

## CURRENT THEOLOGY

### NOTES ON MORAL THEOLOGY: 1991

#### THE RETURN OF VIRTUE ETHICS

In the past decade moral philosophers and theologians have paid increasing attention to the role of virtue in the moral life. "What only ten years ago was a cottage industry threatens to become an industrial giant."<sup>1</sup> Since the Enlightenment, moral philosophers concentrated on specific acts which are justified by rules or consequences, while deliberately ignoring questions of virtue, character, and the nature of human happiness. The manualists departed from Aristotle and Thomas Aquinas in treating the theological and moral virtues as sources of obligations rather than as the dynamics of moral living.<sup>2</sup> Contemporary Catholic revisionists emphasize "proportionate reason" for particular acts rather than the virtues which bring Christian vision, sensitivity, and motivation to moral reflection.

Almost all proponents of virtue ethics consider it more adequate than utilitarianism or neo-Kantianism because it provides a more comprehensive picture of moral experience and stands closer to the issues of ordinary life.<sup>3</sup> Most proponents would agree that "a virtue is a disposition to act, desire, and feel that involves the exercise of judgment and leads to a recognizable human excellence, an instance of human flourishing."<sup>4</sup> The exact shape of the ethics of virtue remains in dispute. Some early sightings took it to be an entire new continent, others hailed it as the promised land for deliverance from the tyranny

<sup>1</sup> Lee H. Yearley, "Recent Work on Virtue," *Religious Studies Review* 16 (1990) 1. The bibliography in this helpful review article is complemented by the more complete selection in the excellent anthology, Robert B. Kruschwitz and Robert C. Roberts, eds., *The Virtues: Contemporary Essays on Moral Character* (Belmont, Calif.: Wadsworth, 1987) 237–63. See also Peter A. French, Theodore E. Uehling, Jr., and Howard K. Wettstein, eds., *Midwest Studies in Philosophy* 13, *Ethical Theory: Character and Virtue* (Notre Dame: Univ. of Notre Dame, 1988).

<sup>2</sup> See John A. Gallagher, *Time Past, Time Present: An Historical Study of Catholic Moral Theology* (New York: Paulist, 1990) 56–62.

<sup>3</sup> This greater adequacy has implications for moral pedagogy. "Studying virtues . . . stimulates one to exemplify them, much more than studying ethical theory stimulates one to be ethical, and more than studying moral dilemmas aids one when actually in a dilemma," writes Clifford Williams ("Teaching Virtues and Vices," *Philosophy Today* 33 [1989] 197). See also James A. Donahue, "The Use of Virtue and Character in Applied Ethics," *Horizons* 17 (1990) 228–43.

<sup>4</sup> Yearley, "Recent Work" 2.

of law, still others claimed it to be a domain already inhabited by women and others unspoiled by patriarchal rationalism.

Although no taxonomy of virtues and vices has met with agreement, the discussions of virtue ethics have certain common features:

1. Moral evaluation focuses on the agent's character; actions are important because they display the agent's values and commitments.<sup>5</sup>

2. Good character produces practical moral judgments based on beliefs, experience, and sensitivity more than on (or instead of) rules and principles.

3. A moral psychology gives an account of how virtues and vices develop.

4. A theory of human fulfillment describes the goal towards which virtues lead and/or in which the virtues are components.<sup>6</sup>

5. Increasingly, attention is paid to the cultural shaping of virtues and what relation, if any, exists between specific historical manifestations of virtues and more universal human traits.<sup>7</sup>

I will discuss here three current areas of debate in virtue ethics: (1) fundamental questions about the philosophical and theological status of virtues in relation to moral principles; (2) the claim that there is an opposition between an ethics of caring and an ethics of justice; and (3) attempts at the retrieval of Aristotle and Aquinas in order to undergird virtue ethics.

### *Fundamental Questions about Virtue Ethics*

Christian theologians concur with philosophical critics on a number of problems concerning the adequacy of an ethics based on virtue. I will mention the theological difficulties first. Gilbert Meilaender charges that an ethics based upon human flourishing is inherently egoistic. It assumes that the subject's interest in happiness coincides with fulfilling moral obligations. "If virtue fulfills, how could morality require self-sacrifice? If morality may require of us a seemingly ultimate sacrifice, what's the good of it?"<sup>8</sup> A Lutheran theology of the cross of

<sup>5</sup> See Robert Audi, "Responsible Action and Virtuous Character," *Ethics* 101 (1991) 304–21; also Jorge Garcia, who maintains that act assessment is more basic than character assessment in morality ("The Primacy of the Virtuous," *Philosophia* 20 [1990] 82–85). On the importance of character in ethical method see John Kekes, *Facing Evil* (Princeton, N.J.: Princeton Univ., 1990).

<sup>6</sup> See Pamela Hall, "The Mysteriousness of the Good: Iris Murdoch and Virtue-Ethics," *American Philosophical Quarterly* 64 (1990) 314–15.

<sup>7</sup> Alasdair MacIntyre has forcefully argued for the diversity of traditions of virtue in *After Virtue* (Notre Dame: Univ. of Notre Dame, 1981) and *Whose Justice? Which Rationality?* (Notre Dame: Univ. of Notre Dame, 1988).

<sup>8</sup> Gilbert C. Meilaender, *The Theory and Practice of Virtue* (Notre Dame: Univ. of

Christ underlies his linkage of obligation and self-sacrifice. Christians must meet their obligations whether they feel like it or not. Furthermore, the believer cannot take partial credit for developing virtues; they are completely God's achievement.

