## **PRUDENCE**

In all moral systems, rules and principles sometimes fail to give us the guidance we need. And the problem of reaching reasonable judgments where rules and principles are insufficient arises, not only in morality, but also in the philosophy of science, in critical theory, and in the attempt to deal intellectually with the relationship between rival cultures. The sort of judgment then required has gone by various names. One such word is *discernment*, but its aesthetic and theological overtones are best avoided at this stage of the argument. *Prudence* is better but requires some elucidation.

For mainstream English speaking philosophy understands prudence as that virtue concerned with promoting one's own interests, ii or even as one self-regarding virtue among others (distinct, for example, from courage). But prudence in the proper moral sense takes into account the interests of other persons, at least insofar as virtue requires attending to them in our decisions. And one requirement for an adequate account of prudential reasoning is to avoid (or at least minimize) the quantitative language that bedevils prudential reasoning.

# 5.1 Understanding Prudence

Our first task must be to understand, as adequately as possible, the prudential judgments human beings make. I begin with some examples, and then examine the contribution of Aristotle and his followers.

## 5.1.01 Some Examples

The following sort of thing might have happened at Oxford between the two World Wars.
 A frustrated and lonely man, call him "Joseph," discovers that a younger friend, call him

"Kevin," desires him sexually. Joseph feels a conventional repugnance to homosexual practices -- a repugnance that includes elements of fascination -- whose moral standing and whose motivational force for Joseph are so far untested. He is unwilling, despite the conflicts which Kevin's advances trigger in him, to sacrifice a friendship to which he accords great value. Joseph recalls the ideal of Platonic love, and casts himself in the role of Socrates and Kevin in the role of Alcibiades or Phaedrus, a role which, let us suppose, Kevin is willing to accept. Thus Joseph preserves a valuable friendship while avoiding a more passionate relationship that might well (although we cannot be sure of such things) have ended in mutual hatred. His decision is not merely to observe the Law of Moses, but to take his situation as an opportunity to realize a good not otherwise attainable.

- 2. A Scriptural text of persistent interest to philosophers is the prophet Nathan's rebuke to King David for his adultery with Bathsheba and his murder, under cover of battle, of her husband Uriah the Hittite (II Samuel 12). Nathan does not charge David with violations of the Ten Commandments; rather he tells him a story of the theft of a ewe lamb, and thus secures David's repentance. As an example of the principle, *Treat like cases alike*, this is rather poor. Wives unlike ewe lambs have developed preferences of their own; moreover no one in the ewe lamb story claimed the privileges of royalty. On the other hand, the ewe lamb story did not involve murder. What Nathan did was to get David to see his behavior as the gratification of passion at another's cost. Nathan did not show any special insight in condemning David's behavior -- about that there was really no question. Rather he showed prudence in the always-hazardous task of reproaching the powerful.
- 3. The evaluation of rival candidates for an academic position involves incommensurable and overlapping considerations: scholarship, teaching, and a candidate's "fit" with a particular

department and institution -- even apart from more controversial issues such as those involved in affirmative action. It is also necessary to interpret ambiguous information, for example a letter of reference, which describes a candidate as "excitable." Somehow a committee (and each member of it) must bring all these considerations together into an intuitive judgment that some particular man or woman is the right one for the job.

4. Artists sometimes request public support for works offensive to the moral or religious sensibilities of many of their fellow-citizens. On the one hand, art is good, and requires liberty: many great works have offended the more prudish of the artists' contemporaries. And artistic experience should not be the monopoly of the wealthy and their protégés. On other hand, it is not acceptable to ask citizens to be indifferent to the way their tax dollars are spent, or to demand that hard-pressed working people subsidize crude assaults on what they hold most dear. (Imagine a publicly supported festival of anti-Semitic art, uncritically presented, or the use of public money to support a vacation in Tahiti or a meal at an expensive restaurant, presented as a form of "concept art.") The needed aesthetic judgments inevitably have moral and even political overtones; apolitical aestheticism is among other things a political ideology, designed in part to protect existing institutions against some forms of criticism. The attempt to resolve the problem by ceasing public support for the arts threatens all governmental support for high culture, even public libraries, leaving television in undisputed possession of our common culture. What we need are arts administrators with a firm sense of the difference between art and trash (tacky lawn art for example), which should not receive public money even if it offends no one. They also require a sense of a difference between what a society tolerates and what it encourages and supports; not everything that ought not to be made a crime deserves to be celebrated as

good. Such administrators will be able to distinguish challenging and even disturbing art from mere crudity, and to judge when a controversial work is good enough to risk public outcry.

