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Moral Sense and 'Decorum'

F.H. Jacobi's Ethics Between Cicero and the British Enlightenment

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ABSTRACT

This article discusses Jacobi's views on ethics and moral law, based on an analysis of two key excerpts: *Concerning Man's Freedom*, published in the second edition of *Spinoza Letters*, and the dialogue between two characters, Woldemar and Sidney, in the 1796 edition of the romance *Woldemar*. It seeks to demonstrate the influence of British philosophy, of the notion of moral feeling, as well as of Stoicism and Cicero (through the concept of honour or *decorum*) on Jacobi's thinking. Jacobi's conception of moral feeling enables him to redefine the notion of moral law as superior to the instrumental law of understanding, thereby rejecting Kantian practical philosophy. Like the authors discussed here (Cicero, Hutcheson, Shaftesbury, Ferguson and Hemsterhuis), Jacobi believed that philosophy is the harmony between actions (*erga*) and words (*logoi*) and a guide for conduct in life.

Keywords: moral feeling, ethics, F.H. Jacobi, Cicero, *decorum*

ZUSAMMENFASSUNG

In diesem Artikel werden Jacobis Ansichten zu Ethik und Moralgesetz diskutiert. Die Analyse stützt sich auf zwei bedeutende Auszüge: *Über die Freiheit des Menschen*, veröffentlicht in der zweiten Ausgabe der *Spinozabriefe*, sowie auf dem Dialog zwischen Woldemar und Sidney in der 1796-Ausgabe des Romans *Woldemar*. Der Fokus der vorliegenden Untersuchung liegt darauf, den Einfluss der britischen Philosophie, des *moral feeling* sowie des Stoizismus und Ciceros (durch das Konzept der Ehre oder *decorum*) auf Jacobis Denken zu beleuchten. Mithilfe des *moral feeling* kann Jacobi den Begriff des moralischen Gesetzes als dem instrumentellen Gesetz des Verstandes übergeordnet neu konfigurieren und die praktische Philosophie Kants ablehnen. Er teilt mit den in dieser Diskussion erörterten Autoren (Cicero, Hutcheson, Shaftesbury, Ferguson und Hemsterhuis) die Auffassung, dass Philosophie die Harmonie zwischen Handlungen (*erga*) und Worten (*logoi*) sowie ein leitendes Prinzip für das Verhalten im Leben sein soll.

Stichworte: Moralisches Gefühl, Ethik, F. H. Jacobi, Cicero, *decorum*

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1. Introduction

Friedrich Heinrich Jacobi's ethics is hardly one of the main topics of research when it comes to his philosophical thinking, although it was his main concern in everything he wrote and thought. The reader acquainted with Jacobi's works knows that his writing is rhapsodic and intentionally lacks a systematic outline. He must, therefore, be even more attentive and able to connect ideas and interpret concepts in a manner not at all obvious.

According to Jacobi, moral acts are not ruled by reason but by the heart. He directly rejects any type of morality according to laws, which he describes as mechanical or scientific. To understand this position, I will consider the influence of both Cicero and the British Enlightenment on Jacobi's ethics in two of his works, although they are present throughout his entire production. In fact, much has been said about Aristotle's role in Jacobi's thoughts, especially in his novel *Woldemar*, but in this article, I would like to investigate other references equally or maybe even more important to the development of Jacobi's moral thinking.

To reach such a goal, I would like to focus on two different texts, on the extract entitled *On Men's Liberty* (published in the second edition of *Spinoza Letters*), in which he discusses the Stoic notion of a "sense of honour" (*Gefühl der Ehre*) and on the dialogue added to the 1796 edition of Jacobi's *Woldemar*, in which the main character, Woldemar, and his British friend Carl Sidney discuss the fundamentals of morals. The "moral sense" of the British philosophy (developed foremost by Shaftesbury and Hutcheson) and the notion of *decorum* (*sensus recti et honesti*) in Cicero's *On Duties* indicate a compelling interpretation of what Jacobi calls "moral unconditional judgments". In other words, a moral sentiment that judges without reasons. Regarding epistemology, it is well known that Jacobi conceives of the criterion of truth as a self-evident immediate belief (*Glauben*) prior to reasoning or reflection. In a similar manner, he considers moral judgments to be based on a self-evident moral feeling or moral faculty that is common to all human beings and does not involve the activity of speculative reason. Jacobi's emphasis on a self-evident and immediate criterion to establish the foundations of both epistemology and morality is essential for understanding the kind of philosophy he advocates. This philosophy is perhaps more closely aligned with that of the British Enlightenment than one might initially think, given that both have their roots in ancient thought.

2. *Decorum* and *honestum*

In the second edition of the *Spinoza Letters* (1789) Jacobi includes many appendices and develops some ideas that were absent or just suggested in the first edition of 1785. An interesting part of the new preface is called *Concerning Man's Freedom*, afterwards (1819) renamed as *Preliminary Propositions about Man's Constraint and Freedom.* This text essentially compares two coexisting, albeit opposing, characteristics of man: freedom and mechanical necessity. In the 35th and 36th propositions of the first part, Jacobi explains that the Stoics always distinguished between the principle of desire and the principle of honour. In the first case, men are only slaves, living in accordance with the law of things (pleasure). In the second case, there is true freedom and its object is the perfection of human nature, autonomous activity.[1] That is why the Stoics "would quite rightly only allow a man to be called free who lived just the life of his soul and determined himself according to the laws of his nature, hence *only* obeyed *himself and* always acted *on his* own."[2]

The feeling of honour is therefore the manifestation of moral "unconditioned judgments", of the moral feeling that judges without reasons and nevertheless exists in an apodictic manner. An important etymological note is needed here. The formulation "feeling of honour or nobility" (*Gefühl der Ehre*), depending on the translation of *Ehre*, attributed to the Stoics (to Epictetus and Marcus Aurelius) seems somewhat out of place, since the expression does not appear in either of the two Roman Stoics. However, a more plausible possibility is that it was actually borrowed from Cicero, especially from an extract of the book *On Laws*, which Jacobi quotes in his letter to Fichte.[3] In Book I, 54, Marcus speaks as "arbitrator between the Old Academy and Zeno", that is, between Peripatetics and Stoics: "The Old Academy decided that everything in accordance with nature was good if it helped us in life, while Zeno thought nothing good that was not also honourable."[4]

The Latin word for "honourable" is *honestum*. In fact, the German word *Ehre* (honour) comes from the Latin words *honos* and *decus*. *Honos* or honour

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1 "The objects of desire, they said, can be measured against the sensation of the pleasing, and the concepts of what is beneficial can be measured against one another, and one desire can be sacrificed to another. The principle of desire, however, falls outside any relation to the principle of honour which has {xxxix} one object alone, viz. the perfection of human nature per se, autonomous activity, freedom." F. H. Jacobi, *MPW* (McGill-Queen's University Press, 1994), 345.