Does any description of moral development necessarily denigrate grace and contribute to the sin of self-sufficiency? Certain virtues, such as courage and temperance, are more directed to the self than to others, but that does not mean that they are egoistic. Others, such as justice or compassion, are other-directed. Meilaender raises the standard objection that considerations of human flourishing will undermine the call of duty. Contemporary writers who draw on Aristotle and Aquinas dispute this claim, as we shall see. Many who are frustrated with an ethics that omits an account of human flourishing have turned to virtue ethics.

Other theological problems arise from the philosophical anthropology of Aristotle, who is the primary source of Western virtue ethics. Simone Weil complained, "Aristotle is the corrupt tree which bears only rotten fruit. How is it that people cannot see this?"<sup>9</sup> If Aristotle held that no action is virtuous unless the agent intends it to be virtuous, this intention can place the agent's perfection ahead of the neighbor's good. David Wisdo writes that "one might easily be tempted to make the subtle and questionable shift from characterizing one's actions as virtuous to describing the acquisition of virtue as the *aim* of one's actions."<sup>10</sup> Weil insisted that a morality based on obedience to God's commands is the antidote to the perfectionism latent in virtue ethics. When moral obligations arise from outside of us, we cannot take credit for obeying them.

Iris Murdoch also questioned Aristotle's optimism about human motivation. Recent proponents of virtue ethics appeal to Murdoch despite the fact that her "picture of human psychology is more varied and more treacherous than anything Aristotle imagined."<sup>11</sup> Murdoch favored a

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Notre Dame, 1984) 41. See his *The Limits of Love: Some Theological Explorations* (University Park, Pa.: Penn. State Univ., 1987) and "Eritis Sicut Deus: Moral Theory and the Sin of Pride," *Faith and Philosophy* 2 (1986) 397-415. James A. Keller replies in "Christianity and Consequentialism: A Reply to Meilaender," *Faith and Philosophy* 6 (1989) 198-206.

<sup>9</sup> Simone Weil, *First and Last Notebooks* (London: Oxford Univ., 1970) 355; cited in David Wisdo, "Simone Weil on the Limits of Virtue," *The Bible and Intellectual Life* 6 (1989) 228-39.

<sup>10</sup> Ibid. 230.

<sup>11</sup> Pamela Hall, "The Mysteriousness of the Good" 323. See Iris Murdoch, *The Sovereignty of Good* (London: Routledge and Kegan Paul, 1970) 51-59. Hall faults Martha

Platonic reading of human emotions and the virtues that depend on them. Because self-deception and pride distort human desires, they are undependable resources for morality unless they are reordered by the vision of the Good. Philip Quinn poses similar challenges from the perspective of Augustinian Christianity. Replying to Stanley Hauerwas's argument that Aristotle can provide a foundation for Christian virtue ethics, Quinn finds Aristotle incompatible with Christianity.<sup>12</sup> He offers several grounds. Whereas Aristotle supposed that human beings are naturally drawn toward virtue rather than vice, require good fortune in order to flourish, and should extend friendship only to their equals in virtue, Christians ought to repudiate each of these contentions. Rather than an ethics based on virtue, our fallen state requires a divine-command theory rooted in Kant's ethics of duty.

Hauerwas responds with an appropriate subtitle: "Athens May Be a Long Way from Jerusalem, but Prussia is Even Further." Aristotle's developmental account of virtue takes temporality and historical contingency more seriously than Plato or Kant. He recognizes that character has an emerging quality. Because the self is more like a journey than a formula, we must acquire certain skills of character (virtues) in order to stay on course. This temporal view of the self proves to be congenial to the Christian story. Since Aristotle did not establish a specific hierarchy of virtues, medieval theologians could adopt his theory to their purposes. "They could supply what Aristotle's account of virtue lacked—namely, a narrative in which the development of virtues made sense."<sup>13</sup> Even though this narrative transformed the virtues and added new ones to Aristotle's list, it endorsed his conviction that we learn the virtues in friendship and virtuous community.

Other philosophical problems with virtue ethics are cited. Insofar as virtues rely upon feelings, they cannot be relevant to morality because moral acts are voluntary and feelings cannot be summoned at will. Also, dispositions to act morally remain vague and impractical until they are directed by clear moral action-guides. Finally, the private

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Nussbaum for accepting Aristotle's confidence in human desires and emotions. See Martha C. Nussbaum, *The Fragility of Goodness* (Cambridge: Cambridge Univ., 1986) and her recent collection of essays, *Love's Knowledge: Essays on Philosophy and Literature* (Oxford: Oxford Univ., 1990). An excellent symposium on Nussbaum's work can be found in *Soundings* 72 (1989) 571–782.

<sup>12</sup> Stanley Hauerwas, "Happiness, the Life of Virtue, and Friendship: Theological Reflections on Aristotelian Themes," *Asbury Theological Journal* 45 (1990) 5–48; and Philip L. Quinn, "A Response to Hauerwas: Is Athens Revived Jerusalem Denied?" *ibid.* 49–57.

<sup>13</sup> Stanley Hauerwas, *ibid.* 29.

dispositions of the agent elude public scrutiny and therefore fall short of the public accountability that morality requires. Actions, on the contrary, can be judged by common standards.