#### 5.1.02 Aristotle

The Aristotelian tradition insists that prudence is not a morally neutral quality, that the practical wisdom of the virtuous is different from the craftiness of the wicked. At the same time, Aristotle<sup>iv</sup> thinks of prudence as pre-eminently the political virtue -- what we expect, but do not always get, from our leaders, even if we are out of sympathy with them ideologically. But this sort of virtue is consistent with even the wicked projects; Hitler would have been more prudent to postpone (or abandon altogether) his invasion of Russia, and to content himself with a smaller empire in which to do his evil deeds.

Aristotle writes that "virtue ... consists in observing the mean relative to us, a mean which is defined by a rational principle, such as a man of practical wisdom would use to determine it." But he never sorts out the discernment necessary to deciding, e.g., how to deal with a difficult family member, from the technical judgments a person must make in carrying out his morally worthy projects. A physician must use prudence in deciding on a course of treatment even when there is no question about the wisdom of attempting to prolong the patient's life. But it is characteristic of personal relations, except of the crudest sort, that their ends are not fixed, so that prudence in such cases cannot be reduced to means-ends judgment.

Aristotle sometimes describes finding the mean as hitting a target, and remarks that, in difficult cases, "the decision rests with our (moral) sense" -- a formulation that does not support talk about calculation. But he elsewhere remarks, "Deliberating and calculating are the same thing."

And St. Thomas Aquinas bafflingly observes: "For though keeping the mean is the aim of moral

virtue, it is in the correct marshalling of the means to the end [eorum quae sunt ad finem] that the mean is to be found." vii

The aim of Aristotelian ethics -- a life of active virtue -- is not specifiable independently of the moral quality of the acts that contribute to it. Hence one way of understanding Aristotle's conception of prudence is as follows. Viii Learning to perform well in a sport or game is partly a matter of learning principles, but more importantly a matter of constant practice under the tutelage of an acknowledged master. And since mastery includes knowing when to break the rules as well as when to adhere to them, prudence so understood can be at the same time conservative and progressive. Happiness (or more exactly *eudemonia*) is victory in the game of life, and prudence tends to bring about victory of this sort (though chance can always interfere).

But applying this conception of prudence runs into two major difficulties. First, in games and sports, we know when departure from the rules has won; in life there is no criterion, this side of Jordan, by which such questions can be decided. Nor do we have a shared conception of happiness by which various strategies of life can be assessed. Second, and connectedly, there is no agreement about who the masters of the art of living are. The break-up of the *polis*, the rise of Christianity, and the development of a post-Christian civilization, have left us with a plurality of incompatible models, and our continuing disputes about the reputations of the famous and the infamous testify to our bewilderment on such issues. Even in Athens, whether one accepted Pericles as a model of prudence might depend on one's political sympathies.<sup>ix</sup>

### 5.1.03 Some Modern Writers

Perhaps some more recent writers will prove more useful in helping us reach an understanding of prudence. We begin with two writers strongly influenced by St. Thomas Aquinas.

Joseph Pieper identifies prudence with situation conscience: "It includes," he writes, "above all the ability to be still in order to attain objective perception of reality." And we may agree that attentiveness to the situation as it in fact is, and not (for example) as it might please our *amour propre* to suppose it to be, is an essential element of sound situational judgment. And attentiveness to the still, small voice of conscience is part of prudence as many people experience it.

