Beyond Ethical Dualisms  
*Heidegger and Modern Moral Philosophy*  
Brad Thames  
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It is well known that Heidegger never undertook to write a theory of ethics, and that this was obviously not due to an oversight or wont of opportunity. Many philosophers have taken this refusal to consider ethics as such to be a major flaw in Heidegger’s philosophy, especially in light of an enthusiasm for certain ‘immoral’ ideals during a notorious period of his life. It is a relevant question whether more direct attention to some of the paradigmatic ethical concerns would have effectively constrained his commitments or even motivated him to oppose rather than endorse the Nazi regime, but this is not the place for such speculations. Our concern will be with what, as far as we can understand him, Heidegger took to be ‘ethics’, and whether we can then understand more clearly why he was so averse to addressing the traditional ethical questions directly. When asked specifically the question of whether or not he will write an ethics, as recounted in the “Letter on Humanism,”¹ Heidegger indicates that he has certainly considered the importance, indeed the need, for guidance and direction, especially given the rise in technology and the moral questions it opens up.² His concern seemed to be that ‘doing an ethics’ in the sense that it traditionally had been would be one of those ways in which philosophers confine philosophy to the ‘ontic’: a study of beings in their manifestations but without sufficient consideration of the meaning of Being itself, that is, without considering the Being of the beings it studies. Not until the *Seinsfrage* is adequately worked out can the sorts of questions one finds explored in the

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² LH 255
discipline of ethics have existential justification. For this reason, he describes his project in *Being and Time* as “purely ontological in its aims...far removed from any moralizing critique of everyday Dasein.”

It remains an open question whether Heidegger nevertheless *could* have written more material specifically on ethics, and likewise whether he could have participated in some of the ethical discourse that one finds in contemporary philosophy, especially in light of the rise of more Aristotelian-based ethics. Some philosophers have tried to work out what a specifically Heideggerian ethics might have to say, believing that one can, in Lawrence Hatab’s words, “show how Heidegger’s way of thinking is able to articulate both the claims and the finite complexity of ethical existence.” Such a project, if is to avoid the problems with ethics as traditionally conceived, would have to clearly understand what sorts of features of modern moral philosophy are antithetical to a Heideggerian approach.

Another way of posing this concern, as I insinuate above, is to consider certain features of ‘ethical theory’ that would have perhaps compelled Heidegger to avoid associating his philosophy with that. A number of the writers mentioned above have commented on the possibility of grounding a Heideggerian ethic ontologically in terms of an *ethos*, which is more originary than an ethical *theory* in that it begins from the situated *lifeworld* instead of the rules and principles associated with theory. In Heidegger’s later thought, he associates the *ethos* with a kind of “abode, dwelling place…the open region

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4 BT 211
in which man dwells. The open region of his abode allows what pertains to man’s essence, and what in thus arriving resides in nearness to him, to appear.” The ethos “contains and preserves the advent of what belongs to man in his essence.”

It is the task of this study to uncover some of the limitations of ethics as theory, opening the way for a more fruitful understanding of ethics as having to do with ethos.

There are several ways one might approach this inquiry, but the approach we will consider is to examine the differences between Heidegger’s philosophy and ‘ethics’ in terms of three fundamental dichotomies or dualisms one finds dominating much of the moral philosophical landscape: subject/object, fact/value, and is/ought. We will situate Heidegger’s thought relative to these, considered as fundamental grounds for ethical inquiry, by opposing the dichotomies, respectively, to the analysis of the Being of Dasein as being-in-the-world, as hermeneutical being, and as temporality.

One important note before we proceed: our inquiry will be focused almost entirely on the analysis of Dasein as found in *Being and Time*. This is primarily because we are dealing here with the way in which metaphysical thinking as embodied in moral theory occludes the question of being; it is not, as I have mentioned, a positive account of a Heideggerian ethic, which would undoubtedly need to consider more of his earlier writings on Aristotle, as well as the later writings in which he draws out the meaning of the ethos. For now, the preparatory analysis for the meaning of Being as found in *Being and Time* will suit our purposes for the most part.

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6 LH 256.
Subject/Object

The form of the subject-object dichotomy that found itself settled at the foundation of modern moral theory was heavily influenced by Descartes’ *cogito* argument, which arrived at what he took to be the only sure and secure form of knowledge, that of the self as a *res cogitans*, a thinking thing. This is accomplished by systematically bracketing everything that can be possibly doubted, and recognizing the proposition ‘I think’ as absolutely indubitable. From there Descartes reasoned that the subject which thinks – the ‘I’ – must exist as an inherently distinct substance from all that had been bracketed as a possible illusion, including the material world, the *res extensa*. That which exists essentially as thinking substance thus becomes a *subject* metaphorically distinct from all which could be an *object* of thought (except, of course, its own self).