These objections would be devastating if virtue is supposed to banish all reflection on duty or consequences. We would have only personal intuitions to justify our actions if we attempted to define virtuous dispositions without reference to what is right or beneficial. Virtue ethics is not a clear-cut theoretical alternative to Kantianism or utilitarianism because both can be expanded to include virtues. Robert B. Louden correctly asserts that virtue ethics is not an alternative theory but "a protest against certain modern assumptions concerning what ethical theory should look like as well as an attempt to return us to more realistic avenues of moral reflection."<sup>14</sup> The difficult question is how to relate virtues to rules and consequences. Moral theologians often state that the ethics of virtue focuses on "being" and the ethics of duty or consequences concentrates on "doing." In the absence of a critical account of being and doing, however, this commonplace does not resolve the difficulty but merely restates it.

Strict deontologists hold that virtues are dispositions to act upon moral imperatives; they merely restate the duty in motivational terms.<sup>15</sup> Walter E. Schaller shows that this instrumental view of virtue is inadequate. The virtue of benevolence, for instance, extends itself beyond the strict duty of beneficence. Indeed, would an act performed primarily to fulfill one's duty rather than to seek the recipient's welfare even count as an expression of benevolence? Secondly, one cannot fulfill certain duties without having the requisite virtue. It is impossible to meet the obligation to be grateful without having the virtue of gratitude; otherwise, one is only going through the motions. Finally, some virtues require holding certain beliefs and having certain feelings that go beyond the scope of obedience to moral principle. Gratitude is more than a disposition to obey a moral rule. It also consists in "having certain beliefs, feelings, and attitudes toward, and about, one's benefactors."<sup>16</sup> Furthermore, it requires that we see ourselves as the recipients of another's gifts.<sup>17</sup>

<sup>14</sup> Robert B. Louden, "Virtue Ethics and Anti-Theory," *Philosophia* 20 (1990) 94. He modifies his earlier contention that the strategy of virtue ethics is no different from that of Kantian or utilitarian ethics. See "On Some Vices of Virtue Ethics," *American Philosophical Quarterly* 21 (1984) 227-36.

<sup>15</sup> See John Rawls, *A Theory of Justice* (Oxford: Oxford Univ., 1970) 192, 437; also Alan Gewirth, "Rights and Virtues," *Review of Metaphysics* 38 (1985) 56.

<sup>16</sup> Walter E. Schaller, "Are Virtues No More Than Dispositions to Obey Moral Rules?" *Philosophia* 20 (1990) 201.

<sup>17</sup> Robert C. Roberts discusses gratitude as a particular "construal" of oneself as re-

Deontologists who do not discount the virtues usually relegate them to a supporting role. Even though Kant banished virtuous dispositions from morality for being merely hypothetical imperatives, not all deontologists have to be so astringent. They "could say that certain virtues are either excellent means to or even constituents of our treating others as ends rather than as means. Many of the traditional virtues such as wisdom, justice, self-control, etc. could be interpreted in this way."<sup>18</sup> Some who interpret Thomas Aquinas as a deontologist make the same move when they subordinate all the other virtues to obedience which in turn is determined by specific moral rules.<sup>19</sup>

Strict consequentialist approaches also relegate virtue to an instrumental role. Utilitarians can welcome certain virtues such as far-sighted prudence, impartiality, and benevolence since they contribute to maximizing the good. Virtues here are dispositions that produce desirable "nonmoral" consequences, whether the result be the maximization of social benefit or personal pleasure. The critics of strictly teleological theories maintain that in them the good is "nonmoral" because it is defined apart from the right. However, not every form of teleology excludes the right from the definition of the good. For example, not every utilitarian would agree that a future social order would be "good" if it required the extermination of objectionable portions of the present population. We usually experience the moral prohibition of genocide as possessing a certain autonomy and finality. Deriving the entire weight of what is right from its instrumental usefulness, therefore, fails to do justice to the experience of moral obligation.

Strict consequentialists fail to recognize that an act's effect on the agent's character is one of its most important consequences. More adequate moral theories hold that virtues such as justice and honesty are constitutive elements of the human good as well as indispensable means to attain it.<sup>20</sup> Aristotle's perfectionist ethics, for example, re-

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cipient; see "Virtues and Rules," *Philosophy and Phenomenological Research* 51 (1991) 334–38.

<sup>18</sup> Julius M. Moravcsik, "The Role of Virtue in Alternatives to Kantian and Utilitarian Ethics," *Philosophia* 20 (1990) 33–48, at 38. (This issue of the quarterly from Bar-Ilan University of Israel contains a number of exceptionally good articles on virtue.) See also Gregory Trianosky, "Natural Affection and Responsibility for Character: A Critique of Kantian Views of the Virtues," in Owen Flanagan and Amelie Oksenberg Rorty, eds., *Identity, Character, and Morality: Essays in Moral Psychology* (Cambridge, Mass.: M.I.T., 1990) 93–109.

<sup>19</sup> See Kevin M. Staley, "Thomas Aquinas and Contemporary Ethics of Virtue," *Modern Schoolman* 66 (1989) 285–300; also, Romanus Cessario, "Virtue Theory and Human Life Issues," *Thomist* 53 (1989) 173–96.

<sup>20</sup> Gregory Trianosky distinguishes between "the conception of virtue as substantive

gards justice and friendship as inherently valuable practices that are central components of the good life. Granted that they are also dispositions and practices that lead one to the good life, nevertheless their full worth is more than instrumental.