2 Jacobi, *MPW* (McGill-Queen's University Press, 1994), 346.

3 Jacobi, JWA 2,1, 223.

4 Cicero, *On Laws*, I, 54: *On the Commonwealth and On the Laws* (Cambridge University Press, 1999), 124.

is the common etymon that forms *honestus* and *honoratus* (honest and honoured).[5] *Decus*, on the other hand, is related to the impersonal verb *decet*, which means to conform, to be convenient, and is also akin to the noun *decorum* (seemliness, propriety) and the adjective *decorus*. But what should this discussion accomplish? It should explain the sense of decorum and honesty, which is central to Cicero's ethics, and establish how these concepts undergo a transformation in British moral philosophy until they become what we call the *moral sense*. In his book *On Duties* (Book I, XXVII), Cicero explains the meaning of decorum as such: what is decorous (proper) is morally good or honest, and what is morally good or honest is decorous. "This propriety (*decorum*), therefore, of which I am speaking belongs to each division of moral rectitude; and its relation to the cardinal virtues is so close that it is perfectly self-evident and does not require any abstruse process of reasoning to see it."[6]

In the second extract mentioned in the beginning, i.e. in the dialogue between Woldemar and Sidney in the novel *Woldemar*, the influence of the British moral school on Jacobi is most evident. Woldemar is the protagonist, and Sidney is introduced as a disciple of Adam Ferguson. The two men immediately form a strong bond, and Woldemar declares that Ferguson's *Essay on the History of Civil Society* played an important role in his life and made him resume his study of the ancients.[7] Sidney also names Thomas Reid as one of his teachers and praises his ideas on human understanding and ethics. Both authors provide a hint to connect the sense of honour attributed to the Stoics to the moral feeling, and they also reveal how these concepts are articulated in Jacobi's own ethical discussion. Furthermore, it is well known how important Reid's ideas were to Jacobi.

In Reid's works we find the assimilation of the *sensus recti et honesti* to the moral sense, the moral faculty or conscience. He explains that the word *sense* was probably chosen by analogy with the external senses, which are "the immediate testimonies of nature."[8] Only through this moral faculty do we have the original conception of right and wrong in human behaviour. Hence, such as the external senses are the immediate first principles of the material world, the moral sense constitutes the immediate first principles of the moral world. This means that the principles of the moral sense and the external senses are perceived immediately and without reasoning. As such, not only

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5 *Dictionnaire Gaffiot*, Latin-français, 1934, https://www.lexilogos.com/latin/gaffiot.php?p=753

6 Cicero, *On Duties* I, 94-95 (Harvard University Press, 1913), 97.

7 Jacobi, JWA 7,1, 244.

8 Thomas Reid, *Essays on the active powers of man*, III, part. III, VI (Edinburgh University Press, 2010), 176.

morals, but the sciences as well must be built on such self-evident indemonstrable certainty. "The faculties which nature hath given us are the only engines we can use to find out the truth. We cannot indeed prove that those faculties are not fallacious, unless God should give us new faculties to sit in judgment upon the old. But we are born under a necessity of trusting them."[9]

As well as for Reid, for Jacobi the immediate certainty of belief is the foundation of nature (natural world) and morality (supernatural world). It is in this spirit that Jacobi plays with the words: to lose sense (*Sinn*) is to fall into folly (*Wahn-Sinn*).[10] But Jacobi very rarely uses the word "sense". In the context of the text on man's freedom, he replaces it with instinct. Virtue is the specifically human instinct and, like all instincts, acts "blindly", that is, before experience and without the intermediation of reasoning. According to him, actions of benevolence and justice are motivated with no other intention than the satisfaction of the impulse itself and do not function as some means to an end. Therefore, as a fundamental impulse (*Grundtrieb*), the realization of virtue is man's true destiny.

To understand how this moral sense can be an immediate truth and the foundation of all moral actions I need to rewind the thread of history a bit further and address the work of the philosopher Francis Hutcheson (1694-1746). Hutcheson was a key figure and outstanding reference for the entire Scottish school of moral philosophy, as well as for Reid himself. He was one of the British philosophers who most clearly conceived the moral sense as a reinterpretation of the Ciceronian *sensus decori et honesti*. It was from this principle that he developed an anti-legalistic ethics, fighting the selfish morality of authors like Thomas Hobbes. In absolute opposition to this line of thinking, he argues that the sense of advantage, associated with self-interest, could never engender the feeling of public good deeply engraved in man's constitution, but only the feeling of a "good for us" (of personal benefit), which would never make us approve of actions that promote the happiness of others. And this "sense of right and wrong" is called moral sense or conscience.

The moral sense is described by Hutcheson as an "universal benevolent instinct", rather than an innate idea. It is a kind of indemonstrable "hidden quality", "some secret Sense which determines our Approbation without regard to Self-Interest."[11] Its principle is benevolence, in which that Cicero-

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9 Thomas Reid, *Essays on the active powers of man*, III, part. III, VI (Edinburgh University Press, 2010), 179-180.

10 Jacobi, JWA 2,1, 209.

11 Francis Hutcheson, *Inquiry into the original of our Ideas of beauty and virtue* (Liberty Fund, 2008), 92.

nian sense of decorum and honesty manifests itself and enables judgment of moral good or evil without reasoning or syllogism. Indeed, Hutcheson uses the same formulation as Cicero in his Latin work *Philosophiae Moralis Institutio Compendiaria*: "sensus, decorum, pulchrum, et honestum". *Sense* indicates, therefore, any faculty or power that precedes all opinion and reasoning. As such, it is enough to look within ourselves to find benevolence.

