

THE CONCEPT OF THE SACRED

The final stage in the argument of this book is to place the conclusions reached so far within the context of the larger questions of worldview that perplex men and women of our time, and to try at least to roughly locate the moral absolutes whose possibility in principle I have argued for so far.

7.1 Cultural Left and Cultural Right

Irving Howe has protested the use of the expression *cultural Left*ⁱ to refer to a movement that has little in common with the traditional political Left except some rhetoric and an ad hoc alliance.ⁱⁱ But no better language suggests itself -- Howe's "insurgents" has problems of its own, since the insurgents are sometimes in control. And the Right-Left continuum in culture is more stable than the corresponding continuum in ordinary politics. The issue, how much the fortunate owe the unfortunate, and to what extent this obligation may be enforced by civil law, remains important. But after Rawls and Nozick, the best that can be said about distributive justice theoretically is that divergent positions represent rival understandings of the same moral and political tradition.ⁱⁱⁱ The most serious problem is motivating people to make the sacrifices required by even the most undemanding requirements of social justice.

One source of difficulty is that words like *liberal* and *conservative*, and even supposedly more precise expressions like *neoconservative*, designate primarily not systems of ideas, but groups of people brought together by the contingencies of political alliance and enmity. Alliances of this sort have an impact on the life of the mind; since people tend to accept their friends' views on questions they are unable to investigate for themselves, including disputed questions of fact.

It is nonetheless possible to indicate, in broad terms, the issues that divide the cultural Right from the cultural Left. The cultural continuum ranges from Alasdair MacIntyre to Paul Feyerabend among mainstream English-speaking philosophers, from the Ayatollah Hominy to Michel Foucault among other intellectuals, and among non-intellectuals from the Russian Old Believers to groups such as Queer Nation. It concerns the question, to what extent human life can be governed by stable norms, and to what extent it is a matter of continuous and idiosyncratic adaptation, so that any attempt to constrain the way of life that emerges from the practice of an individual or group is oppressive. This issue applies also to intellectual questions, e.g., the legitimacy of nonstandard ways of investigating the human mind and body and treating their ills.

A representative of the hermeneutical school, Manfred Frank, suggests another way of characterizing the difference between the cultural Right and the cultural Left.

The model that underlies both the structural theory of language and texts, as well as Searle's "taxonomy of speech acts" is ... the crystal lattice in which all the molecules are immovably fixed in their positions, if the temperature is sufficiently low, separated from all the others, but also connected with them. In contrast with the elemental world, the historical-cultural world cannot simply be cooled down to the absolute freezing point. ... Language and literature thrive only in a certain warmth that permits flux: the exchange and reconstellation of signs.^{iv}

If we accept Frank's analysis, we need to ask whether the prospect of conceptual meltdown is a promise or a threat, and how we are to deal with the resulting theoretical and practical decisions. Those who find such a meltdown liberating belong to the cultural Left, while those who find it threatening belong to the cultural Right.

A line of thought that has had much influence on the cultural Left goes as follows. God is dead. Religion continues to be practiced, of course, but honest would-be believers can be brought to acknowledge that they are going through the motions, for the sake of the children perhaps. And the death of God means more than the end of religion: it means the end of an intellectual and cultural tradition centered on claims to objective truth, and hence also of philosophers' logical scruples about saying that God once existed and now does so no longer. This supposed insight is not an axiom from which the rest of the argument follows deductively, but rather a perspective that informs the interpretative and dialectical methods of its adherents.