Virtues are not complete alternatives to moral principles; both are needed for ethics to be practical. Gregory Trianosky argues that virtues are indispensable for applying rules and determining what to do when no rules apply. In the first case, rules must be applied and conflicts between rules must be resolved. "But the rules themselves do not tell us how to apply them in specific situations, let alone how to apply them well, or indeed when to excuse people for failing to comply with them."<sup>21</sup> The casuists realized some time ago that virtue is needed to apply standards. Secondly, "much of right conduct cannot be codified in rules or principles. Moral situations are too complex; moral rules too general and simplistic." "Substantive virtues" such as benevolence, justice, and generosity make one more responsive to certain moral claims, and "enabling virtues" like empathy and sensitivity alert one to the demands of this particular case. "In these instances at least judgments of virtue will be primary and judgments of rightness derivative."<sup>22</sup> Persons of wisdom and prudence whose virtue incorporates an appreciation of the basic principles of moral rightness will make the best practical judgments here.<sup>23</sup>

We still lack an adequate moral psychology of virtues. Ethicists need to investigate further the variety of intentional states, the connection of character traits to moral value, and the relation of virtue and emotion.<sup>24</sup> Robert C. Roberts, who is doing promising work in this area,

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and the conception of virtue as enabling"; see "What Is Virtue Ethics All About?" *American Philosophical Quarterly* 27 (1990) 341. Gary Watson distinguishes an ethics of virtue from "character utilitarianism" (*Identity, Character, and Morality* 449–69).

<sup>21</sup> Trianosky, "What Is Virtue Ethics All About?" 342. See Aristotle *Nicomachean Ethics* 3.1.1110b; 2.2 and 3.1104a.

<sup>22</sup> *Ibid.*

<sup>23</sup> For recent treatments of the role of virtues in practical matters see Rosalind Hursthouse, "Virtue Theory and Abortion," *Philosophy and Public Affairs* 20 (1991) 223–46; David Fisher, "Crisis in Moral Communities: An Essay in Moral Philosophy," *Journal of Value Inquiry* 24 (1990) 17–30; Gerald M. Mara, "Virtue and Pluralism: The Problem of the One and the Many," *Polity* 22 (1989) 25–48; Alberto R. Coll, "Normative Prudence as a Tradition of Statecraft," *Ethics & International Affairs* 5 (1991) 33–51. Shelley Burt, "The Good Citizen's Psyche: On the Psychology of Civic Virtue," *Polity* 23 (1990) 23–38.

<sup>24</sup> Sidney Callahan relates recent psychological research to moral experience in the excellent *In Good Conscience: Reason and Emotion in Moral Decision Making* (San Francisco: HarperCollins, 1991). Also see Robert Merrihew Adams, *The Virtue of Faith and Other Essays in Philosophical Theology* (New York: Oxford Univ., 1987); and Ronald

offers this expanded definition: "Virtues are not just dispositions to actions. They are determinations of our emotions, passions, desires, and concerns. They are patterns of saliency, attention, perception and judgment."<sup>25</sup> Following the lead of Alasdair MacIntyre, he treats virtues as practices rather than habits. This permits him to appreciate the social formation of the virtues and enables him to consider the regulative internal norms of the virtues, which he calls their "grammar." "The grammar of a virtue is its set of connections and disconnections with such things as motives, objects (what the virtue is properly about), intentions, roles, other virtues in its system, vices, a concept of human nature, diagnostic and explanatory concepts, and so forth."<sup>26</sup> Virtues are thoroughly rule-governed practices, although not all the relevant rules are action-guides. Recently, however, strong objections have been raised against relying on rules in the ethics of virtue.

### *Ethics of Caring vs. Ethics of Justice*

Do women articulate moral values "in a different voice" from that which men typically employ? Does the psychological formation of women incline them to an ethics of care and responsibility over an ethics of justice and rights? Carol Gilligan originally posed these questions in 1983 and continues to claim that these different moral voices are rooted in gender differences.<sup>27</sup> The ensuing debate raises some

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de Sousa, *The Rationality of Emotion* (Cambridge, Mass.: M.I.T., 1987). Some of this material was treated in William C. Spohn, S.J., "Passions and Principles," *TS* 52 (1990) 69–87.

<sup>25</sup> Robert C. Roberts, "Virtues and Rules" 329.

<sup>26</sup> Ibid. 334. Alasdair MacIntyre defines the virtues as practices in *After Virtue*, 2d ed. (Notre Dame: Univ. of Notre Dame., 1984). See Lewis P. Hinchman, "Virtue or Autonomy: Alasdair MacIntyre's Critique of Liberal Individualism" *Polity* 21 (1989) 635–54. See also Robert C. Roberts, *Spirituality and Human Emotion* (Grand Rapids: Eerdmans, 1983); "What An Emotion Is: A Sketch," *Philosophical Review* 97 (1988) 190; "Therapies and the Grammar of a Virtue," in Richard H. Bell, ed. *The Grammar of the Heart: New Essays in Moral Philosophy and Theology* (San Francisco: Harper & Row, 1988) 149–70; "Aristotle on Virtues and Emotions," *Philosophical Studies* 56 (1989) 293–306; "Sense of Humor as a Christian Virtue," *Faith and Philosophy* 7 (1990) 177–92; "What Is Wrong With Wicked Feelings?" *APQ* 28 (1991) 13–24.

<sup>27</sup> Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard Univ., 1983); also C. Gilligan, J. V. Ward, and B. Barbidge, eds., *Mapping the Moral Domain: A Contribution of Women's Thinking to Psychological Theory and Education* (Cambridge, Mass.: Harvard Univ., 1988). See also Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education* (Berkeley: Univ. of Calif., 1984), whose opposition to moral principles would be more persuasive if it were informed by familiarity with moral philosophy.

fundamental questions about the compatibility of different virtues and the role they play in different sorts of moral problems.

