

PREFACE

Men and women who agree about a wide range of moral issues can still disagree about the status of the rules to which they appeal. Some hold that they are mere rules of thumb, some hold that they are exceptionless norms, some that their position is somewhere in between (say strongly entrenched prima facie rules or virtual absolutes). People who believe in exceptionless norms disagree about the spheres of morality in which they are to be found: some find them primarily in sexual ethics; others in political principles such as that protecting freedom of speech; others in rules protecting human life. Adherents of absolute rules also differ about the *source* of such rules: some of them regard such rules as divine commands, but others see them as requirements of practical reason, direct intuitions of conscience, or perhaps even deeply entrenched social conventions. It is with the existence of exceptionless norms, not their content or source should they exist, that I am here centrally concerned. A cognate issue is whether we can ever have infallible moral knowledge: whether we might be required to revise, in the light of further insights, our belief that it is wrong for parents to kill their children because they find their continued existence inconvenient.

The issue received its most intensive discussion around 1978, when, as it happens, the author's *Ethics of Homicide* was published. But it continues to be of importance, as may be gleaned from the recent Papal Encyclical on moral issues (John Paul II, *Veritatis Splendor*, 1993), and from the recent anthology edited by Joram Graf Haber (*Absolutism and its Consequentialist Critics*, 1994). It is my hope that this book will at least move the argument forward, though not that it will resolve the many moral problems around which the debate has turned.

In addressing questions of moral theory, I shall make the minimum teleological assumption that ethics is concerned with happiness -- whether the happiness at issue is the agent's own or that of others, whether happiness is thought of in welfarism or perfectionist terms, and whether it is to be

found in this world or the next. A moral position, I shall assume, is unacceptable if its observance means misery without compensation (here or elsewhere) for all concerned. Hence moral rules, including any absolutes we may discover, must in some wide sense be justified by their utility. But I take into account the utility of rules as well as that of acts; and, in judging questions of utility, invoke goods such as knowledge and friendship as well as pleasure and desire-satisfaction. Hence my argument will escape consequentialism, at least in its simplest forms.

My conclusion is that there are exceptionless moral norms, but it is not possible, at least for a philosopher, to formulate them with any precision. (A possible exception: One ought never to intend that another do wrong, either by his own lights or by one's own, though it is legitimate to persuade him to change his mind or attempt to overcome a merely emotional resistance to some proposed action.) The most one can do on philosophical premises is to identify danger zones, in which agents and moralists must proceed with caution. And we may hope to formulate principles that, though we do not know them to be absolutes in the strict sense, still may be treated as absolute for all practical purposes. As ordinary people put it, "There are limits," "We have to draw the line somewhere," and "Some things are sacred and not to be treated lightly."

The need for, and the difficulty in formulating, moral absolutes arises from the same consideration -- namely the complexity of situations and the multiple sources of moral judgment. Against the powerful consequentialist influences that bear on our moral judgments, two sorts of argument that might support moral absolutes are available, but these arguments do not altogether converge. One emphasizes the bad consequences, e.g., of conventional rules authorizing the police to kill citizens whenever it seems on the whole best to do so. The other emphasizes the incommensurability between, e.g., life itself and its various possibilities. A world without me is a radically different place from a world in which my life prospects are in some way diminished.

Another source of incommensurability arises from the fact that we create ourselves by our actions - though this is true also of the consequences we accept and of the risks we take. In short, the need for absolutes, and the difficulty in believing in them, arise from the same source -- the complexity of human moral experience.

Such crosscurrents produce considerable turbulence in our moral consciousness. Sometimes I think my conclusion is mere common sense. Sometimes I think it so paradoxical that I cannot hope that others will take it seriously. Such is the fate of a philosopher in these times -- and especially of one who attempts to honor the complexity of human experience without succumbing to postmodern despair, and in the process to remain in dialogue with as wide a class of persons as possible.

My argument for moral absolutes is a transcendental one. Given the open texture of moral language, the diversity and messiness of moral situations, and the twistiness of the human mind, a morality without absolute limits would be unable ever to reach the firm conclusions we need, especially in a world in which the adherents of any morality are likely to find themselves beleaguered. There is an analogous position on the cognate issue of infallibility: there may be standards about which a moral community could not be in error and still claim to provide a reliable guide to life; but it is not possible, except perhaps very tentatively, to distinguish these teachings from those about which the community claims only to be right.