Regardless of their avowed metaphysical positions regarding the being of the subject vis-à-vis objects, ethical theorists of the next few centuries and persisting today have largely retained the primacy of the subject-object distinction in posing and attempting to answer such paradigmatic questions *what is right/wrong*, *what is the good*, or *what should I do*. From a Heideggerian perspective, these approaches are metaphysical in that they fundamentally consider *entities* or beings, retaining an implicit distinction between the subject as *knower* of moral truths, as *agent* of moral acts, as *source* of moral value, and the objects as the *object* of knowledge, the *consequences* of acts, the *bearer* of value, just to name a few manifestations of this distinction.

We can see how this distinction plays itself out by briefly considering a few of the more prominent sorts of moral theory in modern philosophy – hedonism and
utilitarianism. Hedonistic (or egoistic) theories give priority in ethical analysis to the interests and desires (usually closely connected with pleasure and absence of pain) of an essentially atomistic and detached subjectivity, thereby reducing the questions of ethics to questions of self-interest. In some forms, our more familiar moral duties are explained as the optimally rational choice of an individual concerned only with pleasure, desire-satisfaction, avoidance of pain, and, in evolutionary ethics, survival and propagation. This finds echoes in such approaches to ethics as Rawlsian liberalism, in which moral norms are a kind of contract between self-interested individuals who consider what sorts of principles they would accept if they did not know what social position they occupy, what ‘comprehensive conceptions’ they adhere to, etc. These ethical theories, whether in hedonistic or liberal forms, articulate principles of right action and analyze moral concepts in terms of the subject abstracted from the lived world and made into an object essentially for itself; ‘external objects’, whether they include other people or ‘things’, are relevant to ethical principles insofar as they may satisfy or hinder the subject’s interests. They are the data, essentially distinct from the principles which have their source in the subject, that one ‘plugs into’ the principles in order to arrive at right action.

Utilitarianism (in most forms, at least) shares to some degree the presumption that the ground of morality is in desire-satisfaction, but maintains that the determination of right or wrong actions lies in the quantity of utility (pleasure or absence of pain, say) in their consequences. In this way, moral deliberation and judgment must consider not simply the individual but the aggregate sum of utility across all people: the individual’s

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7 See Theory of Justice, especially chapter *, and “Outline of a Decision Procedure for Ethics” (1951). We normally associate Rawls with the Kantian tradition, so associating him with hedonism – perhaps the furthest moral theory from Kant’s own – may sound paradoxical. One lesson that can be learned is that some very different sorts of moralities end up looking more similar when compared in light of shared presupposition such as we are considering in the subject/object distinction.
own preferences are still relevant, but only insofar as they one set of preferences among
the total set of all individuals. Actions are/were right just in case they lead/led to the
greatest pleasure for the greatest number of people, and wrong just in case there are/were
alternative actions with greater consequent utility. In this case, morality becomes a
matter of quantifying various empirical data, so to speak, and determining moral
judgment based on these calculations. Some types of utilitarianism attempt to motivate
their theory by appealing to the claim that maximizing desire-satisfaction across all
people is somehow most likely to satisfy one’s own desires, and so its principles are the
most rational for a person to live by; others argue that the theory is to be understood as
just an account of what it means for an action to be right or wrong, not necessarily a
motivating account. Like hedonism, however, utilitarianism begins with the presumption
that the fundamental locus of morality is subjectivity: a certain subject has certain desires
and interests or is capable of experiencing pleasure and pain, and states of affairs have
moral value by reference to these subjective possibilities, aggregated across a collection
of essentially disparate individuals.

Kant, of course, cannot be lumped together with these sorts of theories as another
example of the same sort of subject/object distinction, though the distinction remains.
Kant’s subject, considered as moral agent, is determinable through freedom by pure
practical reason, while objects are determinable through the categorial forms of pure
theoretical reason. In this way Kant’s morality becomes grounded in the notion of a
duty, an unconditional obligation that is independent of the vicissitudes and contingencies
of consequences and subjective interests and inclinations that characterizeutilitarianism
and egoism. The locus of moral duty lies in the act itself, or more specifically, the maxim
that is the ultimate reason for an act. For an act to have genuine moral worth, the maxim upon which the agent acts must fulfill the demands of the categorial imperative, viz., that one act only on those maxims that can be willed to be universal laws. However, by grounding moral principles solely in pure reason, independent of desires and inclinations, conceptions of the good, and consequences, subjectivity, and by extension morality, become radically abstracted from the world of objects. Kant’s moral principle is one of absolute self-legislation, a feature which respects genuine freedom in requiring an autonomous, self-imposed rational ground. While Kant is careful not to consider subjectivity in terms of subjective substance as the other theories we have considered do, moral principles nevertheless take their departure from a wordless ‘I’ as the determinable of freedom.