The most thoroughgoing version of cultural Leftism is called "postmodernism." Characteristic of the postmodern sensibility is the juxtaposition of concepts and images drawn from discordant universes of discourse, without any attempt to establish even the appearance of coherence or consistency among them. Much contemporary literature expresses a postmodern sensibility,^v and the "real world" persistently produces postmodern phenomena as well. *The New York Times* coverage of the recent Middle East peace negotiations^{vi} heavily emphasized the color of President Clinton's tie. In its most consistent forms -- not that postmodernists value consistency highly --, postmodernism is apolitical, is devoted to a merely expressive form of politics, or accepts the *status quo* and exposes the absurdity of all attempts to improve it. But an important variant, called "political correctness," tries to turn postmodernism into a "progressive" political dogma. Some of our contemporaries attempt to stop the slide into chaos by embracing the *status quo*: the end of history is, if not their belief, then at least their hope and their goal. We must live with injustice, they argue, or better yet redefine our conception of justice so that persistent injustice ceases to count as such.^{vii} These writers dismiss the egalitarian strain in our tradition, despite the Declaration of Independence, as a product of envy. But too many people find the *status quo*

intolerable, for reasons recognized as legitimate by our cultural and political tradition, to make this strategy acceptable.

I have dealt with the roots of the cultural Leftist argument elsewhere.^{viii} Arguments for the existence of God are useless here, since such arguments suppose that *God* is a coherent concept, which a cultural Leftist will deny. But if there is no way of proving the coherence of the concept of God, there is no way of disproving it either, at least in the absence of a criterion, such as the positivist Principle of Verifiability, which the advocates of deconstruction cannot admit. Hence we may postulate the falsity of Nietzsche's maxim, and proceed from there.

Despite their propensity to use *dogma* and *metaphysics* as terms of abuse, the cultural Left does what dogmatic metaphysicians have always done: they take certain features of our experience as the key to reality. As Plato took mathematics, Aristotle biology, and Kant the claims of duty, so the cultural Left takes historical change and malleability of language as their key to how things are. It is a dogma of the cultural Left that no norm or standard of any sort can be taken as more than provisionally binding. We may call this dogma the *metaphysics of universal contingency*; its slogan is *Never say never*.

One application of this dogma is the situationist denial of exceptionless moral rules: others include the denial of infallible moral and spiritual authorities, the rejection of necessary propositions with interesting content, and belief in the possibility of a completely open mind. These are stock beliefs among intellectuals; only lack of caution distinguishes postmodernists from many liberals, and only dogmatism and intolerance distinguishes the politically correct from much of the rest of academia. The attempt to use relativism to resolve social issues is widely accepted, even among the bitterest opponents of the politically correct.

The metaphysics of universal contingency is self-destructive. If it is true, it is false (or on another interpretation, we have no right to assert it). Nor does it help to limit its scope to (first-order) principles, while designating it as a meta-principle. For whatever reason one might have for asserting it would also appear to be a reason for asserting a broader principle (call it a meta-meta-principle) which applies to the metaphysics of universal contingency itself. And, if we decline to make this move, there is no way of excluding the possibility of another meta-principle, likewise absolute in character, having interesting implications at the level of principle, such as one requiring certain conditional principles to be treated, for practical principles, as absolutes.

Nor can one save the metaphysics of universal contingency by limiting its scope -- say by reducing it to the claim that all non-tautological principles are contingent. This modification limits the metaphysics of universal contingency in two ways: (1) some necessities are admitted, i.e., tautologies; (2) among contingent truths, some may be exceptionless (and even have the quasi-necessitarian status of laws of nature). But this principle -- call it the *empiricist principle* -- is neither a tautology nor is it treated by its adherents as contingent.

On the other hand, the attempt, characteristic of the cultural Right, to avoid prudential accommodations to the world of one's experience is self-destructive. Sometimes, to be sure, an unbending attitude is appropriate: the Hasidim who went to the gas ovens chanting, "I believe in the coming of the Messiah, and, though he tarry, yet I shall wait for him," fared better, even in worldly terms, than those of their fellow Jews who went to their deaths cursing God. But at an earlier stage of the Holocaust, when there was reason to hope that wise decisions would enable the Jews to escape the gas ovens, the use of prudence to protect oneself and one's family was obligatory. Moreover, the attempt to specify what aspects of our culture represent the "permanent

things," and are for that reason immune to challenge, runs into persistent difficulties, some of which we have explored in this essay (§ 6.2).