But we still need to know a lot more about how prudence (or situation conscience) works in practice. Daniel Nelson has recently interpreted St. Thomas's ethics, so as to emphasize the priority of prudence, especially over natural law as standardly understood. If we accept this interpretation, we must ask how prudence is to be recognized. And the best Nelson is able to say is that judgments of prudence depend on the common sense of some community. Nonetheless, "The community can be wrong, and our culture knows of instances in which critics were able to persuade a community of its corruption ... but in order to make the case the critics have to appeal to publicly available criteria of judgment." But this formulation raises the specter of relativism, since different communities will have different standards, and these differences will persist however much they reform their practice.

In the "analytic" camp, Martha Nussbaum (following Henry James) proposes a corrective to the excessive intellectualism of the Aristotelian tradition.

Moral knowledge [she suggests] is not simply an intellectual grasp of propositions; it is not even intellectual grasp of particular facts; it is a perception [and here she cites Aristotle]. It is seeing complete, complex reality in a highly lucid and richly responsive way; it is taking in what is there, with imagination and feeling. xii

Such knowledge includes awareness of the character and motives of all those concerned, including that of the agent himself (who needs to know what sources of distorted judgment he

needs to fear). Yet Nussbaum's account is in one sense not rich enough: it excludes the role moral rules play in the judgments of even the most sensitive agents. She describes a difficult situation in the relationship between a woman and her father, but their sensitive resolution of this situation would not have been possible if incest were a possible solution. Concentration on the complex ways in which the various sides of human life interact in real situations is a valuable exercise, but carried beyond a certain point it paralyzes moral (and political) judgment.

Thus Hilary Putnam insists against Nussbaum that moral rules must be taken seriously.

They "are important because they are the main mechanism we have for challenging (and if we are successful, shaping) one another's consciences." He offers two metaphors for what we are to do when the rules are ambiguous or in conflict: adjudication and reading. Both adjudication and reading, he argues, are

By [their] nature provisional -- not in the sense that there must be a better perspective, a "true" reading (or a *truer* reading) which we will all someday get to if we are lucky, but in the sense that (for all we know) there may be. Some things which were once problematic are now issues for condemnation or approbation and not adjudication. Human slavery is no longer problematic; it is just plain wrong, xiv

Both adjudication and reading get their credibility "from a shared sense of what is and is not reasonable, from people's loyalties to one another, and a commitment to 'muddling through' together."<sup>xv</sup> But the persistence of injustice in our world means that we are unable always to muddle through in tolerable fashion.

Putnam's examples of rules are the Ten Commandments and the Equal Rights Amendment; his example of an adjudication or reading the Supreme Court's abortion decision in *Roe* v. *Wade*, and his diagnosis of the impediments to successful "muddling through" a moderate form of Leftism

critical of both Marxism-Leninism and neoconservatism. In other words, his examples of binding rules include both an ancient text believed to have come from God and an unsuccessful attempt to amend the American Constitution, while his example of adjudication is a judicial decision of the most controversial (not to say explosive) sort. And, in his broader analysis of our woes, Putnam neglects the fact that we suffer not only from injustice but also from a number of other problems as well.

These include lack of agreement about what justice requires (or even the creatures to which it is due), from the absence of what Charles Taylor calls a "moral source" capable of motivating people to bring about social justice, and from deep disagreements about the broader conceptions of human nature and flourishing that are needed to support our conceptions of justice and provide them with their motivating power. Nor is it possible to mend matters by adducing other examples, or providing a different political analysis: any judgment with substance will be controversial in the ways Putnam's judgments are.

Stanley Hauerwas adds an important dimension to the discussion of the nature of prudence.

Our moral reasoning [he writes], especially in cases of moral doubt, is not deductive but analogical. That is to say, we do not find what we ought to do by having an abstract principle from which can be deduced the "right act." Rather, what we do when we engage in moral reasoning is, by comparing cases, to find out what is common to the situations. ... In this sense moral reason is more dependent on imagination than strict logical entailment. \*\*xvii\*\*

On such a view, moral notions such as *murder*, *theft*, and *adultery* define classes of relevantly similar acts: they "are concepts that help us define areas of significance for our life together." Thus moral discernment consists in the ability to discover, for example, whether the

analogies between abortion and infanticide are more important than the differences between them; or whether discrimination against white males is essentially the same as, or importantly different from, discrimination against women and black people.