Gilligan's work protests the methods of Lawrence Kohlberg, whose studies denigrated women's responses to moral dilemmas in comparison to the responses of males. Kohlberg thought that males were better able to recognize the rights involved and the relevant moral principles. His acknowledged preference for the Kantian definition of ethics obscured the "different voice" of women.<sup>28</sup> Mary Ellen Ross writes, "Gilligan claims female reasoning tends to be based on relationships rather than individuality, attachment rather than autonomy, and the injunction to care versus the injunction to respect the rights of others."<sup>29</sup> The two patterns are neither universal nor exclusive. Almost all the subjects tested could employ both approaches but not simultaneously. Two-thirds of the men preferred the justice-rights approach and over half the women favored the caring-responsibility model.

How did these different preferences arise? A neo-Freudian interpretation traces gender differences in moral reflection back to distinctive patterns of separation and attachment in childhood. Boys learn autonomy from the crisis of separation from the mother, while girls develop a greater appreciation for caring from continuing attachment to their mothers. These developmental patterns make women more disposed to intimacy than separation and men more drawn to individuality than to attachment.<sup>30</sup> Two predominant styles of moral reasoning come from the two gender tracks. Ross charges that this psychological account reinforces a sexist division of competencies which relegates women to the nurturing, domestic sphere and presumes that men are better equipped for the impersonal public realm of institutions and power.

<sup>28</sup> See Lawrence Kohlberg, *The Philosophy of Moral Development* (San Francisco: Harper & Row, 1981). For his response to Gilligan and other critics, see Kohlberg, *Essays on Moral Development 2* (New York: Harper & Row, 1984); also, Peter E. Langford and Leslie F. Claydon, "A Non-Kohlbergian Approach to the Development of Justifications for Moral Judgments," *Educational Studies* 15 (1989) 261-79.

<sup>29</sup> Mary Ellen Ross, "Feminism and the Problem of Moral Character," *Journal of Feminist Studies in Religion* 5 (1989) 57.

<sup>30</sup> See Lilian B. Rubin, *Intimate Strangers: Men and Women Together* (New York: Harper & Row, 1984) 48-64. For other accounts see Sidney Callahan, *In Good Conscience* 171-214; Betty A. Sichel, *Moral Education: Character, Community, and Ideals* (Philadelphia: Temple Univ., 1988); Donald Capps, *Deadly Sins & Saving Virtues* (Philadelphia: Fortress, 1987); David Carr, *Educating the Virtues: An Essay on the Philosophical Psychology of Moral Development and Education* (New York: Routledge, 1991); Cynthia S. Crysdale, "Development, Conversion, and Religious Education," *Horizons* 17 (1990) 30-46; Paul C. Vitz, "The Use of Stories in Moral Development: New Psychological Reasons for an Old Education Method," *American Psychologist* 45 (1990) 709-20.

She suspects that the new ethics of caring is nothing but the old utilitarianism, which has consistently undervalued justice.<sup>31</sup>

Claudia Card faults modern moral philosophy for slighting personal relationships in favor of formal, impersonal ones which are regulated by impartiality and justice. Unlike Gilligan, however, she charges that "fairness has also been systematically ignored in personal and informal relationships, especially where women are involved."<sup>32</sup> Since friendships require fairness as well as caring, we should be able to employ both approaches simultaneously. "Why contrast the search for inclusive solutions with justice or with *fairness*? Fairness is not only a matter of ranking, taking turns or balancing claims—ways of distributing power among competing parties—but also a matter of recognizing who deserves what from whom, and deserts tend to bring the affects of sympathy and antipathy into the picture."<sup>33</sup> Card also questions Gilligan's reliance on a psychological explanation for women's ambivalence about autonomy; it ignores the political forces that have confined women to attachment roles.

Despite the initial intuitive appeal of the "two voices" hypothesis, it seems seriously flawed. Sidney Callahan writes that empirical psychological studies on moral reasoning "do not reveal any sex differences. Men and women, girls and boys, do not actually reason differently; women are as principled and justice-oriented as men."<sup>34</sup> Class, race, age, and power status have more significant influence on moral perspective than gender. Owen Flanagan's important work, *Varieties of Moral Personality*, sets out the most devastating analysis of the two-voice hypothesis.<sup>35</sup> He argues that it is empirically false as well as philosophically inadequate. Its claim to universality (i.e., that there are two and only two moral perspectives) rests on a dubious neo-Freudian foundation. Even if one accepted the two paths of childhood development, why accept the resulting perspectives as *morally* normative?

Philosophically, "the two-voiced taxonomy is hard to understand in

<sup>31</sup> Mary Ellen Ross, "Feminism and the Problem of Moral Character" 59.

<sup>32</sup> Claudia Card, "Gender and Moral Luck," in *Identity, Character, and Morality* 201.

<sup>33</sup> *Ibid.* 207.; also Claudia Card, "Women and Moral Theory," *Ethics* 91 (1988) 125–35. Lawrence A. Blum shows how the moral claims of vocation bridge the alleged gap between the personal and the impersonal realms ("Vocation, Friendship, and Community: Limitations of the Personal-Impersonal Framework," in *Identity, Character, and Morality* 173–97).

<sup>34</sup> Sidney Callahan, *In Good Conscience* 196.