Both the cultural Left and the cultural Right, in their extreme forms, are guilty of a Manichean revolt against the created order, which includes elements of both permanence and change. In more mundane terms, both cultural Rightists and cultural Leftists ask us to feel guilty about being human -- about adapting to circumstance while at the same time refusing to regard every aspect of our lives as open to radical revision.

Neither the cultural Right nor the cultural Left can possibly win, though both of them can do much damage (and conceivably some good) in the process. The cultural Right cannot win because the world changes. There is no such thing as an unchanging society, and our society contains within itself many internal sources of change -- technology and a market economy, for example. And when the world changes, people will ask whether the old rules still apply -- and the right answer will sometimes be No. The cultural Left cannot win because a society in which nothing is constant cannot survive from one generation -- or even from one moment -- to another. The idea of progress disappears unless there are constant standards by which we can distinguish it from degeneration (or pointless change). Nor can one speak of development, as opposed to discontinuous change, unless there is something constant that undergoes it. Hence traditional moral standards cannot be questioned all at once: even apologists for Michel Foucault^{ix} hasten to assure us that he did not deliberately infect other people with AIDS -- as distinct from risking the transmission of the disease.

One source of the cultural Left is a desire to defend the conclusion either that our ancestors were wrong about important moral issues -- let us say slavery --, or that changed circumstances mean that we are no longer bound to follow their views. But unless there is some constant

principle linking them and us, such judgments represent nothing more than an irrational "paradigm shift," which can be imposed by force but not established by reason.

We have two ways of seeing our beliefs, including our moral beliefs, which do not fit together very well. One is as a set of propositions that exclude their contradictories, which we normally claim are true but sometimes doubt; let us call this the "truth and error perspective." The other is as a product of our interaction with our natural and social environment, and that of our physical and spiritual ancestors -- an interaction that will continue after we are dead. Let us call this the "historicist perspective."

There is no formal inconsistency between these two perspectives: our beliefs are both true (or false) propositions and cultural-historical products. But each of these perspectives, when pressed to the limits of its logic, crowds out the other. Our bitterest opponents' positions quite as much as our own, are products of the interaction of traditional ideas with their natural and social environment. And the rise and fall of intellectual systems, that has entered in to the outlook of both ourselves and our opponents, is only in part the result of reasoned argument in any sense: sometimes war and conquest decide the issue, and sometimes a way of thinking loses its grip on its adherents in a way that cannot be rationally reconstructed.

The truth and error and the historicist perspective share a common root, in our capacity to step back and examine our beliefs, first to ask whether they are true, and second to notice that they differ from those of their ancestors. To make them cohere fully would require a sort of radical transcendence of which human beings are not capable: not just the limited transcendence involved in asking where the truth lies in some contemporary controversy, or making sense of some portion of our history, e.g., the history of philosophy, but a "God's eye point of view" in the fullest sense.

The writings of John Noonan illustrate the central issue.^x Noonan has strong moral beliefs. He condemns bribery as he condemns many other traditionally condemned activities. He finds his criterion of moral judgment in "the satisfaction of true human needs," and supports his judgments by moral arguments of the customary sort. But in his historical and sociological perspective, the distinction between bribery and the other reciprocities that form the ordinary stuff of social life turns out to depend on the discretion and felt necessities of the authors, interpreters, and enforcers of law. Our understanding of bribery, as of other moral issues, will develop or degenerate as the history of our civilization unfolds, but there is no reason to suppose that such developments will eliminate the element of historical contingency in our morality. Noonan's innocence of any deconstructive intent only makes more urgent the question of the relationship between history on the one hand and the categorical requirements of morality on the other.

The question of our right to accept our inherited beliefs, as reformed by dialogue with one another, encounter with other traditions, and interaction with our shared environment, is another version of the question of our right to trust our faculties. Any argument we might make against "demon" skepticism supposes that we are able to know its premises and that they support its conclusion. Thus our trust in our faculties must of necessity be a matter of (rational) faith.

