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## **Command or Responsibility? Levinas, Darwall and Løgstrup on Second-Personal Ethics**

**Robert Stern**

**Abstract:** This paper considers the relationship between Levinas's ethics, and the 'second-personal' approach adopted by Stephen Darwall and K. E. Løgstrup. Darwall's ethics treats the second-personal relation as one of command as an exercise of authority, while K. E. Løgstrup treats the second-personal relation as one of responsibility rather than command. It is argued that Løgstrup raises a fundamental difficulty for any command view, namely that the reason to act on a command is because one has been commanded to do so, where this cannot provide the right reason for a moral action. The paper considers where Levinas should be located in this debate between the two models of second-personal ethics represented by Darwall and Løgstrup. It is suggested that while Levinas's position reflects elements of both accounts, he is perhaps closer to the command approach, in a way that then makes him vulnerable to Løgstrup's objections.

**Key word:** Emmanuel Levinas, Stephen Darwall, K. E. Løgstrup, second-personal ethics, ethical responsibility, command accounts of obligation

Despite their differences in style, historical background and underlying assumptions, it is perhaps nonetheless not surprising that so-called 'continental' and 'analytic' philosophers can still come to focus on similar philosophical problems and offer parallel responses to them, insofar as those problems are fundamental ones and the responses have an obvious appeal. To many, it has appeared that something like this has happened in the cases of Emmanuel Levinas and Stephen Darwall; for while each comes from clearly different philosophical traditions, and could hardly be more divergent in their manner of writing, arguing and even ultimate objectives, both nevertheless seem to have arrived at a rather similar view of ethics as fundamentally second-personal, where this is understood as involving an authority relation between individuals which explains how we can be obligated to one another.<sup>1</sup> In this way, it appears, each offers a broadly comparable solution to the problem of moral obligation, where the bindingness of morality is said to derive from this authority as a kind of command; and where once God was seen as the

source of such commands in ethics, they treat the ethical situation as one in which we can command each other in an analogous way.

My aim in this paper is to explore this apparent convergence – where I will use the work of the Danish philosopher and theologian K. E. Løgstrup to suggest that it is perhaps more problematic than it has seemed. For, although Løgstrup may look like a third figure to have also arrived at a view close to the picture sketched above, I will argue that his position is importantly different: for while his ethics is also second-personal, it is one not of command but of responsibility, which gives it a very different structure. I will also argue that when it comes to Levinas, his position is perhaps best thought of as somewhere between Darwall and Løgstrup on this issue – and I will explore whether this makes it an attractive middle way, or an incoherent compromise that needs to opt for one alternative or the other, and so choose between the command model that Darwall offers or the responsibility model that Løgstrup represents.<sup>2</sup>

I will begin by outlining how the second-personal approach represented by Darwall has its roots in divine command ethics, and how Levinas's account can be read in a broadly similar way. I will then present Løgstrup's challenge to this conception of the second-personal relation, and his alternative account. I will finally discuss where in the end we should locate Levinas in this debate between Darwall and Løgstrup on the nature of second-personal ethics.

### *1. Turning divine command theory on its head: From divine command to the command of the other*

In her well-known article 'Modern Moral Philosophy', G. E. M. Anscombe famously argues that there is a fundamental problem with the idea of moral obligation as a distinctively ethical form of normativity: namely, that while this idea made sense when it was grounded in an account of God as a divine lawgiver who obliged us through his commands, we have now largely lost this view of the world, and without it the idea of moral obligation becomes empty – as empty as the idea of a 'criminal' in a society where there is no criminal law and no courts.<sup>3</sup> Anscombe thus counsels us to put the notions of "moral obligation", "the moral ought", and "duty" ...on the Index' if we can manage it,<sup>4</sup> and thus do our best to banish it from our discourse.

Others are more sanguine than Anscombe, however: for, they have suggested that while the divine command view is right to accept a 'jural' account of morality as fundamentally a matter of law, obligation and duty, nonetheless alternative sources for this obligation can be found to God as a lawgiver, which means that this model of ethics can survive his demise – where one option here is to claim that *we* can obligate one another through *our own* commands, thus transforming a theistic conception into a humanistic one.

It is clear from the way that Darwall presents his position that he sees his account of the second-personal relation in ethics as arising in this way, and in his view some such shift lies behind the development of modern ethics more generally, from Samuel Pufendorf onwards. Moreover, he argues that this shift was not just a result of our having to come to terms with the death of God, but rather is inherent to the logic of the divine command view itself, as in treating God's command as an exercise of authority and not mere coercion, similar kinds of authority must also be attributed to us, so that we can emerge as law-givers over one another. For, God's command is non-coercive only insofar as we recognize his authority and so hold ourselves to it; but in doing so, we recognize ourselves and each other as similarly authoritative. Once this occurs, Darwall argues, second-personal ethics as he conceives it becomes an option, where what makes the moral situation second-personal in his sense is that one individual has the authority to command or require the other to act in a person-to-person way – an authority that does not just reside in God, but in all of us as representatives of what he calls 'the moral community'. He therefore claims to be able to turn Anscombe claims regarding divine command theory 'on their head', by showing how what the latter conceives of as purely 'divinely addressed demands' must be understood as coming from 'mutually accountable free and rational persons' instead.<sup>5</sup>

Darwall illustrates what he has in mind here with a Hume-inspired example, of a person standing on your foot. In this case, one reason this person has to get off your foot is the pain he is causing, which is a bad thing; but if he removed his foot for that reason, he would not relate to you as such, as in this case 'he would accept a *state-of-the-world-regarding* and *agent-neutral* reason for removing his foot'.<sup>6</sup> On the other hand, the person might see that you have the authority to require him to get off your foot, so you can command or order that he do so. If he were to remove his foot for this reason, he would

now be relating to you as such, as his reason to act is that *you* have required this of him, in a way that binds him to you in a second-personal manner by connecting you together as two individuals in a way that your being in pain does not. Put simply, if he gets off your foot because it is causing pain, he does not relate to you as a self, but just as a place where something bad is happening; but if he gets off your foot because he acknowledges your authority to require this of him, a genuine relation between persons occurs through this recognition. Darwall therefore agrees with the divine command theorist in treating commanding authority as a central to ethics, while rejecting their claim that only God can serve as such an authority; rather, we can all issue such commands and thus bind each other in the distinctively second-personal way that is characteristic of moral obligation.