<sup>35</sup> Owen Flanagan, *Varieties of Moral Personality: Ethics and Psychological Realism* (Cambridge, Mass.: Harvard Univ., 1991) 196–252.

a way that (1) maintains an independent coherence for each voice and (2) is inclusive enough to cover all of morality."<sup>36</sup> Justice cannot be defined apart from care nor care apart from justice. Moral experience is too complex to be reduced to only two orientations. They cannot explain the origins of many virtues, e.g. courage or temperance. Why should agents have only two tools (say, a hammer and a wrench) for addressing moral issues? Practical reasoning may be closer to the "Swiss Army knife" with its multiple gadgets.<sup>37</sup> Furthermore, the nature of the problem determines what moral perspective we bring to it. "Both men and women seem to choose a moral orientation on the basis of its suitability for a certain kind of problem rather than on the basis of its pervasive control of their psychology."<sup>38</sup> Different contexts will require different forms of caring or justice that require distinctive moral capacities; Gilligan and her supporters do not spell these out.

Nevertheless, the failure of the two-voice hypothesis does not mean that there are no significant gender differences in moral experience. Flanagan acknowledges that almost all researchers support the common intuition that men and women tend to pay attention to different issues. Self-concept, personal ideals, cultural formation, and other factors are more promising avenues for explaining the differences than the neo-Freudian analysis of childhood that Gilligan and others depend upon.<sup>39</sup>

The debate between caring and justice echoes a long-running discussion in moral psychology: Are the virtues compatible with each other in the sense that a single person can possess them all? Or is "the unity of the virtues" an illusion because some virtues tend to work against each other?<sup>40</sup> A person with equally strong dispositions to mercy and justice may find them impossible to reconcile in specific situations. Does this mean in principle that virtuous dispositions conflict?

Plato, Aristotle, Augustine, and Aquinas believed that conflict between the virtues is only incidental. A person can be both honest and

<sup>36</sup> Ibid. 209.

<sup>37</sup> Ibid. 240.

<sup>38</sup> Ibid. 232; also 213.

<sup>39</sup> Ibid. 233. Callahan agrees, "If women have more often developed maternal thinking, it is because of their self-conscious intellectual development [in the process of raising children], not because of their female gender" (*In Good Conscience* 198).

<sup>40</sup> Under the rubric of "the unity of the virtues" another issue is often debated: Does corruption in one disposition necessarily lead to corruption in other areas? See Christine McKinnon, "Ways of Wrong-doing, the Vices, and Cruelty," *Journal of Value Inquiry* 23 (1989) 319–35; Jonathan Jacobs and John Zeis, "The Unity of the Vices," *Thomist* 54 (1990) 641–53; Donald Capps, "Sin, Narcissism, and the Changing Face of Conversion," *Journal of Religion and Health* 39 (1990) 233–51.

loyal, even if in a particular situation he or she cannot discover how to act both honestly and loyally. Someone possessing practical wisdom to a full degree would find a way to harmonize the virtues. Some recent analyses are not so sanguine about compatibility. A. D. M. Walker holds that "[j]ustice and kindness are, *beyond a certain point*, incompatible as traits of character because they presuppose personal qualities which do not as a matter of fact cohere in a single person."<sup>41</sup> The just person must possess a certain impartiality based on a commitment to principles which may be "inimical to attachments to specific persons because of their particular individuality."<sup>42</sup> The virtues are stable dispositions because they are rooted in the agent's basic convictions, values, and decisions. Deep commitment to principles may produce a blind eye to the exceptional needs of some persons. Conversely, a tender heart may not be inclined to apply the law evenly (as Cardinal Gagnon commented in his curious warning against appointing women judges on diocesan marriage tribunals). A person with such deep convictions would presumably be unable to adopt the counterbalancing perspective.

Perhaps some virtues work together harmoniously while others do not. George W. Rainbolt calls the former virtues "dependent" and the latter "independent."<sup>43</sup> Because kindness and sympathy are dependent forms of the virtue of benevolence, they should not dispose the agent to any deed that might eventually prove harmful to the neighbor. If, however, virtues such as mercy and justice are independently derived, they may well conflict. Mercy, therefore, can temper justice without violating it. (It is not clear that because the merciful act tempers the specific demands of strict justice, it necessarily follows that the two virtues conflict in principle.)

Mercy can act independently of the demand for equal treatment which is a basic principle of justice because it is an "imperfect virtue." Perfect virtues are those that specify precisely one's moral obligation. "Imperfect duties are those which, like charity, allow one to choose to whom and when to perform the duty."<sup>44</sup> Mercy, as an imperfect, independent virtue, has greater latitude in conferring benefits than it

<sup>41</sup> A. D. M. Walder, "Virtue and Character," *Philosophy* 64 (1989) 356.

<sup>42</sup> *Ibid.* 353. Aristotle holds that when people are friends they do not need justice, at least in any explicit way; see *Nicomachean Ethics* 8.1.1155a.

<sup>43</sup> George W. Rainbolt, "Mercy: An Independent, Imperfect Virtue," *APQ*, 37 (1990) 172. This philosophical treatment would have been considerably more nuanced if the author had referred to the rich tradition of *epieikeia* in moral theology.

<sup>44</sup> *Ibid.* 171. The definition goes back to Kant's distinction of perfect and imperfect obligations; see Immanuel Kant, *The Metaphysics of Morals* (Indianapolis: Bobbs-Merrill, 1964) 43–46.

would if it were derived from justice. The principle of equal treatment (central to justice) does not keep an imperfect virtue within moral bounds; that is accomplished by the general obligation not to break other moral rules.