As for virtue, it must be desired for itself and does not depend on the deity's promise of punishment or reward, nor on education, instruction or customs. These play an important role in man's development, but they are not the *cause* of virtue. Moral sense and benevolence are universal to all human beings, and the common configuration of human nature is responsible for the agreement in moral judgments, for a "language of feeling" understood by all. This proves that "man was destined to action by nature." Hence, the moral *law* serves only to counterbalance a moral sense already weakened by self-interest, because the law is not the *foundation* of virtue, and benevolence does not depend on it. This anti-legalistic aspect of moral sense is also very important to Jacobi.

However, I have found no direct reference to the fact that Jacobi read Hutcheson's work himself. His *Denkbücher* (personal notebooks in which Jacobi made notes of ideas, citations and comments) contain no mention of Hutcheson, although his indirect influence is certainly present through several important authors in Jacobi's education, such as the Bishop Joseph Butler, Adam Ferguson, Thomas Reid, David Hume and Adam Smith. For instance, Jacobi read and reviewed Reid's *Essays on the Active Powers of the Human Mind* in his notebooks, in which the Scottish author explains and summarises Hutcheson's theory of moral sense. Furthermore, Hutcheson was widely read by the German authors in the early 18th century, and his *System of Moral Philosophy* was translated into German and attributed to Lessing.[12] Hutcheson was also an important source of Kant's precritical writings, especially concerning the development of the notion of moral sentiment.[13]

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[12] The translation was published anonymously in 1756 under the title *Sittenlehre der Vernunft*. Such an attribution is contradictory, and the main reasons are explained in the article "Übersetzung und Adaption. Lessings Verhältnis zu Francis Hutcheson" by Thomas Martinec (*"Ihrem Originale nachzudenken": Zu Lessings Übersetzungen*. Wolfenbütteler Studien zur Aufklärung, Bd. 31, 2009). Lessing certainly had fundamental disagreements with Hutcheson, but he studied his 'System' thoroughly, as evidenced by his letters.

[13] "These principles, however, cannot be dispensed with, principles which form, as postulates, the basis of other practical propositions. Under the name of moral feeling Hutcheson and others have provided the beginning of beautiful remarks on this subject."

According to Hutcheson, benevolence is at the core of virtue; it makes us approve of virtue, and it is disinterested because it is not produced by an act of the will nor is it a means to an end. To recognize it, Hutcheson recommends looking at our own hearts, for this is the most efficient way to convince ourselves that we desire the good of others, regardless of our own interests. That's why attempts to engage in metaphysics to prove what everyone can see without any kind of reasoning are useless. Reasoning takes no part in moral judgement. "Unhappy would it be for Mankind, if a Sense of Virtue was of as narrow an Extent, as a Capacity for such Metaphysicks."[14] Reason is a slow faculty, full of doubts, it hesitates too much "to serve us in every Exigency, either for our own Preservation, without the external Senses, or to direct our Actions for the Good of the Whole, without this moral Sense."[15]

He argues and exemplifies as follows: suppose someone acts out of self-love but without causing any harm to others, this does not mean that their action can be considered *morally* good. The relationship between good and utility is of a very peculiar kind. The actions that we approve of with our moral sense are useful for *humanity*, but not always for the person who approves them. In other words, the concept of utility follows Ciceronian ethics, since utility is always in service of *humanity* and not of the *individual*. This also explains why reason can recommend actions that originate from self-interest, but coincide with what our moral sense leads us to admire, regardless of interest. Thus, reason can confirm what the moral sense determines without it and before it, and utility and the good can agree with it. But it is important to emphasise that the moral sense is at work even when there is no personal advantage for the one who performs a good action.

In fact, we can approve of the justice of a judgement against ourselves. Moreover, very often a morally good action is not accompanied by pleasure or usefulness at all, but by the opposite feelings, for example, when we try to alleviate the suffering of another person to defend someone from injury or repair a damage we have caused. The only possible pleasure here is the one which results from a subsequent calm reflection, when the circumstances and passions involved in the action have already ceased, and the disposition from

Kant, AA 2 ("Untersuchung über die Deutlichkeit der Grundsätze der natürlichen Theologie und der Moral", *Vorkritische Schriften* II: 1757-1777), 300.

14 Francis Hutcheson, *Inquiry into the original of our Ideas of beauty and virtue* (Liberty Fund, 2008), 94.

15 Francis Hutcheson, *Inquiry into the original of our Ideas of beauty and virtue* (Liberty Fund, 2008), 180.

before seems good to our moral sense. In any case, pleasure never occurs in the heat of the moment and is not the motive that drives us to act.

3. Mechanical ethics and the concept of law

On the opposite side of the moral feeling, there is the morality of pure interest or self-love, which can also be called a mechanical or causal morality, that does not produce disinterested virtue, since everything is explained in terms of avoiding evil (aversion) or preserving good (appetite). This is the position of many philosophers, such as Hobbes and Descartes himself, but also of Spinoza. The author of the *Ethics* rejects the concept of final causes, meaning he must explain human action through a purely mechanical ethics. In this system, a disinterested action is impossible because the very concept presupposes the absence of a causal series determining the action. As it is well known, in Spinozism every action is determined by an efficient cause, therefore passions (love or hate, joy or sadness, satisfaction or regret etc.) are only modes of aversion and appetite.

Thus, Spinoza claims to be able to deal with passions according to geometric method, by considering "human actions and appetites exactly as if they were a matter of lines, planes or bodies."[16] And he adds that all our ideas of bodies indicate the current state of our own body rather than the nature of an external body. In this *self-referential* ethics, the object of love or hate actually refers to the individual because there is no good or evil in things themselves. Good and evil are just ways of thinking, notions that arise from comparing things, so one and the same thing can be good and bad at the same time and still be indifferent.