7.2. The Concept of the Sacred

The thought that informs my reasoning in this essay is as follows. The cultural Left is correct in asserting the diversity and complexity of human life. Each friendship is, for example, unique, because each person, and each history of interaction between two or more people, is unique. And the same is true of every marriage.

Yet those who celebrate chaos underestimate human complexity. For one persistent human desire is for an orderly life, in the teeth of the many internal and obstacles to achieving it. And it is

arbitrary for the votaries of openness to close themselves to this desire, alone among the galaxy of human desires. We need an understanding that enables us to see both the threat of chaos, and the dangers of the wrong sort of order, while allowing individuals and groups to seek order in appropriate ways.

Leszek Kolakowski undertakes "to speak in defense of the conservative spirit,"

However, [he writes] it is a conditional conservative spirit, conscious not only of its own necessity but also the necessity of the spirit that opposes it. As a result, it can see that the tension between rigidity and structure and the forces of change, between tradition and criticism, is a condition of human life.

This conservative spirit would be a vain and empty satisfaction were it not constantly aware of itself and mindful of the extent to which it was, is, and may continue to be used in defense of irrational privilege; and that it may be used in this way, not as a result of irrational privilege; and that it may be used in this way is the result, not of contingent circumstances, not of occasional abuse, but of the very nature of the conservative spirit.

This conservative spirit knows the difference between the conservatism of great bureaucrats and that of peasants, just as it knows the difference between the revolt of a people who are starving or enslaved and the purely cerebral revolutionism that reflects an emotional void.^{xi}

There is considerable ambiguity in this "conditional conservatism"; for example, it is not clear, on Kolakowski's showing, whether we are to prefer the conservatism of bureaucrats or that of peasants. But for present purposes his most important observation is the following:

The sacred order, which encompassed the realities of the secular world, never ceased to proclaim the message, "This is how things are, and they cannot be otherwise." ... We live in a world in which all our inherited forms and distinctions have come under violent attack;

they are attacked in the name of homogeneity, which is held up as an ideal with the aid of vague equations purporting to show that all difference means hierarchy, and all hierarchy oppression. ... Sometimes it seems as if all the words and signs that make up our conceptual framework and provide us with a basic system of distinctions are dissolving before our eyes, as if all the barriers between opposing concepts are gradually being torn down.^{xii}

One feature of many moral rules held as absolute is that they mark out the difference between socially important categories, say between human beings and brute animals. One drowns superfluous kittens, but not superfluous infants; one eats the flesh of beasts but not that of human beings. And when some people defend their moral judgments by saying -- rightly or wrongly -- that human life, marriage, or private property^{xiii} is sacred, and others reject such appeals as irrelevant and oppressive, the resulting debate is best understood in terms of Kolakowski's observations.

Another feature of moral absolutes is that they have a motivational dimension: a virtuous person will not merely abstain from rape or torture, for example, but will have an entrenched aversion to such acts that will prevent him from performing them even when they appear to be justified. Stuart Hampshire has provided us with a useful phenomenology of actions prohibited in this way: they involve

a sense of disgrace, of outrage, of horror, of baseness, of brutality, and, most important, a sense that a barrier, assumed to be firm and almost [?] insurmountable, has been knocked over, and a feeling that if this horrible, or outrageous, or squalid, or brutal, action is possible, then anything is possible and nothing is forbidden, and all restraints are threatened.^{xiv}

We expect virtuous people to consult their heads as well as their hearts, but sometimes our heads will tell us that such aversions are to be cultivated rather than resisted.

Sacred^{xv} is not just a strong word for good.^{xvi} In its traditional meaning, it has the double sense of "holy" and "accursed." Oedipus, just before his death, was sacred, both because he was polluted by patricide and incest, and because suffering for offenses committed in ignorance had hallowed him. And what is holy is also dangerous: a man can be struck down for laying profane hands on the ark of the Lord.