Each of these instances of ‘ethics’, insofar as they are theoretical, share to some extent the ‘inward turning’ characteristic of Cartesian philosophy, and along with it the presumption that such disengaged subjectivity is the starting point in formulating the questions and concerns of moral theory. Moral truth in these theories is a function either of subjective desires, whether conceived individualistically or aggregately, or in the free self-legislation of the will. The ‘subject’ is that entity that can be examined in abstraction from its world, and from such an examination we can discern those elements that determine ethical principles which can then be ‘applied’ to the world of objects.

Overcoming the subject-object distinction is one of the basic tasks of Heidegger’s fundamental ontology, at least in his earlier days, and so it is impossible to give a comprehensive account here; but there are a few points we can make that indicate his resistance to the model of ethical theory represented above. To think the question of
Being in its primordiality, that is, to make the being of beings ‘transparent’, he has us first consider the being for whom the question of Being is important, namely, human being. But so far the idea of ‘human being’ is meant only as a rough indicator of the being we’re to consider: it should not be taken in any substantial way, because this would already presuppose its being in some important way – namely, as substance – without considering what it is to be substance, which itself is illegitimate before we address the question of what it is to be. Similarly for other ‘definitions’ of human being, such as ‘rational animal’, ‘material thing’, ‘person/soul’, etc. The posing of the *Seinsfrage*, that is to say, precedes any account of essence as conceptually distinct from existence, a distinction that underlies all philosophy since Plato, on his account.

What we can say first about the being for whom the question of Being is an issue is that it is *Dasein*, being-there, which is being-in-the-world. The use of hyphens in the English translation of this term indicates that being-in-the-world is not to be understood as denoting the location of the subject within an objective world, where the two are considered co-existent yet nevertheless essentially distinct. It is already there, both constituting and being constituted by the world. It is, thus, not something that can be isolated and examined as an entity, as something present-at-hand. To do so would require us to take it in isolation from its world, to see what it is essentially in terms of properties: metaphysically, not existentially. Heidegger interprets even Kant, who tried to limit the ‘I think’ to an apperception, a transcendental condition of knowledge instead

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8 BT 67
9 BT 21-24
of a thing-in-itself or even a concept, as falling prey to this reduction of subjectivity to presence-at-hand simply by defining the ‘I’ ontologically as subject.\(^{10}\)

Being-in-the-world, then, precludes identifying subjects and objects as essentially distinct entities. As Heidegger puts it, “If, in the ontology of Dasein, we ‘take our departure’ from a worldless ‘I’ in order to provide this ‘I’ with an Object, then we have ‘presupposed’ not too much, but \textit{too little}.”\(^{11}\) Each of these subjectivizing approaches to ethics divorces the ‘theoretical subject’ in some way from its ‘world’, and so has to “tack on an ‘ethic’” to “round it out ‘on the practical side’”.\(^{12}\) This object then becomes “\textit{artificially and dogmatically curtailed}”.

This last statement opposes the utilitarianism approach in that objects have moral relevancy insofar as they are objects \textit{for us}. We certainly encounter objects in this way, a kind of relation that Heidegger calls \textit{zuhanden}. But this is a mode of encounter with entitles in the world, not an articulation of essence. Furthermore, due to the objectification of everything not subjective, other persons become objects \textit{for us}. The being of Dasein with regard to other Daseins, however, can never be one which isolates Dasein from the Other. Being-with-Others, Heidegger insists, “belongs to the Being of Dasein, which is an issue for Dasein in its very Being. Thus as Being-with, Dasein ‘is’ essentially for the sake of others.”\(^{13}\) In contrast to moral theories which begin with the isolated self, and from there construct principles under which the moral value and relation to others is determined, Heidegger insists that being-with and being-for are primordially part of our essence at its core.