Turning now to Levinas, it can appear that at a fundamental level, his picture is rather similar to Darwall's. Like Darwall, Levinas's focus is on the encounter between individuals and thus on their relation to one another in a second-personal form. Moreover, he also focuses on the ethical encounter as involving obligations to the other person, where the basis for that obligation appears to come from the authority to command. Likewise, Levinas seems to present his account as a kind of 'humanisation' of the divine command model, where the authority of the other relates in some way to the authority over us that we might also bestow on God, as both are equally characterized as transcendent, so that the other represents this divine authority to us but in a human form.<sup>7</sup> Finally, as Darwall himself notes,<sup>8</sup> Levinas would seem to endorse what Darwall calls 'Fichte's point', namely that to be commanded by the other in this way is not mere coercion, as to command is to still respect the person commanded as a free and rational agent, and not to aim at taking this away; and to see the person as a free and rational agent is to see them as likewise capable of issuing commands of their own.

Several of these themes come together in a crucial passage from a crucial chapter in *Totality and Infinity*, namely chapter III B: 'Ethics and the Face':

The presence of the face coming from beyond the world, but committing me to human fraternity, does not overwhelm me as a numinous essence arousing fear and trembling. To be in relationship while absolving oneself from this relation is to speak. The Other does not only *appear* in his face, as a phenomenon subject to the action and domination of a freedom; infinitely distant from the very relation he enters, he presents himself there from the first as an absolute. The I disengages

itself from the relationship, but does so within relationship with a being absolutely separate. The face with which the Other turns to me is not reabsorbed in a representation of the face. To hear his destitution which cries out for justice is not to represent an image to oneself, but is to posit oneself as responsible, both as more and as less than the being that presents itself in the face. Less, for the face summons me to my obligations and judges me. The being that presents himself in the face comes from a dimension of height, a dimension of transcendence whereby he can present himself as a stranger without opposing me as obstacle or enemy. More, for my position as *I* consists in being able to respond to this essential destitution of the Other, finding resources for myself. The Other who dominates me in his transcendence is thus the stranger, the widow, and the orphan, to whom I am obliged.<sup>9</sup>

It will be helpful to consider this in more detail, to bring out the ways in can be connected to Darwall's account.

Levinas begins by reiterating a point made throughout *Totality and Infinity*, that the other person is not presented to us as another item in the world, as one object amongst others, but as something that cannot be encompassed within this world. For Levinas, this is crucially seen in discourse, where to engage in discourse with another person is precisely to engage with them as unconfined by any prior assumptions or conceptions one may have of them or what they may say, but to remain open to them in speech. To Levinas, this leads to a conception of fraternity that 'is radically opposed to the conception of a humanity united by resemblance',<sup>10</sup> which would reduce fraternity to mere sameness. Nonetheless, while radically other, there is fraternity here in the sense that there is no sense of 'fear and trembling' in the presence of the face, an obvious reference to Kierkegaard's conception of the relation to God presented by his pseudonym in the work of that name. The other person does not present himself to me as a coercive power, set to overwhelm or destroy me, so to that extent our relation is fraternal. Likewise, while in the encounter with the other I thereby relate to his face, there is clearly more to our relation than just this, in that the other is not just his face qua bodily entity, as this would be to relate to him once more as an object in the world.<sup>11</sup> But qua subject, the other is 'infinitely distant' from any such relation, even though it is through turning

his face to me that I encounter the other, but not in such a way that I can reduce the other to what I find there.

Rather, what I find there is 'his destitution which cries out for justice', in such a way as to make me responsible, where I am then both 'less' and 'more' than the person who presents themselves to me. What makes me *less* than them is that they both summon me to my obligations and judge me accordingly, so that (as Levinas famously puts it) '[t]he being that presents himself in the face comes from a dimension of height', putting him above me as a kind of authority.<sup>12</sup> This 'height' is not simply that of a being that has power over me, and so could oppose me 'as obstacle or enemy': rather, he appears to me as the stranger, requiring me to respond to his needs. Thus, while my status is in some sense lower than his insofar as I am placed under his authority, at the same time my status is also 'more' than his, insofar as I can alleviate his suffering in a way that he cannot do for himself, as I possess what he does not. As needful in this way, the other is not merely the stranger, but also the widow and orphan of the biblical injunction, which exhorts us to provide for them all.<sup>13</sup>

Thus, in a way that Levinas repeats on many occasions,<sup>14</sup> the relation between self and other is seen as a combination of both 'more' and 'less', or 'height' and 'depth': what apparently gives the other height and puts them above me is their capacity to command and thus put me under an obligation to respond, while at the same time what puts them beneath me is that they have needs they cannot satisfy for themselves, in a way that makes them frail and vulnerable in a way that I am not. Nonetheless, from their position of authority and command, they are in a position to require me to come to their assistance, where it is precisely through their destitution that they have this authority to command, in a way that is then not merely coercive as it is legitimated in this way.

