates some (impersonal) standard of ethical conduct, but rather that it *offends against God*. Kierkegaard holds it to be clearly false that “sin is sin and whether it is directly before God makes no difference”; thus, he maintains that God’s command plays an essential role in sin’s possession of its negative evaluative status. The implication, then, of Kierkegaard’s insistence that sin is “before God” is that we can rule out any suggestion that God’s commands merely reveal to us what is morally obligatory (or sinful) *antecedently* to the divine command. In other words, Kierkegaard’s comments lend credence to the view that he does indeed hold there to be an asymmetrical dependence relation between divine commands and moral obligations: divine commands are logically *prior* to moral obligations (and sins). That is, an action’s status as sinful or morally obligatory *depends* in some way on the relevant action’s being divinely commanded, and not vice-versa. God does not command actions because they are obligatory; rather, actions are morally obligatory because God commands them.

For Kierkegaard, appreciating that one is “before God” is crucial to having properly formed ethical concepts. As he says, “the antithesis sin/faith is the Christian one that Christianly reshapes all ethical concepts and gives them one additional range. At the root of the antithesis lies the crucial Christian qualification: before God.”<sup>54</sup> Recalling the discussion from chapter two, it makes sense to understand the “additional range” that is

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<sup>53</sup> Kierkegaard, *The Sickness Unto Death*, 83; one should not fail to note the deep similarities to Anscombe’s argument in “Modern Moral Philosophy” that are to be found in this and the previous quotation from Kierkegaard.

<sup>54</sup> *Ibid.*

given to ethical concepts by the Christian conception as that by which we previously distinguished “divine law” modal terms from “Aristotelian” modal terms.<sup>55</sup> Aristotelian modals (it will be recalled) point to the character of an action as virtuous or vicious *vis-a-vis* some conception of human flourishing; divine law modals, on the other hand, point in a different direction, that is, to the character of an action as obedient or disobedient *vis-a-vis* the divine law. For Kierkegaard, the Christian framework “reshapes . . . ethical concepts” precisely by making possible the evaluation of actions along the “range” of obedience/disobedience to God’s commands.

Now we can return for the last time to clarifying Kierkegaard’s definition of sin. Understanding “before God” to play the essential role of providing the asymmetrical dependence relation between what God commands (on one hand) and what is morally obligatory and what is sinful (on the other), we can succinctly state Kierkegaard’s definition of sin. For Kierkegaard: “Sin is: violating God’s commands.” Now, since this is a definition, it is possible to read it as expressing a biconditional: an action is a sin if and only if it violates God’s commands. But Kierkegaard gives us an even stronger reason to read his definition of sin as a biconditional in this way, for he maintains that “this definition embraces every imaginable and every actual form of sin.”<sup>56</sup> Reading Kierkegaard’s term “imaginable” as “possible,” what Kierkegaard says here entails that every possible form of sin is a violation of God’s commands. Hence, it is the case both that if God commands that one not do something, then doing it is a sin, and also that if

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<sup>55</sup> Cf. Kierkegaard’s comment: “Very often, however, it is overlooked that the opposite of sin is by no means virtue. In part, this is a pagan view, which is satisfied with a merely human criterion and simply does not know what sin is, that all sin is before God. No, *the opposite of sin is faith*, as it says in Romans 14:23: “whatever does not proceed from faith is sin.” And this is one of the most decisive definitions for all Christianity—that the opposite of sin is not virtue but faith” (ibid. 82).

<sup>56</sup> Kierkegaard, *The Sickness Unto Death*, 82.

something is a sin, then God commands that one not do it. Hence, the biconditional: something is a sin if and only if God commands that one not do it. As a consequence, we may infer that, for Kierkegaard,

(1) If one's failing to  $\Phi$  is a sin, then God commands that one  $\Phi$ .

and since we have seen that Kierkegaard holds sin and the violation of (moral) obligation to be correlative notions, we know that he holds

(2) If it is morally obligatory that one  $\Phi$ , then one's failing to  $\Phi$  is a sin.

Now it follows from (1) and (2) that

(3) If it is morally obligatory that one  $\Phi$ , then God commands that one  $\Phi$ .

And this just is the necessity thesis that we have been working toward for the past two sections: divine commands are necessary for moral obligations.

The route to rigorously demonstrating that Kierkegaard is committed to the necessity thesis is complicated and quite involved at various points—so much so that I tend at times toward thinking that an even more convincing—if less rigorous—case could be had simply by carefully reading through *The Sickness Unto Death* with this question in mind. But this is no doubt an extravagant suggestion for most readers. In any case, I find myself in complete agreement with Evans that if a divine command theory of moral obligation is understood as the conjunction of the sufficiency and necessity theses (along with the implicit asymmetrical dependence thesis), then it is undeniable that Kierkegaard holds to a divine command theory of moral obligation.<sup>57</sup>

Now Kierkegaard was not the only prominent nineteenth century thinker to see such a connection between God and moral obligation. Friedrich Nietzsche was another,

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<sup>57</sup> For Evans's comment, cf. *Kierkegaard's Ethic of Love*, 122-3.

and in the last section we shall explore what connection this most famous of atheists sees between the two.

#### 4.5 Nietzsche and the Metaethics of the Death of God

In this final section, I shall briefly touch on Friedrich Nietzsche's view of moral obligation. While Christians like Kierkegaard may have strong reasons to emphasize the close connection between God's commands and moral obligations, this position is by no means asserted only by Christians, or even only by theists. Nietzsche, the paradigmatic atheistic philosopher, penned many works on morality that indicate he also held moral obligation to be inextricably bound to the belief in God. In this section, then, I call Nietzsche as an "unfriendly witness," an unbeliever who nonetheless testifies to the close connection between moral obligation and religious belief.

Nietzsche's most focused and sustained discussion of the development of the concept of moral obligation and related notions can be found in *On the Genealogy of Morals*, in the second treatise, entitled, "'Guilt,' 'Bad Conscience' and the Like." As the title of Nietzsche's second treatise indicates, he is primarily concerned with the development of a *complex* of concepts associated with guilt and the bad conscience. Nietzsche maintains that this family of concepts includes the notion of duty or obligation, and that all these concepts arose together as a single "moral conceptual world."<sup>58</sup> Of course, being an atheist, Nietzsche denies that any god or God exists; hence, his position appears to parallel J.L. Mackie's so-called "error theory" of moral obligation.<sup>59</sup>

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<sup>58</sup> Nietzsche, *On the Genealogy of Morals*, 65.

<sup>59</sup> Cf. J.L. Mackie, *Ethics: Inventing Right and Wrong* (London: Penguin Books, 1990).

Nietzsche explicitly states that he finds the origin of this family of concepts in the legal (or what might better be termed “quasi-legal”) creditor/debtor relationship. He says, “It was in *this* sphere then, the sphere of legal obligations, that the moral conceptual world of ‘guilt,’ ‘conscience,’ ‘duty,’ ‘sacredness of duty’ had its origin.”<sup>60</sup> As humans became socially organized into communities, the creditor/debtor dynamic was carried over into the relationship between the community and the individual. “[T]he community,” Nietzsche says, “stands to its members in that same vital basic relation, that of the creditor to his debtors. One lives in a community, one enjoys the advantages of a communality,” and therefore one is indebted to the community for all these advantages, including protection, security, companionship, convenience, etc.<sup>61</sup> This indebtedness to the community, he thinks, naturally developed into an indebtedness to previous generations, to the ancestors who have made it possible for one to enjoy the benefits of community life. He explains:

Within the original tribal community—we are speaking of primeval times—the living generation always recognized a juridical duty toward earlier generations, and especially toward the earliest, which founded the tribe . . . The conviction reigns that it is only through the sacrifices and accomplishments of the ancestors that the tribe *exists*—and that one has to *pay them back* with sacrifices and accomplishments: one thus recognizes a *debt* that constantly grows greater.<sup>62</sup>

As tribes become more powerful, Nietzsche says, the conceptions of that tribe’s ancestors grow to monstrous proportions and “recede into the darkness of the divinely uncanny and unimaginable: in the end the ancestor must necessarily be transfigured into a *god*.”<sup>63</sup> By

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<sup>60</sup> Nietzsche, *On the Genealogy of Morals*, 65; Nietzsche’s emphasis.

<sup>61</sup> *Ibid.*, 71.

<sup>62</sup> *Ibid.*, 88-9; Nietzsche’s emphasis.

<sup>63</sup> *Ibid.*, 89; Nietzsche’s emphasis.

this point, then, the original notion of the creditor to whom one is indebted has undergone a gradual transformation from the original, individual creditor to the community, to one's ancestors, and now to the gods.

Furthermore, as Nietzsche has it, humans “inherited, along with the tribal and family divinities, the burden of still unpaid debts and of the desire to be relieved of them. . . . The guilty feeling of indebtedness to the divinity continued to grow for several millennia—always in the same measure as the concept of God and the feeling for divinity increased on earth and was carried to the heights.”<sup>64</sup> This process culminated, Nietzsche says, in “the advent of the Christian God,” which, “as the maximum god attained so far,” is “accompanied by the maximum feeling of guilty indebtedness on earth.”<sup>65</sup> Over a very long period of time, then, the character of the distress that was originally associated by debtors with their material debts evolved in proportion to the increasingly “spiritualized” conception of their creditor; having arrived at an indebtedness to the Christian God—the greatest imaginable creditor—humans were finally made capable of experiencing the most intense pangs of conscience. Hence, it was out of an original legal or quasi-legal “consciousness of debt” that the distressing, moral “consciousness of guilt” or “bad conscience” ultimately was to develop.

At this point I should add that I see no textual evidence and no philosophical reason that supports the view that specifically the *Christian* God is required for the development of the bad conscience into the distinctively moral phenomenon of guilt. To be sure, a belief in the Christian God is necessary for the most intense pangs of

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<sup>64</sup> Nietzsche, *On the Genealogy of Morals*, 90.

<sup>65</sup> *Ibid.*, 90.

conscience; Nietzsche does say that “the advent of the Christian God . . . [has been] accompanied by the maximum feeling of guilty indebtedness on earth.”<sup>66</sup> But Nietzsche’s text indicates that “the involvement of the *bad* conscience with the concept of god”<sup>67</sup>—that is, with the notion of divinity *simpliciter*—is what constitutes the moralization process whereby the bad conscience becomes full-blown guilt. Thereafter, Nietzsche says, the feeling of guilt develops *in proportion to* the concept of the divinity in which one believes; as he put it, guilt grows “always *in the same measure as* the concept of God.”<sup>68</sup>

Guilt is tied to moral obligation in such a way that, if an existential indebtedness to God is metaphysically constitutive of guilt, then that indebtedness is contracted by one’s violation of some requirement that is imposed by God—and these divinely imposed requirements are themselves constitutive of moral obligations. God’s commands are well suited to play this role, and in fact, throughout his authorship Nietzsche consistently understands divine commands in just this way.<sup>69</sup> Of course, Nietzsche’s denial of God’s existence leads him to eye moral obligation with suspicion and to suggest, in *The Anti-Christ*, that it “is the most disgraceful act of historical falsification that has ever taken place.”<sup>70</sup> A couple of lines later, he says,

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<sup>66</sup> Nietzsche, *On the Genealogy of Morals*, 90.