\(^{10}\) BT 367
\(^{11}\) BT 363
\(^{12}\) Ibid.
\(^{13}\) BT 160
Being-in-the-world also means that moral thought is always permeated with temporality, a theme we will return to in the third section. Being-temporal means that Dasein always thinks from somewhere with a vision towards its possibilities. But Dasein’s possibilities include its own death. Being-towards-death, then, reveals the finitude of Dasein’s being. This disclosure of finitude, death, and the ‘nothing’ gives itself through the moment of angst, in which the realm of everydayness and certitude becomes disrupted. Heidegger suggests that the bifurcation of the world into subject and object is a ‘retreat’ or ‘flight’ in the face of this anxiety, fleeing into the familiar within which we can make sense of things, get answers. In the face of anxiety, postulating subjectivity allows us to conceive of ‘things’ as under our control. In the face of finitude, subjectivity provides the means for constructing principles, under which we can know what to do when faced with the challenge of ethical decisions. Lawrence Hatab suggests a similar reading:

The disengagement of modern subject-based reason can be taken as a refuge from the contingencies of the life-world. Modern moral theories might then be diagnosed as overdetermined by vertigo, as a hyperbolic response to the traumatic displacement of traditional warrants…

Many of these general ways of thinking more primordially than the subject/object distinction will be drawn out as we look at the other bifurcations, given that they themselves largely follow from the bifurcation of the world into subject/object. But focusing on them reveals certain particular characteristics of modern moral philosophy to which Heidegger would have been averse. We will consider first the fact/value distinction, and proceed to the is/ought distinction.

14 BT 368
The conceptual and/or metaphysical distinction between facts and values underlying much modern morality is a result in large part of the combination of Humean empiricism and the introduction of scientific standards of objectivity into the ethical domain, and has been one of the dominant themes of much of 20th century moral philosophy. Moral reasoning, Hume contended, is practical reasoning about what I ought or ought not to do. Propositions about the ‘ought’ cannot be inferred from propositions about what ‘is’, since ‘ought’ expresses a new kind of relation. Such a deduction form is to ought would be ‘altogether inconceivable.’¹⁶ ‘Hume’s Law’, as Hare dubbed it, is often taken to mean that no evaluative judgment whatsoever can be deduced from a judgment about what is. Some might say that this is because evaluative judgments like ‘X is good’ can be analyzed into judgments of the sort, ‘X ought to be promoted’, for instance. Drawing upon this argument, some of those influenced by 20th century positivism argued that moral and evaluative claims themselves such as ‘this is good’ or ‘that is wrong’ cannot have the same sort of status as a claim such as ‘this is red’ or ‘that is a dog’, the latter supposedly being claims that can be verified empirically. Rather, according to these theorists all moral statements can be translated into emotive ones, ones that are expressive of, say, approval or disapproval. Ultimately, the world of ‘facts’—those propositions which may or may not correspond to states of affairs capable of empirical observation—has a ‘reality’ to it that of the world of ‘values’—those ‘propositions’ which are really mere subjective expressions—does not.

¹⁶ Treatise 3.1.1, pg 469
Although this hard-line emotivism has largely fallen out of favor in contemporary ethics, there remains a persistent debate between the ‘non-cognitivists’, the inheritors of the emotivist position that moral claims are ones that can be neither objectively true or false, or at least not known to be, and various forms of ‘cognitivism,’ which maintains that values can be accorded some kind of objective reality, either transcendentally or as external properties of things outside our minds that can somehow be empirically perceived. Implicit in much of these debates is the agreement that the world of facts is one which can be assessed from the ‘scientific’ perspective, so the task of the cognitivist is either to assimilate values to such standards or ground their objectivity in transcendental conditions of subjective experience (value theory).

First, there is the question of whether we can provide an account of how value judgments can correspond to a mind-independent reality, or whether values are the sorts of things that cannot be conceived apart from prejudices and inclinations, and thus can never be determinately rendered true or false. Notice that the way these alternatives are often posed, the question of whether or not we can assimilate the domain of values to the domain of facts implies a certain assumption as to the relation within the latter domain of notions like ‘truth’ and ‘correspondence’ on the one hand and ‘prejudices’, ‘inclinations’, etc., on the other hand. Often what determines which side of the cognitivism/non-cognitivism divide one comes down on is whether or not value judgments, and moral judgments more broadly, can be freed from prejudices and inclinations. Only thus can they have objective validity as ‘facts.’ Another way of putting the divide is between those who think that values are ‘projections’ onto the world and those who think that
values are in some sense ‘discovered’ or ‘observed’ mind-independent realities; only the latter, so the disputants hold, can have objective validity or ‘truth’.