Our judgment calls in these and other cases are affected by our background picture of self, society, and world. Hence Hauerwas also writes:

Universal ethical principles become ethically significant only as we learn their meaning in stories. ... Modern moral philosophers have failed to understand that moral behavior is an affair not primarily of choice but of vision. xix

Thus our entire sensibility is thus at work in a judgment call.

Let us remember that judgment calls involve the interpretation of a cultural tradition, and its application to complex situations. We then can see that Putnam has very well expressed the reason for the phenomenon described by Hauerwas:

Not only is interpretation a highly informal activity, guided by few, if any, settled rules or methods, but it is one that involves much more than linear propositional reasoning. It involves our imagination, our feelings -- in short our full sensibility.<sup>xx</sup>

Our sensibility is formed, in significant part, by the social world in which we live. And the interpretation of situations is an essential element of prudential judgment. Hence Hauerwas's ethics requires a homogeneous community to sustain its judgments. \*xxi\*

A sentence by David Wiggins makes clear the central issue. "The man of highest practical reason," he writes, "is the man who brings to bear upon a situation the greatest number of genuinely pertinent concerns and genuinely relevant considerations commensurate with the importance of the deliberative context." But if anyone tried to take into account every possible consideration, or even any consideration someone might think relevant, before making a judgment, the result would

be paralysis. Emphasis must therefore fall on the expressions *genuinely pertinent* and *genuinely relevant*.

We have some fairly clear notions of what is relevant to moral decisions in particular cases for example, that a consideration of the abortion issue that ignores the facts of embryology is
inadequate. But it is in general a matter of prudence to decide what sorts of fact need to be taken
into account in making moral and practical judgments. Everything depends on how we represent a
situation to ourselves: what aspects of it we deem of crucial relevance and what aspects of it we
deem peripheral or irrelevant.

In fact, prudence, particularly in decision making on behalf of some community, places limits on the questions of fact a decision maker investigates, excluding material of borderline relevance that might raise irrelevant emotions. For example, if two of my colleagues have a long-standing quarrel, of whose origins I am ignorant, I might deliberately choose not to investigate them, on the grounds that knowledge of it could only create confusion.

## 5.1.04 A Synthesis

We all make prudential judgments in our personal, professional, and civic lives. And though judgment calls may be difficult to make and evaluate, it is easy to discern imprudence or want of judgment, at least in others. In the same way, though it may be hard to discover the Aristotelian mean, it is easy to identify people who habitually run to extremes.

Every attempt to give such a general account of how prudence works has failed, and the nature of the prudential task does not encourage theoretical optimism. Mere abstract reasoning will never grasp the complexity of lived experience, whereas immersion in the present moment in all its concreteness fails to guide action; somehow these heterogeneous sorts of reasoning need to be

combined. On the other hand, we need to avoid the sort of prudential nihilism suggested by many critics of the rationalist tradition, which celebrates the unpredictability of human events and the quasi-mystical perceptions of some political actors, and reduces the concept of good political judgment to the capacity to persuade others by fair means or foul. \*xxiii\*

Prudential judgment does not centrally address the question, "Is act *A* right or wrong?" It deals with the open-ended question, "What is to be done?" as well as, though less centrally, with the question "How shall I respond to what Jones has done (or is doing)?" It constructs an imaginative representation of the situation -- or in cases like Nathan's of the act to be evaluated -- which so arranges its features that the proper course to follow (or the proper judgment) becomes apparent -- or so one hopes. No subjectivism is implied here: the features of the situation to which the prudent appeal, and quite possibly the order they discern in them, exist in the world before they make their judgments. Still, considerable activity of mind is involved; in this respect prudence is to be contrasted with intuition, conceived of as "gut" feeling reflecting the agent's cultural background. Lastly, prudence involves trained attentiveness, of the sort needed by an artist or writer who needs to know when his work is finished.