<sup>67</sup> *Ibid.*, 91; my emphasis.

<sup>68</sup> *Ibid.*, 90.

<sup>69</sup> Cf., e.g., *On the Genealogy of Morals*, first treatise, section 14; *The Anti-Christ* (sections 55 and 57) and *Twilight of the Idols* (chapter 9: “Skirmishes of an Untimely Man,” section 5) in *The Anti-Christ, Ecce Homo, Twilight of the Idols and Other Writings* ed. Aaron Ridley and Judith Norman (Cambridge: Cambridge University Press, 2005); *The Will to Power* trans. Walter Kaufmann and R.J. Hollingdale (New York: Vintage Books, 1968), Book I, part I: “Nihilism,” section 7.

<sup>70</sup> Nietzsche, *The Anti-Christ*, section 26.

the *lie* of ‘the moral world order’ runs through the entire development of philosophy, even modern philosophy. And what does ‘moral world order’ mean? That there is a will of God—once and for all—relating to what human beings do and do not do; that the value of a people, of an individual, can be measured by how much or how little each one obeys the will of God.<sup>71</sup>

Nietzsche’s metaethical commitments come especially to the fore when he discusses what we might appropriately call “post-Christian” systems of morality. Nietzsche holds that the integrity of all moral thinking is inextricably bound to belief in a God or gods. In particular, he regards all European moral thinking as shaped in fundamental ways by Christianity and belief in the Christian God; even that thought which had attempted to emancipate itself from dependence upon belief in the Christian God bears the marks of the latter. As he says,

The greatest recent event—that ‘God is dead’; that the belief in the Christian God has become unbelievable—is already starting to cast its first shadow over Europe. . . . [A]nd, now that this faith has been undermined, how much must collapse because it was built on this faith, leaned on it, had grown into it—for example, our entire European morality.<sup>72</sup>

At times, Nietzsche descends from these general remarks to criticize particular modern moral theories. English utilitarianism comes in for particularly harsh treatment; the following note from *The Will to Power* is typical: “Utilitarianism . . . criticizes the origin of moral evaluations, but it *believes* them just as much as the Christian does. (Naivete: as if morality could survive when the *God* who sanctions it is missing! The ‘beyond’ [is] absolutely necessary if faith in morality is to be maintained.)”<sup>73</sup> Speaking (again) of the nineteenth century English moralists, Nietzsche says,

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<sup>71</sup> Nietzsche, *The Anti-Christ*, section 26; Nietzsche’s emphasis.

<sup>72</sup> Friedrich Nietzsche, *The Gay Science* ed. Bernard Williams (Cambridge: Cambridge University Press, 2001), Book V, section 343.

<sup>73</sup> Nietzsche, *The Will to Power*, Book II, part II: “Critique of Morality,” section 253.

They have got rid of the Christian God, and now think that they have to hold on to Christian morality more than ever . . . In England, every time you take one small step toward emancipation from theology you have to reinvent yourself as a moral fanatic in the most awe-inspiring way. That is the *price* you pay there.—For the rest of us, things are different. When you give up Christian faith, you pull the rug out from under your right to Christian morality as well. This is *anything* but obvious: you have to keep driving this point home, English idiots to the contrary. Christianity is a system, a carefully considered, *integrated* view of things. If you break off a main tenet, the belief in God, you smash the whole system along with it: you lose your grip on anything necessary. . . . For the English, morality is not a problem yet.<sup>74</sup>

Besides the “English idiots,” Immanuel Kant also comes in for harsh treatment for his attempt to replace God, by discovering an adequate basis for moral obligation in “practical reason.” Nietzsche says that in Germany “philosophy has been corrupted by theologian blood. The Protestant minister is the grandfather of German philosophy. . . . Kant’s success is just a theologian success.”<sup>75</sup> Nietzsche mocks the unconditional duty laid down by the Categorical Imperative as an invention of a person “who feel[s] that [he] need[s] the strongest words and sounds, the most eloquent gestures and postures, in order to be effective *at all*.”<sup>76</sup>

Nietzsche’s declaration of the death of God is best understood in this connection. It is not at all difficult to imagine the marketplace into which Nietzsche’s famous madman runs as filled with Kantians, utilitarians and other such modern moral philosophers. The madman’s message is that “*We have killed [God]—you and I!*”<sup>77</sup> It is no matter that those in the marketplace are atheists, for those who take no account of the

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<sup>74</sup> Nietzsche, *Twilight of the Idols*, Chapter 9: “Skirmishes of an Untimely Man,” section 5; Nietzsche’s emphases.

<sup>75</sup> Nietzsche, *The Anti-Christ*, section 10; Nietzsche’s emphasis.

<sup>76</sup> Nietzsche, *The Gay Science*, Book I, section 5.

<sup>77</sup> *Ibid.*, Book III, section 125; Nietzsche’s emphasis.

importance of God for making sense of our moral language, thought and practice are the very ones in need of hearing the madman's news.

The problem, from Nietzsche's perspective, is that these quintessential modern thinkers simply do not appreciate the far-reaching moral implications of the death of God. While preoccupation with secular metaethical bases for morality may delay this realization for a time, Nietzsche is convinced that all such attempts at grounding morality are doomed to fail. God is dead; we have killed him—and the metaethical dependence of morality on God's commands means that we will not be able to go on in moral philosophy with business as usual forever. In James Conant's words (evoking Nietzsche's madman aphorism), "the time will come when even the most urbane of atheists will be able to smell the divine decomposition. The stench is not yet overpowering and so, at present, those who do not believe in God are able to imagine that the death of God marks nothing more than a change in what people should now 'believe'."<sup>78</sup> In the meantime, however, it seems that the madman's final evaluation is correct:

"I come too early," he then said; "my time is not yet. This tremendous event is still on its way, wandering; it has not yet reached the ears of men. Lightning and thunder need time; the light of the stars needs time; deeds need time, even after they are done, in order to be seen and heard. This deed is still more remote to them than the remotest stars—and yet they have done it themselves!"<sup>79</sup>

#### 4.6 Conclusion

Kierkegaard and Nietzsche both appear to have held that divine commands are the necessary (and sufficient) metaethical ground for rendering moral obligation—and

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<sup>78</sup> James Conant, "Nietzsche, Anscombe and Kierkegaard on Moral Unintelligibility" in *Religion and Morality* ed. D.Z. Phillips (New York: St. Martin's Press, 1996).

<sup>79</sup> Nietzsche, *The Gay Science*, Book III, section 125; Nietzsche's emphasis.

hence, the language of what one morally *ought* to do—metaphysically intelligible. The thrust of Nietzsche’s broader moral critique is in agreement with Elizabeth Anscombe in recommending that modern individuals, having abandoned the Christian divine law conception of ethics, should abandon use of the language of moral obligation as well.

But this is precisely the point at which Kierkegaard parts ways with both Nietzsche and Anscombe. One way to capture this disagreement is to say that Anscombe and Nietzsche’s *modus ponens* is Kierkegaard’s *modus tollens*. Anscombe—for the benefit of her modern moral philosophers—and Nietzsche both argue thus:

- (1) If one rejects divine law ethics, then one should reject the moral ought.
- (2) One does reject divine law ethics.
- (3) Hence, one should reject the moral ought.

Kierkegaard accepts the major premise, but instead of affirming the antecedent, he denies the consequent. Thus, on his own behalf, he argues:

- (1) If one rejects divine law ethics, then one should reject the moral ought.
- (2) One should not reject the moral ought.
- (3) Hence, one should not reject divine law ethics.

Or, to put it in what is perhaps a more Kierkegaardian way, i.e., not in terms of one’s *acceptance* of propositions but rather in terms of what is simply *true*, Kierkegaard can be construed as arguing thus:

- (1) If there truly is a moral ought, then a divine law ethic is true.<sup>80</sup>
- (2) There truly is a moral ought.
- (3) Hence, a divine law ethic is true.

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<sup>80</sup> Kierkegaard would argue that the testimony of conscience is sufficient to establish that there is a moral ought (cf. Kierkegaard, *Works of Love*, 143).

In brief, while possessing a basis for agreement with Anscombe and Nietzsche regarding the connection between God and moral obligation, Kierkegaard would nevertheless argue that Anscombe's and Nietzsche's recommendation that the notion of moral obligation should be abandoned is wrong. There is another way for modern individuals to achieve coherence in their thinking on moral matters, and that is consciously to recover a divine law conception of ethics. We shall explore this latter possibility in the final chapter.

## CHAPTER FIVE

### Recovering a Divine Law Conception of Ethics

#### *5.1 Introduction*

Elizabeth Anscombe's "Modern Moral Philosophy" has been at the same time both tremendously influential and woefully unsuccessful. Anscombe's expressed desire was that the essay should redirect the focus of modern moral-philosophical thinking away from moral obligation and toward what she considered to be a more productive concentration on the virtues. While Anscombe's essay has exercised considerable influence on a substantial portion of subsequent moral philosophy, her efforts at redirecting the entirety of the discipline have not been as successful. The unintended consequence of Anscombe's effort is that ongoing discussions in contemporary Anglo-American moral philosophy are now beset by a peculiar rift. On one side are the new virtue ethicists for whom the notion of moral obligation is variously perceived as hopelessly convoluted, superfluous or else fully explicable in virtue language; their efforts are devoted to reinvigorating the ancient and medieval tradition of reflection on the virtues. On the other side of this rift are Kantians, neo-Kantians, utilitarians, social contract theorists and others who continue to concern themselves with moral obligation and related deontological notions and who tend to assimilate all strictly non-moral reasons for action<sup>1</sup> to categories of mere prudence, self-interest or instrumental rationality.

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<sup>1</sup> I.e., all reasons for action that are not moral obligations.

The rift in contemporary moral-philosophical thinking has been produced by sharply divergent responses to Anscombe's solution to the problem of modern moral unintelligibility. As we saw in chapter four, Søren Kierkegaard suggested a different solution to this problem. His solution was not to jettison the language of moral obligation (*a la* Anscombe<sup>2</sup>) but rather to recover a divine law conception of ethics within which the language of moral obligation again makes sense. In this final chapter, I demonstrate how Kierkegaard's solution—the recovery of a divine law conception of ethics—has the potential, not only to render our moral language intelligible, but also to close the rift that has developed between virtue ethicists and deontologists in contemporary moral philosophy.

I take as my starting point a fundamentally Kierkegaardian position on what it is to be a human being—a position which is (at the very least) an uncontroversial historical, sociological and linguistic fact about ordinary, contemporary individuals—that is, that we sometimes experience ourselves as “under obligation” to do this or that; hence, we experience ourselves as the kind of beings upon whom moral obligations are laid. I take it that at least many of these experiences of being morally obligated are veridical. This means that I agree with Kantians, utilitarians, etc., that moral obligation is a centrally important ethical category. Contrary to the objections of some contemporary virtue ethicists, I believe that good sense can be made of the notion of moral obligation and that the concept is far from dispensable. But on the other hand—like virtue ethicists—I also maintain that virtue itself is a legitimate and centrally important ethical category—at least

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<sup>2</sup> I believe that Anscombe would have welcomed Kierkegaard's solution, had she thought that the recovery of a divine law conception of ethics was a realistic possibility in the secular milieu in which she wrote.

as important as moral obligation, and likely even more so for ethical theorizing. Contrary to Kantians and utilitarians, then, I do not believe that all non-moral reasons for action are properly relegated to non-ethical categories of mere prudence, self-interest or instrumental rationality.