A contemporary example is the attitude sometimes expressed toward persons with AIDS. One can contract a deadly disease by contact with such persons, and irrational fears of them outrun the real dangers. And an HIV-positive person is marked for early death, without necessarily being, in the usual sense, sick. Many such persons also have the spooky quality associated with sexual ambiguity. Moreover, they are suffering, in a particularly horrible way, the consequences of a collective decision to take sexual matters more lightly than in retrospect seems defensible. Hence they are sometimes shunned, but sometimes also they are treated with a sort of reverence -- even as oracles, as in Tom Wolfe's *Bonfire of the Vanities*.^{xvii} Hence if we say that human life is sacred, for example, we mean two things. First, human beings are valuable in themselves, and their destruction for that reason an evil. Second, that the value we place on human life -- and the moral restraints we attempt to place on its destruction -- are in the following sense strategic. Infringements are not only bad in themselves, but threaten systematically to undermine the entire set of moral restraints that distinguish tolerable human social life from barbarism.

It is now time to respond to two characteristic consequentialist arguments. Kai Nielsen writes:

The general moral principles surrounding bans on killing innocent people are strong and play such a crucial role in the ever floundering effort to humanize the savage mind -- savage as a primitive and savage again as in contemporary industrial society -- that it is of the utmost social utility, it can be argued, that such bans on killing not be called into question in any practical manner by consequentialist reasoning.

However, in arguing in this way, the moral conservative has plainly shifted his ground, and he himself is arguing on consequentialist grounds that we must treat certain non-consequentialist principles as absolute (as principles which can never, *in fact*, from a reasonable moral point of view, be overridden, for it would be just too disastrous to do so).^{xviii}

But to invoke consequentialist considerations to justify the acceptance of a moral rule need not involve the acceptance of the contention that it admits of consequentialist overrides, as distinct from the acceptance of consequentialist arguments to resolve ambiguous cases in its application. (The principle of double effect, which includes a clause requiring "due proportion" seems -- despite Finnis and Grisez -- to require a limited sort of consequentialist reasoning.) On the contrary, the consequentialist argument for accepting a rule against killing the innocent is also an argument for resisting the making of consequentialist exceptions to it.

Consequentialists also argue as follows. If we regard God or Society as the author of the moral law, each of us may have to follow its requirements, even when they conflict with (what seems to be) what would produce the best consequences overall. But if I view myself as the author of the moral law, as one side of the Kantian tradition would have me do, I have no reason not to set aside some rule when it conflicts with my obligation to promote the good. As Conrad D. Johnson has put it, "to stand under external authority implies that the competence to make ... fundamental

revisions belongs to someone *else* (God, an elite, or the majority through the social conventions they create."^{xix} Hence consequentialism is the most appropriate morality for a secular, pluralistic society.

But this argument, even if we accept its ontological underpinnings, proves too much. Unless my morality includes some sense of external constraint, I have no reason not to revise it when it conflicts with my own interests or even my present inclinations. I therefore have no reason to prefer consequentialism to some form of moral minimalism -- whether nihilistic, egoistic, or extreme libertarian -- that denies that I have any obligation to come to the aid of others in their need.^{xx}

7.3. The Search for Moral Absolutes Concluded

I thus conclude that strongly entrenched moral rules are necessary to a workable morality, and thus also to social life, and that these rules are to be found in domains of human life where enormous powers for both good and evil are at work. The thought that there are norms whose reasons we may not fully understand (in hard cases, anyhow), but whose observation is necessary to tolerable social life, is extremely common. But its application runs into a number of difficulties.

First, the concept of a tolerable social life is not neutral among moral theories and moral positions. If radical animal rights advocates are right, nearly all human societies are in the Nazi class. Even vegetarian societies exploit animal labor in ways these advocates condemn.

Second, the relevant causal claims are easy to make but hard to sustain, even in retrospect. There may be people who, starting with reading newspapers on Sunday, or the use of conventional playing cards, have made shipwreck of their lives. But even in these cases it does not follow that the decision to play cards was the wrong turning of greatest practical importance; that may have come later or earlier.