A certain effort at detachment is involved in prudential judgments. They nonetheless engage the whole personality. Thus one of the most difficult problems for prudential judgment is balancing the detachment characteristic of moral judgment with the identification with a given community our dependence on a moral tradition implies. \*xxiv\* Prudence is, in any event, as far as possible removed from decisions "under the veil of ignorance" in the manner suggested by Rawls. But the considered judgments he takes as data will require prudence; otherwise we would never know when we had moved sufficiently beyond off-the-cuff responses.

Prudence is associated with conservatism in the sense of risk avoidance, though not necessarily with conservatism as a political philosophy. It involves as awareness that we live in a world we only imperfectly understand, and that our actions may set in motion trains of consequences that we cannot control, and which we may well come to regret. But prudence sometimes requires boldness -- on what occasions is itself a matter for prudential judgment. Prudence replaces "probabilism," and every other attempt to provide general rules for dealing with moral uncertainty.

Among the other virtues that tend to prudence, the most important are those, such as patience, necessary to the maintenance of a marriage or other long-term commitments. The reason is that such commitments require one to attend to the less obvious consequences (and more broadly the less obvious aspects) of one's actions, and that this sort of awareness is an important element of prudence.

We are in possession of rules and principles of varying degrees of stringency, including what can be described as "rules of prudence." An example of this sort of principle is *Do not go to the limits of the permissible except for compelling reasons*. But it is also part of prudence to know when to go to the limit, just as it is part of prudence to know when it is necessary to undergo martyrdom. In any event, such principles are not substitutes for prudence; they help the already prudent person to decide what is to be done.

Prudence is directed to a comprehensive good, i.e., the flourishing of human beings in a good society. This good permeates the means a prudent person chooses to attain it: it is for example incoherent to suppose that one can build a just society by massively unjust means.

Prudence compares and mixes goods in a way that respects their diverse and partly

incommensurable character, without freezing us into an impracticable rigorism. Yet there are reasons for dissatisfaction with this result. Wiggins has observed:

I entertain the unfriendly suspicion that those who feel that they *must* seek more than all this provides want a scientific theory of rationality, not so much from a passion for science, even when their can be no science, but because they hope and desire, by some conceptual alchemy, to turn such a discipline into a regulative or normative discipline, or into a system of rules by which to spare themselves some of the agony of thinking and all the torment of feeling and understanding that is actually involved in reasoned deliberation. xxvi

But this suspicion is not just unfriendly, but also a bit unfair. For prudent moral agents are well aware of their need for rules and principles, lest their actions be altogether chaotic or opportunistic. And practical wisdom includes an awareness of one's own failings, including one's disposition to rationalize misbehavior. Hence prudence can lead, not just to modifications of received moral rules, but also to support for moral rules of a strict (and possibly even absolute) sort. 5.1.05. The Limits of Prudence

In a heterogeneous moral tradition, some persons -- and some aspects of each person -- will stress one aspect of our shared moral ideas at the expense of others. Once admitted as legitimate, prudence tends to claim for itself a hegemonic role. And, as Paul Ramsey has put it, "proportionality's 'constitutional monarchy' within the kingdom of morality threatens to become a despotism." But there can be no question of regarding prudence as the sole or sovereign method of moral judgment, to the exclusion of moral rules and principles.

First, it is not possible to be "finely aware and richly responsible" towards all the features of a situation every time one makes a decision; the method must be reserved for situations perceived on

independent grounds as difficult. And prudential judgment is impossible unless some proposed solutions are antecedently excluded.

Second, it is possible to offer a prudential argument against always expecting a firm prudential judgment. A way of conceiving the situation that supplies a wholly satisfactory resolution of a problem may not always be available. Sometimes we must slog along, observing some moral constraints at least, without being entirely resolved or at peace.

Third, the representations of situations employed in prudential judgment include both not only personal but also historical and even world-historical narratives. In the writings of John Noonan, xxviii for example, it looks as if in order to make up one's mind about some moral issue, it is necessary to know the whole history of the human race, both as it concerns the form of activity in question, and as it concerns allied issues in, for example, theology. Thus his exploration of bribery quickly entangles him in the complexities of the theological doctrines of grace and redemption. All our narratives are highly contested, the world-historical one most visibly so: where some see progress, others see decadence. Hence there is no reason to suppose that people who attempt prudential judgments will reach compatible results, especially in an age where the privilege of strategic moral judgment is no longer reversed to a select few.

