OBJECTIVE MORAL EVALUATION OF CONSEQUENCES

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THE MORAL trends that have been gaining the field in the Christian community have provoked numerous questions, some of which are only now receiving the attention they deserve. The present article takes up one such question: On what objective basis, according to certain new trends, can the consequences of human decision be morally evaluated? The article is a report of a particular epistemology that is being offered in current ethical discussion as a partial answer to this question. The article, at the same time, gives an interpretation of the epistemology, suggesting how this line of thinking can be fruitfully prolonged.

I

To understand the question itself with which this epistemology and the present article are concerned, one must understand how certain ethical trends raise and shape the question. A perceptive résumé of James Gustafson can serve to recall some of the trends in question.

> A renewal, or at least a revision, of moral theology is taking place. The reasons for this are many. Traditional Christian morality is breaking down in practice. The laity more and more do not accept the authority of the Church on matters of detail in private life. The discipline of moral theology has come out of its traditional isolation from Biblical studies, dogmatic theology and ascetical theology. It is seen to have more kin besides canon law in the family of theological studies. The appropriation of a pastoral, rather than a juridical, image of the function of the Church modified not only practice, but also theory. The more historical and dynamic notion of the people of God, in contrast with an ossified body of Christ, opens the way to taking historical change more seriously, and puts under question the high degree of immutability that has been assumed in morality as well as in theology. With the recovery of love and freedom as being close to the heart of the saving message of the gospel has come a rethinking of the place of law. Newer philosophical work has introduced conceptions of intersubjectivity and personhood, and the use of these concepts makes revision of the manualist moral theology necessary. The modern sciences of man have increased the awareness of the diversity and complexity of actual human life, and provided new data and new ways of understanding; these qualify the kinds of generalizations that traditionally have been made. The theology of grace provides a different background for the proper focus on the particular actions of men. No doubt many more factors are involved; many more reasons for renewal can be given.[1]

[1] James M. Gustafson, "New Directions in Moral Theology," *Commonweal*, Feb. 23, 1968, p. 617. Cf. also "Dialogue on the Moral Life," in *Readings in Biblical Morality*, ed.

All the trends listed above have at least one common effect: to give more importance to love and less to law in the formation of Christian moral decision. It is not a passage from a morality of loveless law to one of lawless love. The tradition always accorded a central role to love in Christian living. Most of the moralists of the new stamp admit that laws often have weight in moral decisions. What is taking place is a change in proportion: love is given much more importance, law much less.

One prevalent expression of the change is the situationist love ethic. Fortunately, "the fascination with the situation ethics debate has waned in the last two years,"[2] and one purpose of the present article is to advance current discussion even further beyond the debate. But some of the thinking associated with situation ethics continues to grow in popularity among Christians. An example would be its love ethic: only love is always good and right, just as hate and indifference are always bad and wrong. Laws, in the sense of maxims or cautious generalizations based on experience, aid the moral agent to concretize love. They aid, however, not as absolute prescriptions, but only as illuminators of the problem.

Already during the height of the debate some of the most articulate proponents of the situationist love ethic as well as some sympathetic critics agreed on some of the questions which the ethic raised and to which it had not yet given a clear answer.

> What do the maxims, the "cautious generalizations," tell the individual? How do they illuminate the problem? And how are they adduced from experience?... Furthermore, what determines whether an action is loving, whether "love is served"? What, specifically, does love strive to bring about in the loved?[3]

There are different kinds of love ethics, many antedating situation ethics,

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C. Luke Salm, F.S.C. (Englewood Cliffs, N.J., 1967) pp. 142–48, reprinted from *Ecumenist* 3, no. 5 (July-Aug. 1965); "A Christian Approach to the Ethics of Abortion," *Dublin Review*, Winter 1967–68; pp. 346–51. What Gustafson lists in the latter article as "salient aspects of traditional Catholic arguments" concerning abortion characterize as well the general Catholic tradition that is being replaced. The present article, as it proceeds to deal with one question that the trends provoke, is in good part in reaction to these and other recent writings of Gustafson—a reaction both critical and receptive.

[2] Charles E. Curran, *Contemporary Problems in Moral Theology* (Notre Dame, 1970) p. 254. That the debate has not died away is evinced by publications of the last twelve months, e.g., John Macquarrie, *Three Issues in Ethics* (New York, 1970) pp. 25–42, and Joseph Fletcher and Thomas Wassmer, *Hello Lovers!* ed. William E. May (Washington, D.C., 1970). In the latter book the element of debate in the recorded conversation is provided mainly by the editor. He discovered, to his surprise, that Fletcher and Wassmer agreed or harmonized on the large issues, and therefore he felt personally obliged to offer the objections that he believed their position called for.

[3] From my book review of Joseph Fletcher's *Situation Ethics* in THEOLOGICAL STUDIES 27 (1966) 484. Fletcher quoted them subsequently as "promising questions with which to continue examining the merits of the controversy, pro and con." "Let us all, whatever method of doing ethics we may advocate, continue to ponder Milhaven's seven ques-

and all must answer the three last questions.[4] The situationist love ethic, however, provokes the questions most acutely precisely because, while absolutizing love, it relativizes all other general criteria and subordinates them to love. But love, in turn, is simply that which "seeks the good of anybody, everybody."[5] On what basis, then, does one evaluate the good in the situation?

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tions" ("Situation Ethics under Fire," in *Storm Over Ethics* [Philadelphia, 1967] p. 172). Fletcher urges these questions again in "Reflection and Reply," in *The Situation Ethics Debate* (Philadelphia, 1968) pp. 258-59. Harvey Cox, editor of the volume, remarks in his introduction: "More seriously perhaps, both Bennett and Milhaven press the question of how we are to know what love does require in a given situation. 'What determines whether an action is loving,' Milhaven asks, 'or how "love is served"?' Bennett puts it even more sharply: 'Is it correct to say that love as such provides any illumination concerning what is good for the neighbor? To use love as the great simplifier of ethics is to place too much emphasis on the motive of the one who acts and not enough on the sources of illumination concerning what is good for those who are affected by the action'" (p. 14; the words of Bennett are from his book review on p. 67, originally appearing in the Nov.-Dec. 1966 issue of *Religious Education*). Cf. also Edward Stevens, S.J., *Making Moral Decisions* (New York, 1969) pp. 23-24; Vernon J. Bourke, *History of Ethics* (New York, 1968) p. 308, and Peter A. Bertocci, *Sex, Love and the Person* (New York, 1967) p. xii.

[4] Bruno Schüller, dealing with the ethical question raised by men's manipulation of other men, simply premises that "for a Christian ethic, love of neighbor and hope are constitutive characteristics of the moral good in its totality. Therefore, one can also, without further ado (*ohne weiteres*) reformulate the question thus: What forms of manipulation of men does the love of neighbor forbid and what forms does it permit?" Schüller then argues that one is not then referred simply to the individual situation and personal conscience. One can still ask whether there are "particular principles that mediate in a way between the general command of love and the individual, concrete situation" ("Zur Problematik allgemein verbindlicher ethischer Grundsätze," *Theologie und Philosophie* 1 [1970] p. 1). James Gustafson, too, recalls that a love ethic (i.e., one whose fundamental norm is simply love) is not necessarily situationist. He criticizes impartially the situationist love of Fletcher and the "inprincipled love" of Paul Ramsey ("Love Monism," *Storm Over Ethics*, pp. 26-37). While resisting much of the new moral trends, moralists of the natural-law tradition have had no difficulty in conceding that love is the foundational norm of moral theology. "Far from denying the validity of what theologians call natural-law obligations, it is precisely because Christ charged us with love of the neighbor that He must be thought to have asserted them" (Richard A. McCormick, S.J., "Notes on Moral Theology," THEOLOGICAL STUDIES 26 [1965] 610). "Man must accept the law of Christ, that is, the law of faith and charity, to be saved. Once he does this, the natural law becomes the means by which he expresses this faith and charity" (John R. Connery, S.J., "Notes on Moral Theology," THEOLOGICAL STUDIES 19 [1958] 533, apparently summarizing E. Hamel, S.J., "Loi naturelle et loi du Christ," *Sciences ecclésiastiques* 10 [1958] 49-76). "That love is the basis of Christian morality, no true Christian has ever denied, in spite of some complaints about moral theologians" (Joseph J. Farraher, S.J., "Notes on Moral Theology," THEOLOGICAL STUDIES 16 [1955] 233). Underlining this point does not seem to be otiose, since one continues to hear criticisms of situation ethics for its "novelty" of making love the basis of Christian morality.