In what follows, I advance the general type of divine command theory that recently has been defended by Robert M. Adams and C. Stephen Evans. Adams and Evans have argued that divine command theory is best conceived as a special case of a social theory of obligation. Drawing out what is common to Adams's and Evans's theories, I seek to shore up the metaethical merits of this view by developing it into what I call an "Institutional-Supervenience" divine command metaethic and by showing how objections to this view can be met. Pursuant to this goal, I argue that, by recovering a divine law conception of ethics, the complex diversity of "oughts" that were identified in chapter two can be reduced down to two kinds. I address two potential objections, one from Mark C. Murphy and another that might be raised by one who is exclusively committed to a virtue theory of ethics. Then, after working to rehabilitate what I have called the Aristotelian ought, I show how keeping the moral ought and the Aristotelian ought distinct helps to resolve several further difficulties for divine command theory, namely, the moral grounding problem that Anscombe identifies in "Modern Moral Philosophy," as well as a round of objections recently raised by R. Zachary Manis. I conclude that the recovery of a divine law conception of ethics is a viable option for contemporary ethical theorists.

## 5.2 Divine Command Theory as a Social Theory of Obligation

Robert M. Adams has argued that “divine-command metaethics is a type of social theory of the nature of obligation.”<sup>3</sup> As he explains in *Finite and Infinite Goods*, “according to social theories of the nature of obligation, having an obligation to do something consists in being required (in a certain way, under certain circumstances or conditions), by another person or a group of persons, to do it.”<sup>4</sup> The value that one places in the social bonds that one enjoys will give one reasons to comply with the requirements that one’s associates make on one. Although the desire to *obtain* some relationship not currently enjoyed might motivate an individual to comply with social requirements, the relevant cases that Adams discusses arise as an expression of one’s valuing or respecting a relationship that one *actually* enjoys. Thus, a father’s requiring his son to take his studies more seriously will give the son a reason to do this because of the love he (already) feels for his father. Alternatively, an officer’s requiring a private to do a set of twenty push-ups will give the private a reason to do this because of the respect he (already) has for the officer.

As these examples may indicate, obligations constituted by social requirements are not necessarily *moral* obligations. In fact, some obligations thus constituted may actually be *immoral*. As Adams observes, we can agree that, in a purely sociological sense, Adolf Eichmann had a duty to arrange for the transportation of Jews to

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<sup>3</sup> Robert M. Adams, “Divine Commands and the Social Nature of Obligation” in *Christian Theism and the Problems of Philosophy*, ed. Michael Beaty, Carlton Fisher and Mark Nelson (Macon, GA: Mercer University Press, 1998), 47.

<sup>4</sup> Robert M. Adams, *Finite and Infinite Goods: A Framework for Ethics* (Oxford: Oxford University Press, 1999), 242.

extermination camps.<sup>5</sup> C. Stephen Evans, another proponent of conceiving divine command theory as a social theory of obligation, also discusses this kind of possibility; he gives the example of a racist society in which laws are passed that legally require its citizens to discriminate against members of a minority group. In situations like these, legal or other kinds of social obligations actually come into conflict with moral obligations, and so compliance with them is positively immoral.<sup>6</sup>

Genuinely *moral* obligations, on the other hand, arise only out of relationships that can be *properly* valued—that is, they are generated only by relationships that are truly virtuous.<sup>7</sup> Moral obligations, furthermore, possess certain features that other types of obligation lack. Evans provides three distinctive characteristics of moral obligation. First, he says, moral obligations are *objective*. To say that moral obligations are objective is just to say that they transcend human beliefs and attitudes; as Evans puts it, moral obligations are the kind of things that “individuals—and even whole societies—can be right or wrong about.”<sup>8</sup> The second distinctive feature is the ultimacy or *overridingness* that moral obligations enjoy. Moral obligations possess absolute deliberative priority, so that they “trump” obligations of any other kind. Finally, some moral obligations are

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<sup>5</sup> Adams, “Divine Commands and the Social Nature of Obligation,” 57.

<sup>6</sup> C. Stephen Evans, *Kierkegaard's Ethic of Love: Divine Commands and Moral Obligations* (Oxford: Oxford University Press, 2006), 1-2.

<sup>7</sup> To be clear, I believe that the presence of a relationship (with God) that can be properly valued—a potential that relationships to God essentially possess—is necessary but not sufficient for that relationship's giving rise to genuinely valid divine commands (and hence, for giving rise to moral obligations).

<sup>8</sup> Evans, *Kierkegaard's Ethic of Love*, 2.

*universal* in scope. Whereas some obligations apply only to particular individuals or groups, moral obligations are binding on everyone without exception.<sup>9</sup>

Human social requirements are suited to make good sense of many types of obligation; however, these requirements cannot provide adequate grounding for the distinctive objectivity, overridingness and universality characteristic of moral obligations. As Adams notes, if moral obligations were grounded merely in human social requirements, “society would be able to eliminate [moral] obligations by just not making certain demands; and that seems out of keeping with the role of moral obligation.”<sup>10</sup> Surely some moral obligations would remain even if society made no demands whatsoever.

As Adams and Evans maintain, the solution to this difficulty faced by the social theory of moral obligation is simply to include God within the scope of the theory. Theism has historically held that God is a personal being capable of (and interested in) entering into relationships with human beings. Accordingly, Adams and Evans suggest that our relationship with God is interpersonal—a social relationship capable of giving rise to obligations through social requirements. And unlike merely human social requirements, requirements laid down by God *do* possess the features of objectivity, overridingness and universality that are distinctive of moral obligations; hence, divine requirements—typically spoken of as divine commands—are the salient candidates for

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<sup>9</sup> Universality is, for Evans, a quite common but not an essential feature of moral obligation.

<sup>10</sup> Adams, *Finite and Infinite Goods*, 247.

filling the role of moral obligation. This, in brief, is the essence of divine command theory, conceived as a social theory of obligation.<sup>11</sup>

### 5.3 *Rehabilitating the Moral Ought*

In chapter two, we distinguished four kinds of “oughts”: the institutional ought, the Aristotelian ought, the divine law ought and the moral ought. One virtue of recovering a divine law conception of ethics is that this complex diversity of oughts can thereby be reduced to only two kinds: the institutional and the Aristotelian. In previous chapters I have argued that the modern moral ought is the degenerate, unintelligible successor to the divine law ought; it is a product of the rejection of a divine law conception of ethics and the simultaneous retention of the notion of a requirement that is supremely compelling (but whose source is left mysteriously unspecified). If we were to recover a divine law conception of ethics, this would render the moral ought *identical to* the divine law ought;<sup>12</sup> thus, the moral ought would be rehabilitated by its deliberate re-contextualization within a framework of divine law. And since (as I shall now demonstrate) the divine law ought is really just an extraordinary case of the institutional

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<sup>11</sup> Adams’s discussion includes several other features of moral obligation that can be explained by divine commands; cf. *Finite and Infinite Goods*, 252-258.

<sup>12</sup> Note that this recovery of a divine law conception does not entail any semantic connection between, say, the *concept* of “moral obligation” and the *concept* of “being commanded by God.” What it does entail, however, is the existence of a metaphysical connection between the *property* of “being morally obligatory” and the *property* of “being commanded by God”—*whether or not the language of moral obligation (i.e., the moral ought) is used in explicit divine law contexts.*

As a consequence, a person—even an atheist—could have knowledge of moral obligations without having knowledge that those obligations were constituted by divine commands—and this, in much the same way that a person might have knowledge of water without having knowledge that water is constituted by dihydrogen monoxide. Of course, an atheist would certainly be handicapped in his or her ability to investigate the nature of moral obligation—and this, in much the same way in which a scientist who either denied the existence of hydrogen or else merely lacked knowledge of hydrogen would be handicapped in his or her ability to investigate the nature of water.

ought, it will also turn out that the moral ought is just a special case of the institutional ought.<sup>13</sup>

As we saw in chapter two, institutions are systems of what John Searle calls “constitutive rules.” Constitutive rules create or define forms of activity whose existence depends upon those rules. Constitutive rules have the general form: “Brute fact *X* counts as institutional fact *Y*.”<sup>14</sup> Thus, in the game of baseball, for example, a batter’s hitting a stitched leather sphere with a piece of wood over a far-away fence counts as a homerun or (another example) a runner’s being tagged with a baseball while off-base counts as an out. Now if the rehabilitated moral ought (= the divine law ought) really is just an extraordinary case of the institutional ought, then we should expect the basic contentions of a divine law conception of ethics to be fully explicable in institutional terms.

The essential features of a divine law conception of ethics are present in the divine command theory of moral obligation that I have discussed in previous chapters. And as it turns out, this theory is fully analyzable in institutional terms. Recall that, minimally, a divine command theory of moral obligation holds three things. First is that divine commands are *sufficient* for constituting moral obligations. In conditional form, this means that if something is commanded by God, then it is morally obligatory. On an institutional analysis, it turns out that the sufficiency thesis *just is* the institution’s constitutive rule. Putting it into Searle’s form, this constitutive rule is, simply, “Divine commands *count as* moral obligations.” Hence, this first contention is analyzable in institutional terms.

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<sup>13</sup> Cf. chapter two for a thorough discussion of the “institutional ought.”

<sup>14</sup> This form is similar to one given by John Searle in *The Construction of Social Reality* (New York: The Free Press, 1995), 28.

How about the others? The second contention of a divine command theory of moral obligation says that divine commands are *necessary* for constituting moral obligations; that is, if something is morally obligatory, then it is commanded by God. Thus, the necessity thesis says that *nothing else counts as* a moral obligation; in other words, if the sufficiency thesis establishes the constitutive rule that *all* divine commands *count as* moral obligations, then the necessity thesis states that *only* divine commands *count as* moral obligations.

Consider a contrasting example—say, the fact of one’s “being out” in the context of a baseball game; there are many ways that this might happen. In more recondite terminology, there are multiple brute fact-types upon which the institutional fact of “being out” might supervene<sup>15</sup> (e.g., one’s being tagged with the ball while off-base, one’s swinging three times at pitches and missing, one’s hitting a pitch but failing to make it to first base before the ball is thrown there, one’s hitting a ball and then its being caught in a glove by a member of the opposing team before it hits the ground, one’s running out of baseline, etc.). But unlike “being out” in a baseball game, there is only *one* way in which a person can become morally obligated. The necessity thesis of the divine command theory says that there is only *one* brute fact-type upon which moral obligations supervene, and that is one’s being commanded by God to do something. On an institutional analysis, then, the necessity thesis says that there are no constitutive rules for moral obligation other than the one that establishes that divine commands count as moral obligations.

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<sup>15</sup> I do not intend my use of “supervene” to be understood in any technical philosophical sense. That said, however, the propriety of such language in this context is certainly suggestive for thinking about the *kind* of relationship that exists between divine commands and moral obligations. I shall explore this relationship further below.