Fourth, there are incommensurable considerations that resist even trained moral judgment. One of these is between death, thought of as the annihilation of the self, and continued life however miserable. (Death thought of as the door to eternal bliss or woe is also incommensurable with earthly life, though in a different way.) To speak of "incommensurable considerations" here is dangerous, since we are dealing, not only with a difficulty in measurement, but with an obstacle to the imagination that inhibits moral reflection of all sorts. The obstacle can be evaded only by treating death, not as the fate of a unique individual, but entirely from a third-person perspective --

in Kierkegaard's language as "something in general"; xxxi or, in technical philosophical contexts, a comparison among possible worlds. xxxii

Fifth, we must be concerned with the question, how prudential judgment is to be distinguished from rationalizing what one wants to do. This concern is particularly acute in public contexts, where necessity has always been the tyrant's plea. Sometimes the exclusion of proportionalism rests on a deeper proportionalist judgment, that the risks of proportionalism in this context exceed its benefits. \*\*XXXIIII\*\* But it is not necessary, and quite possibly dangerous, to conclude that judgments of proportion, rather than the unconditional demands of certain human goods, support all our moral judgments at the deepest level.

Sixth, we must examine the question, to what extent judgments of prudence can be restated in straightforward inferential terms. We may take it for granted that, at the time of decision, prudential judgment goes beyond what can be argued for. But the possibility remains of rationally reconstructing prudential decisions as applications of some principle; for example, Choose that action which is most coherent with one's commitments, or those of the group for which one is acting. As Peter J. Steinberger has put it, "Intelligent performance is at least prospectively propositional." xxxiv

The principle of coherence is not an exception to the opacity of prudence. It seems to us self-evident, in retrospect, that abolishing slavery was the right way to establish (relative) coherence in the laws and customs of Jacksonian America. But, at the time, the way forward was not so clear: defenders of slavery argued for a rejection of the individualist premises of the Declaration of Independence, for the exclusion of black people from their scope, or for the recognition of two different national communities embodying differing understandings of justice.

Our own judgments on this matter inevitably reflect a decision already made, and sealed by a bloody civil war.

This argument has implications for Steinberger's attempted resolution of the dispute between Jürgen Habermas and Hans-Georg Gadamer<sup>xxxv</sup> concerning the role of "prejudice" in interpretation. *Prejudice* is not here derogatory: some prejudices are confirmed rather than rejected upon reflection.

Gadamer maintains that it is impossible to get beyond prejudice (though our prejudices can and do change); Habermas responds that a once we are aware of a prejudice we are also aware of the possibility of thinking outside it. Steinberger attempts to split the difference, concluding that Prejudices are typically in the background and are invoked intuitively, immediately, and unreflectively [in judgment]. But ... prejudices can be most certainly can be uncovered and subjected to a systematic analysis, and it seems impossible to deny that this kind of analysis dramatically alters their status. ... What was merely an implicit *knowing that* becomes explicit and ... is suddenly eligible for evaluation and revision. [Yet] any such analysis will itself depend on further prejudices. \*\*xxxvi\*\*

«This last sentence, however, gives the point to Gadamer, at least once he admits that prejudices can and do change, and that what once was prejudice can be rejected or turned into a considered judgment.\*\*

Even at crucial points the issue will not be, how good an agent's articulate reasons are, but whether he has the ability to make the required sort of judgment.

#### 5.2 Back to Moral Absolutes

We now need to consider and examine a principle that lies in the background of much philosophical discussion of morals. It may be called the Discontinuity Thesis -- that there is a sharp

break between moral and "merely prudential" decisions. We may grant that the decision whether to take one's own life or that of another is graver than a choice between vanilla and chocolate ice cream, but this remark does not yet amount to sharp moral/prudential distinction.