Third, society has the ability to absorb remarkable amounts of misbehavior -- whether defined by its own standards or by the standards a critical moralist would defend. But sometimes this misbehavior reaches a point -- call it a "Watergate point" -- at which it is necessary to uphold or abandon challenged standards. But such points are unpredictable in advance; deciding when they have arisen is one of the most delicate tasks of prudence.

Finally, the decay of social orders, though always risky, is not bad without qualification. Some social orders are unjust beyond the limits of tolerance; some, for example, require lynching and other evil means to keep them going. Sometimes it is reasonable to endeavor to build a new society in the ashes of the old.

Nonetheless, social disasters do occur, and at least some examples of them are uncontroversial, at least in retrospect. And the path to disaster is paved by a multitude of individual and collective decisions, some of which at least are well intentioned. And the hope that social disaster will lead, after all the bloodshed and chaos, to a better social order cannot form the foundation for prudent action. The time to prevent Nazi Germany is thus during the Weimar period, when the social institutions of all sorts are in decay, not when the Nazis' "remedies" for this decay are being administered.

The moral reasoning of an individual begins with a set of fairly simple rules, of the Ten Commandments variety. But he encounters situations that make these rules seem too simple: they are then modified and adapted in various ways, leading to a far more complex set of rules and principles. But then he encounters a "check" -- a realization that, if one continues to loosen one's moral rules, chaos is a likely result. And so he attempts to restore one's moral rules to their pristine simplicity, and the dialectic goes on.

It is therefore irresponsible, even from a strictly worldly point of view, to hold with Donald Evans that "the history of allegedly revealed and allegedly exceptionless rules seems to me to be a history of empirical error and moral evil."^{xxi} Rigorous moralists, even those who in the final reckoning are unduly so, are like a canary in a mine; they warn others of dangers that will prove lethal unless action is taken. To be sure, excessive rigor about some issues may blind us to other, equally important, dangers, and may drive those unable to live up to the rigorists' burdensome standards to despair. And rigorists may lose credibility by spreading the alarm prematurely. But a moralist, for all that, needs to pay careful attention to those more rigorous as well as to those laxer than himself.

In an ideal world everyone would share the same (true) moral judgments -- not because he was coerced or manipulated into doing so, but because the truth of these judgments was evident to him upon reflection. But, as things are, when some people are too lax it is well that others are too rigorous, and when some people are too rigorous it is well that others are too lax. Or rather this is the case so long as the extremes do not reinforce one another, as they often do.

In technical terms, I am concerned with the acceptance-utility of moral rules (and of moral attitudes generally) -- the consequences, that is to say, of their being adopted by individuals and groups in real time. But I do not evaluate these consequences in hedonist/welfarist terms alone; moreover the problem of incommensurability reappears in a particularly troublesome way when we evaluate the consequences of our customary standards, or of proposed changes in these standards.

My argument diverges significantly from the philosophy of Kant and his followers, which is also invoked to support moral absolutes.^{xxii} Appeal to principled consistency requires a specification of what characteristics of a situation are morally relevant, in order to avoid moral principles adroitly crafted to favor the interests of the moralist or his friends. And the idea of

humanity as an end-in-itself requires an empirical content difficult to find in Kant's moral philosophy. We must somehow avoid the conclusion that, since Soul is immortal, it does not matter whom we kill (or what sort of other damage we inflict). It is necessary to appeal to the needs of human beings as natural and social, as well as rational, creatures, including their need for the protection of stable social formations during their periods of special vulnerability.

A pagan would speak here of the gods, whose favor lavishes benefits on human beings but whose wrath is very terrible. And the bad consequences that flow from the neglect or erosion of elementary moral restraints a pagan would describe as the wrath of Athena, Hera, and Aphrodite. In a modern philosophical context we can speak of a convergence of deontological and consequentialist considerations. We are especially concerned with acts that, in addition to whatever direct harm they do, also may release powerful and dangerous forces our moral rules strive to contain. Moral rules protecting us from such dangers also carry with them a powerful symbolic charge (§ 2.5).