[5] Joseph Fletcher, *Situation Ethics* (Philadelphia, 1966) p. 107; similarly pp. 63-64, 88, 95, 96, 109, 119.

Not all holding the situationist love ethic reply in the same way. But one widespread line of reply both narrows and deepens the question. Maintaining what would appear to be an unqualified pragmatism or consequentialism or utilitarianism, the reply identifies the good with "whatever works," i.e. with helpful consequences.[6] The question is thus moved a step further and becomes: What does it mean "to work" or "to help"? How does one determine "what works" or "what helps"? In other words, granted that I know what some of the consequences of my decision are likely to be, how do I evaluate them?[7]

One frequent answer again narrows and deepens the question. The answer simply appeals to experience, e.g., the experience reported and analyzed by the behavioral sciences. This complete reliance on empirical consequences has drawn objections: "Is there not a meaning to human coitus which we perceive even without the aid of consequence empiricism, indeed a sense which this empiricism could conceivably never establish?" Richard McCormick answers his question affirmatively.

I am suggesting that human sexual intercourse has a sense and meaning prior to the individual purposes of those who engage in it, a significance which is a part of their situation whether or not the partners turn their mind to it. It is an act of

[6] *Ibid.*, p. 42; cf. pp. 59, 60, 115, 126. Similarly, "Virtue Is a Predicate," *Monist* 54 (1970) 74–75, 80–82, and *Hello, Lovers!*, pp. 2, 4, 6–8.

[7] Charles E. Curran (*op. cit.*, pp. 214–15, 251–53) rejects unqualified consequentialism on various grounds, including the "difficulty" or "problem" of appraising the hierarchical importance of the various consequences involved. Curran's rejection of consequentialism is too schematic to make clear how he understands consequentialism's attempt to meet this problem, which equivalates the question of the present article. Curran's views seem to parallel, and perhaps are echoing, Paul Ramsey's extensive critique of consequentialism (e.g., *Deeds and Rules in Christian Ethics* [New York, 1967] pp. 176–92, or *War and the Christian Conscience* [Durham, N.C., 1961] pp. 3–9). Ramsey attacks by name the consequentialism of Joseph Fletcher; one of his principal criticisms is that Fletcher fails to answer clearly and coherently the question of the present article. It would be rash to step between these two combatants in an attempt to settle the matter. One can note, however, that Fletcher's fusion of a love ethic with consequentialism (or utilitarianism) does not per se explain how one evaluates consequences. "We need not try to assert some supposed mutual exclusion between *agapē* and the 'happiness' that utilitarians want. All depends on what we find our happiness in: all ethics are happiness ethics. With hedonists it is one's own pleasure (physical or mental); with neo-Aristotelians it is self-realization; with naturalists, it is adjustment, gratification and survival. Happiness is the pragmatist's *satisfaction*. It is 'how you get your kicks.' The Christian situationist's happiness is in doing God's will as it is expressed in Jesus' Summary. And his utility method sets him to seeking his happiness (pleasure, too, and self-realization!) by seeking his neighbors' good on the widest possible scale" (*Situation Ethics*, p. 96). Which leaves untouched the question *how* one evaluates in the concrete, foreseeable consequences of given decisions *what* is good or better or less evil. The question is all the more difficult to answer in the framework of Fletcher's theological positivism: that love is the highest good is simply a matter of faith (*ibid.*, pp. 46–50).

love and therefore has a definition which relates it immediately to the love of man and woman—with all the demands of this love. Furthermore, I am suggesting that we can come to know this meaning even if the scientific empiricism of our time has not proved it and cannot prove it.[8]

McCormick's questions and objections are not those of debate, seeking to refute, but of dialogue, seeking greater clarity and thus possibly agreement. His comments certainly underline the question that has to be answered by the kind of empirical consequentialism or pragmatism we have been discussing. It cannot appeal ultimately to principles in order to evaluate the experienced consequences; for in this approach principles have only relative normative weight and they are determined by the experience of the consequences, not vice versa.

Other ethicists, such as Eugene Borowitz, are urging the same question when they fault sexual researchers for implicitly drawing ethical inferences

[8] "Human Significance and Christian Significance," in *Norm and Context in Christian Ethics*, ed. Gene H. Outka and Paul Ramsey (New York, 1968) p. 252. McCormick is not claiming that all consequentialism is empirical, but is reflecting on the "consequence-empiricism" presented in my "Towards an Epistemology of Ethics," THEOLOGICAL STUDIES 27 (1966) 228–41, reprinted in *Norm and Context in Christian Ethics*, pp. 219–31, and, in somewhat revised form, in my *Toward a New Catholic Morality* (New York, 1970) pp. 127–39. Most of contemporary consequentialism is, in fact, empirical, whether or not my presentation in that article would fit it. Fletcher criticizes me from the opposite side: "Milhaven puts it well: 'It is empirical evidence, not direct insight into what something is, but the observation, correlation and weighing out of numerous facts, which reveal the value of most human acts.' I would only want, as a situationist, to change Milhaven's 'most' to *all*" (*The Situation Ethics Debate*, p. 256; the italics are Fletcher's). The growing popular appeal of a love ethic understood in the situationist sense and concretized through a thoroughgoing empirical consequentialism probably has something to do with the increasing number of attempts to justify an old-fashioned kind of law ethics exclusively by the demands of love and to confirm (not prove) the laws by experiential consequences, e.g., Eugene Kennedy, "It Shows up in Sex," *Critic*, July-Aug., 1970, pp. 32–38. Another example would be the essay of Richard McCormick cited above, e.g., pp. 235 and 257–61. Daniel Callahan's reaction to my article is also critical, but mainly in filling out the implications of what I was suggesting. "Milhaven displays a certain ambivalence. His choice and use of examples (divorce, lying, euthanasia and suicide) hint that evidence can be expected to confirm traditional absolutes; but his general argument that empirical evidence should systematically enter into the formation of moral judgments entails the possibility of a revision or rejection of many present absolutes" ("Ethics and Evidence," *Commonweal*, Oct. 21, 1966, pp. 76–78). "What needs to be seen—to make a tentative response to Milhaven's tentative question about allowing a place for empirical evidence in ethical judgments—is that the admission of such evidence is bound to have ethical consequences. That means, then, that any decision to allow it a central place must, in part, be an ethical decision. And that means asking all over again what is it to be perfect as our Father in heaven is perfect?" (p. 78). When Callahan wrote that, he was beginning his four-year inquiry into the ethics of abortion. His inquiry, in good part empirical, led him to give up the traditional prohibition against abortion that he had set out to defend (*Abortion: Law, Choice and Morality* [New York, 1970] pp. 17–18).

from their empirical data without introducing an appropriate methodology to justify the inferences.