Finally, the third contention of a divine command theory of moral obligation is that moral obligations have an *asymmetrical dependence* on divine commands such that the status of an action as morally obligatory *depends* on its being commanded, and not vice-versa. Employing the baseball analogy, just as in the context of a baseball game the institutional fact of “being out” *depends*, say, on being tagged (and not vice-versa), so in morality the institutional fact of “being morally obligated” *depends* upon the brute fact of “being divinely commanded” (and not vice-versa). So on an institutional analysis the asymmetrical dependence thesis is just the acknowledgment that the institutional fact depends on the brute fact and not vice-versa.

A divine command theory of moral obligation, then, is fully analyzable in institutional terms. Since the rehabilitated moral ought just is the divine law ought, and furthermore, since the latter is fully analyzable in institutional terms, it turns out that the rehabilitated moral ought is fully analyzable in institutional terms as well. The moral ought, when rendered intelligible within a divine law framework, turns out to be just an extraordinary case of the institutional ought, and pertains to what God requires of one.

Mark C. Murphy has raised an objection that is applicable to my claim that the moral ought is really just an extraordinary case of the institutional ought. Murphy thinks that the best argument for preferring standard versions of divine command theory to other possible formulations (such as a divine *will* theory) turns on the “purported analogy between the way that voluntary human activity generates obligations and the way that voluntary divine activity generates obligations.”<sup>16</sup>

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<sup>16</sup> Mark C. Murphy, “Divine Command, Divine Will, and Moral Obligation,” *Faith and Philosophy* 15, no. 1 (January 1998): 4.

The paradigmatic way that humans impose obligations, Murphy observes, is through speech-acts. For example, if a sergeant issues an order to a private to scrub the latrine, then the private has an obligation to do so. Or if I make a promise to give someone money, I then have an obligation to do so. Murphy recognizes that while certain conditions can be established “for what counts as the making of a promise or the giving of an order (that certain words are uttered, that the utterer of the words possesses certain beliefs and intentions, and the like), . . . the status of these . . . acts as engendering obligations depend[s] on the obtaining of institutional facts.”<sup>17</sup> The institutional rules that constitute the different offices of military personnel both set the conditions for a valid order and establish that a valid order imposes an obligation. Likewise, the rules that constitute the promising-keeping institution set the conditions for a valid promise and establish that promising involves the undertaking of an obligation. Without the existence of these constitutive rules, none of the relevant obligations would exist.

Given this understanding of the way human speech-acts generate obligations, Murphy thinks that there is reason to doubt the analogy between God’s obligation-imposing activity and human obligation-imposing activity. Murphy asks us to imagine a form of life in which God’s commands constitute moral obligations by means of institutional (or constitutive) rules:

Suppose that there is a human community that is thoroughly theocentric. One way that this theocentrism is manifested is that within this community there is an institution, similar in some respects to our institution of promising, called the institution of “divine commanding.” Divine commanding is itself an act that can be empirically-specified: it occurs paradigmatically when God utters the words “I command that . . .” and thereupon predicates some future action to some person, and God possesses certain beliefs, intentions, etc. By using this form of speaking, . . . and in virtue of the constitutive rules of the institution anyone who asserts that

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<sup>17</sup> Murphy, “Divine Command, Divine Will, and Moral Obligation,” 5.

S has been divinely commanded to  $\Phi$  is committed to the view that S is obligated to  $\Phi$ . . . . Within such a form of life, the obligations generated by God's speech-acts seem to fill the role of moral requirements.<sup>18</sup>

Murphy's objection is not that there is anything incoherent about this form of life or the obligations that are institutionally imposed thereby. Rather, the worry is that viewing God's obligation-imposing activity as analogous in this way to human obligation-imposing activity renders the former *objectionably contingent*. As Murphy says, "it makes God's capacity to obligate dependent on the existence of certain highly specific forms of community that are conventional and for the most part do not exist at all."<sup>19</sup> As a consequence, "God could not impose obligations on the persons that do not inhabit this form of community, and that means that most persons would be insusceptible to having obligations imposed on them by God."<sup>20</sup> Although he doesn't do so, to drive the point home Murphy could argue that in the Genesis creation narrative—which contains a paradigmatic divine command episode—it is simply *presupposed* that God's commands unproblematically impose obligations on human beings. Presumably there has been no time for the historical development of any human social institution of "divine commanding," and yet there is nothing perplexing about this story. Therefore, it seems that no such institution is necessary.

Now I should make it clear that my argument (that the rehabilitated moral/divine law ought is an institutional ought) is *not* an argument by analogy to human arrangements. Nevertheless, if Murphy were right that the standard formulation of divine

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<sup>18</sup> Murphy, "Divine Command, Divine Will, and Moral Obligation," 6-7.

<sup>19</sup> *Ibid.*, 7.

<sup>20</sup> *Ibid.*

command theory made God's capacity to obligate dependent upon the existence of particular human conventions, this would be a problem for my view. As it turns out, however, Murphy's view is itself inadequate. A significant problem with Murphy's argument is that it fails to take seriously the social relationship between God and individual human beings. If, as Adams and Evans maintain, God is a personal being capable of entering into relationships with human beings, then the divine-human relationship alone is necessary for giving rise to the institutions whereby moral obligations are generated, even at the first instant of creation. God has no need of any human social convention or communally-shared form of life to serve as the institutional basis for moral obligations imposed by means of divine commands.

There are two reasons in support of this claim. First, contrary to the presupposition that all institutions must be the result of historical development, institutions can be created by simple fiat.<sup>21</sup> Governments, businesses, universities and other organizations do this all the time when establishing new offices, departments, or even simple procedures for dealing with everyday matters. Even in relationships between just two people institutions can be created by simple agreement; think of an agreement between a newlywed couple setting up a household for the first time: "Whenever you cook supper, I'll wash the dishes," etc. Hence, there is no reason to suppose that the existence of an institution necessarily depends upon its having emerged out of the long-term practices of a society or other communal form of life.

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<sup>21</sup> This is not to say that institutions *cannot* arise out of the history of interaction between two (or more) parties in a social relationship; for they most certainly can. On this point, cf. Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (Garden City, New York: Anchor Books, 1966), 53-79.

Second, as Creator of the world, and most importantly, as Creator of *human nature itself*, God occupies a unique position that accords Him the capacity to establish His creation with a “built-in” institutional structure. If God can establish an institution by fiat, there is no reason to suppose that God cannot have “encoded” institutions into the very fabric of creation. Indeed, something very much like this seems to be indicated by the Jewish and Christian doctrine of the *imago dei*, the idea that human beings were created “in the image of God” and placed on Earth to dress and keep it.<sup>22</sup>

The *imago dei* is not the only Christian doctrine that lends plausibility the idea that God’s creation has “built-in” rules. For example, Catholic natural law theory, most prominently articulated by Thomas Aquinas, affirms that all created things are “ruled” and “measured” by natural law as an expression of God’s creative providence.<sup>23</sup>

Alternatively, the Reformed doctrine of the Covenant of Creation maintains that all human beings—by virtue of their very existence—participate in a divine covenant that conditions all aspects of the divine-human relationship.<sup>24</sup> These systems of doctrine are all institutional in character, specifying (as constitutive rules) those forms of behaviors that *count as* righteousness before God. If anything relevantly like the doctrine of the *imago dei*, the Catholic Natural Law theory or the Reformed doctrine of the Covenant of Creation is true, then there is, in fact, an institutional structure built into creation. And consequently, Murphy’s claim that the standard formulation of divine command theory

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<sup>22</sup> Plausibly, the *imago dei* is best understood, not as merely referring to some capacity *in* human beings (“the image in man,”—e.g., rationality, agency, personhood, etc.), but also as specifying a normative criterion by which humanness is itself to be measured (“man in the image”).

<sup>23</sup> Cf. e.g., Aquinas, *Summa Theologiae*, I-II, the answer to Question 90, article 2 on “Whether There is in Us a Natural Law?”

<sup>24</sup> Cf. e.g., Michael Horton, *God of Promise: Introducing Covenant Theology* (Grand Rapids, MI: Baker Books, 2006), 83-104.

rests on objectionably contingent social arrangements fails, for the institutional rules upon which divine commands depend for their obligation-imposing efficacy are founded in creation itself.<sup>25</sup> As I have argued, then, the moral ought, when rehabilitated by having been situated within a divine law framework, is just an extraordinary case of the institutional ought; as such, it is intelligible, fully comprehensible and wholly unproblematic.

#### *5.4 An Institutional-Supervenience Divine Command Metaethic*

Now that the relevant groundwork has been laid, I should make clear that what I intend to propose is a new development of the social theory of obligation. Specifically, what I offer is a new way of conceiving the relationship between divine commands and moral obligations—a relation that I shall refer to as the “institutional-supervenience relation.” An Institutional-Supervenience divine command metaethic (hereafter, DCM) holds that, provided that the relevant institutional rule, “divine commands *count as* moral obligations,” is in force,<sup>26</sup> the property of “being morally obligatory” institutionally-supervenies on the property of “being commanded by God.” Without committing to any

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<sup>25</sup> It is important to note that, by viewing such an institution as “built-in” to creation itself, the obstacle that derailed John Searle’s famous attempt to derive an “ought” from an “is” is here avoided. The objection to Searle’s argument maintains that Searle equivocates between what we might call institutionally “internal” and “external” ways of speaking. Institutional language is used internally if the relevant institutional rules are actually in force; otherwise, that language is used externally. My view avoids this objection because, if (as I have argued) this institution is in fact “built-in” to creation itself, then its rules are *always* and *inevitably* in force; there can be no equivocation between internal and external uses of institutional language because the latter use simply cannot occur. For Searle’s argument, see John R. Searle, “How to Derive ‘Ought’ from ‘Is,’” *The Philosophical Review* 73 no. 1 (January 1964): 43-58. For criticisms of Searle’s argument, see J.L. Mackie, *Ethics: Inventing Right and Wrong* (London: Penguin Books, 1990), 66-73; and Neil Cooper, “Two Concepts of Morality” in *The Definition of Morality*, ed. G. Wallace and A.D.M. Walker (London: Methuen and Company, 1970), 72-90.

<sup>26</sup> It should be kept in mind that the institutional rule’s being in force is equivalent to the fact that divine commands are sufficient for moral obligation. An Institutional-Supervenience DCM, of course, will also hold that divine commands are necessary for moral obligation by claiming that *only* divine commands count as moral obligations.

technical philosophical doctrines about supervenience relations, let me simply give an ostensive definition for the institutional-supervenience relation. What I mean by “moral obligations institutionally-supervene on divine commands” is that an action is morally obligatory *by virtue of* its being commanded by God—and this, *in essentially the same way* that an action is, say, a homerun *by virtue of* its being the hitting of a stitched leather sphere with a bat over a far-away fence. (I take it that a major advantage of ostensively defining the institutional-supervenience relation in this way is that we are so *familiar* and so *comfortable* with countless unproblematic instances of this kind of relationship.)