If good and evil only relate to the individual and the preservation of their own existence, then we call 'good' that which contributes to the conservation of our being and 'evil' that which hinders it. In moral terms, good is something that affects us with joy and evil something that affects us with sadness (see Prop. 8 of Part 4). It is easy to demonstrate that this ethics is based on utility: "The more each person endeavours to pursue what is useful for himself, i.e. to preserve his own being, and is able to do so, the more he is endowed with virtue."[17] And it is clear that the lack of capacity to exist by itself (only God is a true substance) and the lack of final causes forces Spinoza to consider the greatest virtue to be the preservation of our own existence, the *conatus*. "The endeavour to preserve itself is the first and only

[16] Spinoza, *Ethics*, III, (Cambridge University Press, 2018), 94.
[17] Spinoza, *Ethics*, IV, prop. 20, (Cambridge University Press, 2018), 173.

foundation of virtue. For nothing else can be conceived as prior to this principle (by 4p22), and (by 4p2I) no virtue can be conceived without it."[18]

The relationship between self-preservation and utility is even clearer in Jacobi's explanation of Spinozism: "Since the soul is nothing but the immediate concept of the body and is one and the same thing as the body, the excellence of the soul also cannot be anything but the excellence of its body."[19] In short, the ancient moral good is reduced to a natural good produced by the mechanism of efficient causes. This is what Jacobi has in view in the first part of the text *Concerning Man's Freedom* ("man has no freedom"). He admits and recognizes an instinctive aspect of self-preservation, but this mechanism is not enough, it is not the domain of freedom nor of morality.

So, if we take the feeling of love as an example, the theory of utility would explain this notion as loving qualities in another person, just because they are similar to our own. In other words, in this case love would be the projection of our own love onto another person, as exemplified by the relationship between parents and children. According to Hutcheson's critique of this theory, following this logic, paternal love would only exist because children resemble their parents and are rational beings just like them. Like Jacobi, Hutcheson does not reject self-love *per se*, but rather its abuses and excesses, which hinder benevolence. He argues that benevolence influences all of humanity in the absence of interest and the true source of vice lies not in human nature, but in violent self-love, which can supplant natural benevolence. Those who describe interest as a condition of human nature are so consumed by self-love that they cannot recognise benevolence as a fundamental aspect of human nature.

Another example of someone who defends the mechanical point of view of morality is Hornich, an important character in Jacobi's *Woldemar*. He mocks Woldemar and Sidney, replying that the discussion on virtue and religion has nothing to do with feeling. For him, concepts must demonstrate the same consistency and teach to disdain the doubtful help of the heart. Men must determine themselves solely by reason.[20] In defence of the moral sense against pure law, Sidney draws a comparison between Woldemar and the English bishop Joseph Butler.[21] He claims that Butler was the first among the "new moralists" to expose the human faculty to approve or reject our own

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18 Spinoza, *Ethics* 4, Prop. 22, corollary (Cambridge University Press, 2018), 175.
19 Jacobi, *MPW* (McGill-Queen's University Press, 1994), 225; JWA 1.1, 107-108.
20 Jacobi, JWA 7,1, 255.
21 Author of *The Analogy of Religion: Natural and Revealed to the Constitution and Course of Nature* (1736).

actions and the actions of others internally, i.e. without any reference to external good or bad effects of actions. He was the first to state the existence of a moral faculty capable of judging right and wrong, the propriety or impropriety of actions without reference to an end (external effect). When he wrote this, Jacobi was probably unaware that the original authors of these ideas are Shaftesbury and Hutcheson, who were extensively read by Butler himself.

Nevertheless, if only the heart can say what is good, then speculation can only say what is useful. In other words, the heart is where man's destination and true fulfilment of the highest good lie. Speculative and instrumental reason (understanding or instrumental reason in Jacobi's vocabulary) can only find the means to worldly happiness. "The only true reason is the basis of everything, it is honour, it is freedom itself, but it resides much more in the heart than in the spirit. – That who says: I have honour, says: I'm free."[22]

The same idea is also found in Shaftesbury's critique of Locke's assertion that we learn everything about morals through education and custom – an argument also refuted by Hutcheson. Without a moral sense imprinted in our hearts, no law would suffice to distinguish right from wrong, or vice from virtue.

> Thus virtue, according to Mr. Locke, has no other measure, law, or rule, than fashion and custom; morality, justice, equity, depend only on law and will, and God indeed is a perfect free agent in his sense; that is, free to anything, that is however ill: for if He wills it, it will be made good; virtue may be vice, and vice virtue in its turn, if he pleases. And thus neither right nor wrong, virtue nor vice, are anything in themselves; nor is there any trace or idea of them naturally imprinted on human minds. Experience and our catechism teach us all![23]

The relationship between the utility of speculative reason and the morality of feeling is equivalent to the relationship between understanding and true reason. For Jacobi, true reason is only moral and practical not speculative, it is the moral organ itself. As such, it is the sense of good and evil in all moral actions and, as a result, this conception implies giving a new meaning to the word *reason* (*Vernunft*) and a new *sense* to the understanding (*Verstand*). Understanding is the faculty of finding the means to an end, not the faculty that provides the ends. Hence, it "performs the best or the worst [ends] with

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22 Jacobi, *Kladde* 2, JWA I, 1.1, 86, (original in French).

23 Shaftesbury, *The Life, Unpublished Letters and Philosophical Regimen* (Swan Sonnenschein & Co. Lim., The Macmillan Co., 1900), 404.

the same diligence."[24] It compares and calculates with absolutely no regard to moral good or evil. "Only reason reveals the highest good; it is the ability to presuppose the highest"[25], what the ancients called wisdom. Understanding is the intelligence that shows us what is *useful*.

But both must necessarily be united, after all "It is impossible that pure and clear understanding is incompatible with sublime reason. On the contrary, used correctly, both should foster each other."[26] The problem lies in the imbalance. When the progress of understanding or science takes itself to be the only right path and imposes a mechanical or intellectual morality, suppressing the moral sense or true reason (the heart).[27] Furthermore, Jacobi wants to emphasise that the value of an age and of a man (person) lies in his concrete actions, in his living example and not in his abstract systems.

The loss of confidence in one's own conscience (*Gewissen*) leads to an obsession with deriving everything from the letter of the law, whether that be the law of the state, civil society, reason or religion. "No man has ever obeyed a law only by virtue of the law itself, but only by virtue of the coercion resulting from or accompanying it; always by virtue of the intensity of impulse, inclination and habit. Only the *heart* immediately tells a person what is good; only the *heart*, the *impulse* (*Trieb*) can immediately tell him: 'Your life is to love.' *Speculative reason* teaches him to recognise and employ what is useful for the good."[28] This is why the heart is identified with conscience (*Gewissen*) and not with speculative self-positing (*Selbstsetzen*), opposition or composition. The choice of the word *Gewissen* is important, since *Bewusstsein* has a long-standing conceptual association with the idea of reflection, which does not take place here.