This way of presenting the theoretical landscape presupposes the subject-object distinction which we have already discussed. ‘Facts’ correspond to ‘objects’, propositions concerning subject-independent realities whose truth-status does not vary with the contingencies of history, culture and psychology. The subject is that distinct entity which either discovers within or invents/projects onto the world of objects certain values. We have already seen how this fails to recognize the more fundamental ontology of Dasein as being-in-the-world. Heidegger’s analysis in *Being and Time* further discloses Dasein’s being as interpretive or hermeneutical. The picture presented here, variously described, for instance, as an ‘engaged agency’ by Charles Taylor\(^\text{17}\) and a ‘situated openness’ by Hatab, begins with Dasein always already situated within a world as it engages both practically and theoretically with the world. The familiar metaphor of the hermeneutical circle is intended to capture the idea that theoretical and practical modes of engagement always begin from somewhere (*vorhabe*), and these engagements can never effect a complete break from frameworks and preconceptions, broadly considered. We always interpret the world in terms of a *vorsicht* – something we see in advance – and a *vorgriff* – something we grasp in advance.\(^\text{18}\) This is not to say that the hermeneutical circle is vicious, that Dasein is bound to any *particular* frameworks of understanding. Rather, the “task” is to “work out these fore-structures in terms of the things themselves.”\(^\text{19}\)


\(^\text{18}\) BT 191

\(^\text{19}\) BT 195
Heidegger calls this the “hidden positive possibility of the most primordial kind of knowing.”

The hermeneutical analysis of Dasein’s being-in-the-world has the consequence of deconstructing the epistemological dichotomy presented by the fact/value distinction through this alternative reading of truth as more primordial than coherence and correspondence. One the one hand, values are not the sorts of things that can be discovered simply by looking out into the world from a detached standpoint. The way we conceive of values is unavoidably shaped by our culture, history, our psychological dispositions, and others such background elements that ensure we have (pace Nagel) a ‘view from somewhere.’ As Charles Taylor has often argued from a Heideggerian position, it doesn’t even make sense to talk about values from a neutral standpoint, for their very meanings depend on a whole web of pre understandings.

However, this is far from endorsing anything like an emotivist claim, that values are the sorts of things that we project onto the world out of such a conceptual web, and in this way can be distinguished from ‘facts’. From a Heideggerian perspective, it is true, the reason why there are no objective, disinterested viewpoints from which to assess moral value is because we are always already embedded within a world in which the way we see the world is inevitably shaped beforehand. But this holds true of the world of ‘facts’ as much as it does the world of ‘values.’ Traditional philosophy has tended to conceive of ‘facts’ as vorhänden (as in the case of subjectivizing Dasein above), a kind of presence-at-hand, something standing before us to be neutrally observed and examined.

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20 Ibid.
But this, as we have said, presumes the subject/object distinction, and doesn’t give proper consideration of its “ownmost state of Being.” Moreover, like Kant before him, Heidegger maintains that we don’t simply see things ‘as they are’, but we are always bringing our own frameworks and conceptions to the world.

The ‘coherence’ theory of epistemology in the Anglophone tradition, as well as a kind of Rortian tradition, shares some of the foregoing ideas, and maintains that truth and/or knowledge is a matter of the internal coherence of one’s beliefs or whatever allows us to ‘cope’. However, it would certainly be a mistake to cast Heidegger in with this lot, for, notwithstanding the inklings towards idealism of the picture (it is often remarked that a ‘brain in a vat’ could thus have knowledge) and the absolute relativism of the pragmatist one, the hermeneutical picture Heidegger presents emphasizes the engaged or situated openness of the hermeneutical circle. As he continues to maintain throughout his life, Dasein’s authentic existence is to be open to the disclosures of Being. This entails that Dasein must be open to the disruptive intrusions of the ‘voice of Being’ into its horizons, allowing Being to transform one’s prejudices. Heidegger calls this the uncovering or unhiddenness of truth, or “éleia,” the Greek word for truth. In this way, truth-as-disclosure is no mere matter of a proposition or state of affairs to which our beliefs and representations may or may not correspond, nor a matter of mere coherence of beliefs or coping mechanisms; in fact, it is not reducible to the relation of our beliefs at all, but rather a kind of involvement with Being, an active receptivity. In this way, ‘facts’ and ‘values’, as aspects of our engagement in and with the world, become equally modes of aletheic truth.

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22 BT ¶44.
Another way of responding to the fact/value distinction is to ground the validity of values in some necessary condition of the subject. This is the “Value theory” approach, and one of the few sorts of ethical theories that Heidegger directly addresses. In the “Letter on Humanism”, Heidegger argues that “through the characterization of something as ‘a value’ what is so valued is robbed of its worth.” It reduces what is valued to “an object for man’s estimation,” and so restricts the way that the world can present itself. In Heidegger’s terms, “every valuing, even where it values positively, is a subjectivizing. It does not let beings: be. Rather, valuing lets beings: be valid—solely as the objects of its own doing.”