An obvious difference, of course, is that in the latter case the force of the relevant institutional rule is highly socially-contingent and restricted to the game of baseball, whereas (as I have argued) in the case of morality, the force of the institutional rule is present in (or, possibly, even prior to) creation itself. What this shows is that, like standard notions of supervenience,<sup>27</sup> it is possible to conceive the institutional-supervenience relation in either strong or weak (or—unlike standard notions of supervenience—even *very weak*) forms, depending on the modal stability of the institutional rule’s being in force. For example, if the institutional rule, “divine commands *count as* moral obligations,” is a metaphysically contingent feature of the actual world, then moral obligations will only weakly institutionally-supervene on divine commands (and if the rule is *highly socially-contingent*—like rules in the game of baseball—we can say that they will only *very weakly* institutionally-supervene<sup>28</sup>). If,

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<sup>27</sup> For rigorous treatments of technical notions of supervenience, cf. Jaegwon Kim, *Supervenience* (Aldershot, UK: Ashgate, 2002). For the classical treatment of supervenience in ethical discussion, cf. R.M. Hare, *The Language of Morals* (Oxford: Oxford University Press, 1952).

<sup>28</sup> Such a very weak institutional-supervenience of moral obligations on divine commands would properly characterize the scenario (raised by Mark Murphy above) in which the institution of “divine commanding” is a highly socially-contingent feature of particular human communities. What Murphy’s

however, the institutional rule is, metaphysically speaking, *necessarily* in force—that is, if the rule is in force in every possible world—then moral obligations will strongly institutionally-supervene on divine commands.<sup>29</sup>

An Institutional-Supervenience DCM can be shown to be superior to what is probably the current leading kind of DCM, namely, Identity DCM (or what is sometimes called Reduction DCM). Identity DCM, not surprisingly, holds that the property of “being morally obligatory” is identical to the property of “being commanded by God.” A major shortcoming of Identity DCM is that it simply cannot account for the seemingly necessary explanatory priority of divine commands to moral obligations—after all, divine command theory holds that actions are morally obligatory *by virtue of* their being commanded by God, and not vice-versa. Hence, as we have seen, any adequate divine command theory will hold that there is an asymmetrical dependence relation between divine commands and moral obligations such that an action’s having the property of “being morally obligatory” *depends* in some way on its having the property of “being commanded by God,” and not vice-versa. But if the relationship between the properties of “being morally obligatory” and “being divinely commanded” is one of identity, this will entail a contradiction: if it is claimed that

(1) *x* depends on *y*, but not vice-versa

and that

(2) *x* is identical to *y*,

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argument shows, then, is that a very weak institutional-supervenience relation is insufficient in the case of moral obligation.

<sup>29</sup> Unfortunately, space does not permit me to delve into the issue of whether strong or weak institutional-supervenience is required for a plausible account of the relationship between divine commands and moral obligations. I do, however, intend to take up this issue in a future project.

then it logically follows that

(3)  $y$  depends on  $x$ , but not vice-versa—

and (1) and (3) are in clear contradiction to one another.<sup>30</sup> Entailing *both* that “being morally obligatory” depends on “being commanded by God” but not vice-versa, *and* that “being commanded by God” depends on “being morally obligatory” but not vice-versa, is a clear sign that something is amiss with Identity DCM. But there are even stranger consequences that follow immediately from the conjunction of Identity DCM’s identity thesis and the asymmetrical dependence thesis. For example, from (1) and (2) it logically follows that

(4)  $x$  depends on  $x$ , and not vice-versa;

but reversing the relation “ $x$  depends on  $x$ ” just is “ $x$  depends on  $x$ ,” so what here is asserted *not* to be the case is simultaneously asserted to *be* the case. Again, this is not a good sign for Identity DCM.

It appears that the only way for a proponent of Identity DCM to avoid these absurd consequences is to deny the asymmetrical dependency thesis and to argue that the latter is not essential to an adequate divine command theory. But in that case, another serious problem arises, for the denial that moral obligations have *any asymmetrical dependence whatsoever* on divine commands entails the denial of the universally held principle that the moral supervenes on the non-moral.<sup>31</sup> Unless, that is, moral obligations are thought to supervene on some other non-moral feature of the world *besides* divine

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<sup>30</sup> Cf. the related exchange between Mark Murphy and Michael Almeida in Michael J Almeida, “Supervenience and Property-Identical Divine-Command Theory,” *Religious Studies* 40 (2004): 323-333; and Mark C. Murphy, “Reply to Almeida,” *Religious Studies* 40 (2004): 335-339.

<sup>31</sup> For a helpful discussion of the principle of the supervenience of the moral on the non-moral in the context of divine command metaethics, cf. Mark C. Murphy, *An Essay on Divine Authority* (Ithaca, NY: Cornell University Press, 2002), 189ff.

commands; but in that case it becomes questionable why *divine commands* are part of the theory at all.

Of course, either way the proponent of Identity DCM goes on this question, there will be great difficulties. If she affirms the principle of the supervenience of the moral on the non-moral, then if—as the Identity DCM proponent holds—the (moral) property “being morally obligatory” is identical to the (non-moral) property “being commanded by God,” then it turns out that the moral is identical to the non-moral; but this, again, is a contradiction.<sup>32</sup>

An Institutional-Supervenience DCM can naturally accommodate the features of the relationship between moral obligations and divine commands that a proponent of Identity DCM finds so inconvenient. In fact, this statement should be put much more strongly: an Institutional-Supervenience DCM actually *calls for* precisely those features of the relationship between moral obligations and divine commands that Identity DCM finds impossible to accommodate. On an Institutional-Supervenience DCM, the essential dependence of institutional facts on brute facts renders an asymmetrical dependence relation necessary to the theory. And the specific institutional-supervenience of moral obligations on divine commands necessitates a commitment to the principle that the moral supervenes on the non-moral. These natural affinities show that an Institutional-Supervenience DCM is uniquely well-suited to make sense of the relationship between divine commands and moral obligations.

Moreover, in the literature on divine commands the language of “constitution” is often used to characterize the relationship between divine commands and moral

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<sup>32</sup> Assuming, that is, that the moral and the non-moral mark out non-identical sets of properties—and I see no reason not to make this assumption.

obligations. Even when the precise character of the relationship (e.g., semantic, identity, supervenience, causation, etc.) is intentionally left unspecified, it is often claimed that divine commands are “constitutive” of moral obligations.<sup>33</sup> It is instructive, therefore, to observe that, in the literature on institutions, institutional rules such as “divine commands *count as* moral obligations” are themselves referred to as “constitutive rules.” I take the parallel language in these two bodies of literature as a further reassuring sign that there is something deeply and intuitively correct about an Institutional-Supervenience DCM.

As we have seen, the moral ought is really just an extraordinary case of the institutional ought. The Institutional-Supervenience DCM serves to illuminate the hidden structure that is metaphysically implicated by claims that employ the moral ought. Now that we have thoroughly considered the moral ought, it is time to turn to the Aristotelian ought.

### *5.5 Rehabilitating the Aristotelian Ought*

As we saw in chapter two, the deontological notions of right, wrong and obligation presuppose a social context with established laws, rules or customs. We noted that the fact that there are conditions of health and injury, flourishing and languishing that are specifiable independently of such institutional frameworks establishes the possibility for using “ought” and other modal terms in a non-deontological way. This alternative use is what we have called the “Aristotelian ought,” thanks to the availability of such language to Aristotle.

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<sup>33</sup> Cf. e.g., Evans, *Kierkegaard's Ethic of Love*; cf. also William P. Alston, “Some Suggestions for Divine Command Theorists,” in *Christian Theism and the Problems of Philosophy* ed. Michael D. Beatty (Notre Dame: University of Notre Dame Press, 1990).

To recall what was said above, the Aristotelian ought points specifically to an action's virtuousness or viciousness *vis-a-vis* a conception of human flourishing. As Anscombe says, certain actions are necessary for human flourishing; hence, there is a sense in which one "should" or "ought to" or "needs to" perform those actions. She explains that, for Aristotle, "the flourishing of a man *qua* man consists in his being good (e.g. in virtues); but for any X to which such terms apply, X needs what makes it flourish, so a man needs, or ought to perform, only virtuous actions."<sup>34</sup> More generally, she says, "the terms 'should' or 'ought' or 'needs' relate to good and bad: e.g. machinery needs oil, or should or ought to be oiled, in that running without oil is bad for it, or it runs badly without oil."<sup>35</sup> Again, she says that to say of an organism "that it needs [a particular] environment . . . is . . . to say . . . that it won't flourish unless it has it."<sup>36</sup>

The question of the legitimacy of using modal terms like "ought", "should" and "needs" to carry this non-deontological, Aristotelian sense has recently received rigorous treatment by Nicholas White in his impressive work on imperativity in ancient Greek ethics. According to White, "the beginning of the *Nicomachean Ethics* gives a dominant role to the notion of the good, and the rest of the work plainly focuses on the virtues. However, Aristotle does not behave at all like someone to whom it is important to show that ethics can be done without notions like 'ought' or that a practically wise person would dispense with such concepts."<sup>37</sup> Unlike deontological notions—think especially of

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<sup>34</sup> Anscombe, "Modern Moral Philosophy," 18.

<sup>35</sup> *Ibid.*, 5.

<sup>36</sup> *Ibid.*, 7.

<sup>37</sup> Nicholas White, *Individual and Conflict in Greek Ethics* (Oxford: Oxford University Press, 2002), 119.

the Kantian categorical imperative—the Aristotelian ought points directly to attainment of the *human good*; to say that one “ought” to do something in this sense is not to say that it conforms to some rule or duty but rather that it would be virtuous to do that thing. The propriety of using the term “ought” to exhort someone to virtuous behavior (as Aristotle might have) is beyond question. But not only is it appropriate to use “ought” in this way—the Aristotelian ought is also recognizably *ethical* in character.

Besides Anscombe, Bernard Williams has made a case for the presence and legitimacy of non-deontological ethical considerations (i.e., the Aristotelian ought) in our practical deliberation and theorizing. Williams observes that ethics since Kant has focused almost exclusively on morality, or what he prefers to call “the morality system.” The morality system, he suggests, “should be understood as a particular development of the ethical, one that has special significance in modern Western culture.”<sup>38</sup> The morality system is distinguished by a special, forceful notion of moral obligation; it countenances claims beginning, “You morally ought to . . .” which connote the existence of obligations that are stringent, inescapable and overriding of all other practical considerations whatsoever. Williams is no friend of moral obligation, and he devotes more than one chapter to undermining its contemporary grip on ethical thinking.

Williams suggests that we would do well to transfer our attention from the notion of moral obligation to what Socrates describes in the *Republic* as “no ordinary topic,” that is, “the way we ought to live.”<sup>39</sup> He suggests that following Socrates in asking “How ought I to live?” is in fact the best place from which to begin ethical deliberation.

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<sup>38</sup> Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), 6; cf. chapter 10.

<sup>39</sup> *Ibid.*, chapter 1; for Socrates’s question cf. Plato, *Republic*, 352d.

Beginning with this question is superior, he thinks, to asking, for example, “What is my duty?”, “How may I be good?” or even “How can I be happy?”; these other questions, Williams observes, take too much for granted by either presupposing too much about the essential character of the ethical life or else excluding too much from the province of ethical consideration.

Of crucial importance is Williams’s observation that the “ought” as it appears in Socrates’s question is certainly not *moral* (or even generically deontological) in character. Socrates is not here asking about his moral duty, about what his moral obligations are—in fact, it is not obvious that Socrates ever explicitly speaks of moral obligation. The significance of this observation is that, although Socrates’s “ought” is not *moral* in character, it is still very clearly an *ethical* one. The question, after all, is not non-ethical: Socrates is not asking how he should live from an egoistic, merely prudential, self-interested or instrumental point of view. Rather, he is asking a question that we all ask ourselves at certain moments of ethical reflection and that we can therefore clearly recognize as falling into the domain of ethics.