To better understand the mechanical morality of the law, ascribed to Kant and his followers, an enlightening passage in *Woldemar* helps us to see the distinction made by Adam Ferguson between the doctrine of nature or physics (*Naturlehre*) and the doctrine of morals or ethics (*Sittenlehre*). From this doctrine of nature emerges a scientific morality:

> The former [scientific doctrine of nature] determines the laws of motion *mathematically*; the latter [scientific morality] determines the laws of respect *philosophically*. Both, however, are essentially different in this respect: what *must* be determined according to physical-mathematical

[24] Jacobi, JWA 5,1, 358.
[25] Jacobi, JWA 5,1, 358.
[26] Jacobi, JWA 5,1, 362.
[27] These ideas were uttered in Jacobi's opening discourse in 1807 (*On learned societies, their spirit and their end*) as president of the Bavarian Academy of Sciences.
[28] Jacobi, JWA 7,1, 267.

> laws, always does take place; whereas what *should* necessarily take place according to philosophical-moral laws does not always take place: for the former refers to forces which are always determined; the latter to a force whose essence is self-determination (*Selbstbestimmung*) and, from an ethical point of view, concerns nothing but matters of choice (*Dinge der Wahl*).[29]

To this, Woldemar cries: "Excellent! replied Woldemar. (…) Through genius, nature gives art its rules; both the art of goodness and the art of beauty. Both are free arts and are not subject to guild laws."[30] This is why Jacobi claims that "scientific" morality is mechanical and does not arise from true freedom, but from an "illusion of freedom" derived from the mechanical laws of nature, rather than from the moral sense we are discussing. The scientific moral system is therefore modelled on physics. In this system, our will acts according to rational maxims rather than a moral sense that determines good and evil. The will follows the same causal logic as physical laws. The only difference is that what must happen in physics (necessity) does not always happen in the moral world (contingency). In other words, it's just a matter of a modal verb: *müssen* versus *sollen*.

This similarity guarantees an appearance of "absolute certainty" in practical reason, which is simply the necessity of the *law in the contingency of its application*. This is precisely what aphorism XX of Jacobi's text on freedom states: inner law is formed mechanically because of the identity of conscience and law. "The external law, which people freely agree upon and freely establish among themselves when they enter into civil association, is only a reflection of the inner law that has come into being among the individual members."[31]

Jacobi's main argument is that we do not need to accept a mechanical system of moral philosophy to achieve absolute certainty. Just as with the Law of Attraction, the moral sense is universally valid for everyone and its common configuration in human nature allows us to conclude that there is a consensus of moral judgement and – like previously mentioned – a *language of feeling* that everyone is capable of understanding.

In Birgit Sandkaulen's analysis of this excerpt on human freedom, she arrives at a similar conclusion, yet focuses exclusively on the distinction between the morality proposed by Jacobi and the notion of mechanical morality, as exemplified by Spinoza and Kantian moral law. Her analysis shows how Jacobi diverges from Kantian moral law, despite their shared

[29] Jacobi, JWA 7,1, 248-249.
[30] Jacobi, JWA 7,1, 249.
[31] Jacobi, JWA 2,1, 245.

notion of ethics as an end in itself. The article's conclusion that "Jacobi refers explicitly to a 'law' in this context, but a law which, in contrast to Kant's universal ethical law, is active within us as an always individual 'expression' of a divine will"[32] is precisely the point here. Sandkaulen's position is founded on a "metaphysics of action", which would lead Jacobi to adopt a distinct approach within the ethical domain.

Certainly, the concept of *person*, which is the foundation of this so-called metaphysics of action, with its metaphysical background and markedly Leibnizian inspiration, is of great importance to understanding the moral agent as a concrete agent, a real unit in multiplicity and not as an abstract epistemological ground. But what seems to have gone unnoticed until now is the great contribution of the authors of the British Enlightenment in Jacobi's philosophy. This explains the sense of honour, but above all the reconfiguration of the very idea of law. As has been established thus far, moral law remains universally valid, even if it cannot be known *instrumentally*. As with certainty of belief, immediate certainty takes precedence over certainty that requires demonstration.

According to Hutcheson, the notion of *law* is itself artificial because it is formed by reason through observation and comparison. Natural law is the observation of the nature of things, whereas civil or positive law is merely a convention. Furthermore, a law can only be considered natural because it originates from the universal moral sense that distinguishes between right and wrong, just and unjust. Without this moral sense, we would never achieve any law.[33] The governing moral principle, on the other hand, is engraved on our hearts. It is the source of our moral sentiments and the art of regulating our lives. It establishes our right to act when our actions contribute directly to the general good or the good of a few, provided they do not harm others.

Hutcheson, with whom Jacobi would agree on this point, emphasises the qualities of the "man of action" (the Ciceronian ideal of the "good man", who acts in politics and society), replacing the Stoic ideal of the Sage. This concept has never been realised in history and is the Logos itself. This is a fascinating development in Cicero's thinking that sets him apart from the Stoics and has been enthusiastically adopted in British interpretations of his moral philosophy.

> The Stoics responded that the ideal was not dependent on its historical realisation. For them, the absolute model was the sage – the Logos made

[32] Birgit Sandkaulen, *Between Spinoza and Kant* (Bloomsbury Academic, 2023), 72.
[33] Francis Hutcheson, *Philosophiae Moralis Institutio Compendiaria* (Liberty Fund, 2007), 103-ff.

> flesh. He did not possess the traits of a fixed individuality, but precisely because of this, he transcended all human weaknesses. The myth of the Stoic sage was a powerful one, and Cicero himself was drawn to it.[34]

As Cicero scholar Milton Valente explains, the abstract concept of the Stoic sage did not align with the Roman ideal of a practical individual seeking to define the principles of a virtuous and useful way of living. For a Roman who wants to build his life on such practical foundations, an abstract ideal is insufficient and must be adapted. This is precisely what Cicero does with the concept of the "good man", that is, "a man, no doubt, who does not fulfil the theoretical and negative ideal of the sage, a man who at least does… something, something both useful and supremely virtuous, since he is useful to the public cause."[35]

Another key concept that is dear to Jacobi and synonymous with moral sense is "sympathy" or "fellow feeling." Hutcheson described this as a kind of "primordial sociability" because we are affected by the fortunes of others without any intellectual operation; that is to say, without any particular purpose in mind. We rejoice in their prosperity and are saddened by their misfortune.