To put this in the terms of the present discussion, the fact/value distinction, by compartmentalizing the world into one or the other category, even with the intention of demonstrating their mutual validity, is to already impose upon the world a kind of artificial ‘being’ that has its roots in our own intentions, projects, and conceptions. It thus displays the unjustified attention to things in asking what it means to be a fact or be a value without thinking in terms of Being. To quote Heidegger at length from Being and Time:

When we speak of material Thinghood, have we not tacitly posited a kind of Being…which is so far from having been rounded out ontologically by subsequently endowing entities with value-predicates, that these value-characters themselves are rather just ontical characteristics of those entities which have the kind of Being possessed by Things? Adding on value-predicates cannot tell us anything at all new about the Being of goods, but would merely presuppose again that goods have pure presence-at-hand as their kind of Being. Values would then be determinate characteristics which a Thing possesses, and they would be present-at-hand…But even pre-phenomenological experience shows that in an entity which is supposedly a Thing, there is something that will not become fully intelligible through Thinghood alone. Thus the Being of Things has to be rounded out.

Heidegger, by this statement, is neither a cognitivist nor non-cognitivist, at least in more robust sense of those labels. ‘Values,’ and by extension moral concepts, revealed

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23 LH 251
24 BT 132
as modes of aletheic disclosure, are neither mere projections onto the world nor simply expressions without content, but, along with ‘facts’ (which don’t amount to essentially different ‘Things’), are modes of the disclosure of Being. But neither values nor facts are the sorts of things that correspond to independent entities, which the knowing subject can access and assess for their determinant truth-value. So according to the way the debates have characteristically run between cognitivism and non-cognitivism, ethics itself is asking the wrong sorts of questions.

Is/Ought

The final sort of dichotomy underlying ethical theorizing which we will consider is the distinction between what is and what ought to be. In many ways this resembles the fact/value distinction, in that facts might be taken to indicate what is, and we ascribe value to what ought to be. We also saw how positivist had taken support for the fact/value distinction from Hume’s argument that no ought can be derived from an is. While there is certainly significant overlap between these pairs in moral theory, considering them separately will allow us to highlight the way in which a crucial aspect of Heideggerian philosophy, seen in light of this particular dichotomy, further questions the modern moral project as it has been traditionally conceived. This aspect is temporality as the Being of Dasein, which is more primordial than the metaphysics of presence assumed by much ethical theory, especially noticeable in the ‘is vs. ought.’ Statements about what is the case are taken to refer to present actualities, and thus to be purely descriptive statements. Statements about what will be the case, likewise, refer to future actualities that obtain by virtue of the present states of affairs combined with
certain causal necessities. But in neither of these do we find any way of obtaining
evaluative truths. The truth of the propositions “X is P” or “if X then P” is a function of
the present, actual state of affairs and certain presently obtaining casual laws; statements
such as “X ought to be P” or “X ought to bring about P” cannot be evaluated in terms of
present or future actualities, and thus can never be either true or false; or such is the
challenge posed by those in the Humean tradition.

The is/ought distinction has also found its way into moral philosophy in similar
ways to the fact/value distinction. Some philosophers, again, take this apparently logical
distinction as evidencing the emotive or non-cognitive character of ought-statements,
considering them mere expressions of preferences and desires. There may be a fact of the
matter as to whether an individual has a certain preference or desire, but such descriptive
statements have a logically different form than ought statements, which are simply
expressions of those facts, and cannot be evaluated as true or false. Other philosophers,
such as Searle,\(^25\) maintain that ought statements indeed have cognitive status, but only
insofar as certain is statements, such as ‘S made a promise’, refer to certain norms bound
up with the institution of promise-keeping, for instance. Thus Searle argues that because
it is the case that X made a promise, and it is the case that promise-making imposes
certain implicit obligations, “S ought to keep his promise” can be evaluated as true or
false. Other philosophers we are familiar with by now, argue that it can be descriptively
true that certain states of affairs exhibit a particular quantity of ‘goods’ such as pleasure
and absence of pain or states of desire-satisfaction, and the meaning of ought-terms
correlates with the obtaining of maximally ‘good’ states of affairs. However one opts to
treat the is/ought relation, there is a certain theoretical priority accorded to the is,

conceived, once again, in terms of present or future actualities; ought-statements somehow supervene or are derived from statements about what is.