Those who hold that justice is the source of the other virtues will obviously be scandalized at the assertion that mercy and justice are independent virtues. Contractarian and utilitarian moral philosophers identify the moral realm with the public realm. Since justice is the proper virtue of social relations, it becomes the *mater et radix* of all other virtues. Most if not all duties then correspond to rights claims that are based on justice. The ethics of caring may be another protest movement against the supremacy of impartial, universal justice in ethics. It restates the tension between love and justice that plagues much of modern ethics. If morality rests on universality, how can love be moral, since love is always particular?<sup>45</sup> Let us address this problem by turning to recent appeals to the virtue theory of Aristotle and Aquinas.

### *The Retrieval of Aristotle and Aquinas*

Moral philosophers and theologians who are frustrated by the relative thinness of liberal moral philosophies have increasingly turned to Aristotle and Aquinas. In order to make the broadest appeal in pluralistic cultures and, presumably, to avoid partisan disputes, liberal theorists concentrate on minimal rights and duties of justice and omit any account of human character and flourishing. Some theologians define Christian love in terms of justice, so that "equal regard becomes the core of *agape*."<sup>46</sup> Those who turn to classical sources retrieve a fuller account of the human good to ground ethics and resist any collapse of Christian love into justice.<sup>47</sup> Two important results of this

<sup>45</sup> See Flanagan, *Varieties of Moral Personality* 241–43; Preston N. Williams, "An Analysis of the Conception of Love and Its Influence on Justice in the Thought of Martin Luther King, Jr.," *Journal of Religious Ethics* 18 (1990) 15–31.

<sup>46</sup> See Gene Outka, *Agape: An Ethical Analysis* (New Haven: Yale Univ., 1972).

<sup>47</sup> In addition to the work of Martha Nussbaum (n.11 above), see Hans Georg Gadamer, *The Idea of the Good in Platonic-Aristotelean Philosophy* (New Haven, Yale Univ., 1986); Nancy Sherman, *The Fabric of Character: Aristotle's Theory of Virtue* (Oxford: Clarendon, 1989); Gerard Verbeke, *Moral Education in Aristotle* (Washington, D.C.: Catholic Univ., 1990); Harold W. Baillie, "Learning the Emotions," *New Scholasticism* 62 (1988) 221–27; Eugene Garver, "The Moral Virtue and the Two Sides of *Energeia*," *Ancient Philosophy* 9 (1989) 293–312; Marcia L. Homiak, "Politics as Soul-Making," *Philosophia* 20 (1990) 167–93; Gayne Nerney, "Aristotle and Aquinas on Indignation: From Nemesis to Theodicy," *Faith and Philosophy* 8 (1991) 81–95. On Aquinas see Jean Porter, *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics* (Louisville: Westminster/John Knox, 1990); Lee H. Yearley, *Mencius and Aquinas: Theories of*

retrieval stand out: the assertion that an "order of love" sets priorities for caring for others, and an emphasis on friendship as the basic context for developing virtue.

Are Christians obliged to love all people in a radically equal fashion? Certain gospel texts challenge the natural preference for family and friends over strangers and enemies.<sup>48</sup> Thomas Aquinas holds that the obligations of the Christian life follow the providential order of creation, where God clearly intends that we should give priority to certain persons who are closely related to us.

Aquinas' teaching on "the order of love" does not canonize medieval Italian nepotism. Stephen J. Pope argues that it grounds the duties of love in the biological and social order in a manner far superior to the existentialist personalism of Karl Rahner's view of human experience. "Rather than narrowly focusing on the love between two communicating, mature adults, we need to attend to the multitude of interacting relations within which we are immersed,"<sup>49</sup> writes Stephen Pope. We do not have to accept the Aristotelean biology that supports Aquinas's insights. Pope looks instead to contemporary sociobiology, purged of its tendency to metaphysical materialism and fatalism, to ground the various forms of love in the natural order.

Sociobiology demonstrates the evolutionary development of "kin altruism" that gives significant, if not necessarily normative, grounds for an order of love. Both Pope and Jean Porter argue that Thomas does not endorse a rigid schema of obligations that moves out in expanding concentric circles from the individual. While children ordinarily have a greater claim to their parents' resources than does a stranger, the stranger in dire material need deserves at least temporary precedence.<sup>50</sup> This naturalistic grounding of love, therefore, does not endorse moral parochialism but recognizes an expanding web of social obligations ruled by the principles of reciprocity and benevolence.

A well-calibrated order of love can guard against the temptation to

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*Virtue and Conceptions of Courage* (Albany: State Univ. of New York, 1990); Peter Sedgwick, "The Compulsion to be Good: Aquinas on the Formation of Human Character," *Theology* 91 (1988) 194–201; Peter Simpson, "Practical Knowing: Finnis and Aquinas," *Modern Schoolman* 67 (1990) 111–22; Servais Pinckaers, "Les passions et la morale," *Revue des sciences philosophiques et théologiques* 74 (1990) 379–91; Judith Barad, "Aquinas on the Role of Emotion in Moral Judgment and Activity," *Thomist* 55 (1991) 397–413.

<sup>48</sup> See, e.g., Matt 5:43–48, 10:37–39, 12:46–50.

<sup>49</sup> Stephen J. Pope, "The Order of Love and Recent Catholic Ethics: A Constructive Proposal," *TS* 52 (1991) 261. His argument will be spelled out in the forthcoming book from Georgetown Univ. Press: *Love, Human Nature, and Catholic Ethics*.