While of course many of the underlying themes and concerns are very different, it is thus nonetheless not surprising that faced with passages such as these, some important common ground has been identified between Darwall and Levinas. They would seem to agree that obligation is a matter of being 'summoned' or 'commanded' by the other, who thereby exercises authority in a manner that was once (and still may be) associated with the divine,<sup>15</sup> but now becomes a second-personal relation between individuals. Moreover, like Darwall, Levinas also seems to draw a link between the authority of the individual and that of what Darwall calls 'the moral community' of which the individual is part, and

to make what Darwall calls 'Fichte's point': that if I am able to be commanded, I must also myself be capable of command. Levinas thus speaks of 'the whole of humanity' looking at us through the face of the other, as a 'third party' that 'commands me as a Master'; but at the same time, '[t]his command can only concern me only inasmuch as I am master myself; consequently this command commands me to command' (TI, p. 213/TEI, p. 234). Thus, coming from rather different directions and under rather different influences, it would seem that Darwall and Levinas have converged at a somewhat similar point.

In the discussion above, I have therefore suggested that in their own ways, both Darwall and Levinas can be read as coming to their account of moral obligation as a humanistic development of a divine command view, and that in many respects a step of this sort is an attractive and even obvious one to take. For, to see moral obligation as the result of a command or demand of someone in authority over another is precisely to explain what makes it binding on the will of the latter person, as that is what it *is* to be under a command or demand, as Darwall frequently notes:

There can be no such thing as moral obligation and wrongdoing without the normative standing to demand and hold agents accountable for compliance. Of course, many of the reasons that ground claims of wrong and obligation are not themselves second-personal. That an action would cause severe harm, or even pain to your bunions, is a reason for someone not to do it, whether or not anyone has any standing to demand that he not, and it supports, moreover, a relevant demand. But the action cannot violate a moral obligation unless such standing exists, so any reason that is entailed by the obligation must be second-personal. Consequently, if moral obligations purport to provide conclusive normative reasons, other reasons to the contrary notwithstanding, then this must derive somehow from their second-personal character.<sup>16</sup>

On this view, which Levinas may seem to share, what makes ethics second-personal is that it involves the commanding relation between persons, one of whom has authority over the other, where through the exercise of this authority they are able to put this second person under an obligation, as something they are now required to do.

## *2. From an ethics of command to an ethics of responsibility*



However, despite the attractions of this command model of second-personal ethics, I now want to challenge it, using resources from the ethics of K. E. Løgstrup to cast doubt on this way of conceiving of the nature of our ethical relations. I will suggest that while Løgstrup also deserves to be seen as a representative of a second-personal ethics, for him the key relation between persons is not that of command, but rather of the responsible use of the power we have over others, where it is this that gives us reasons to act that tie us together in a distinctively second-personal manner. Once we see the difficulties Løgstrup raises for the command view, we can then turn to consider if Levinas is best understood that way at all, and thus whether there is more distance between him and Darwall than has been made evident so far.

To understand Løgstrup's fundamental objection to the command conception of second-person ethics, it is useful to begin with a feature of that view which Darwall himself highlights and makes central to his position: namely, that in Thomas Hobbes's terms, it involves *command* rather than *counsel*. The crucial difference, as Hobbes makes clear, is that in the case of counsel, the reason to act is the reason to do whatever it is one is counseled to do; whereas in the case of command, the reason to act is that one has been commanded to so act by a relevant authority. As Hobbes puts it: 'Now *counsel* is a *precept*, in which the reason of my obeying is taken from *the thing itself* which is advised; but *command* is a precept, in which the cause of my obedience depends on the *will of the commander*'.<sup>17</sup> Thus, if I advise or counsel you to take out a pension, then your reason to do so is for whatever reasons I adduce that make having a pension a good idea; but if I command or order you to take out a pension, and I have the authority to do so, then your reason to act in this way is that this is what I have ordered you to do. If you take out a pension, but because you think it will make your retirement more comfortable rather than because this is what I have ordered you to do, you may have acted as I commanded, but you have still not actually *obeyed* my order, so my words have served merely as counsel, not as command. The command to take out the pension thus gives you a further reason to act, on top of the reasons that may make it sensible to have a pension anyway, and it is only when you act on the basis of the reason generated by the command that my authority over you has been acknowledged and acted upon. Commands thus give rise to what H. L. A. Hart called 'content-independent' reasons to act:<sup>18</sup> the reason to act is just

that you have been commanded to do so by a legitimate authority, not what it is that you have been commanded to do.

Now, as we have seen, for Darwall it is because the reason depends on authority in this way, that it is second-personal, as for Darwall '*A second-personal reason is one whose validity depends on presupposed authority and accountability relations between persons and, therefore, on the possibility of the reason's being addressed person-to-person*'.<sup>19</sup> If I order you to take out a pension, I have given you a second-personal reason to act because that reason depends on my authority relation to you; if I just advise you, I have given you a reason that applies to you regardless of our relation to one another, and so no second-personal reason is in play.

The difficulty with this view, however, is that in the ethical case, it always looks best to pass the buck from the command to the reasons why the action has been commanded, and to act on this basis, thus rendering the command redundant. This is why versions of the Euthyphro objection to divine command account of ethics are so familiar: either we act on the reason why God has commanded us to act, in which case the command drops out; or we act simply because God has commanded us to do so, but then the action looks arbitrary from the moral point of view, as it is not clear how a command (even from God) can give one a *moral* reason to act. For example, if I do not lie to you because God has commanded that I do not lie, it would seem that I have adopted the wrong motivating reason, as I should not lie to you because so doing will mistreat you in various ways; and likewise, these ways also seem the right justifying reason not to lie. It is thus not clear how the moral case can be treated as a case of 'content-independent' authority; for in the moral case, the moral agent who simply acts on the authority but ignores the reasons behind it would be failing as a moral agent in failing to see the rational force of those reasons in their own right. Put simply, while it is fine for a soldier to simply follow orders qua orders,<sup>20</sup> it is not fine for a moral agent to do so, and thus to this extent the command model fails: either the moral agent must see the reason why he is being commanded to act in some way, in which case he should act on those reasons; or if he cannot see any such reason why he is being commanded, he should not follow the command at all.