But the most significant characteristic of Hutcheson's moral sense is that it acts as a guide to life – according to the Stoic "ruling principle" (*hegemonikon*) – which, as Jacobi says, is the true destination of human life, and, as Hutcheson says, its true dignity, supreme happiness and purpose. It is immediately perceived from its very nature when we immediately feel that it naturally assumes the right to judge, approve or condemn all the movements of the soul. This is the highest good, which is not a means to an end but is desired for its own sake. As stated by Hutcheson (who is surprisingly in line with Jacobi), the highest good is found in God and the moral sense is the "organ" through which humans are intimately connected to Him. This connection gives rise to disinterested love, or "pure love" in Jacobi's terminology. It is the moral sense that reveals the existence of a Creator, and without it, we would be detached from everything concerning the inner world.

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[34] Milton Valente, *A ética estoica em Cícero* (*L'Éthique Stoïcienne chez Cicéron*), (EDUCS, 1984), 290.

[35] Milton Valente, *A ética estoica em Cícero* (*L'Éthique Stoïcienne chez Cicéron*), (EDUCS, 1984), 290.

4. The internal sense

Only our internal organ, or moral sense, allows us to perceive God in the universe. It is the ultimate moral concept, as it combines the aesthetic and the moral in the fundamental idea of harmony. The Hutcheson scholar Peter Kivy comments on the paradoxical fact that it was John Locke who, in a certain sense, paved the way for the philosophy of moral sense and the new aesthetics that emerged from it. Kivy refers to Shaftesbury, who, in criticising Locke's dry empiricism, reformulated and gave a new direction to 18th century philosophy.

This notion is particularly evident in the famous letter Shaftesbury wrote to his protégé, Michael Ainsworth, on June 3rd, 1709. According to him, Locke was even more harmful than Hobbes when it came to moral matters, because he dealt a fatal blow to philosophy in general by removing all its foundations, thus eliminating order and virtue from the world.

> It was Mr. Locke that struck the home blow: for Mr. Hobbes's character and base slavish principles in government took off the poison of his philosophy. 'T'was Mr. Locke that struck at all fundamentals, threw all order and virtue out of the world, and made the very ideas of these (which are the same as those of God) unnatural, and without foundation in our minds.'[36]

In the same letter, Shaftesbury highlights Locke's qualities as an author and a person – after all, Locke was his tutor – describing him as "a most zealous Christian and a believer",[37] but he lost himself in a philosophy that asserts virtue has no measure than the simple law, custom or experience. In other words, that morality depends only on teaching and learning, and not on some internal sense or organ.

However, the most important argument here is the core of Shaftesbury's criticism, which Hutcheson both shares and develops: Locke's *way of ideas* impoverishes the world by assuming that human knowledge can be reduced to impressions from the external senses (the five senses) or ideas of these impressions (reflex ideas). Márcio Suzuki has shown in his book *The Form and Sentiment of the World* that, despite employing various Lockean notions, Hutcheson rejects the main presuppositions of Lockean philosophy. Following Shaftesbury, he develops his own philosophy based on the same

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[36] Shaftesbury, *The Life, Unpublished Letters and Philosophical Regimen* (Swan Sonnenschein & Co. Lim., The Macmillan Co., 1900), 403.

[37] Shaftesbury, *The Life, Unpublished Letters and Philosophical Regimen* (Swan Sonnenschein & Co. Lim., The Macmillan Co., 1900), 403.

idea that reducing everything to the five senses would diminish the human spirit to a significant degree. Indeed,

> some strange Love of Simplicity in the Structure of human Nature, or Attachment to some favourite Hypothesis, has engag'd many Writers to pass over a great many Simple Perceptions, which we may find in our selves. We have got the Number Five fixed for our external Senses, tho Seven or Ten might as easily be defended.[38]

According to Suzuki, unlike Locke's sensualism, for Hutcheson philosophy ought to include the multitude of perceptions that are characteristic of life rather than reduce everything to the five senses. "The argument in favour of multiplying and diversifying the ways in which we feel performs thus an essential function: it constitutes the most effective antidote to epistemological reductionism, which has serious moral consequences."[39] For our purposes in this article, the key point are these words: "moral consequences." It is through the moral or internal organ that Hutcheson can escape mere sensualism and, as Suzuki explains, reunite morals and aesthetics, because the aesthetic sense is more refined, subtle and, above all, free of interest, allowing us to experience a wider variety of objects of pleasure, like art, language and morality.[40]

The consequences of separating man from his inner sense are much more serious than they might initially appear. As we have seen, it leads to a purely mechanistic philosophy and an equally mechanistic morality and ethics. The criticism of Shaftesbury and Hutcheson is essential to show that we cannot be like Janus, the two-faced Roman god, who could only open the eyes of one head at a time and see either the natural or the supernatural world, but never both simultaneously.[41]

As has been previously stated, Shaftesbury exerted a great influence in 18th-century Germany, and Hutcheson himself also had a considerable degree of influence in more exclusive circles (Hamann and Herder,[42] for

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38 Francis Hutcheson, *An Essay on the Nature and Conduct of the Passions and Affections, with Illustrations on the Moral Sense* [*ECP*] (Liberty Fund, 2003), 5.

39 Márcio Suzuki, *A forma e o sentimento do mundo. Jogo, humor e arte de viver na filosofia do século XVIII* (Editora 34, 2014), 178.

40 *Ivi*, p. 175-176.

41 This is a quotation from Jean Paul: "(...) in the Janus head of man, which looks towards opposite worlds, sometimes one pair of eyes is closed or covered, sometimes the other." Jean Paul. *Vorschule der Ästhetik*. JPSW I,5. (Carl Hanser, 1996), 66.

42 In Herder's text entitled *Gott. Einige Gespräche über Spinoza's System nebst Shaftesbury's Naturhymnus* (1787) it is explicitly stated on the very first page that he has had in mind for many years a work in which the names of Leibniz, Shaftesbury and Spinoza appear.

example, were two of his most devoted readers). The role of both authors in Germany was pivotal, and would transform the development of moral philosophy there.