<sup>50</sup> See Stephen J. Pope, "Aquinas on Almsgiving, Justice and Charity: An Interpretation and Reassessment," *Heythrop Journal* 32 (1991) 167–91.

moral fatigue which paralyzes many people today. It would help to sort out the competing demands of the world's starving millions, the local homeless, and our immediate families. If the call to love is heard as an obligation to ceaseless activity or complete sacrifice, we are likely to despair. Thomas "is therefore careful to specify the positive precepts of charity as precisely as possible, so as not to risk leaving them so general that we might well give up on trying to obey them at all."<sup>51</sup> Time, place, circumstances, degrees of proximity and need all help to determine specific duties. Christian love is not pure self-sacrifice according to Thomas because there is a proper love of self intended by God. Legitimate self-love does not retreat into excessive individualism because virtuous love of self necessarily includes neighbor love. The individual comes to fulfillment as part of a larger social reality.<sup>52</sup>

In order to retrieve Aquinas's sophisticated understanding of love and justice we do not have to accept as inevitable the same limitations which Aquinas accepted, namely, paternalism, an aversion to social transformation, and an economics of scarcity and structural poverty. Charity is not derived from justice; nor is natural justice derived from charity. Charity may surpass justice but cannot substitute for it. On the other hand, justice specifies the duties that flow from the order of love. Porter shows that Thomas intimately relates virtue ethics and ethics of principle, because "true moral rectitude is necessarily grounded in the orientation of the whole personality that charity creates; and yet, charity cannot be exercised, or even exist, unless the moral rules generated by right reason are observed."<sup>53</sup>

Even though an ethics of impartiality discounts friendship as a moral issue, Aristotle and Aquinas testify that it is a vital ingredient of the good life. Aristotle's *polis* drew its social coherence from the practice of friendship.<sup>54</sup> Aquinas made friendship the basic metaphor

<sup>51</sup> Jean Porter, "De Ordine Caritatis: Charity, Friendship, and Justice in Thomas Aquinas' *Summa Theologiae*," *Thomist* 53 (1989) 206. Pope points out that the absence of attention on the gradations of love weakens common interpretations of the preferential option for the poor ("Aquinas on Almsgiving" 173).

<sup>52</sup> "If the individualistic view of freedom supports an 'unencumbered' self who is 'left alone' by others, Thomas's view of human freedom as attained through, and an achievement of, virtue coheres with a view of the self as connected to, interdependent with, and responsible for others" (Stephen J. Pope, "Expressive Individualism and True Self-Love: A Thomistic Perspective," *Journal of Religion* 71 [1991] 393).

<sup>53</sup> Porter, "De Ordine Caritatis" 213. See her discussion of justice in *The Recovery of Virtue* 124-54.

<sup>54</sup> See Stanley Hauerwas, "Companions on the Way: The Necessity of Friendship," *Asbury Theological Journal* 45 (1990) 35-48. A good recent anthology is edited by Marshall Carl Bradley and Philip Blosser, *Of Friendship: Philosophic Selections on a Perennial Concern* (Wolfeboro, N.H.: Logwood Academic, 1989).

for divine grace.<sup>55</sup> They could appreciate the moral role of friendship because they held that we can grasp the worth of particular realities and our emotions can align intelligence with them.

Rose Mary Volbrecht stresses that our friendships are not only with unique individuals, but depend upon particular contexts, namely, "the opportunities for companionship, the shared interests, values, and tastes, the mutual affection . . . which sustain the characteristic intention of goodwill in friendship."<sup>56</sup> The greatest threat to friendship comes from a change of circumstances which makes it impossible to continue the practice of conversation that sustains the union. Because our friends love us in our particularity, we are able to develop a sense of selfhood. In addition, friendship is "the primary adult context for the development of moral judgment and character."<sup>57</sup> The mutual apprenticeship of friends educates our moral capacities by exposing our values, judgments, and intentions to the evaluation of others, opens us to their perspectives, and "fosters vicarious participation in moral alternatives" as our friends give "reliable moral witness to their own experiences."<sup>58</sup> The inability of many ethicists to address the central moral practice of friendship supports the claim that ethics which ignores virtue and human flourishing is indeed a thin diet.

*Jesuit School of Theology at Berkeley*      WILLIAM C. SPOHN, S.J.

#### CHRISTIAN SOCIAL ETHICS AFTER THE COLD WAR

The dramatic revolutions in Central Europe in 1989 and the continuing disintegration of the Soviet Union since the failed putsch of August 1991 are having profound effects on Christian social-ethical reflection. This section of these "Notes on Moral Theology: 1991" will review a representative sample of the literature that has begun clarifying the impact of these revolutionary events on the ethical agenda. The end of the repressive totalitarianism in these regimes is certainly cause for rejoicing. It raises the issue of what *kind* of non-Communist vision of economic life should be pursued in the future. This question is important not only in the Eastern European context, but in the North Atlantic region and the Southern Hemisphere as well.

<sup>55</sup> See Porter, *Recovery of Virtue* 168–71.

<sup>56</sup> Rose Mary Volbrecht, "Friendship: Mutual Apprenticeship in Moral Development," *Journal of Value Inquiry* 24 (1990) 307.

<sup>57</sup> *Ibid.* 308.

<sup>58</sup> Marilyn Friedman, "Friendship and Moral Growth," *Journal of Value Inquiry* 23 (1989) 3–13, at 8; see her note 1 for a selection of feminist scholars who are in the forefront on this topic. See also Michael Stocker, "Friendship and Duty: Some Difficult Relations," in *Identity, Character, and Morality* 217–33.