Kant, on the other hand, recognized the problem for morality posed by the impossibility of deriving an ought from an is, which is why he gave the ought an entirely different sort of grounding than the is. Our consciousness of the moral law compels us to postulate the free, self-determining agent, which cannot be ruled by our limited knowledge of what is. Thus we can situate the moral law in the rational principles that such a self-legislator can rationally impose on itself. But this requires us to radically distinguish this ‘ought’ from the realm of the ‘is’, including inclinations, desires, customs, habits, etc. As I suggested, this can perhaps be seen as his response to the conundrum posed once one assumes that no ought can be a part of what is. The temporality of Being, however, allows us to reconsider such an assumption.

For Heidegger, Dasein exists ek-statically. This means that the being of Dasein cannot be constrained to a series of ‘nows’, but rather Dasein exists as thrown possibility. Being-in-the-world and being-toward-death discloses Dasein’s being as including both positive and negative, presence and absence: as thrown into the world, Dasein exists in the midst of received conceptions, values, and norms, out of which the possibilities for Dasein emerge; these dimensions of past and future – history and possibility – bear a kind of positive content, a way of conceiving self and world whose positive content can be understood as a kind of presencing. But, as Hatab remarks, “every present is saturated with the presence of absences: The ‘toward’ of the future is the uncertain yet-to-be, and the ‘from’ of the past is a throwness not of one’s own
making (birth, inheritance, influences. Dasein’s temporality involves the ekstatic dwelling in this fluid finitude.”

Temporality, embodying this presence-absence dynamic, can be thus seen as more primordial than the is/ought distinction. The interplay between these notions displays such a dynamic across past, present and future. In light of the past, an ought is the recognition of an absence from what was the case or what was done, as when we say, ‘she ought to have told the truth’. The ‘ought’ is likewise a certain projection of possibilities onto an open and uncertain future. And each of these is a part of the temporally-thick being of the ‘now’, which, as we have said, cannot be considered apart from its own negation in finitude and being-towards-death.

The is/ought distinction, then, breaks down partly because there is no being without non-being, no present without a past and a future, no is without an ought. However, the moralist will object that this leaves out a two crucial aspects of the phenomenology of the ought: its universality and its proscriptive force. The universality demand, i.e., the demand that a genuine moral ought apply to all people at all times, neglects both the situatedness and the finitude of Dasein. To grasp something as universal is to see it as ‘unlimited’, as unrestricted, something whose negation is contradictory. But we can no longer transcend the limits of our finitude to grasp universality, nor postulate an ‘ought’ whose being is absolutely positive. Moreover, we cannot break out of our own historicity in such a way as would be required to pose an ought that transcends all historicity. Thus, the universality demand is illegitimate.

What of the prescriptivity demand? ‘Is’, even if seen from the perspective of the temporality of Being, does not compel us or command us. As Kant recognized, ‘is’ is

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26 Hatab 28
much more gracious to our inclinations and desires; and yet, surely we know the force of
that tugging which naggingly pulls against what seems most natural. The ‘ought’ is no
mere alternative possibility, but speaks with a palpable authority. The need for an ethical
theory is to draw this out of its vagueness and give it the kind of being that can speak to
us directly, in a language we can understand, in the form of principles and duties.

How can Heidegger respond to this? I might suggest two sorts of responses.
First, lurking behind this claim is kind of presumption that something like the ‘ought’ can
only have real being when we provide it ourselves, by way of the codification into
principles and duties. However, such a project is a disservice to Being. Confining the
being of the ought to a set of rules or principles restricts it to a presence, defines its
boundaries, and so limits it to what we give to it. As in the case of valuing, codification
of the ought does not let ‘Being: be.’ The project which, according to the objection
above, is intended to empower the ought by making it more theoretically comprehensible
in fact weakens it by proscribing the limited ways in which it is able to speak into our
horizons. I certainly submit, along with Hatab, Taylor, and even Gadamer,27 that there
are valuable (albeit potentially dangerous) roles to be played by the theoretical
formulations of ethical principles and the spelling out of the notion of a duty, unveiling
the call of Being and drawing us out of compliancy with simply acting ‘as we feel like’,
or succumbing to what Gadamer has termed the ‘dialectic of the exception’. However,
we must guard ourselves from the conceit that this defines the ought, that it exhausts its
possibilities. This would be a case of a kind of ‘flight’ from one’s finitude, as we

27 See especially his “On the Possibility of a Philosophical Ethics,” in Hermeneutics, Religion and Ethics,
trans. Joel Weinsheimer (New Haven: Yale University Press, 1999), 18-36, and “Aristotle and Imperative
Ethics,” and in particular the section where he discusses the positive role Kant’s ethical theory can play (pp
157-159).
remarked with regard to the subject/object distinction, into a false and inauthentic foundationalism.  