[The researchers] do not always carefully observe the strictures they themselves lay down between science and ethics. Ira Reiss, regarded as one of the leaders in this field, whose careful statement on science and ethics was noted above, is a case in point. Reiss does not hesitate to call the collection of articles he edited "The Sexual Renaissance in America," and he uses that term several times in his own contributions. It is doubtful whether there are objective sociological criteria for a "renaissance," and no effort is made to show how the term is scientifically derived from the material assembled. Further, he seems only to see possibilities of more permissive sex practices and never the possibility of reaction. Thus Reiss is often less a scientist than a missionary. In the same volume Lester Kirkendall, in the article "Interpersonal Relationships—Crux of the Sexual Renaissance" (pp. 45 ff.), seems only to be reporting on a shift of sexual values, but it is difficult to avoid the impression that here, as in his book, he is urging us to accept a personalist ethical standard. I find this standard appealing but do not see how surveys on sex behavior can establish that any criterion should be accepted as the basis of our judgment of the rightness of sex acts.[9]

James Gustafson, I believe, is raising the same question when he speaks of my "seeming affirmation... of an uncritical utilitarianism," and goes on to comment on two statements of mine.

"Then do something that helps!" "Good medicine [is] good morality and vice versa...." These statements cry out for careful analysis, as Milhaven certainly knows. What is it that helps? What medicine is "good"? Helps whom? Whose good? A question as old as Plato will have to be reckoned with, namely, what is the good? I think it will be necessary to discard the use of such general notions, and to designate more precisely the varying elements embodied in human well-being. Physicians, psychiatrists, and social scientists will, I agree, make increasing contributions to our understanding both of the ends of action, and of the effective means. But whether moral discourse can be reduced to medical, psychiatric or social scientific discourse is by no means clear.[10]

[9] Eugene B. Borowitz, *Choosing a Sex Ethic: A Jewish Inquiry* (New York, 1969) p. 123. His criticism of John Wisdom's *Logic and Sexual Morality* (Baltimore, 1965) is parallel: "After carefully describing the usefulness and limits of science in dealing with sexuality (pp. 37–47), he places his hope for a more satisfactory standard in what psychology has yet to teach us about human sexuality (pp. 44–45). Psychology can teach us a great deal about what people do sexually and what emotional effects this has upon them. But this only describes actual behavior and its consequences, not what our ideals ought to be" (p. 124).

[10] "Responsibility and Utilitarianism," *Commonweal*, Oct. 31, 1969, p. 141, reacting to my article "Exit for Ethicists" in the same issue. Gary W. Schwartzkopf, S.J., sees the position I take here as "another example of the technocratic fallacy." He describes this fallacy as follows: "With the 'end of ideology' mentality, we are liable to presuppose that the function of leadership is to develop techniques for accomplishing our common goals, while the goals, motivations and values are themselves commonly accepted and beyond questioning.

Hopefully, the preceding pages have identified the particular, limited question we have in mind under our general formula "On what objective basis should one evaluate morally the consequences of human decision?" In brief, our question is the one raised by two contemporary, overlapping trends: a situationist love ethic relying on an unqualified empirical consequentialism, and a use of the behavioral sciences to draw ethical statements without appearing to use a specifically ethical methodology. Both these trends could be labeled as forms of "consequentialism"; in both, the ethical judgment is formed solely by evaluating the experienced consequences without introducing any further standards. On what basis, then, does one evaluate them?

II

John Dewey observed that to understand a philosophy, one must understand what it is reacting from. The kind of consequentialism under discussion is in reaction from what it considers to be an uncritical use of general principles in forming moral judgments. The principles are seen as being used to determine the morality of certain decisions before the consequences are adequately taken into consideration. An obvious example of what the consequentialist objects to is the application of traditional "absolutes": the moral agent sees that one consequence of his decision would be the direct killing of an innocent person or his having sexual intercourse outside marriage; he examines the consequences no further. The decision would be morally evil no matter what the consequences.[11] In the present article, however, the question of moral absolutes will not be taken up, since it has been discussed to satiety in recent years and it

It is a sort of 'we believe in deed not creed' mentality. The fallacy of this approach is that it is impossible. There is no such thing as technique or deed without value judgment; there are no value judgments without some sort of general philosophy. The 'myth of objective consciousness' or 'value-free' technique is fallacious because it is impossible. You cannot act without intention, and intention means meaning." In my statement "good medicine is good ethics" he finds implied a "wholesale lunge from natural law ethics to U.S. technologism" ("Culture and Counterculture in U.S. Politics," *America*, Nov. 14, 1970, pp. 397-98).

[11] Charles Curran defines well this type of absolute as "the absolute moral prohibition of certain actions which are defined primarily in terms of the physical structure of the act" (*op. cit.*, p. 147). Cf. my *Toward a New Catholic Morality*, pp. 141-43 and n. 1. The "absolutes" that a contemporary ethicist of Protestant background reacts against are often not defined in this way, but as the absolute moral prohibition of certain actions which are defined primarily in terms of the *moral* aspects of the act. Thus John P. Reeder, Jr., would justify, in certain situations, stealing or unjustly taking another's property, or similarly, violating the right of the fetus by direct abortion. In the Catholic framework, once the action is justified, it can no longer be called "unjust" or "violation of a right" (pp. 277-78 of a forthcoming issue of the *Journal of Ecumenical Studies*. Prof. Reeder, who kindly sent me the galleys, is reviewing my chapter in *Absolutes in Moral Theology?* ed. Charles E. Curran (Washington, D.C., 1968; appearing in abridged form in *Toward a New Catholic Morality*).

is admitted that the absolutes can affect only a tiny fraction of moral decisions and therefore the essential thrust of consequentialism does not concern them.[12]

It is worth noting, however, that a large number of moral decisions are made on the basis of general principles that the moral agent does not hold as absolute, but which he usually applies as if they were. If the moral agent sees that one consequence of his decision would be to contribute to illegal violence or (given a different set of principles) to contribute to the carrying out of war, he examines the consequences no further. The decision would be morally evil no matter what the consequences. He admits in principle that illegal violence or war can in exceptional cases be justified. But he never inquires seriously in any situation whether the exception is here verified.

Our consequentialist does not contest that this uncritical use of principles as absolutes is necessary most of the time in making day-by-day concrete decisions. One does not often have time to probe the likely consequences in a given situation and so one has to decide on the basis of principles already formed. The fact that my decision would involve running over a pedestrian or causing deep pain to my wife or ruining a man's good name can usually settle the moral question for me. I can presume that the decision would be morally evil, and I need examine the consequences no further.

The consequentialism that I am presenting is, therefore, not a complete rejection of the uncritical use of principles as absolutes, but is an attempt to provide a critique of them, a higher court of appeal, when the occasion warrants. When there is reason to ask whether the principle is false or should be modified or at least does not apply here, a consequentialist methodology is offered as the only way of answering. But rather than analyze the consequentialist critique of this genre of principle, it may be more illuminating to turn to a more basic type of principle, which in point of fact usually lies behind and determines those of the above-mentioned genre. This more basic principle is the proportionate assessment an individual has of values and disvalues. The principle is often seen to operate, for example, when the individual has to choose between two consequences.[13] Obedience to the Church is more important than personal

[12] "The problem of norms, then, seems to be the problem of the significance of concrete pieces of human conduct. If the problem is seen as one of *absolute* norms (particularly absolute prohibitions), it must be candidly admitted that it is not much of a problem; for even traditional theological categories—when properly understood—admitted very few absolute prohibitions" (McCormick, *op. cit.*, p. 260).