In asking “How ought we to live?” Socrates is asking for precisely the kind of judgment that Charles Taylor, in his monumental *Sources of the Self*, has called “strong evaluation.” Judgments of strong evaluation are “discriminations of right or wrong, better or worse, higher or lower, which are not rendered valid by our own desires, inclinations, or choices, but rather stand independent of these and offer standards by which they can be judged.”<sup>40</sup> Judgments of strong evaluation may be judgments about moral obligations, but then again, they may not, for Taylor also recognizes that ethics is

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<sup>40</sup> Charles Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge, MA: Harvard University Press, 1989), 4.

properly concerned with more than just moral obligation. Like Williams, Taylor adopts the term “ethical” to describe “the undivided category of considerations which we employ to answer questions about how we should live.”<sup>41</sup>

Unless we are to declare paradigmatic works as diverse as Plato’s *Republic*, Aristotle’s *Nicomachean Ethics*, Williams’s *Ethics and the Limits of Philosophy*, and Taylor’s *Sources of the Self* as simply mistaken about the inclusive sphere of ethical concern, it seems that we must acknowledge the legitimacy of non-moral considerations like virtue playing a role in our ethical theorizing and deliberation. There is more to ethics than moral obligation; indeed, recognizing this fact is crucial for developing a complete account of the moral ought.

#### 5.6 Divine Law and the Grounding Problem

But what is the relevance of the Aristotelian ought to the recovery of a divine law conception of ethics? The connection is hinted at in a passage of Anscombe’s “Modern Moral Philosophy.” She says that modern philosophers who reject a divine law conception of ethics “suppose that the divine law [conception of ethics is a non-starter because] they think that a ‘practical principle’ running ‘I *ought* (i.e. am morally obliged) to obey divine laws’ is required for the man who believes in divine laws.”<sup>42</sup>

As we have seen, an institutional rule’s being in force (i.e., “Divine commands *count as* moral obligations”) is indeed necessary to make it the case that, for whatever action God commands, one is morally obligated to do it. But, as we have seen, recognizing that this rule is in force *just is* to recognize that divine commands are

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<sup>41</sup> Taylor, *Sources of the Self*, 53.

<sup>42</sup> Anscombe, “Modern Moral Philosophy,” 18.

sufficient for moral obligations; any proponent of a divine law conception of ethics will be quite comfortable with this fact, and there is no reason to suppose that the modern moral philosophers who reject a divine law conception of ethics will find anything problematic in it. But what Anscombe is trying to get at in this passage *is* something problematic. These facts indicate that what Anscombe is raising is not the question of whether the relevant institutional rule is in force, but rather a more fundamental question, namely: Am I, in fact, morally obligated to follow this institutional rule? Now this particular question, it should be noted, potentially commits a subtle category mistake. Institutional rules are not rules to be followed; rather, they are rules that say what (as a matter of institutional fact) is the case. But the question can be legitimately formulated: Am I morally obligated to act in accordance with what this institutional rule (“Divine commands *count as* moral obligations”) says is the case? This is the real question at issue.

Anscombe has here identified an objection that simply must be dealt with if a divine law conception of ethics is to be at all plausible. And we must be careful that we do not persist in misunderstanding the problem, possibly thinking that it has been resolved when in fact it has not. The worry expressed by this objection cannot be answered by pointing out that divine commands are rendered efficacious in imposing obligations by an *institution* that is “already” in place, for the question being raised is why one should recognize the necessity of acting in accordance with the institution of “divine commanding” in the first place. In other words, the relevant institutional rule’s being in force (i.e., “Divine commands *count as* moral obligations”) gives no answer to the question of why one should *obey* divine commands but provides only the *validating*

*condition* for a divine command's constituting an institutionally-imposed obligation in the first place.<sup>43</sup> What is needed to answer this objection is some reason why one should act in accordance with the institution of "divine commanding" to begin with. Is there, in particular, a *moral obligation* to do so?

The modern moral philosophers to whom Anscombe refers object that the fatal flaw of a divine law conception of ethics is revealed when it is confronted with this very question: "Is there, in fact, a moral obligation to obey divine commands?"<sup>44</sup> If the answer is "No"—that is, if it is assumed that there is no non-divine-command-based moral obligation to obey divine commands—then it appears that there is no satisfactory answer to the (quite legitimate) question of why one *ought* to obey divine commands. This consequence is unacceptable to modern moral philosophers, who assume that morality is well-founded, and hence, that such a question would be answerable *if* a divine law conception of ethics were true. Since that question is apparently not answerable by a divine law conception of ethics, then, modern moral philosophers conclude that the conception is false.

On the other hand, if the answer to the question of whether there is a moral obligation to obey divine commands is "Yes", then there *is* some non-divine-command-based moral obligation to obey divine commands. In that case, however, a divine law conception of ethics is self-referentially inconsistent, for on that conception *all* moral obligations are supposed to be based on divine commands.

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<sup>43</sup> As we have seen above, the institutional rule's being in force is equivalent to the fact that divine commands are sufficient for moral obligation.

<sup>44</sup> This question is classically raised as an objection by Ralph Cudworth in his work, *A Treatise Concerning True and Immutable Morality*, published in 1731. William J. Wainwright discusses Cudworth's objection in *Religion and Morality* (Aldershot, UK: Ashgate Publishing, 2005), 82-83.

This is the dilemma in which a divine law conception of ethics appears to be caught: it results in a morality that is either incompletely grounded or else self-referentially inconsistent. But Anscombe has a response to this dilemma. Her response is to point out that “actually this notion of obligation is a notion which only operates in the context of law.”<sup>45</sup> In other words, the concept of moral obligation is properly applicable *only* to those requirements that are imposed by divine command. It is misguided to seek for a *moral obligation* to obey divine commands that derives from some source other than the “divine commanding” institution. Hence, according to Anscombe, to look *outside* the “divine commanding” institution for a *moral obligation* that normatively and/or metaethically grounds adherence to that institution is to court confusion.

If we follow Anscombe, what this means is that we can (for now) put to the side the question of whether we are *morally obligated* to obey divine commands. But putting this question to the side still does not solve the grounding problem, for the question of *why* one should obey divine commands still remains. What Anscombe’s response accomplishes is merely to remove the category of moral obligation from use in any possible solution to the grounding problem. But if a moral obligation to obey God’s commands is off the table, then what other solution might there be?

At this point, it will be helpful to stop a moment and reflect: What reason does one have to act in accordance with *any* institution? Take the institution of etiquette, for example. As we saw in chapter one, Philippa Foot points out that an institutional rule of etiquette “does not *fail to apply* to someone who has his own good reasons for ignoring

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<sup>45</sup> Anscombe, “Modern Moral Philosophy,” 18.

[it], or who simply does not care about what, from the point of view of etiquette, he should do.”<sup>46</sup> Failing to act in accordance with an institution does not cease to offend against that institution just because one lacks a concern for its dictates. But as we saw, what Foot misses is that, strictly speaking, it is not abstract *institutions* but *persons* who are offended against when one violates some institutional rule. Institutions mediate personal relationships between people, and so in a loose sense Foot is right that abstract institutions are offended when a rule is broken; but this manner of speaking is only derivative from the offense given to a *person* with whom one has a relationship that is mediated by that institution.

One’s reason for acting in accordance with the rules of etiquette is that one genuinely cares about one’s relationships with, say, one’s dinner companions; one is polite in order not to offend. And, to be sure, it is (normally) the case—even absent the institution of etiquette—that one *should not* give offense; to admit this is to admit that there are *virtues* governing one’s social relationships with others. Importantly, the same thing can be said of one’s relationship with God. Even absent the institution of “divine commanding,” it remains the case that one *should not* act in a manner that will be offensive to God; for there are virtues governing one’s relationship with God. And with the divinely-ordained institution of “divine commanding” in place, one should act in accordance with its rules because these virtues (of loving, honoring, respecting or having faith in God) are normative. I believe that Robert Adams has something very much like this in mind when (in his discussion of reasons for compliance with divine commands) he says that “the appropriateness of gratitude [to God] is an excellence, a form of the

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<sup>46</sup> Philippa Foot, “Morality as a System of Hypothetical Imperatives,” *The Philosophical Review* 81, no. 3 (July 1972): 308.

excellence of prizing excellent relationships and of acknowledging the good deeds of others; and like excellence in general, it does not depend upon God's commands."<sup>47</sup>

Gratitude is appropriate as an excellence—that is, as a *virtue*—which makes acting in accordance with the institution of “divine commanding” normative.

The solution to the grounding problem consists in recognizing that obeying divine commands—that is, acting in accordance with the “divine commanding” institution—is *virtuous*. Hence, it is certainly true that one “ought” to obey divine commands.

Crucially, this is not a *moral* ought—it does not connote the existence of a moral obligation; it is, rather, an Aristotelian ought. (Of course, it is possible consistently to maintain that we *also* have a moral obligation to act in accordance with the “divine commanding” institution; but we will return to this issue at the end of the chapter.)

With this solution to the grounding problem, however, another potential problem emerges. The virtue theorist is likely to object that if one ought to obey God's commands because it is virtuous to do so, then what need is there for the notion of moral obligation? Isn't virtue really doing all the work here? My reply is that the notion of moral obligation is needed to account for the unique way in which divine commands (*qua* social requirements) generate reasons for action, as well as for the unique consequences of violating those commands.

Bracketing any reference to moral obligations, let's consider the unique way in which a divine command (*qua* social requirement) would generate a reason for action. First, suppose that a friend asks me “Why do you volunteer at the nursing home?” and I reply, “Because volunteering at the nursing home is virtuous.” In this case, I have

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<sup>47</sup> Adams, *Finite and Infinite Goods*, 253; cf. also Evans's similar comments in *Kierkegaard's Ethic of Love*, 14.

explained my reason for action in such a way that it should satisfy the curiosity of the one asking the question; that is, I have provided him or her with enough details that my full reason for action is comprehended. However, suppose my friend asks me, “Why are you going to Little Rock tomorrow?” and I reply, “Because my going to Little Rock is virtuous.” In this case, I have not given a full explanation but only caused perplexity. There is nothing, in principle, virtuous about going to Little Rock, so my statement does not provide an adequate explanation for my action. Suppose, however, that in response to the question I had said, “Because my father requires that I attend a family reunion in Little Rock tomorrow; respecting my father is virtuous, so my going to Little Rock tomorrow is virtuous.” Only then would I have fully explained my reason for action. In this case, respect is a virtue governing the father-son relationship, and the specific social requirement creates a specific reason for my action that otherwise would not have existed. Likewise, speaking of divine commands, if I were asked something like “Why do you abstain from work on the Sabbath?” I could not fully explain myself by saying “Because abstaining from work on the Sabbath is virtuous”; rather, reference would have to be made to the divine command to do so.