Turning now to Løgstrup, he raises this as an important difficulty for any command ethics, in his essay 'Ethics and Ontology', where he accepts the Hobbesian point

that '[t]he correctness of a command lies solely in the authority of the person giving the order', so that '[t]he command stands or falls with it', while also noting that '[n]aturally that does not exclude that this authority is in turn justified in some kind of order of things'. However, he argues that it is therefore mistaken to treat ethics as a matter of commands; rather, ethics involves requirements or demands on us which we follow knowing the basis for this requirement or demand, where he argues that '[t]his epistemic moment distinguishes demands from commands'.<sup>21</sup> A demand or requirement is thus not 'content-independent' like a command: on the contrary, 'it arises from the fact that we owe something',<sup>22</sup> so that the reason to act on it is not that this has been required or demanded of us as such, but because of what it is we owe or are responsible for, on which the demand is based. It is interesting to note that in putting forward this argument, Løgstrup was in part arguing against his earlier self (as well as the Kierkegaardian divine command theorist who is the explicit target of this part of his paper), as at a much earlier stage in his career he had argued for a divine command view as the only way to explain the moral 'ought';<sup>23</sup> but by this later period in his development he had come to see that any such position was problematic, for the reasons outlined here. If Løgstrup is right, therefore, Darwall is wrong to see ethics as second-personal in the sense of involving some kind of command from one individual to another, and thus as the exercise of authority over them in this sense.

It might be said, however, that this misrepresents Darwall's position, for he too speaks more of 'demands' than 'commands' and so could be understood along the lines suggested by Løgstrup above. But it is not clear that this is an option for Darwall. For on his account, if he treats demands as less than commands, they would then either seem to have a purely epistemic role of alerting an individual to what it is they are already required to do, or of blaming them for not having done what they are already required to do; but on either option, this would be to no longer treat demanding as giving the individual a second-personal reason for action. For, on the one hand, Darwall is clear that if a demand is viewed merely epistemically, 'in "giving" him the reason in this way, you wouldn't so much be addressing it to him as getting him to see that it is there anyway'.<sup>24</sup> On the other hand, if to demand someone act is to attach blame or some other sanction to so acting, then the demand does not make the reason to act second-personal in itself, but gives them a further reason to act which arguably should not be the one that moves the

moral agent, namely fear of punishment. It is precisely to avoid these options that Darwall treats demand as an exercise of practical authority, not merely epistemic authority or sanction. Moreover, if that authority is no more than an ability to judge a person or hold them to account for not acting as they should, there is then a prior reason in the light of which they are being judged and to which they are being held to account, so the demand does not itself give rise to the reason to act or make it the case that they should so act, and so render this reason second-personal as such. For example, you might have the authority to condemn the person who stands on your foot, but unless that authority itself creates the reason to act as on the command model, it merely holds someone to a reason he already has and fails to make this reason second-personal, while it is not clear why he would not do best to act on this prior reason. It would thus seem that Darwall needs to be committed to the command view that is criticized by Løgstrup, if his view is to work.

However, if Løgstrup rejects the sort of command view proposed by Darwall, in what way does it make sense to think of him as proposing a ‘second-personal ethics’, and thus place him alongside Darwall and Levinas at all? If the key concept here is not command, what else could it be that qualifies the position as second-personal in any respect? If, on Løgstrup’s account of the ethical case, A commanding B to  $\phi$  is not sufficient on its own to make B morally required to  $\phi$ , but the requirement must come from some further reason B has to  $\phi$ , it might seem that we are then driven to base it on what Darwall calls a ‘state of the world’;<sup>25</sup> but for him this then renders the reason third-personal, as the reason to act is not grounded in the authority of A over B, and B’s recognition of that authority. Nonetheless, while clearly a *species* of second-personal ethics, does this command model exhaust the *genus*? For, it could be argued, one can take ethics to fundamentally involve the relation between persons in a broader way than this, which equally deserves to be called second-personal in some sense,<sup>26</sup> where the relevant reasons depend *constitutively* on the relation between individuals, even though that relation involves no exercise of authority between them.

If this broader approach is acceptable, then it certainly seems possible to classify a position such as Løgstrup’s as ‘second-personal’. For, on Løgstrup’s account, what is fundamental to ethics is our *responsibility* for one another, which cannot be made sense of in exclusively third personal terms: namely, without taking seriously how we *relate* to

each other in conditions of vulnerability and dependence on the one hand, and concomitant power on the other, where what puts me under an obligation to you are the constraints on how that power can then legitimately be used, which is to act for your good. To use Darwall's central example: Løgstrup's would agree that my obligation to get off your foot does not simply come from the fact that I have caused you pain and that pain is bad; but rather than seeing it as coming from your resulting authority over me as Darwall does, Løgstrup would argue that it comes from the position I now occupy in relation to you – namely, that I now have your well-being 'in my hands' as Løgstrup puts it,<sup>27</sup> placing me in a power relation over you that can only be understood from a second-personal perspective, as constituted by the connection between us as persons. For, this power involves owing something *to* you in a person-to-person way, where the power I have over other things of value (such as an art work or beautiful landscape, for example) does not. If we were to abstract from this relation of power and the responsibility it brings, and fail to see this as reason-giving by only treating the pain as a source of reasons to act, we would be neglecting the vital normative role of the relation between persons and the reasons these generate; our inability to abstract in this way thus makes this account second-personal in a recognizable sense.