[13] Let it be said once here for the rest of the article that in moral questions arising in concrete human life this type of principle must be applied to a more complex situation: there are usually more than two consequences and two values at stake. But even in the more nor-

fulfilment (or vice versa). Black power is more important than the races living peaceably together (or vice versa). The experience of a "trip" is worth the possible harm to health (or is not). Here, too, the consequentialist does not contest that the uncritical use of such principles is necessary in day-by-day decision-making. One could give numerous examples in noncontroversial areas (unlike the three listed above) where no critique would be called for. The ability of my philosophy students to think for themselves cogently and with insight is more important than their memory of names and dates. I need not bother, most of the time, raising the question whether this principle may fail to apply to my class today. Similarly, I rarely need to examine critically my application of the principle that personal courtesy is more important than personal convenience.

The word "principle" is perhaps not a happy term for the determinant of moral judgment that has just been described. Nor does the formula "more important than" express with complete accuracy what it is that determines the judgment of the moral agent. True, *how much* he values personal fulfilment and *how much* he values obedience to the Church are really what determine his judgment. But this quantitative way of expressing the process does not communicate the fact that this kind of principle does not function like a law or rule or mathematical principle. The degree to which I value personal fulfilment and obedience to the Church may make me, in conflict cases between the two values, choose the latter most of the time, but the former fairly often. This is because, with this kind of principle, the "more important" can in given situations become concretely the "less important," e.g., when the law to be obeyed is of minor significance and the frustration of personal fulfilment would be of a severely damaging kind. No matter how highly I value the encouragement of independent thought in my students, I will at times see that it is better to teach some names and dates. Hardly any man who holds that saving a nation from Communism is more important than sparing lives that would be lost in war would deny that there is a cutoff point. Without changing his basic proportionate assessment of the two values, the balance can, in a concrete situation, dip to the other side. Not every Communist nation should be immediately liberated at whatever cost to life.

One uses the term "hierarchy of values" to designate this generalized, proportionate assessment of given values that determines many, perhaps most, of a man's moral judgments. "Hierarchy" is perhaps as appropriate a metaphor as any, but can be misleading, precisely because, as the examples above illustrate, the priority or proportion between given values is not a fixed one when applied to concrete situations. In using principles of this

mal and complex problematic, it is essentially the same type of principle as is illustrated in the choice between two consequences each embodying a value.

sort, the individual consciously and consistently finds situations in which the "lesser value" here is greater. (There are times when watching a football game is objectively of "greater value" than listening to Beethoven.)

The fluid way in which an individual's proportionate assessment of values finds itself verified in the different situations increases the difficulty of making the moral judgment objectively. Exactly how much human life is worth risking in order to save from Communism this given nation at this moment of history?

> Human life has many values. These values are not always in harmony with each other in particular circumstances. Indeed, there is no fixed timeless order of priority of the values of human life which *a priori* determines what ought to occur in all particular circumstances.
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> Human values are many, and many things which men value can be ethically and theologically justified. They do not fall into a neat pattern of priorities which smooths the abrasiveness of particular situations.[14]

Not only is an individual's proportionate assessment of values fluid in application and consequently often difficult to apply, but it is even more difficult to communicate it to another individual. Language analogous to science or law, or any brief, direct verbal expression, is a particularly ineffective means of communicating it. Two persons can agree verbally on a given proportionate assessment, e.g., that courtesy and hospitality are more important than personal convenience, just as they agree that there are exceptional situations where the reverse is true. Yet such a husband and wife, on a given evening, can disagree sharply on the lengths to which they should go to make a visiting couple feel at home. Of course, the real cause of the disagreement may not be the principle they are applying. The husband may have a fear of offending the guests for reasons connected with his professional career. The wife may harbor a personal resentment against one of them. But the cause could also be that behind the verbal agreement the husband and wife hold two different principles. One of them may have a greater appreciation of the value of courtesy and consequently a different proportionate assessment of the two values at stake. Similarly, two friends might agree verbally that saving a nation from Communism should in general be preferred to sparing human life and yet really mean two different things and consequently disagree on the Viet Nam war. Nor can the two men, or the husband and wife, easily uncover and identify the difference in proportionate assessment of values.

[14] James M. Gustafson, "The Transcendence of God and the Value of Human Life," *Proceedings of the Twenty-third Annual Convention of the Catholic Theological Society of America* 23 (1969) 101 and 103.

It was not at all unknown to moralists of the tradition that a great number of the decisions a man has to make day by day are determined, not by principles that can be immutably and easily applied and readily communicated in words, but by principles that are proportionate assessments of values, are applicable only fluidly and often with difficulty, and resist verbal communication. The principle of the comparative value of obedience to law and personal fulfilment is a conspicuous example in the tradition. It is simply that certain contemporary trends have a much greater concern with this kind of principle and with providing a critique for its use; for this kind of principle is the decisive factor in the making of the kind of moral judgments with which these trends are most concerned, i.e., judgments of one's responsibility to act positively and helpfully in a given situation.[15] To how much personal sacrifice should I go to help the starving in the world? An elderly relative? My pastor? What ought I do to meet my responsibility here? The basic principle that determines my moral judgment is the proportionate degree of appreciation I have for the values involved.

The trouble is, as the consequentialist sees it, that the principle actually determining an individual's judgment is often false and does not reflect objectively the values at stake. Few Americans, it is claimed, have an objective appreciation of the evil of poverty or the horror of war or the desperateness of drug addiction. Consequently, they cannot have an objective proportionate assessment of these disvalues in comparison with personal sacrifice on their part. The consequentialist critique of the final moral judgment relies not merely on critically assessing intrinsic values, but also on obtaining the soundest factual knowledge and know-how, e.g., the procedures most likely to cut down drug addiction in the city.

[15] On contemporary emphasis on this kind of moral judgment, cf. my "A New Catholic Morality?", "How Far Has God Shared His Dominion with Man?", and "Exit for Ethicists," appearing in revised form as the first three chapters of *Toward a New Catholic Morality*. Traditional ethicists acknowledge the negative emphasis and minimalism of the older moral theology. "Since the time of St. Alphonsus moral theology has been built around the commandments rather than around the virtues, and while this is a more convenient approach in a subject of interest chiefly to confessors, it is concerned more with vice than with virtue" (John R. Connery, S.J., "Prudence and Morality," THEOLOGICAL STUDIES 12 [1952] 564). "As to the charge of 'moral minimalism,' it is one that the Catholic moralist must in one sense admit, and about which he can offer little satisfaction to his critics. The chief aim of the science of moral theology as it exists in the Church today is the formation and guidance of confessors whom the Church can officially approve for the ministry of the Sacrament of Penance.... It belongs to the Church's power of the keys that her ministers should know clearly what human acts separate man from God, should mark out plainly the edge of the abyss beyond which lies death for the soul" (Francis Clark, S.J., "The Challenge to Moral Theology," *Clergy Review* 38 [1953] 214–23, cited by John C. Ford, S.J., and Gerald Kelly, S.J., "Notes on Moral Theology, 1953," THEOLOGICAL STUDIES 15 [1954] 53).

Here the empirical sciences and trained experience make their contribution.[16] But the assessment of the values at stake is seen as equally crucial. If it is not objective, factual knowledge and know-how are of little use. Moreover, in concrete ethical life, the basic appraisal of values is usually what impels the individual to getting the facts and know-how. Contrariwise, a convincing exposure of false factual assumptions and presentation of the factual scientific evidence on hand can make it clear that the issue really lies at the value level. If a given individual's factual assumptions concerning homosexuality are shown to have no support and go against the prevailing scientific evidence, *his* only reason for refusing to integrate the confirmed homosexual into community life is that he does not care much about him. Whether or how he should help the homosexual into social life is still a question he has to ask. But he has little hope of finding an objective answer as long as he has little objective appreciation of the worth of the homosexual as a person and the evil of his social ostracization. The critique of the consequentialist, therefore, does not merely concern such an individual's ignorance of the facts of homosexuality, but even more is directed towards exposing this lack of objective appreciation of the values and disvalues at stake and towards contributing to a more objective assessment of them.