The contrasting way in which divine commands (*qua* social requirements) generate normative reasons for action can perhaps best be observed in cases where one already has an Aristotelian reason to perform the relevant action. One ought—in an Aristotelian sense of “ought”—to refrain, say, from gluttony because one has an Aristotelian reason to do so: the virtue of moderation entails that refraining from gluttony is virtuous. However, God’s commanding humans to refrain from gluttony generates a new and very different reason for action—a reason that gets its normative traction not by

*directly* involving the virtue of moderation but only by *indirectly* involving the virtue of faith in or obedience to God. To illustrate, whereas prior to the divine command one had a reason for action that included simply the facts that *refraining from gluttony is virtuous and one ought*<sup>48</sup> *to do what is virtuous*, one now has a different and more complicated reason that includes the facts that *refraining from gluttony is commanded by God and the “divine commanding” institution is in force and acting in accordance with the “divine commanding” institution is virtuous and one ought to do what is virtuous.*<sup>49</sup> This unique way in which divine commands generate normative reasons for action (even when bracketing any reference to moral obligation) is part of what makes the notion of moral obligation necessary for ethical theory.

Second, consider the unique consequences of violating social requirements. Assuming that all I have is an Aristotelian reason to refrain from gluttony, a lapse into gluttonous revelry indicates merely a flaw in my character, a vice for which I might appropriately feel ashamed; but no person is offended, and no feelings of guilt are appropriate.<sup>50</sup> But—someone might say—wouldn't a normal person, with clear knowledge that gluttony is a vice, after eating too much, actually *experience* a feeling of guilt—regardless of whether *I* say that feelings of guilt are appropriate?

My response is that this is quite possibly the case. As a matter of fact, thanks in large part to the lingering cultural ethos of Christianity, many contemporary people *do*

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<sup>48</sup> Both here and in the next reason below, “ought” should be understood in an Aristotelian sense.

<sup>49</sup> Of course, on my theory it is possible to state a complete reason for refraining from gluttony that does not mention virtue at all, namely, *refraining from gluttony is commanded by God and moral obligations institutionally-supervene on divine commands and [hence] refraining from gluttony is morally obligatory.*

<sup>50</sup> Cf. Adams, *Finite and Infinite Goods*, 238-241; cf. also Bernard Williams's discussion of shame and guilt in his *Shame and Necessity* (Berkeley: University of California Press, 1993).

experience guilt over their vicious behavior. But what has happened here, I maintain, is that such people have construed the possession of virtue as *obligatory*. Hence, in one's mind, one's committing some vicious action has the further significance of *violating an obligation* to possess the virtue. The experience of guilt, then, actually turns out to be an *appropriate* response to the manner in which such a person has construed his or her action. But removing this sense of obligation and conceiving gluttony *only* as a character flaw eliminates the basis for the feeling of guilt, leaving only the basis for feeling shame. So, as far as gluttony—considered merely *qua* vicious behavior—is concerned, then, no person is offended and no feelings of guilt are appropriate.

But suppose now that, perhaps due to an extreme shortage of food, one's community makes refraining from acts of gluttony a legal requirement. In this case, committing an act of gluttony is a violation of the law; one's action not only reveals a character flaw but also offends the other members of the community, to whom one is accountable; furthermore, in this situation, one is *legally* guilty of such an offence.<sup>51</sup> And if we now think of refraining from gluttony as enjoined by a divine command, this violation is an offense against God and one is *morally* guilty. The general concepts of virtue and vice and the specific concept of moderation are insufficient to account for this offense and for the guilt that results. Violating a social requirement, then, has consequences that the concepts of virtue and vice are ill-equipped to explain. So along with the unique way in which divine commands generate reasons for action, the unique consequences of violating divine commands demonstrate the need for a concept of moral obligation.

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<sup>51</sup> One might say that it is an offence (with a "c") because it is an offense (with an "s").

### 5.7 A Final Round of Objections

As we saw above, Robert M. Adams and C. Stephen Evans have argued that a metaethical divine command theory of moral obligation is best understood as a type of social theory of obligation; I have further developed this theory and answered several objections that might be raised against it. I shall wrap up my discussion with a final round of objections from R. Zachary Manis, who has argued that the attempt to formulate divine command theory as a social theory of obligation suffers from intractable difficulties.<sup>52</sup> Manis has raised three objections, all of which (I will show) turn out to be unsuccessful if the framework I have developed above is employed.

Manis's first objection is that any divine command theory so conceived will necessarily classify some paradigmatically moral obligations as non-moral ones.<sup>53</sup> To illustrate the paradigmatically moral kind of obligations he has in mind, Manis asks us to consider the relationship between parent and child. "[A] parent's obligation to love and care for her child," Manis says, "seems like a quintessential moral obligation that is binding on the parent simply in virtue of the fact that she is the child's parent combined with the kind of relationship the parent / child relationship is."<sup>54</sup> Furthermore, he argues that "one who endorses a social theory of obligation will admit that the nature of this relationship generates obligations, such as the obligation on the parent to love and care for the child."<sup>55</sup> *Pace* Manis, however, it is just not true that one who endorses a social

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<sup>52</sup> R. Zachary Manis, "On Moral and Religious Obligations: Some Problems for Metaethical Divine Command Theories" *Southwest Philosophy Review* 22, no. 1 (January 2006): 51-59.

<sup>53</sup> Manis, "On Moral and Religious Obligations," 53.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

theory of obligation will admit any such thing. For, while it is true (on the theory) that obligations arise out of social relationships, these obligations nevertheless must be generated *in the right way*; as I understand it, a social theory of obligation stipulates that a social relationship can generate *obligations* only in the presence of some *institution* that mediates that relationship.<sup>56</sup> Hence, while parents no doubt possesses an obligation to love and care for their children, this is not true *simply* in virtue of the fact that, say, a particular woman gave birth to a particular child at some time in the past. (Observing that it requires an *institutional* procedure for adoptive parents to take custody of a child provides intuitive support to my view.)

But even stepping back from the social theory of obligation for a moment, Manis's argument (i.e., that parents have a moral obligation to love and care for their children simply in virtue of the parent / child relationship) gains what plausibility it enjoys from a subtle conflation of categories; this conflation can be seen in that to say that one *ought* to do something is not necessarily to say that one has an *obligation* to do it. Rather, it may be to say that one ought to perform the action for an Aristotelian reason, just as (in the absence of any obligation) one has reasons to perform any virtuous action.<sup>57</sup> Unlike an obligation, an Aristotelian reason for action is essentially and exclusively teleological in character: it points to an action's virtuousness *vis-a-vis* a conception of human flourishing.

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<sup>56</sup> Cf., e.g., Adams, *Finite and Infinite Goods*, 242.

<sup>57</sup> For a nice discussion of the distinction between moral obligations and Aristotelian reasons for action, cf. Cora Diamond's "tribute" article to Elizabeth Anscombe's essay, "Modern Moral Philosophy"; Diamond's article is "The Dog that Gave Himself the Moral Law" *Midwest Studies in Philosophy*, XIII (1988): 161-179.

That Manis really has Aristotelian reasons in mind is confirmed by the fact that he cites as evidence “the fact that children depend completely (at least at first) on the love and care of their parents both for their basic survival and for their emotional, physical, and psychological development.”<sup>58</sup> No doubt the apparent force of Manis’s argument comes from the fact that the necessity of parental love and care for the proper development of children generates (by itself) strong Aristotelian reasons for action on the part of the parent. But to maintain that such Aristotelian reasons are sufficient to constitute an *obligation* is to play fast and loose with our moral terminology.<sup>59</sup>

Whereas Manis claims that a parent’s love and care for her child is a “paradigmatically moral” obligation, the appropriate response is not that this is really a *non-moral* kind of obligation but rather that it is not (yet) an *obligation* at all.<sup>60</sup> To be sure, it *becomes* an obligation the moment that loving and caring for one’s children becomes an (implicit<sup>61</sup> or explicit) institutionally-imposed requirement; but this is something that can be easily accommodated by one who wishes to defend a social theory of obligation. And regardless of whether such a requirement ever comes about, it

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<sup>58</sup> Manis, “On Moral and Religious Obligations,” 53.

<sup>59</sup> It is significant that Aristotle appears to have no concept of moral obligation; or at least, if he does, it is hidden very far in the background of his ethical theory.

<sup>60</sup> At least, this is not the case, given only the kinds of considerations Manis provides.

<sup>61</sup> Such requirements do not have to be explicitly spelled out; they can remain implicit in the publicly available and socially shared role-definitions and expectations possessed by the involved individuals. As Peter L. Berger and Thomas Luckmann explain, “In the common stock of knowledge there are standards of role performance that are accessible to all members of a society, or at least to those who are potential performers of the roles in question. This general accessibility is itself part of the same stock of knowledge; not only are the standards of role X generally known, but it is known *that* these standards are known. Consequently every putative actor of role X can be held responsible for abiding by the standards, which can be taught as part of the institutional tradition and used to verify the credentials of all performers and, by the same token, serve as controls” (*The Social Construction of Reality*, 47).

remains the case that parents simply *ought* (i.e., have strong Aristotelian reasons) to love and care for the children they produce. So much, then, for the first objection.

The second objection Manis raises attempts to undermine the very coherence of a DCT conceived as a social theory of obligation. Manis argues that

the two parts of the theory seem to be in tension with one another at a crucial point. Adams's social theory of obligation holds that certain social relations—such as the parent / child relation—generate obligations, and he emphasizes that the Creator / creature relation is a social relation that generates obligations, as well. However, as a divine command theorist, he holds that only divine *commands* generate *moral* obligations. But this raises the question, “If relations between persons can generate obligations independent of any action of commanding, then why cannot our relation to God generate moral obligations independent of any action of commanding?”<sup>62</sup>

First of all, we should ask why Manis thinks that, on a social theory of obligation, a bare social relation can, all by itself, give rise to obligations. Manis makes reference to Adams in the immediately preceding quotation, but Adams's account is quite clear that bare social relations cannot give rise to obligations all by themselves<sup>63</sup>; rather, in the passage that I quoted at the beginning, Adams explains that obligations are generated only when some social *requirement* is made.<sup>64</sup> Nevertheless, it is possible that Manis has been misled by an ambiguity in the account given by Evans. Evans writes that

a social relationship with God has a vital importance if humans are to flourish as they are intended to flourish. It is plausible that this particular social relation, like others, would carry with it specific obligations. In a human family, children owe loving parents respect and gratitude, and, at least while they are young children being supported by their parents, obedience with respect to most things a parent might ask.<sup>65</sup>

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<sup>62</sup> Manis, “On Moral and Religious Obligations,” 53-54.

<sup>63</sup> As I would put it, social relationships which are not mediated by any institution cannot generate obligations.

<sup>64</sup> Cf. Adams, *Finite and Infinite Goods*, 242; Manis also quotes this passage (cf. Manis, “On Moral and Religious Obligations,” 52).

<sup>65</sup> Evans, *Kierkegaard's Ethic of Love*, 14; the second sentence begins a new paragraph.

These remarks could be construed as implying that bare social relations, such as that between parent and child, can (by themselves, absent any relationship-mediating institution) give rise to obligations. And if this is in fact what Evans intends to say, then Manis is right to raise his objection.

In any case, the appropriate response to Manis's second objection parallels that to his first objection above. While a social theory of obligation stipulates that obligations arise out of social relationships, these nevertheless must be understood as being generated *in the right way*; some institution must mediate the relationship for an obligation to be generated. And as I have argued, divine commands *just are* social requirements made by God in accordance with the "divine commanding" institution, so the "two parts" of the theory are not in any way in conflict.