Løgstrup's position thus arguably deserves to be viewed as a second-personal one, as it is the relation between individuals which must be seen as essential in understanding the reasons there are to act, which cannot be understood as reasons independently of these relations; but unlike Darwall, the relation in question is not one of command or authority, but one of dependence and power, and thus of responsibility. In an early essay on 'Duty or Responsibility' from 1938, Løgstrup makes this relational aspect of his thinking clear in distinguishing duty as a monadic concept from responsibility as a dyadic one, in the sense that one can conceive of the duty not to lie or not to steal without bringing in others as the ground of the duty, whereas one cannot conceive of responsibility except as responsibility *for* someone.<sup>28</sup> As a result, Løgstrup argues, in the case of responsibility 'the question of justification' cannot really arise, as characterizing the situation as one of responsibility immediately introduces the other person into consideration, thus making clear the normative basis for the action:<sup>29</sup> namely, the reason to act is the person for whom one is responsible, and their needs, thereby rendering the situation an inherently relational one.<sup>30</sup>

### *3. Levinas: Between Darwall and Løgstrup*

If it is therefore correct to see Darwall and Løgstrup as offering contrasting conceptions of second-personal ethics – one based on authority and command, and the other based on vulnerability and power – the question then arises where Levinas should be placed on this spectrum. As we have seen, when Levinas speaks of the relation between self and other as involving ‘height’, he may seem close to Darwall’s conception, as it appears to set the other over the self in a position of commanding authority. However, at the same time as we have also seen, Levinas also emphasizes the way in which the other lacks what it is that I have, making them ‘destitute’ in relation to me, and thus they become ‘the stranger, the widow, and the orphan, to whom I am obliged’.<sup>31</sup> Moreover, Levinas also emphasizes that no one can replace me when it comes to this relation, so that the responsibility binds us as particular individuals. He can thus be read as underlining the relational aspect of this connection in the same manner as Løgstrup, where he even writes that ‘[t]he I is bound up with the non-I as if the fate of the Other was in its hands’, so that ‘nobody can respond in its place’.<sup>32</sup> Levinas thus emphasizes just the kind of vulnerability and dependence that we have presented as fundamental to Løgstrup’s account, but which does not play such a role in Darwall’s, for whom it is our authority over one another that forms the basis of our obligations to act, much as it was once conceived to come from the authority over us that belongs to God. Does it make sense to position Levinas as closer to one of these options than the other, or does he represent some way of bringing them together? Or is his position unstable because he does not see the tension here, or does he try to overcome but in an incoherent way?

In speaking of the relation between self and other as both ‘height’ and ‘depth’, or ‘more’ and ‘less’, it may seem attractive to view Levinas’s position as a combination of the two models: the obligation arises both through the capacity to command, conjoined with the vulnerability of the other. It is thus worth exploring whether any such combination is feasible.

One way that might seem to work, and which might be suggested by Levinas’s text, is to see the vulnerability of ‘the stranger, the widow, and the orphan’ as providing some grounding for the authority they have over the self, in a way that makes the authority legitimate rather than an exercise of merely coercive force. Thus, it might be argued, in

the parable of the Good Samaritan, what gives the injured traveller the right to command the Samaritan to help him is precisely the fact that he *is* injured, destitute and in need, while the Samaritan is in a position to alleviate this need; nonetheless, what makes it obligatory for the Samaritan to act is strictly that this command is issued (or could legitimately be issued), not the needs of injured traveller as such and the Samaritan's capacity to help him. Nonetheless, on this account there would still be an important connection between the features of 'height' and 'depth': the latter would constitute the basis for the former, in giving the authority of the other a legitimate basis, even though the reason to act would come from the exercise of that authority and not from their needs.

However, it is not clear that this position really provides a satisfactory synthesis of the two options, for of course the reason to act remains based on the command, even if the authority to command relates to the 'dimension of depth', and thus stems from the destitution of the other person. Løgstrup can still claim, therefore, that this puts both the motivating and justifying reason in the wrong place: it is not the command of the traveller that obliges the Samaritan to help him, but the way in which the life of the traveller is placed in the Samaritan's power as a result of his needs. This way of putting together the two positions therefore fails to accommodate enough of Løgstrup's conception to be an adequate middle position.

Another possibility of synthesizing ideas from Darwall and Løgstrup through Levinas might be consider whether Levinas shows how the relation between self and other need not be one of command, but could still involve some other exercise of authority whereby the other holds the self to account for his actions. Thus, Levinas might be read as accepting Løgstrup's point that our moral obligations to others do not come about through command but through our responsibilities, but nonetheless as following Darwall in thinking that we can hold others to account for not acting on those responsibilities and hence blaming them in certain distinctive ways if they fail to live up to them. There also might be grounds for thinking that Darwall would be happier with this combination of views than Løgstrup would be with the previous option, as Darwall himself speaks frequently of blame and other reactive attitudes as a marker of the kind of second personal authority he has in mind, and which he takes to be constitutive of moral obligation.<sup>33</sup>