Hopefully, our spiral of inquiry has succeeded in reaching a deeper level and a sharper focus. It has, however, left us with the same question. Consequentialism has now been seen to aim at a critique, negative and positive, of the comparative assessments of intrinsic values. But consequentialism, as outlined in the beginning of this study, can make such a critique only by pointing to experience, especially the experience of action and its consequences.

[16] My concentration (in the *Commonweal Paper* 4 article "Exit for Ethicists," presently chap. 3 of *Toward a New Catholic Morality*) on the importance in ethics of factual knowledge and know-how and on the contribution of the empirical sciences and trained experience was perhaps excessive or at least misleading and merited the criticism of Gustafson and Schwartzkopf cited above. What I want to say is that in ethics, now as in the past, there are questions that call for scientific competence and training, i.e., of science as a detached, rational, readily expressible and verifiable discipline. But in contemporary trends of ethics, questions of this genre are principally "How can..." questions concerning means. According to the predominant contemporary epistemology of ethics, the scientific competence and training that these questions call for is that of the specialist, i.e., the economist, doctor, social worker, etc., and not that possible to a general moralist as such (though he, like anyone else, can learn and use to some extent the findings of the specialist). The question of determining intrinsic values, of spelling out what is the good, is also a crucial ethical question, but, according to the contemporary trends the present article studies, is not the kind of question that can be answered by a science in the sense defined above. By what means this question can be answered, critically and with objectivity, is the burden of the present article.

Experience is the best teacher because, in the last analysis, it is the only teacher. Only in experience do we actually engage the real; only in experience is reality itself disclosed to us. Our ideas and our theories are not the real itself, *in person*, as it were; they are at best the real as *thought about*. They result from our effort to formulate the natures and connections revealed in action.... In short, we think in order to act better. But we shall act better only if the map is accurate. The validity of our theories rests on their conformity to what is disclosed. If, unexpectedly, they lead us into a swamp, the map should be revised.[17]

But the question remains: How can experience provide such a critique? The comparative assessments of value are presented as the most fundamental in forming moral judgment. The critique, therefore, can employ no more basic principles or criteria.

III

The preceding analysis has oversimplified a complex and intricate moment of ethical decision-making. Correspondingly, only the tip of the problem under discussion surfaces in the preceding pages. It is not surprising that the problem permits different approaches towards solution, which complement each other rather than conflict. One can, for example, develop the analogy between moral appraisal of values and aesthetic insight.[18] One can try to transpose to Christian ethics pertinent elements of

[17] Robert O. Johann, *Building the Human* (New York, 1968) pp. 117–18. Johann expresses well the empirical pragmatism behind the consequentialism I am detailing, whether or not he would accept the details. On the final page of his *History of Ethics*. Vernon Bourke comments on the only three approaches he sees as representing "the spirit of strictly contemporary ethics," i.e., naturalism, linguistic analysis, and existentialism. "Of these three, existentialism really rejects theoretical ethics, and language analysis offers no ethical content other than the moral attitudes of the British gentleman who still remembers the period of Queen Victoria. Neither a distinctive new method nor a new set of ethical judgments is forthcoming from these two schools. This leaves us with naturalism as a possible base for an ethics of the future. I do not mean that extreme position which entirely rejects the supernatural and relies on hard science only. There would seem to be some latent possibilities in a broad theory that ethical judgments might find their justification in the experienced facts of human life.

"What is needed now is some spark of genius to provide a revised method of making such a reflective justification, perhaps not an entirely new method, but one that will keep us open to empirical data and the dimensions of human personality, without shutting us off from the exercise of reason and the light of intuitive understanding." If the reflective justification, exercise of reason, and intuitive understanding are understood as either taking place in experience or merely explicitating and correlating what takes place in experience, then Bourke is recommending the epistemology presented by the present article.

[18] Cf. James M. Gustafson, "Moral Discernment in the Christian Life," in *Norm and Context in Christian Ethics*, pp. 18–26, and my *Towards a New Catholic Morality*, pp. 50–52. The epistemology of Gary Schwartzkopf would seem to be not foreign to this, as he

the epistemology of American pragmatism.[19] One can explore to what extent what Thomas Aquinas said of the "first principles" of moral reasoning might apply to this basic appraisal of values.[20] Or, as James Gustafson does in the following passage, one can bring into relief the affective component in the foundations of moral judgment.

> The perception and the interpretation of the moralist is not a simple matter to discuss. It would be simpler if the author could reduce his perspective to: (a) theological and philosophical principles; (b) moral inferences drawn from these; and (c) rational application of these principles to a narrowly defined case. But more than belief, principles and logic are involved in the moral decision. A basic perspective towards life accents certain values and shadows other. Attitudes, affections and feelings of indignation against evil, compassion for suffering, and desire for restoration of wholeness colour one's interpretation and judgment. Imagination, sensitivity and empathy are all involved. For Christians, and many others presumably, love is at work, not merely as a word to be defined, and as a subject of propositions so that inferences can be drawn from it, but love as a human relationship, which can both move and inform the other virtues, including prudence and equity (to make a reference to St. Thomas). All of this does not mean that a moral judgment is a total mystery, it does not mean that it is without objectivity. It does, however, indicate that it is more complex than traditional Catholic manuals would make it.[21]

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urges that "the need is for a rationality that can transcend itself through imagination" (*art. cit.*, p. 398). Fletcher, too, draws the analogy between art values and moral values, but the point of comparison is that the affirmation of both must be an act of free and blind faith. "Aesthetic and ethical propositions are like faith propositions, they are based upon *choice* and *decision*." "Value choices are made and normative standards embraced in a fashion every bit as arbitrary and absurd as the leap of faith" (*Situations Ethics*, p. 48).

[19] Vernon Bourke finds "noteworthy" "the growing number of sympathetic studies of Dewey's ethics written by American Catholic philosophers in the past two decades" (*History of Ethics*, p. 269). Two evident examples are Robert J. Roth, S.J., "A Naturalist Theory of Ethics," *Proceedings of the Twenty-eighth Annual Convention of the Jesuit Philosophical Association* (1966) pp. 63-86, and Robert O. Johann, *Building the Human* (New York, 1968). Roth is recapitulating and developing earlier writings of his, e.g., *John Dewey and Self-Realization* (Englewood Cliffs, 1963). Johann's book sets out his own personal synthesis, but his recognized debt to Dewey is great; cf. "Reflective Pragmatism," pp. 20-23. Edward Stevens, S.J., *Making Moral Decisions* (New York, 1969), "tends to favor the pragmatic view of society" (p. 26). Stevens contends that the intelligence of the pragmatist is a necessary complement to the vagueness of the contemporary love ethic (pp. 23-26). Bourke, in raising hope for a future development of naturalism in ethics (cf. n. 17 above), is evidently referring to the naturalism he presents earlier in his history, and in particular to the pragmatism of John Dewey, which he describes under that heading (pp. 267-69).

[20] Cf., for example, *Sum. theol.* 1, q. 79, a. 12, c.; 1-2, q. 62, a. 3, c.; 1-2, q. 100, a. 1, c.; 2-2, q. 47, a. 6, ad 3; *In 6 Eth.* 1, 11, 1276-77; *In 3 Sent.*, d. 33, q. 2, a. 4, sol. 4; *De ver.*, q. 16, a. 1, c.