The third objection Manis raises is more general than his others, and requires a lengthier response. This objection, quite simply, is that a divine command theory (hereafter, DCT) cannot adequately account for the obligation to obey God's commands. The idea is that, if God commands one to do something, say, love one's neighbor, then (according to the theory) one has an obligation to love one's neighbor. But one might take a step back and wonder, why should I obey God commands in the first place? Am I in fact obligated to obey God? Manis observes that the proponent of DCT faces three options at this point: she can argue that the obligation to obey God's commands (1) is *not* a moral obligation; (2) is a moral obligation whose ground is *different* from other moral

obligations; or (3) is a moral obligation whose ground is *the same* as other moral obligations.<sup>66</sup>

Manis reads Evans as taking the first option, pointing out that Evans speaks of the obligation to obey God in numerous passages.<sup>67</sup> Evans maintains, for example, that “my obligations to God are rooted in the fact that the God who created me loves me and wants only my good.”<sup>68</sup> The obligation to obey God is not considered by Evans to be a *moral* obligation, however; he reserves the title of “moral obligation” only for obligations generated by divine commands. As Manis observes, however, this move is problematic, for the obligation to obey God’s commands itself has all the distinctive features of *moral* obligations, namely, that it is objective, overriding and universally binding. This consideration puts pressure on Evans and other defenders of the first option to move to option two and acknowledge that the obligation to obey God is in fact a *moral* obligation, albeit one whose ground is *different* from other moral obligations. As Manis notes, however, this is essentially to abandon DCT; for it is to deny a central claim of any adequate DCT, that is, that moral obligations are generated *only* by divine commands.<sup>69</sup> This is clearly unacceptable for a proponent of DCT, and as a consequence, she is left with only the third option, that of maintaining that the obligation to obey God’s commands is a moral obligation whose ground is *the same* as other moral obligations.

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<sup>66</sup> For my own argumentative purposes, I have interchanged the order in which Manis deals with the latter two options available to the proponent of DCT.

<sup>67</sup> Manis, “On Moral and Religious Obligations,” 55. Cf., e.g., Evans, *Kierkegaard’s Ethic of Love*, 14, 136-137.

<sup>68</sup> Evans, *Kierkegaard’s Ethic of Love*, 137.

<sup>69</sup> Or, in other words, that divine commands are *necessary* for moral obligation.

This, of course, means that the obligation to obey God's commands is itself grounded in a divine command.

Having successfully relegated the proponent of DCT to this third option, Manis moves in to deliver the *coup de grace* to the position. He begins: "appealing to a divine command to ground our moral obligation to obey God raises this question: 'Would we be obligated to obey the commands God issues if He did not also command us to obey them? The proponent of DCT surely wants to hold that we would.'" <sup>70</sup> Now, if Manis is right, this puts pressure on the proponent of DCT either to move back to the second option or else to abandon DCT altogether. And since the second option faces an apparently insurmountable objection, it appears that the only solution really is to give up on DCT.

What should the proponent of DCT do in this situation? Let's go back to Manis's question of whether we would be obligated to obey the commands God issues even in the absence of a divine command to do so. Manis's comment is that "the proponent of DCT surely wants to hold that we would," yet he provides no grounds to support this very confident claim. My strong suspicion <sup>71</sup> is that Manis thinks that a proponent of DCT will hold that: even in the absence of God's command to obey His commands, one still *ought* to obey God's commands, and hence, that one has an *obligation* to do so. In other words, it appears that Manis sees a natural link between *normative* and *metaethical* versions of DCT, and thinks (plausibly enough) that a person who holds one view is quite likely to

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<sup>70</sup> Manis, "On Moral and Religious Obligations," 56.

<sup>71</sup> In what follows I assume that my suspicion is correct. In a larger sense, of course, it is irrelevant whether I am right about Manis *himself*, for the line of thought that I attribute to Manis is no doubt a temptation for anyone who fails to appreciate the potential for Aristotelian reasons to play a role in establishing the normativity of obeying God's commands.

hold the other as well. Furthermore (so the thought goes) it seems natural to assume a close parallel between the views—that is: since normative DCT holds that

(1) We *ought* to obey God’s commands (even in the absence of a divine command to do so),

metaethical DCT will hold that

(2) We have an *obligation* to obey God’s commands (even in the absence of a divine command to do so);<sup>72</sup>

hence, Manis confidently attributes the latter claim to the proponent of metaethical DCT.

Unfortunately for Manis, however, this parallel between normative and metaethical versions of DCT does not hold. And why not? In the absence of a command from God to obey His commands, one certainly *ought* to obey God’s commands—but not because one has an *obligation* to do so, rather because one has strong *Aristotelian reasons* to do so. In other words, there is a *fourth* way to answer the (normative) question of why I should obey God’s commands—a way that Manis does not consider. Besides the possibilities that obeying God’s commands is (1) a non-moral obligation, (2) a moral obligation whose ground is *different* from other moral obligations and (3) a moral obligation whose ground is the *same* as other moral obligations, it is possible (and, I argue, actually the case) that (4) I should obey God’s commands because I have strong Aristotelian reasons to do so.

One ought to obey God’s commands because God, powerful and loving as He is, provides all the good that one enjoys and promises to promote one’s welfare in times to

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<sup>72</sup> The distinction between the character of normative and metaethical claims is often subtle, and is especially so in this matter. I want to be very clear that I intend (2)—which I believe to be false—to be read as a *metaethical* claim, that is, as a claim about the applicability of the concept of moral obligation outside the context of divine commands. On my view, *all* moral obligations are constituted by divine commands; hence, it is inappropriate to apply the concept of moral obligation to things other than divine commands. (1), on the other hand, is not a metaethical claim about the applicability of the concept of ought, but rather a straightforward normative claim about what we ought to do.

come; furthermore, loving, honoring, respecting or having faith in God is itself a virtue that promotes one's own flourishing. But, again, to maintain that these Aristotelian reasons for action constitute an *obligation* is a misapplication of our moral terminology. *Pace* Manis, therefore, the proponent of metaethical DCT, if she knows what she is about, will actually *deny* that (in the absence of God's command to obey His commands) we have an *obligation* to obey the commands that God issues.

Besides that, the search for a prior obligation (as opposed to an Aristotelian reason for action) to ground the *normativity* of obeying God's commands runs into problems. Think about it like this. If God commands one to love one's neighbor, then (according to metaethical DCT), one has a moral obligation to love one's neighbor. But why should one obey God's commands in the first place? Here it is natural for many to think (like Manis, presumably) that there must be a *prior* obligation that grounds the normativity of obeying God's commands. But why do we suppose that this prior normative ground must be an *obligation*? Is it not that many have an unreflective tendency to suppose that only an obligation can ground an obligation? This supposition, however, quickly falls apart under scrutiny.<sup>73</sup> For if the obligations imposed by divine commands have to be grounded in a prior obligation, the question can then be asked, "What grounds this prior obligation?" At this point the answer will be either that the prior obligation is grounded in yet another obligation ("We are obligated to fulfill our obligation to fulfill our obligations imposed by divine commands") or the answer will

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<sup>73</sup> Ironically, the argument that follows is very similar in structure (but not in content) to an argument given in Manis's paper (cf. Manis, "On Moral and Religious Obligations," 56). Manis's argument militates against what he takes to be the DCT proponent's position and involves either an infinite regress of, or else, superfluous, *divine commands*. My argument, on the other hand, militates against what I take to be Manis's implicit assumption that specifically an obligation (as opposed to some Aristotelian reason) is needed to ground the normativity of obeying God's commands; hence, my argument involves either an infinite regress of, or else, superfluous, *obligations*.

appeal to some other, non-obligation ground for this obligation. If the former answer is given, then we are on our way to an infinite regress. If, on the other hand, some ground is given for the prior obligation that does not appeal to yet another obligation, then this ground will apply equally well to the (original) obligations imposed by divine commands, in which case appealing to a prior obligation to ground these obligations is superfluous.<sup>74</sup>

By limiting the possibilities for grounding the normativity of obeying divine commands strictly to *obligations*, Manis has prematurely (and perhaps unwittingly) closed off the single most promising avenue of response for the proponent of DCT to the question of why, in the absence of God's command to obey His commands, one should nevertheless obey those commands. That response is that, in the absence of a command from God to obey His commands, one *already* has strong *Aristotelian* reasons to obey whatever commands God issues. Hence, in response to Manis's question, "Do we have a moral obligation to obey God?"<sup>75</sup> the appropriate answer is: "In the first instance, no, we do not." In the absence of God's command to obey His commands, we do not have an *obligation* to obey His commands—but this is by no means to deny that we certainly *ought* to obey His commands, and that because we have very strong Aristotelian reasons to do so.

Of course, the moment that God commands one to obey his commands, one has a full-fledged moral obligation to do so (and interestingly, there are numerous Biblical passages in which God is portrayed as doing this very thing, that is, commanding people

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<sup>74</sup> A further possibility is that the normativity of obeying moral obligations imposed by divine commands is *ungrounded*, in which case they do not need to be supported by appeal to any further normative ground. But in that case, Manis's third objection is rendered pointless.

<sup>75</sup> Manis, "On Moral and Religious Obligations," 55.

to obey His commands<sup>76</sup>). Manis states that, to his knowledge, there are “no proponents of DCT who hold that we have a moral obligation to obey God’s commands that derives from His commanding us to do so.”<sup>77</sup> Yet, this is essentially the position I have defended. This position, which Manis considers “vastly more implausible”<sup>78</sup> than other options is in fact the most plausible of the three possibilities set out by his third objection. Our obligation to obey God is a moral obligation whose ground is the same as other moral obligations—and that ground is a divine command.

### 5.8 Conclusion

In this final chapter I have argued for the recovery of a divine law conception of ethics that would confer upon the moral language and thought of our society an intelligibility that it has not enjoyed for a very long time. No doubt other objections might be raised and many aspects of my project deserve further development. But as I have demonstrated, a divine command theory of moral obligation—conceived as a special case of a social theory of obligation and developed with an eye toward the essential roles played by both institutional rules and the virtues—is theoretically defensible and deserves to be taken as a serious metaethical option in the eyes of contemporary ethical theorists. Furthermore, given what has been accomplished in this and previous chapters it is possible to claim that a sufficiently elaborated divine law conception of ethics is potentially *superior* to other metaethical options; the historical

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<sup>76</sup> Cf., e.g., Leviticus 22:31; Deuteronomy 6:17, 10:12-13, 11:1, 8. I am indebted to C. Stephen Evans for bringing this fact to my attention. Also probably following Evans, R. Zachary Manis notes this fact in his paper as well; cf. Manis, “On Moral and Religious Obligations,” 56.

<sup>77</sup> Manis, “On Moral and Religious Obligations,” 56-7.

<sup>78</sup> *Ibid.*, 55.

association of the notion of moral obligation with the Christian divine law, the ability of a divine law conception of ethics to account for the peculiar features of our moral language, and the collective insight of some of the most profound thinkers and ethical theorists of the past two centuries (from Schopenhauer, Nietzsche and Kierkegaard, to Anscombe, MacIntyre, and Adams) stand as testimony to the unique capacity of a divine law conception of ethics to account for this peculiar institution, this queer thing we call “morality”.

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