Kant divides the field of decisions between questions of duty and other questions that have merely to do with the choice of appropriate means to one's ends. There is no such distinction in Aristotle: his table of the virtues includes those qualities conducive to giving a good party and to being an entertaining companion alongside those which a modern reader is likely to regard as moral virtues. In a Kantian mood, one might be tempted to identify the moral with those decisions to which prudential reasoning is inappropriate. But this way of drawing the distinction will not work. A survey of examples of prudence, including the question of how a conscientious official should resolve a controversial issue, produces many issues that at least feel moral.

Stuart Hampshire defines the sphere of the moral as follows:

Morality ... might be defined by reference to its central topics, and not by the alleged logical peculiarities of moral judgments. ... It is a system of prohibitions and injunctions concerning justice in social relations, the control of violence, about war and peace, the regulation of kinship, the customs of friendship and family. xxxix

If we accept this definition, we will find prudential judgments everywhere within the moral realm.

I conclude that, while some decisions are worth more agony than are others, the Discontinuity

Thesis cannot be sustained.

The picture of moral reasoning that arises from the discussion so far is as follows.

Sometimes proportionalist, even consequentialist, reasoning is appropriate. Sometimes, however, such reasoning is dangerous to essential features of a good human life. Moralists need to learn to respect the differing qualities of the moral terrain, as agriculturists need to learn to respect the

differing qualities of the soil, some parts of which are in greater need than others of what Wendell Berry calls "kindly use."

It is the task of prudence to mediate incommensurables. In the simplest cases, we need to decide between incommensurable goods; in more complex cases we are deciding between radically differing ways of understanding the same the same situation: whether adultery, for example, is to be understood as an adventure or a breach of a sacred obligation. The best we can do is to *make* the needed judgments, without hoping to understand them very well.

Nonetheless, the complexity of human situations does not require situationism, but implies a need for moral rules. Odysseus, when he wanted to hear the Sirens, had himself bound so as to be unable to follow their voices to his doom; in the same way a husband or wife may accept a moral rule prohibiting adultery for the sake of a successful marriage. And some of these moral rules may even be absolute. But what moral rules we accept, whether any of them are absolute, and if so which, are matters of prudential judgment and as such opaque to philosophical understanding.

We can, however, still make the judgment that our society is now insufficiently sensitive to the rough texture of the terrain of value, and tends to reduce all considerations to pleasure and pain (or to dollars and cents). Hence it may be the case that, under some circumstances, the best we can do is follow received moral rules and not trouble ourselves about outcomes overall. The place of moral absolutes in this picture will be our next question for consideration.

#### **NOTES**

- <sup>v</sup> Peter J. Steinberger, *The Concept of Political Judgment* (Chicago: University of Chicago Press, 1993), brings out the issues here very well.
- vi Quotations are from *Nichomachean Ethics*, 1106b 35, Martin Ostwald, trans. (Indianapolis: Bobbs-Merrill, 1962), p. 43; 1006b 30-34 (Ostwold, p. 43); 1009b 202-24 (Ostwold, p. 51); and 1139 a 13 (Ostwold, p. 147).»
- vii Summa Theologiae IIa IIae 47, 7; Thomas Gilby trans. (London: Blackfriars, 1974), vol. 36, p. 25.
- viii I am here indebted to a lecture by Anthony Celano given at Harvard University in April 1993, and to conversations with Dr. Celano.
- <sup>ix</sup>Aristotle's citation of Pericles as a paradigm of the man of practical wisdom (*Nichomachean Ethics* 1140b 9) would have been vigorously contested by Plato (*Gorgias* 515).
- <sup>x</sup> *The Four Cardinal Virtues* (Notre Dame: University of Notre Dame Press, 1966), p. 13. The identification of prudence with situation conscience is at p. 11.

<sup>&</sup>lt;sup>i</sup> As Allessandro Ferrara shows in "On Phronesis," *Praxis International* 7, no. 3/4 (winter, 1987/8), esp. pp. 246-49. Ferrara's account of *phronesis*, however, is overly aesthetic.

ii Henry Sidgwick, *The Methods of Ethics* (New York: Dover, 1966), pp. 327-8.

iii W. D. Falk, *Ought, Reason, and Morality*, Kurt Baier ed. (Ithaca, N.Y.: Cornell University Press, 1986), pp. 204-9.

iv Nichomachean Ethics, 1140b 8-11.