[21] James M. Gustafson, "A Christian Approach to the Ethics of Abortion," *Dublin Review*, Winter, 1967-68, p. 357. Those who would contest whether this grounding of moral

Not only does the affective stance of an individual inescapably affect his moral judgment, but (as, I believe, Gustafson implies) it can be responsible for some of the *objective* insight the individual has into value. Far from being blind, love can enable a man to *see* more value than he would otherwise have seen. Or, as the fox told the little prince, "it is only with the heart that one can see rightly."

In the rest of this article I am concerned to explicate this epistemology—and suggest several ways in which it contributes to a critique, negative and positive, of the individual's proportionate assessment of values. The article, therefore, purports to elaborate only a partial answer to the epistemological question under discussion. It presupposes that a critical methodology for assessing values is more extensive and complex than the epistemology of love represents.[22] But it presupposes also that current ethical discussion and debate have not drawn out all the useful implications of this one element of the total methodology, namely, the love epistemology. The article is not a rebuttal or criticism of any position, but an attempt to indicate a step or two that contemporary ethicists might take together, beyond debate, into further, enlightening discussion.

The love epistemology is a truism of the tradition. One expression of it, evident to ordinary human experience as well as to Western philosophy, is the truth Christian moralists derived from Aristotle: a man cannot have moral wisdom unless he possesses also the moral virtues.[23] That is, his

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judgment is valid in the case of abortion which Gustafson is considering, can still admit that other moral judgments can be validly grounded this way. McCormick, too, underscores the "subjective aspects of the perception of significance." "It has been accepted for centuries that the basic process of moral knowing (which reflective ethics must presume and upon which it builds) is not simply a matter of cerebralization. Contrarily, it is colored, qualified, conditioned by a host of personal factors" ("Human Significance and Christian Significance," in *Norm and Context in Christian Ethics*, p. 254).

[22] Gustafson does more justice to the extension and complexity in "Moral Discernment in the Christian Life," in *Norm and Context in Christian Ethics*, pp. 17-36.

[23] E.g., "It is clear, then, ... that it is not possible to be wise in practical matters without moral virtue" (*Nic. Eth.* 6, 1144 b 30). Aristotle's love epistemology is radical: although moral virtue is not of the rational part of the soul but of the appetitive, nevertheless it alone can determine the end to be chosen. The function of practical wisdom (*phronēsis*) is merely to make us take the means that lead to the end. Without moral virtue, practical wisdom would not know the right ends at all (*Nic. Eth.* 6, 1144 a 6—1145 a 6; 1138 b 13—1139 a 2; cf. H. H. Joachim's commentary, *The Nicomachean Ethics*, pp. 217-18, 163-64). For the distinction between moral and intellectual virtues, cf. also Th. Deman, O.P., "Appendice II: Renseignements techniques," in *La prudence: Traduction française de la Somme théologique de saint Thomas d'Aquin* (Paris, 1949) pp. 413-14; for the respective functions of moral virtue and practical wisdom, cf. also pp. 417-18, 423. Unless there is an inclination towards the end, i.e., unless there is moral virtue, practical wisdom has no starting point from which to make its conclusions, i.e., concerning that which leads to the end. Cf. André

intellect cannot acquire the stable disposition enabling it regularly in the concrete situations to know what he ought to do, unless his appetites acquire the stable dispositions enabling them regularly to tend towards the right values.

Similarly, the strength or weakness, presence or absence, of a particular virtue will affect moral judgment. For it is virtue that orders the appetite and it is the well-ordered appetite which orders the person to *objective* goals. And finally it is such an ordering of the person which helps guarantee truth in his prudential or value judgments in the concrete. We are familiar with the everyday wisdom that only the truly chaste man can make genuinely secure judgments about the morality of individual acts in the area of sexual expression. Only the charitable man possesses the security that his fraternal correction is an act of charity. Contrarily, it is often the alcoholic who is convinced that only one drink "just this once" is possible. The difference between antecedent and consequent conscience judgments measures the extent to which appetite can control judgment. A sinful habit not only makes virtuous conduct more difficult; it makes it more difficult to recognize.[24]

Thomas, with the tradition, often understands the contribution of the moral virtues to moral knowledge as indirect and negative. The virtues remove or fend off obstacles that the passions or vices would otherwise constitute to the functioning of reasoning. The virtuous dispositions of the appetites thus simply free the intellect to gather objective evidence and make its moral judgment. But at times Thomas, with the tradition, indicates a more direct, positive contribution of the moral virtues to moral knowledge.

Moreover, rightness of judgment can be had in two ways: one, by the perfect use of reason; two, by a certain connaturality with those things concerning which a judgment must now be formed. Just as in matters concerning chastity, the man who has learned moral science forms a right judgment through rational inquiry, so the man who has the habit of chastity forms a right judgment through a certain connaturality with these things.

... through the habits of the virtues a man sees what is fitting for him according to that habit. ...[25]

Thiry, S.J., "Saint Thomas et la morale d'Aristote," in *Aristote et saint Thomas d'Aquin* (Paris, 1957) pp. 244-45. For Aristotle, unlike Aquinas, there are no intellectual first principles grounding practical wisdom.

[24] McCormick, *op. cit.*, pp. 254-55; italics his. He is following closely John R. Connery, S.J., "Prudence and Morality," THEOLOGICAL STUDIES 13 (1952) 564-82, esp. pp. 573-79, presenting the doctrine of Aquinas. As Connery notes, Thomas is following Aristotle and quotes his "As each man is, such is the goal that appears to him" (*Sum. theol.* 1-2, q. 58, a. 5, c.). Cf. Bernard Häring, C.SS.R., *The Law of Christ* 1 (Westminster, Md., 1966) 122-24.

[25] *Sum. theol.* 2-2, q. 45, a. 2, c., and q. 1, a. 4, ad 3. In *Humani generis*, Pius XII paraphrased approvingly the two passages: "In fact, the Common Doctor holds that the

Contemporary ethics—and, for that matter, contemporary "everyday wisdom"—agrees with medieval moral theology that affective or appetitive orientations of the individual make possible, directly or indirectly, moral insight, but would think of examples rather in terms of categories of present-day psychology than in those of the classical virtues.[26] A contemporary example might be the decision facing one in authority whether or not to punish a person in his charge who is guilty of some dereliction: a mother and a nervous child, a teacher and a remiss student, a religious superior and a rebellious subject. In the abstract, the values at stake are clear. Authority should be exercised with love for the common good and the good of the individual. Punishment or permissiveness are evaluated inasmuch as they are the better means towards realizing these values. The person in authority must sift the facts of the case, discern the likely consequences, and then evaluate them in terms of these goods. It is evident to us today that in many cases only the mother or teacher or superior who have habitually an open, loving, confident relationship to other persons will be able to *see* what is the best for their charge and their community in the situation. One who lacks a confident, open relationship to others—let us say, a fearful and defensive superior—will be unable to appreciate fully certain potential goods and therefore what ought to be done.

At the turn of the twentieth century, Pierre Rousselot elaborated a suggestive modern variation of the love epistemology.[27] He spoke of "the eyes of faith," not of love, but faith had eyes only because it included a movement of love. In his first article Rousselot wants to explain how faith rests on adequate evidence, no matter how uninformed and uneducated the believer, and therefore no matter how inadequate from the point of view of natural reason are his reasons for believing. In the second article Rousselot wants to explain how faith rests on adequate evidence, even though the act of faith is a free choice and therefore the evidence cannot be compelling. Rousselot offers the same explanation in both cases. The act of

intellect can in a certain way perceive higher goods that belong to the moral order, whether natural or supernatural, inasmuch as it experiences in the soul a certain affective 'connaturality' with the same goods, whether it be natural or bestowed by a gift of grace" (*AAS* 42 [1950] 561; *DS* 2324). Cf. *Hello, Lovers!* pp. 11-13. Wassmer and the editor, William May, find relevant to moral evaluation this type of knowledge by connaturality in which "love becomes an element of knowledge itself." They note that it is a kind of knowledge that Thomas à Kempis and Jacques Maritain, among others, have spoken of. Fletcher, on the other hand, judges this "not knowledge, but sentiment." For him, love is only the motivation; reason is the sole instrument for informing oneself, regarding the consequences, and making the moral judgment (pp. 11, 13, 14; cf. *Situation Ethics*, p. 63).