A reading of Levinas along these lines can be given some textual support if we note that he does not always characterize the position of 'height' as involving command, but can sometimes do so as comprising a 'summons', a 'call' and an act of judgement, which is actually how he puts things in the crucial passage from *Totality and Infinity* with which we began: 'the face summons me to my obligations and judges me' (le visage me rappelle à mes obligations et me juge).<sup>34</sup> The difference here is significant: for whereas (as we have seen) a command creates a new reason to act that was not there already, where it is in then acting on this new reason that one obeys the command, this is not the case when it comes to a summons or a judgement of blame: for, as Levinas himself makes clear, the person is here called to act or blamed for not acting in the light of what *he or she already has reason to do*, so this does not *create* the obligation but rather holds them to it and assesses them in terms of it, which is still an exercise of authority of some sort (and hence can be characterized in terms of 'height'), but not the authority of command. Levinas can thus be read as agreeing with Løgstrup that the obligation we are 'summoned' to by the other is not itself constituted by the command of the other, but also as agreeing with Darwall that insofar as the other can 'summon' us in this way, and hence hold us to account if we fail to act on it, this puts the other 'above' us to this extent, even while Løgstrup is right that the obligation we are under arises as such because of the need which we are in a position to assuage.<sup>35</sup> Levinas might thus be read as revealing aspects of this second-personal view that could be made attractive to both sides in the debate, and show how they could be brought together.

While a resolution of this sort has considerable appeal, it should however be noted in conclusion that this way out may also prove problematic, for reasons that relate to where we began. For, as we saw at the outset, Darwall is explicit in presenting his ethics as a kind of humanistic successor to divine command ethics, as offering a way to think of the latter in terms of the relation between individuals instead of the relation between individuals and God. However, of course, Darwall's account can only claim to be a successor of this sort if it properly incorporates within it precisely the conception of 'command' that has just been rejected, which is equally the very one identified by Hobbes and criticized by Løgstrup: namely, the 'content-independent' conception of command which the divine command theorist adopts when they argue that it is God's command alone that generates the obligation to act, and nothing else. It is thus a very different



position to claim that God summons and judges us in the light of our prior obligations; but this is the most that Darwall's position could claim to have 'turned on its head' if we understand him along the lines outlined above, which is perhaps a price that he would not be prepared to pay.

Likewise, when it comes to Levinas himself, he too seems to envisage his project as bringing significant aspects of the divine command tradition within an inter-personal ethics, though perhaps without Darwall's polemical intention of 'overturning' the former. Nonetheless, when Levinas does try to bring the two together explicitly, it is perhaps no accident that it is then the language of 'command' than predominates, over that of 'call' or 'summons': 'There is, in the face, the supreme authority that commands, and I always say, this is the word of God. The face is the site of the word of God, a word not thematized'.<sup>36</sup> Thus, given Levinas's apparent commitment to a form of divine command ethics in his theological thinking, it could also be argued that for him there is a price to be paid if we take too seriously an ethics of responsibility which does without all talk of command.

Therefore what perhaps ultimately makes it possible for Løgstrup to be different both from Darwall and from Levinas, is that his ethics never really fell under the spell of the divine command model. For while there is a deep connection between his ethical and religious thinking, this turns more on the natural law tradition, for which God's role is predominantly that of a creator rather than a commander; thus within this tradition, normativity is not to be fundamentally traced back to what is imposed on through the exercise of authority, but as arising out of the framework of relations that constitute the necessary conditions for life. It is thus less surprising that Løgstrup can come to develop second-personal ethics in the way that he does, while for Darwall and Levinas it is harder to entirely shake the grip on their imaginations of the command model; at the same time this difference can give rise to the kind of productive dialogue between them that has been traced out in this paper.<sup>37</sup>

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<sup>1</sup> For works that compare Levinas and Darwall, see: Michael L. Morgan, *Discovering Levinas* (Cambridge: Cambridge University Press, 2007), pp. 446-48; Michael L. Morgan, 'Historicity, Dialogical Philosophy, and Moral Normativity: Discovering the Second Person', in Hava Tirosh-Samuelson and Aaron W. Hughes (eds), *Jewish Philosophy for the Twenty-First Century* (Leiden: Brill, 2014), pp. 266-95; Michael D. Barber, 'Autonomy, Reciprocity, and Responsibility: Darwall and Levinas on the Second Person', *International Journal of Philosophical Studies*, 16 (2008), pp. 629-644; William Hosmer Smith, *The Phenomenology of Moral Normativity* (Abingdon: Routledge, 2012).

<sup>2</sup> Levinas and Løgstrup are compared in Zygmunt Bauman, *Postmodern Ethics* (Oxford: Blackwell, 1993), Chapter 3, and in his 'The Liquid Modern Adventures of the "Sovereign Expression of Life"', in Svend Andersen and Kees van Kooten Niekerk (eds), *Concern for the Other: Perspectives on the Ethics of K. E. Løgstrup* (Notre Dame: Notre Dame University Press, 2007), pp. 113-38. Alasdair MacIntyre picks up this comparison in his 'Danish Ethical Demands and French Common Goods: Two Moral Philosophies', *European Journal of Philosophy* 18 (2010), pp. 1-16, while it is also commented upon in the Introduction by

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himself and Hans Fink to the English translation of *The Ethical Demand*: see *The Ethical Demand*, translated by Theodor I. Jensen and Gary Puckering; revised with an introduction by Hans Fink and Alasdair MacIntyre (Notre Dame: Notre Dame University Press, 1997), pp. xv-xxxviii, pp. xxxiii-xxxv. See also Simon Critchley, *Infinitely Demanding: Ethics of Commitment, Politics of Resistance* (London: Verso, 2007), pp. 49-63 and Anne-Marie Søndergaard Christensen, 'Relational Views of Ethical Obligation in Wittgenstein, Levinas and Løgstrup', *Ethical Perspectives*, 22 (2015), pp. 15-38. Darwall has discussed Løgstrup in his review of *The Ethical Demand and Concern for the Other*, *Notre Dame Philosophical Reviews* (03/05/2010) <https://ndpr.nd.edu/news/24307-beyond-the-ethical-demand-book-1-and-concern-for-the-other-perspectives-on-the-ethics-of-k-e-l-248-gstrup-book-2/>, and in 'Løgstrup on Morals and "the Sovereign Expressions of Life"', in Hans Fink and Robert Stern (eds), *What is Ethically Demanded? K. E. Løgstrup's Philosophy of Moral Life* (Notre Dame: Notre Dame University Press, 2017), pp. 35-53.