- xi Daniel Mark Nelson, *The Priority of Prudence* (University Park, Penna.: Pennsylvania State University Press, 1992); quotation, p. 142.
- <sup>xii</sup> "Finely Aware and Richly Responsible," *Anti-Theory in Ethics and Moral Conservatism*, Stanley G. Clarke and Evan Simpson eds. (Albany: SUNY Press, 1989), p. 116.
- xiii Realism with a Human Face (Cambridge, Mass.: Harvard University Press, 1990), p. 195.
- xiv Ibid, p. 183.
- xv Ibid, p. 185.
- xvi James Davison Hunter's commentary on cultural politics after *Roe* is ominously titled *Before the Shooting Begins* (New York: The Free Press, 1994).
- xvii Vision and Virtue (Notre Dame: Fides, 1974), p. 22.
- xviii Ibid., p. 24.
- xix Ibid., pp. 115-6, 34.
- <sup>xx</sup> Realism with a Human Face, p. 129.
- Ethics and the 'Sectarian Temptation,'" *Heythorp Journal*, 35 (Jan. 1994), 35-52.
- <sup>xxii</sup> "Deliberation and Practical Reason," *Practical Reason*, Joseph Raz ed. (Oxford: Oxford University Press, 1978), pp. 146-47.
- xxiii See Steinberger, ch. 1.

xxiv Some data are collected in Ronald Beiner, *Political Judgment* (Chicago: University of Chicago Press, 1983), ch. 6, especially his discussion of the controversy surrounding Hannah Arendt's *Eichmann in Jerusalem*,

- xxvi "Deliberation and Practical Reason," p. 150.
- <sup>xxvii</sup> "Incommensurability and Indeterminacy in Moral Choice," *Doing Evil to Achieve Good*, R.A. McCormick, S.J and Paul Ramsey, eds. (Chicago: Loyola University Press, 1978), p. 99. McCormick reinforces Ramsey's concern by sliding into consequentialism in his "A Commentary on the Commentaries," ibid., esp. pp. 260-5.
- xxviii E.g., *Contraception* (Cambridge, Mass.: Harvard University Press, 1985); *Bribes* (Berkeley: University of California Press, 1989).
- xxix *Bribes*, esp. chs. 3 and 8.
- xxx For detailed argument, see my *Ethics of Homicide*, paperback ed. (Notre Dame: University of Notre Dame Press, 1990), pp. 8-12, 23-31, 193-201.
- xxxi Concluding Unscientific Postscript, David T. Swenson and Walter Lowrie trs. (Princeton: Princeton University Press, 1941), pp. 147-52; quotation, pp. 149.
- xxxii See for example Fred Feldman, "Some Puzzles About the Evil of Death," *Philosophical Review*, 100 (April 1991), 206-30; as well as his *Confrontations with the Reaper* (New York: Oxford University Press, 1992).
- xxxiiiI here generalize an argument against utilitarianism made by D. H. Hodgson, *Consequences of Utilitarianism* (Oxford: Clarendon Press, 1967).
- xxxiv The Concept of Political Judgment, p. 219. The principle of coherence stated in the text is due to Steinberger.

xxvI am here indebted to conversations with Richard Velkley.

wxxv Gadamer has been a major force in reviving the philosophical concept of prudence, though he does not tell us much about how it works in practice. See Matthew Foster, *Gadamer and Practical Philosophy* (Athens, Ga.: Scholars' Press, 1991), pp. 69-78, and texts cited there.

xxxvi The Concept of Political Judgment, pp. 223-225; quotation p. 225.

in any case impossible? Steinberger gives the right answer: "hermeneutics, properly formulated, is criticizing not disembodied thinking ... but the illusion of disembodied thinking" (p. 236).

\*\*Example 1. \*\*Example 2. \*\*Examp

xxxix "Morality and Conflict," in Anti-Theory in Ethics and Moral Conservatism, p. 144.