[26] Cf. my "The Behavioral Sciences and Christian Ethics," in *Projections: Shaping an American Theology for the Future*, ed. Thomas O'Meara and Donald Weisser (Garden City, N.Y., 1970) pp. 142-53, reprinted in *Toward a New Catholic Morality*, pp. 113-26.

[27] Pierre Rousselot, "Les yeux de la foi," *Recherches de science religieuse*, 1910, pp. 241 and 444 ff.

faith is dynamic, both an impulse of divine grace and a free act of love. Without changing *intrinsically* the natural and inadequate rational evidence for believing, the dynamic intervention of graced love makes the believer *see* in the evidence new and adequate grounds for believing. Love creates new evidence. "Liberty generates evidence."[28]

A longer inquiry would be needed to examine to what extent Rousselot's precise epistemology could be transposed to consequentialist ethics. Would the delicate theory of mutual causality that his epistemology requires (the act of faith causes the evidence for it and vice versa) fit and illumine experience of value? And what of Rousselot's most basic philosophical thesis, derived from German idealism, that evidence for the intellect is generated not only by incoming facts and ideas, but by the creative "synthesizing activity" of the intellect itself? (Rousselot's example is of two policemen having the same information and clues, but only one of whom can see who committed the crime.) Love and liberty merely stimulate the dynamism of the intellect to generate evidence. It might bear thinking about.

In any case, a love epistemology is so traditional and obvious to ordinary experience that one can question why it needs further orchestration today. Yet much of the criticism directed against consequentialism (as well as much of the defense of consequentialism) seems to neglect this epistemology. How else can the critic claim that consequentialism, since it has no rule-like principles or laws in the foundations it lays for moral judgment, must consistently lead to subjectivism and relativism? I am not speaking of the criticism that simply disagrees with consequentialism and maintains that in fact there are such foundational rules for man; this criticism must be dealt with on its own terms. I am speaking of the criticism that claims to accept the tenets of consequentialism for the sake of argument, poses therefore the problem as it has been sketched in this article, and then claims that consequentialism cannot solve the problem but can only lead to a subjective, relativistic evaluation of consequences. Is it not equally consistent for consequentialism to maintain, in accord with traditional and modern epistemology, that the lived love of the individual gives him objective insight into the respective worth of values that he has experienced? Would not such insight, after empirical data and analysis indicate what consequences are in a given situation likely to follow on the various decisions possible, make possible an objective evaluation of these consequences?

In other words, consequentialism's ultimate reliance on the experience of values to evaluate consequences objectively, could be justified by a love epistemology. But does a love epistemology leave room for any critique

[28] *Ibid.*, p. 463.

of this experiential appreciation of values? Affective dispositions can generate what looks like objective insight but is in fact subjective illusion. One thrust of consequentialism, I have maintained, is to subject basic value assessments to a critique, i.e., to expose the subjective ones and move to forming more objective ones. But consequentialism seems to end up merely telling one to love more and experience more in the hope of obtaining the pertinent, inexpressible insight. Which may be epistemologically justifiable, but hardly appears to constitute a critique of any manageable, useful kind. If, for example, an individual or members of a group want to face the question honestly whether their appraisals of certain values at stake in a situation are fully objective, to tell them to go out and love and experience more is not to suggest a promising methodology.

In an attempt to meet this objection, let it be prenoted that a critique of a legal or scientific model has already been excluded by the nature of the insight and its affective origin. Those who accept an ethical critique only of such models can spare themselves pain by reading no further. But there is, first of all, a certain extrinsic critique fostered by a more reflexive awareness of the love epistemology itself. Doctors in a given hospital may face the question whether they are giving enough labor, time, and financial sacrifice to serve the poor of the neighborhood. A love epistemology tells them that they are not likely to have had good reasons for their present policy, if they have not personally had love, i.e., serious concern for the poor. True, "serious concern" cannot be tested by conceptual analysis or logic or any form of intellectual debate or argument. But it can be tested by action. If the whole life of a given doctor contains little service, direct or indirect, of the poor, then it is unlikely that he has the pertinent affective orientation or the consequent objective insight into the disvalue of poverty. On the other hand, there is some ground for hoping that one who consistently serves the poor at personal sacrifice has objective appreciation of the evil.

The above type of critique is indirect and rarely decisive. Is there any way the individual can directly move, or be moved, to more objective appreciation of values? In the real world the answer often is: he cannot. Such an answer points to another context for the concern of contemporary moral theology (as it was for traditional moral theology), namely, moral education. In this context at least, there appears to be place for a consequentialist critique. In fact, the men competent in catechetics and religious education seem to be leading the way for the professional moralists. They make experience and active involvement central to moral education. The student encouraged to be of assistance to the sick poor begins to learn how bad a thing helplessness and loneliness can be. His youthful idealism, becoming more and more involved with the sick poor,

opens his eyes to disvalues he had not dreamt of. There is a spiraling dialectic between moral commitment and moral knowledge. Lived love makes possible objective understanding of more of the value or disvalue, but the understanding in turn tends to increase the love, and so on.

The same kind of educative spiral of affective involvement and understanding of value emerges in less practically active forms of sharing experiences and/or group dynamics, e.g., in seeing films, in visiting and talking with persons involved in various situations, and the sharing of feelings and personal convictions of teachers and students on a given moral question, followed by reactions back and forth.[29] A seminary professor, for example, who would object that this last procedure provides a far more limited communication of truth and far less objective critique of the student's learning than lecture, exams, term paper, etc., has never taken active part in such a session. At least when the majority of the members are honestly interacting with feelings and personal experiences as well as critical reflection, one's convictions are challenged and one is moved to insight more powerfully (and painfully) than by almost any other educational procedure.

It is in an analogous way of sharing experiences that a man whose days of formal education are past may still be capable of criticizing his basic moral stances and moving to a more objective appreciation of values. He may, for example, have a genuine compassion for sufferers, even though other feelings keep it from coming to bear on people on the welfare rolls. Certain experiences, perhaps weekends visiting and talking with families on welfare, might break through his social prejudices, awake his compassion, turn it to these people, and eventually make more objective his appreciation of the evil of their condition.

A good example of essaying this genre of sharing experience in order to gain moral understanding was the 1970 meeting of the American Society of Christian Ethics. The members did not merely spend three days discussing various moral questions concerning American blacks; they spent the days totally immersed in a black community (the hosts and their educational facilities, neighborhood, motel, etc.) and in good part listening to and interacting with black theologians. The interaction was often emotional and personal. Many, perhaps all, of the white ethicists

[29] To view certain films used in moral education today (e.g., "To Be a Man," "To Be a Woman," and "To Be In Love" of Billy Budd Films) and to watch the progressive reaction of the students is to recognize that it is not simply question of a new pedagogical technique, but that the moral knowledge communicated and the epistemology involved are essentially different from the knowledge and epistemology of the exposition of encyclicals and natural-law principles of a decade ago. The contention of certain contemporary trends is that on the most sophisticated level of the science of ethics it is the same new kind of knowledge that is at stake and the same new epistemology that must be recognized as operative.

returned with a far more objective assessment of the values involved in the black question than if they had discussed it among themselves in another milieu. One reason was that they shared the experience of a gracious, richly endowed, proud people and the profound, embittered rage of many of them. The bitter anger of sophisticated black theologians like Vincent Harding and James Cone awoke an echoing anger and sense of outrage in the listeners that generated, with the help of lapidary articulations of the theologians, a more objective evaluation of the wrong done the blacks and the urgency for action such as the black power movement. Such anger, of course, is a form of love.