<sup>3</sup> Cf. G. E. M. Anscombe, 'Modern Moral Philosophy', *Philosophy*, 33 (1958), p. 6.

<sup>4</sup> Ibid, p. 15.

<sup>5</sup> Cf. Stephen Darwall, *The Second-Person Standpoint: Morality, Respect, and Accountability* (Cambridge, Mass.: Harvard University Press, 2006), p. 115 note 45. For further critical discussion of Darwall's argument here, see my 'Divine Commands and Secular Demands: On Darwall on Anscombe on "Modern Moral Philosophy"', *Mind* 123 (2014), pp. 1095-1122.

<sup>6</sup> Darwall, *The Second-Person Standpoint*, p. 6.

<sup>7</sup> Cf. Merold Wesphal, 'Commanded Love and Divine Transcendence in Levinas and Kierkegaard', in Jeffrey Bloechl, *The Face of the Other and the Trace of God: Essays on the Philosophy of Emmanuel Levinas* (New York: Fordham University Press, 2000), pp. 200-23, p. 216: 'Is this a theology without God? If God is only "the *he* in the depth of the you", does this mean that God is not a distinct personal being but rather the depth dimension of the human being? Does Levinas persuasively redefine "God" to mean simply the trans-empirical moral significance of the neighbor?'

<sup>8</sup> Darwall, *The Second-Person Standpoint*, pp. 21-22, note 44.

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<sup>9</sup> Emmanuel Levinas, *Totality and Infinity*, translated by Alfonso Lingis (Pittsburgh: Duquesne University Press, 1969: hereafter TI), p. 215/*Totalité et infini* (Paris: Librairie Générale Française, 1990: hereafter TEI), pp. 236-7.

<sup>10</sup> TI, p. 214/TEI, p. 236.

<sup>11</sup> Levinas is thus hesitant to call this a 'relation' in a normal sense, and instead calls it a 'relation without relation': cf. TI, p. 80, and TI, p. 295/TEI, p. 79, and TEI, p. 329.

<sup>12</sup> Cf. also TI, p. 215/TEI, p. 237.

<sup>13</sup> Cf. Deuteronomy 16:14, 26:12 and 27:19.

<sup>14</sup> For other examples, see 'Transcendence and Height', in *Basic Philosophical Writings*, edited by Adriaan T. Peperzak, Simon Critchley and Robert Bernasconi (Bloomington and Indiana: Indiana University Press, 1996), pp. 11-32, pp. 17-19; *Is it Righteous to Be? Interviews with Emmanuel Levinas*, edited by Jill Robbins (Stanford: Stanford University Press, 2001), p. 215.

<sup>15</sup> Levinas's position on the relation between religion and ethics is of course a complex issue, which cannot be discussed properly here. For just one of many statements on this question, cf. *Is it Righteous to Be?*, p. 236: 'The face in its nudity is the weakness of a unique being exposed to death, but at the same time the enunciation of an imperative which obliges me not to let it alone. This obligation is the first word of God. For me, theology begins in the face of the neighbor. The divinity of God is played out in the human. God descends in the "face" of the other. To recognize God is to hear his commandment "thou shall not kill," which is not only a prohibition against murder, but a call to an incessant responsibility with regard to the other'.

<sup>16</sup> Darwall, *The Second-Person Standpoint*, pp. 99-100.

<sup>17</sup> Hobbes, *De Cive*, XIV.1, cited Darwall, *The Second-Person Standpoint*, p. 13. Cf. also 'Command is when a man saith do this or do not do this yet without expecting any other reason than the will of him that saith it' (Hobbes, *Leviathan*, Chap 25).

<sup>18</sup> Cf. H. L. A Hart, 'Legal and Moral Obligation', in A. I. Melden (ed), *Essays in Moral Philosophy* (Seattle: University of Washington Press, 1958), pp. 83-107, p. 102; and *Essays on Bentham* (Oxford: Oxford University Press), p. 254: 'Content-independence of commands lies in the fact that...in the case of all of them the commander intends his

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expressions of intention to be taken as a reason for doing them. It is therefore intended to function as a reason independently of the nature or character of the actions to be done’.

<sup>19</sup> Darwall, *The Second-Person Standpoint*, p. 8.

<sup>20</sup> Of course, even this is only true within limits; but within those limits, it is nonetheless true.

<sup>21</sup> The article is written in German where the term translated as ‘demand’ is ‘Forderung’, which is the equivalent of ‘fordring’ in Danish, meaning ‘demand’, ‘requirement’ or ‘claim’.

<sup>22</sup> Løgstrup, ‘Ethics and Ontology’, translated by Eric Watkins, in *The Ethical Demand*, pp. 265-93, p. 291/‘Ethik und Ontologie’, *Zeitschrift für Theologie und Kirche*, 57 (1960), pp. 357-91, p. 389.

<sup>23</sup> Cf. Løgstrup, *En Fremstilling og Vurdering af Max Scheler's 'Der Formalismus in der Ethik und die Materiale Wertethik'*, edited by Bjørn Rabjerg (Aarhus: Klim, 2016), §§28-30 (pp. 125-48), where Løgstrup argues that ‘Ought is based on a mutual act, namely command and obedience; ought is based on an activity between two persons, one commanding and one obeying’ (§29, p. 133), and argues that in the moral case, this commander must be divine or a ‘supra-human subject’. Cf. also §30, pp. 142-3: “‘Ought’ is a metaphysical category (a religious category). ‘Ought’ is the authoritative statement concerning the realization of certain values. Value itself does not command to be realized; the realization of values is the subject of an authoritative statement addressed to persons. The application of the category ‘ought’ to moral values points to their link to a greater context, their metaphysical foundation’.