But another influential author who must be mentioned, and who shared the idea that different sense organs enrich human perception and can make it infinitely perfectible was the Dutch philosopher Franz Hemsterhuis. He was a close friend of Jacobi and was even indirectly involved in the *Spinoza-streit*. Initially, he participated indirectly through a letter addressed to him, where Jacobi explains the main premises of Spinoza's philosophy while arguing against a fictional Spinoza, as if he had just read Hemsterhuis's dialogue *Aristaeus, or on the Divinity*. This letter was later translated into German and attached to what became known as *Concerning the Doctrine of Spinoza in Letters to Moses Mendelssohn* (1785). Jacobi was also responsible for translating *Alexis, or on the Golden Age* into German.

It is indeed striking how Hemsterhuis parallels the ideas of Shaftesbury and Hutcheson on the topic of the variety of organs or senses, particularly when he is criticising empirical philosophy and the reduction of knowledge to the five external senses. Just like the British philosophers, he defends the idea of a diverse and multifaceted world that reflects different perspectives. In the dialogue *Sophylus, or on Philosophy* we can follow a very similar discussion between Sophylus and Euthyphro:

> Sophylus. Your unknown lands, my friend, are imaginary spaces, believe me. Philosophy is beautiful and good only because it destroys these fables. Its unshakable foundation is experience, and there is no truth beyond this.
>
> Euthyphro. We agree. A philosophy based on experience is certainly the only good one, but how many kinds of experiences there are!
>
> Sophylus. I know just one sole kind; it is experience through our five senses. Do you know of others?
>
> Euthyphro. To tell you the honest truth, there was a time when I had precisely the same opinion, but I have changed since. I am so changed that when I think of my small-mindedness then, I feel ashamed. [43]

Although Hemsterhuis is still an understudied author, there are many works on his concept of "organology", which posits that human beings are virtually

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This text is set in the context of the Spinoza controversy (also known as the Pantheism controversy) with Jacobi and the debate surrounding a pantheistic God.

[43] Hemsterhuis, *EE* 2, 45.

endowed with infinite sense organs. The dialogue in question deals with the criticism of an empiricist philosophy which advocates reducing our perception of the world to the five senses, as set out by Locke or materialist authors. Euthyphro develops a theory about how we can have a sense of things outside ourselves or, in other words, how we can form a representation of things outside ourselves, since – as he himself acknowledges – we can never represent things as they are in themselves. Curiously enough, Hemsterhuis accepts the notion that ideas initially arise from a sensation, i.e. from an external action, in the face of which the soul is passive. But he introduces the novel idea that, when the soul feels, it is not only passive, but also active.

> However, one essence can act on another essence only by immediate contact, or by organs or by media. The immaterial soul acts on the material body, and vice versa. The body acts on the body, the immaterial on the immaterial; and since what concerns us now are essences which have the ability to feel, then there must be organs and media between them to serve as vehicles, and to propagate their reciprocal actions, so as to produce these sensations.[44]

Therefore, to overcome materialism, as in Hutcheson's case, it must be stated that we have much more than five senses or organs to perceive things and the world. To put it another way, the premise here must be entirely different from that of empiricism: we must assume an infinite number of organs (or media) through which our sensitivity is affected. As a result, the notion of matter (or what Hemsterhuis calls "essences") could be defined by an infinite number of attributes. Euthyphro explains: "Thus you see, my dear Sophylus, the poverty of the idea we attach to the word matter"[45], to which Sophylus replies: "It is true, Euthyphro, and I perfectly sense that the word 'matter' is merely a sign to express essences insofar as they have some analogy to our current organs. I have nearly been convinced of the possibility that essence has an infinity of faces,[46] different from those by which we call it matter."[47] Given that essences (both material and immaterial) are infinite, and yet we can only perceive them if there is an analogy with our organs, Hemsterhuis

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44 Hemsterhuis, *EE* 2, 57.

45 Hemsterhuis, *EE* 2, 53.

46 About the concept of "face" it is interesting to mention an explanation from Whistler: "Every essence can express itself in an infinite number of 'manners of being' or 'attributes'. In line with Scholastic and early modern uses of *facies*, Hemsterhuis dubs these manners of being the various 'faces of the universe', which each correspond to a particular sense organ". Daniel Whistler, *François Hemsterhuis and the Writing of Philosophy* (Edinburgh University Press, 2022), 117.

47 Hemsterhuis, *EE* 2, 54.

proposes the idea that our human organs can improve without limit. Daniel Whistler refers to this as an "indirect realism", since the subject does not have direct access to the world.

In his criticism of the reduction of modern philosophy to the mechanism of sensory perception, Hemsterhuis turns to ancient philosophy, particularly to the Socratic. While Shaftesbury and Hutcheson were mainly inspired by Stoicism, the Dutch author saw Socrates as the best example of someone who cultivated his various faculties, making him the best model for a manifold, pluralistic philosophy. In *Sophylus*, Socratic philosophy emerges as the only possible philosophy alongside Newton's system. However, since Newton's system is merely a small branch of philosophy, rather than a philosophy *per se*, Socrates is presented as the philosophical ideal that transcends the personal point of view and encompasses all perspectives. In other words, Socratic philosophy could achieve true harmony of all human organs. Because "in the case of the Socratic [system], everything is within its reach. Socrates, and Socrates alone, who gave us the belief that man resembles God, preached philosophy itself, while others merely preached their limited philosophical systems."[48]

As a matter of fact, we should bear in mind an important lesson taught by Pierre Hadot in his studies of the ancient schools and the concept of philosophy as a "way of life." All of the ancient schools shared the Socratic spirit and adopted his model for themselves. For the Stoics, being like Socrates was as important as it was for other contrasting and sometimes opposite schools. In his commentary on Epictetus's *Enchiridion*, Hadot mentions that Epictetus would say that young people sought out Socrates, asking him to introduce them to a philosopher, unaware that he himself was one. This was because Socrates did not recite beautiful phrases or principles.[49] Indeed, he did not intend to teach anything; he wanted to demonstrate the actions of a philosopher instead, and his only concern was improving himself. Socrates is presented as the ultimate model of a philosopher in both the *Enchiridion* and the *Discourses*. But above all he is a model of humanity. The novice philosopher knows that he is not Socrates, but he must seek to live "as if he wanted to become Socrates."[50]