A longer version of the argument to come follows. In Chapter 1 I address the fact that moral issues, particularly those thought to engage moral absolutes, are largely debated within religious communities, and attempt to sort out philosophical from theological arguments. Chapter 2 displays the multi-dimensional complexity of the situations moralists and morally responsible persons face, and Chapters 3 to 5 consider the various strategies employed to resolve them,

including the claim that the incommensurability of goods means that we have no way of challenging or overriding moral rules such as that against contraception. Chapter 6 argues that the case for moral absolutes, and the case against them, can be made to converge in a way suggested by Kant's solution to his antinomies: there are moral absolutes, but we do not know what they are. Chapter 7 attempts to locate moral absolutes, with the help of the concept of the sacred, and suggests that there are virtual absolutes that may serve for practical purposes.

One limitation on my argument is a relative neglect of virtue, with the important exception of prudence, to which I devote Chapter 4. As Christina Sommers among others has emphasized, discussion of virtue is of great importance, particularly in pedagogy, because it avoids the impression, that emphasis on controversial issues and moral dilemmas is likely to create, that morality is primarily concerned with conflict, whether among human beings or within a given human being. On the contrary, the range of actions about which moralists of every school agree is quite large, and the issue frequently is not discovering one's duty, but finding the strength to perform it. And overemphasis on social policy undermines individual responsibility, and obscures the fact that even the best policies require officials gifted with integrity as well as prudence to carry them out.

Nonetheless, even the most virtuous people face situations in which it is difficult to discern the right course, and it is worthwhile asking how much guidance a defensible moral code is able to give them -- in particular whether a moral code can contain exceptionless rules. We may ask, for example, whether a just judge or sheriff will ever, whatever the circumstances, frame an innocent man. I regard principles and virtue not as rivals, but as complementary approaches to moral and ethical issues.

One outcome of my argument is that people of faith are entitled to hold more stringent moral views than is common, and cannot be convicted of unreasonableness for so doing. Nor can they be rightfully kept, say on grounds of "public reason," from acting on their views as citizens. But I do not have an answer to the problem of Abraham -- of a person who, for reasons of faith, is led not to stiffen the requirements of common morality, but to breach them.

It has become the custom for authors of scholarly works to declare their interests. The author is a Roman Catholic, though not of the "ultra" sort, committed to the project of harmonizing faith and reason -- however difficult this project may seem in practice. My indebtedness to the tradition of Catholic Christianity extends to influences refracted through persons, at least from the time being, alienated from it. My work may be of interest to those who exercise pastoral and magisterial functions within the Church, as well as to those who advise them, but I have no desire to usurp pastoral or magisterial authority. In any case -- though I presume generally Christian moral intuitions -- this is a philosophical work addressed to reasonable men and women, rather than an in-house argument addressed only to Catholics. (Like many serious Jews, I dislike the expression "Judeo-Christian tradition." But Jewish and Christian approaches to morality do have important similarities.)

A sketch of the argument of this book is forthcoming in *Argumentation*. An NEH Summer Institute under the directorship of Ralph McInerny, held at Notre Dame in 1985, did much to advance my thought on the issues considered here. I am indebted to James O'Rourke of St. Anselm College for suggesting that I focus my work on ethical theory on the question of absolutes, to Joseph Boyle of the University of Toronto for help in understanding the positions of Finnis and Grisez, and to Patrick Walker of Scranton, Pennsylvania and Michael Wreen of Marquette

University for many relevant discussions. (Patrick also helped with the proofreading.) My debt to Celia Wolf-Devine of Stonehill College is as always immeasurable.

I use *he* in the sense of *he or she*, except where the context requires a male individual. Recent examples of the use of *he or she* (and *she or he*), not to mention *him or herself* (and *her or himself*), convince me that the attempt to be sexually egalitarian in this way only increases the gap between author and reader a difficult argument creates in any case. The capital *He* for God is also to be read generically.

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