But there is more that can be said about this phenomenology of the ought – as a kind of compulsion that draws us sometimes away from our own needs and desires – than to loosely associate it with some limited function of moral theory. We might consider this a sort of ‘calling’. Heidegger spoke of the ‘call of conscience’ as that which lures us out of our everyday inauthentic conformity to das Man and into authentic existence. This call reveals itself in the phenomenon of ‘being-guilty’, not guilt in the normal sense of having transgressed some particular rule, but a more general guilt at having failed to authentically care for Being. The disclosedness of the meaning of Being of care is “the most primordial and basic existential truth.” Care for Being includes a concern for projecting its ownmost existential possibilities Being-in-the-world, which includes Being-in the with-world, the environing-world, and the self-world, as well as Being-towards-death.

So the ‘call’, which might say, is a kind of ‘demand’ to open ourselves up to the ways in which we are to care for others, for the world around us, and for ourselves. What this means practically is something we have to discern as we engage in the lifeworld; but in caring we can no more limit our attention to ourselves (such as our inclinations or desires), the world around us (as if care were only about survival and escape from the state of nature, for instance), or other people (which may lead to a kind of exaltation of

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28 More recently and in this country, both John McDowell (“Virtue and Reason,” in Virtue Ethics, ed. Crisp and Slote, Oxford: OUP, 1997, pp 150-151) and Stanly Cavell (Must We Mean What We Say? New York, 1969, p 52, as cited in McDowell) have made a similar observation about the postulating of moral rules as a ‘recoil’ from the ‘vertigo’ that ‘there is nothing but shared forms of life to keep us, as it were, on the rails,’ which Cavell calls ‘terrifying’ to the conscience that desires some sort of certitude.

29 BT 364

30 BT 311
technology, or a radical asceticism). As caring for Being-towards-death, we are to recognize, however, that our finitude precludes the reduction of care to a set of duties or principles. And so the call of conscience to care is certainly not Heidegger’s way of saying the same thing that Kant and others say when they speak of the ‘ought’. The latter’s conceptions depend on the denial of the ek-static essence of Dasein in subjectifying Dasein, and reduce the call of conscience to a thing (like a principle or duty) instead of something to be listened and responded to. And so, paradoxical as it may seem, Heidegger’s denial of the ‘ought’ that stands opposed to the ‘is’ empowers the sort of existential experience that leads us to try to theoretically define the ‘ought’ in the first place.

Concluding Remarks

In this study, no considerable attempt has been made to give a substantial positive account of what a Heideggerian approach to ethics might be, or even to argue that one could even be given. I certainly think that such an endeavor is hopeful, and that the attempts which have been made have been largely successful in showing how a Heideggerian can have much to say to contribute to contemporary ethical discourse. Indeed, now that Aristotelian ethics has come back into vogue, the sorts of ideas and concerns Heidegger has brought to our attention share much in common with the way many philosophers, even those in the Anglophone world, are currently addressing the ethical questions. Any application of Heidegger to ethics, in light of his own reluctance

31 Heidegger’s relationship to Aristotle, to be sure, is complicated, and it would be much too quick to presume that he neatly fits into, say, a ‘virtue ethics’ model. However, on the one hand, virtue ethics itself
to undertake such a project, however, would have to be aware of the ways in which ethical debates have been almost entirely framed around fundamental distinctions that Heidegger considers illegitimate. I have attempted to consider these distinctions, the sorts of theories built on them, and to suggest a Heideggerian perspective on them. As I mentioned several times, there was no suggestion that the three particular dichotomies addressed where *themselves* separable in any determinate way. Nevertheless, the present approach was intended to highlight the various dimensions of Heidegger’s thought as it might stand in relation to various dimensions of modern moral philosophy.

is much harder than, say, utilitarianism, to characterize in a way that allows us to identify who is and isn’t a ‘virtue ethicists’, even with respect to those who label themselves in that way. On the other hand, the idea of the *ethos* which we mentioned in towards the beginning of the study shares with virtue ethics a pre-modern understanding of the ethical life. To be sure, virtue ethics is more indebted to Aristotle than to the pre-Socratics, whose understanding of *ethos* Heidegger most endorses, considering the modern problem of metaphysics to have originated with Plato and Aristotle. For all his criticisms of Aristotle, and by extension an Aristotelian approach to ethics, given that much of the problematic form of ethical theory we have been dealing with owes itself to a large extent to Descartes and his influence, an Aristotelian ethics might end up being much more congenial to the concern for an originary ethics than Heidegger supposes.