This way of bringing moral insight has already been taken by educators, as noted above. The ethicists are starting to catch up to the educators, to explain philosophically and theologically to the educators what the educators are doing and to imitate the educators in their (the ethicists') own learning processes. Nevertheless, when ethicists speak or write directly on a given question, they still often seem to ignore that this way of moral learning, the sharing of experience, may be the decisive and indispensable avenue, even for ethicists, to come to an objectively solid answer to the disputed question.

What justifies the sharing of experience as a methodology for moral knowledge is not merely the epistemology of love but also a new, emerging concept of moral theology.

> Theology must adopt a more inductive methodology.... A more inductive approach in theology, especially in moral theology, will have to depend more on the experience of Christian people and all men of good will. The morality of particular actions cannot be judged apart from human experience. History seems to show that the changes which have occurred in Catholic morality have come about through the experience of all the people of the community. The fact that older norms did not come to grips with reality was first noticed in the experience of people.[30]

The physicist or mathematician comes to knowledge that the rest of the community simply do not have because specialists of this kind use data and/or reasoning inaccessible to the layman. Not so the moral theologian or Christian ethicist, if the new concept of this science is valid. His knowledge is basically the same knowledge the rest of the community has, for it is a knowledge first possessed in ordinary human experience. The ethicist gains superior knowledge only by sharing the experience with greater reflective awareness and clarity. For example, to know whether the Church

[30] Curran, *Contemporary Problems in Moral Theology*, p. 127. Cf. my *Toward a New Catholic Morality*, pp. 71–72, with references to analogous views of John Henry Newman, Theodore Roszak, and William Van der Marck, O.P.

has reached the moment in history to modify its position on divorce, the moral theologian must share, in particular, the experiences of present-day people who have divorced, are debating whether to divorce, or have decided not to do so. A similar methodology is necessary for light on the question whether the time has come for the Church to abrogate compulsory celibacy for priests and religious.

Experience is, therefore, central to contemporary ethics. Whether it be one's own personal experience or the shared experience of another, only experience generates the love that makes possible insight into values and disvalues. Secondly, the insight itself takes place only in experience. The value is known only as experienced. This double contribution of experience to ethics is responsible for the growing importance in ethics of descriptions of experience. Pondering man's experience, the ethicist seeks to draw clear the essential lineaments of a given value or ethical attitude as it permeates the experiential life of the individual. Max Scheler and Nicolai Hartmann are two twentieth-century philosophers who made use of the phenomenological method to this ethical purpose. Subsequently, the same methodology appeared in the ethics of existentialists such as Jean-Paul Sartre.[31] And with the same purpose of presenting their ethics through a description of experience, existentialists such as Sartre, Marcel, and Camus wrote novels and plays.

Phrases peculiar to existentialist phenomenology are coin of the realm today even in conservative corners and on the popular level.[32] It is a question for itself how much of this reflects a strictly understood phenomenological approach that would meet the standards of phenomenologists such as Husserl or Merleau-Ponty or Ricoeur. But contemporary ethics has certainly taken to itself the task of describing with clarity and precision both the experiential attitudes that open the individual to objective experience of values and the values themselves as experienced.

Since the behavioral scientist, too, concerns himself with clearly delineating significant data of experience, he, too, can do genuine ethics and, by virtue of his science, can do a kind of ethics that the ethicist who happens not to be a behavioral scientist cannot do. As William Meissner has brought out, Erik Erikson is an excellent example of this.[33] As

[31] Cf. Bourke's *History of Ethics*, the last chapter, "Existential and Phenomenological Ethics," pp. 295–308.

[32] Joseph Fuchs, S.J., a moralist of the classical tradition, does not hesitate, in describing the tasks of moral theology, to affirm that "a phenomenology of the human and Christian moral life in general or of the different virtues helps to perceive better the value of morality and to realize more fully these values" (*Theologia moralis generalis* 1 [2nd ed.; Rome, 1963] 14). He recommends the writings of Scheler and Dietrich von Hildebrand.

[33] William W. Meissner, S.J., "Erikson's Truth: Ethical Identity," THEOLOGICAL STUDIES 31 (1970) 310–19.

psychoanalyst, Erikson traces eight stages of man's life cycle. But in so doing, he includes an ethical dimension central to his developmental perspective. He analyzes eight "virtues": hope, will, purpose, competence, fidelity, love, care, and wisdom, and correlates the eight with the stages of the life cycle.

The developmental phases provide the source and rationale of these basic strengths which are inherent in ego maturity. And these virtues contain the source and resource of ethical identity and value which alone preserve the integrity and vitality of human life—in individual egos as well as in the sequence of generations.[34]

With similar ethical intent Erikson offers his reformulation of the Golden Rule: "Truly worthwhile acts enhance a mutuality between the doer and the other—a mutuality which strengthens the doer even as it strengthens the other."[35]

Erich Fromm is another conspicuous example of the behavioral scientist who does the work of ethics in tracing fruitful affective attitudes and experienced values. Under the heading "Love, the Answer to the Problem of Human Existence," he writes pages describing "*love...union under the condition of preserving one's integrity*, one's individuality. *Love...an active power in man.*" He develops how love "...always implies certain basic elements, common to all forms of love...*care, responsibility, respect* and *knowledge.*" In these pages, details of psychological description are clearly also value judgments.[36] There is room for criticism, of course; but who would contest that these pages constitute valid and valuable ethical writing?

The present article has suggested one way in which a widespread form of empirical consequentialism can and does move critically towards objective moral evaluation of the intrinsic values in consequences. Premising a love epistemology and a new concept of the science of Christian ethics, the movement would be the formation of comparative assessments of

[34] *Ibid.*, p. 315. Meissner notes that "Erikson turned his attention to the concept of virtue in a sense that is reminiscent of the traditional notion, but enriched by the deeper understanding provided by his basic psychoanalytic perspective."

[35] *Ibid.*, pp. 315–16—a direct quotation from Erikson's *Insight and Responsibility* (New York, 1964) p. 233.

[36] *The Art of Loving* (New York, 1956) pp. 6–32 (paging of Bantam paperback). The two quotations are on pp. 17 and 22; the italics are Fromm's. Other essays of behavioral scientists in the field of ethics: Marcel Eck, *Lies and Truth* (London, 1970), and Marc Oraison, *Morality for Our Time* (New York, 1968).

values through a direct sharing of action and experience, particularly in group interaction, as well as through a philosophical or scientific description of what emerges as significant in experience. If the suggestion has merit, it will be above all in raising questions further along the line for discussion.[37]

[37] The epistemology traced out in this article would fit a consequentialism that had no connection with religious faith. Limits of space prevent me from carrying out here my original intention of illustrating how certain contemporary theologies offer a Christian basis for a love epistemology in which moral insight arises ultimately, not out of concepts and rule-like principles readily communicable to educated men, but only out of a dialectical spiral of love and experience. Cf. Edward LeRoy Long, Jr., *A Survey of Christian Ethics* (Oxford University Press, 1967) pp. 117-64, and John G. Milhaven and David Casey, "Introduction to the Theological Background of the New Morality," THEOLOGICAL STUDIES 28 (1967) 213-44. A suggestive theological parallel is Aquinas' epistemology of the wisdom a man acquires through the gift of supernatural charity (cf. Etienne Gilson, *The Christian Philosophy of St. Thomas Aquinas* [New York, 1956] pp. 347-50 and footnotes).