As previously mentioned, Stoicism plays an important role in this discussion. The Stoics' fundamental principle is that good and evil refer only to virtue and vice, that moral actions depend on our freedom of choice, while everything else is indifferent. Consequently, attributing good or evil to an

48 Hemsterhuis, *EE*2, 47.
49 See for example Epictetus, *Discourses* III, 5, 17.
50 Pierre Hadot, *Manuale di Epitteto* (Einaudi, 2006), 122.

external cause beyond our control is a misunderstanding of our perceptions. Ferguson, quoted by Jacobi in *Woldemar* on this very subject, points out that, due to this conception of good and evil being contrary to that of the Peripatetics, Stoicism was able to affirm that "virtue could be practised in all circumstances, whether favourable or adverse."[51] In other words, the idea that good can be found in adversity and evil in prosperity undermines utilitarian or hedonistic ethics. But according to the Stoic doctrine, some of the indifferent things are *preferable*. On this subject, Hutcheson adds a clarifying note in his translation of Marcus Aurelius: "the Stoics called all external advantages or disadvantages, respecting the body or fortune, things indifferent, neither good, nor evil; but they allowed this difference among them, that some were according to nature, and preferable; others contrary to nature, and to be rejected."[52]

5. Conclusion

However, I think it is clear so far that this is not really about Stoicism itself, but rather its incorporation into British moral philosophy, primarily through Cicero. This article explores how Stoicism was adapted to modern demands and tempered by the acceptance of natural goodness. An important fact in the history of these ideas is that Hutcheson himself translated the *Meditations* of Marcus Aurelius, who was held up as the greatest example of virtue, of someone who led his life according to Stoic principles and in accordance with himself. In his notes on the text, Hutcheson makes no secret of his affinity with the Roman emperor, but we can also glimpse certain transformations in the key concepts that foreshadow the moral sense. In Marcus Aurelius, we can already see a defence of the common good and benevolence, a call to action in public affairs and an emphasis on leading a life in accordance with one's own nature (*hegemonikon*). There, Hutcheson argues that

> the most important practical truths are found out by attending to the inward calm sentiments or feelings of the heart: And this constitution of heart or soul is certainly the work of God, who created and still pervades all things; it is just and natural to conceive all divine and social dispositions as the work of God: all the great moral maxims deeply affecting the soul, and influencing the conduct, are the illumination of

[51] Jacobi, JWA 7,1, 320.

[52] Francis Hutcheson, *The meditations of the emperor Marcus Aurelius Antoninus*, V, 36 (Liberty Fund, 2008), 69. This interpretation of Stoicism mitigates the most commonly rejected aspect of this philosophy, namely its perceived neglect of natural goods such as physical health and life itself.

> God, and a divine attraction toward himself, and that way of life he requires.[53]

It is important to remember that Socrates also had a great influence on Jacobi. His *wissendes Nichtwissen* or *Unphilosophie* is a reinterpretation of the Socratic concept of philosophy. In the *Spinozabriefe*, Jacobi states that the way of thinking of an era or a people derives from their way of acting, that philosophy is incapable of creating its own matter (a clear criticism of transcendental philosophy) and its matter is always present or past history. "It follows therefore that one ought not to derive the actions of men from their philosophy, but rather their philosophy from their actions; that their history does not originate from their way of thinking, but rather, their way of thinking from their history."[54]

According to him, these are the conditions for philosophy to be true, living philosophy, or wise ignorance (*wissendes Nichtwissen*). However, what might seem like a peculiar position at the time – and perhaps even today – is nothing more than the maxim attributed to Socrates: philosophy is the art of knowing how to live. In other words, it is about the harmony between actions (*erga*) and words (*logoi*), [55] whereby knowledge must always be subordinated to life.

What matters is not one particular philosophy, but the life of the *philosopher*. In other words, his actions and conduct must be consistent with his principles, since any doctrine has value only when put into practice. Jacobi's defence of the idea of a "personal philosophy", namely that of "the man F. H. Jacobi", is therefore no coincidence, given that the moral agent must be a concrete individual. And if living philosophy is history and each era has its own truth situated in a unique historical moment, then the type of philosophy one adopts will also be particular and a matter of personal choice. This perfect conjunction of conduct and philosophy is what makes Socratic knowledge a *wise* ignorance: his moral choices and guiding principles are in perfect harmony with his life. He is living according to his nature.

Having retraced this scenario, it becomes clearer the role such thoughts played in Jacobi's intellectual development. Indeed, the philosophical novel *Woldemar* is a defence of the moral sense in its different features and a total rejection of selfishness, legalist morals and unconditional law. I hope that I have illustrated how Jacobi's ethical philosophy is far more intricate than it

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53 Francis Hutcheson, *The meditations of the emperor Marcus Aurelius Antoninus*, V, 36 (Liberty Fund, 2008), 137.

54 Jacobi, *MPW* (McGill-Queen's University Press, 1994), 239.

55 See John Sellars, *The art of living. The stoics on the nature and function of philosophy* (Bloomsbury, 2003), 32.

may seem and was influenced not only by the philosophy of his own time, such as Kantian morality, but also by British philosophy, Cicero and, through it, Stoicism. While the birth of the so-called "practical philosophy" is essential to Jacobi's moral reflection, it offers only a one-sided perspective of his manifold thinking. It is essential to acknowledge that he was a distinguished scholar and a profound student of the history of European philosophy.

Furthermore, ethics based on a moral sense is closely associated with the idea of a philosophy that unifies the diverse authors previously referenced through the central figure of Socrates: philosophy as a way of life. For Shaftesbury, Hutcheson, Ferguson, Hemsterhuis and Jacobi, the conduct of the individual is at the heart of philosophy; their concrete actions are paramount, and theory and practice (or "head and heart", in Jacobi's words) should never be separated.

The term *hegemonikon*, employed by the Stoics and translated by Cicero as "living according to one's own nature" means exactly that words and actions should always be in harmony with each other. To quote one of Jacobi's maxims, one should be what one appears to be and appear to be what one really is. Moral sentiment is therefore the measure of the success or failure of the adequacy of our conduct and of our consistency as individuals in society.

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