<sup>24</sup> *The Second-Person Standpoint*, p. 6.

<sup>25</sup> Cf. *The Second-Person Standpoint*, p. 5, p. 128

<sup>26</sup> On some ways of drawing the distinction between the ‘second-personal’ and the so-called ‘bipolar’ this might be denied, if the former is reserved only for a position like Darwall’s – but then the matter becomes purely terminological. For further relevant discussion see Michael Thompson, ‘What is it to Wrong Someone? A Puzzle about Justice’, in R. Jay Wallace, Philip Pettit, Samuel Scheffler, and Michael Smith (eds.), *Reasons and Values: Themes from the Moral Philosophy of Joseph Raz* (Oxford: Clarendon Press, 2004), pp. 333-84; R. Jay Wallace, ‘Reasons, Relations, and Commands: Reflections on Darwall’, *Ethics* 118 (2007), pp. 24-36; Stephen Darwall, ‘Bipolar Obligation’, reprinted in his

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*Morality, Authority, and Law: Essays in Second-Personal Ethics*, vol. 1 (New York: Oxford University Press, 2013), pp. 20-39.

<sup>27</sup> Unfortunately, the English translation of *The Ethical Demand* causes some confusion regarding where Løgstrup uses this metaphor. It is actually first used on p. 25 of the current Danish edition *Den Ethiske Fordring* (Aarhus: Klim, 2010), which corresponds to pp. 15-16 of the English translation, but where it is rendered in this translation as ‘without another person also having some degree of control over him or her’. At the same time, the English translation use the ‘hands’ metaphor on p. 14, where the Danish does not, but simply says that we ‘deliver ourselves up to one another’ (p. 24 in the Danish text).

<sup>28</sup> Cf. K. E. Løgstrup, ‘Pligt eller Ansvar’ (Duty or Responsibility), *Kirken og Tiden*, 14 (1938), pp. 206-17, pp. 208-9: “[R]esponsibility” always indicates a situation, a relation – namely in accordance with its moral relevance. “Responsibility” indicates the relation in which I stand to a case or another person – namely in accordance with its moral value. But duty as a task stands alone, while it is a sign of involving a relationship that responsibility has a preposition attached: responsibility is responsibility “for”: A person is responsible “for” his spouse, “for” his child. The engineer is responsible “for” the carrying capacity of the bridge, etc. They must ensure the things for which they have assumed responsibility.’

<sup>29</sup> ‘[D]uty casts a magic circle around a person and traps him hopelessly in the self. Because the concept of duty isolates a person, therefore he seeks a reason. For when a human being is left wholly alone, then one can indeed ask: “But why should I do anything other than what I have the desire to do?” ... This question does not arise in relation to responsibility. What matters is that *the concept of responsibility as opposed to the concept of duty does not require any justification*. The other person, for whom the person has responsibility, is in responsibility set over the responsible person.... In responsibility a human being is not alone; but he is for the other – and in the preoccupation with that there is neither time nor place for such refined interests as justification for the person’s behaviour’ (p. 213).

<sup>30</sup> Løgstrup’s emphasis on responsibility continues into his mature writings, including *The Ethical Demand*: see e.g. pp. 53-4/p. 66: ‘Because power is involved in every human



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relationship, we are always in advance compelled to decide whether to use our power over the other person for serving him or her or for serving ourselves. There are many motives for the latter, all the way from the gratification of a lust for power on the part of those who possess it to a use of power in anxiety. But in the moment of decision however we are confronted by the demand that the power over the other person be used in such a way as to serve him or her. That we are inescapably confronted at all times with this given alternative is brought out very nicely by the word “responsibility”. To acknowledge that our mutual relationships are relationships of power while ignoring the demand thereby implied is to remain indifferent to the question whether the power we have over the other person is to be used to serve him or her or to serve ourselves at his or her expenses’. Nonetheless, while I think this notion of responsibility remains fundamental to Løgstrup’s position, *The Ethical Demand* does also express reservations about how the concept can be (and has been) misused, for example in seeming to make our obligations to others limitless and hence confusing moral responsibility with political responsibility (see Chapter 3 §2), or in making us think that to behave responsibly is to behave in a reflective manner, and thus without the spontaneity of the kind of love that Løgstrup thinks is central to the ethical demand (Chapter 8 §1). Nonetheless, I think the basic structure of Løgstrup’s position can still be characterized in terms of responsibility, if these warnings are also born in mind.

<sup>31</sup> TI, p. 215/TEI, p. 237.

<sup>32</sup> ‘Transcendence and Height’, p. 18.

<sup>33</sup> Cf. Darwall, *The Second-Person Standpoint*, pp. 27-28.

<sup>34</sup> TI, p. 215/TEI p. 237.

<sup>35</sup> Løgstrup himself also allows that if we are responsible *for* someone, this is because we have a power over them and we are thus responsible *to* the source of that power in a way that makes us answerable for its use; he thus sometimes speaks of this as an authority qua judge who can hold us to account in light of this responsibility, and to which we are therefore answerable: cf. *The Ethical Demand*, p. 171/*Den Ethiske Fordring*, p. 195.

<sup>36</sup> *Is it Righteous to Be?*, p. 215

<sup>37</sup> I am very grateful to Mike Morgan, Diane Perpich and James Lewis for very helpful discussion of the issues raised in this paper.