Rationalistic moralists have written of a morality of inherited taboos, which is an enlightened morality of rational principles is destined to supersede. A plausible example of such a taboo is the idea that there is something particularly abominable about anal intercourse, even over and above any objection we might have to other deviant sexual practices. But it turns out that anal intercourse carries with it a special risk of infection with AIDS, and that its prevalence among homosexuals contributed to the AIDS epidemic. It does not follow that our ancestors had an insight into the causes of disease unknown to us. But this sort of surprising result does counsel a humbler attitude toward inherited ideas than many philosophers have been prepared to adopt. On the other hand, some taboos are just irrational, such as a prohibition on interracial intercourse,

especially where the male partner is black and the female white. How the two sorts of taboos are to be distinguished in practice is a difficult question.

Part of the argument is rule-consequentialist in a familiar way: by accepting, teaching, and upholding certain non-consequentialist standards we avoid bad consequences and secure good ones.^{xxiii} And the rule-consequentialist move is often enough neglected in the literature, as when Nielsen writes that "A consequentialist maintains that actions, rules, policies and practices are ultimately to be judged by certain consequences,"^{xxiv} ignoring the fact that rules as well as actions have morally important outcomes.

Nonetheless, without some sort of non-consequentialist backing for our norms, rule-consequentialism would lead to indeterminacy. For the range of possible rules is indefinitely large, and much of the utility of rules consists in their being shared. (Without shared rules and principles we could not, for example, discuss moral issues with one another.) More broadly, rule-consequentialists suppose that people can be brought to converge on some set of moral rules; otherwise his position would be utterly utopian. And the consequentialist considerations that support moral rules are not themselves morally neutral: life without friendship would be intolerable, and friendship includes an internal morality forbidding betrayal.

In any event, rule-consequentialism as a general moral system is not acceptable, since no human being could apply it. (Perhaps God is a rule-consequentialist, but then we would have to rely on revelation for His conclusions.) In practice we avoid such difficulties by starting with existing morality and considering large or small revisions in it, designed to remedy the difficulties its adherents experience in attempting to live their lives according to its tenets.

For suppose we are to choose between two moral codes, with differing results concerning a case we find difficult anyway (say when to cease attempts to prolong a dying child's life). On rule-

consequentialist premises, we need to ask what the effects of the adoption of these codes, either by ourselves as a society or each of us as an individual might be. It is not enough to ask about the consequences of accepting *R1*, requiring us to continue life support, and *R2*, requiring us to cease it. This move would collapse into act-consequentialism, since one could always fashion a rule valid "for this day and this train only." Moreover the consequences of one rule depend on the other rules in the system. (A rule prohibiting direct euthanasia will have different consequences if we are fairly lax about prolonging life, than if we are required to prolong each and every life, whatever the cost.) They also depend on the moral and semi-moral attitudes that surround the code aspect of one's morality, (A stringent moral code will have different consequences if the surrounding culture contains efficient means for dealing with guilt, than if each person is forced to bear the burden of transgression in lonely silence.) Indeed to talk about the consequences of a moral code is to talk about the consequences of an entire way of life.

If I am right in my argument so far, we can now make a bit more progress in our search for moral absolutes. They are to be found in those areas of life centrally important for human beings in society, where powers capable of doing both great good and great ill are at work.

1. The first of these is the domain of human life and its protection -- as well as prohibitions on violence of all sorts. The goods of human life require living human beings to sustain them, and a license to kill leaves few if any moral constraints intact. For if someone is causing me trouble, and I may kill him to free myself of his demands, I have a quick and easy way of escaping whatever claims he may make. (In many cases, extortion will also get me whatever I may demand of him.) The extreme possibility, that the human race should destroy itself by warfare, is not at all impossible, though it is less likely than it was just a short time ago.

Moreover, the use of violence invites retaliatory and pre-emptive violence, whether justified by our moral codes or not. Even when the objects of violence are too weak to defend themselves or to retaliate, and are lacking in powerful protectors, the lesson that the weak exist at the sufferance of the strong has immeasurable costs. The "bloody instructions argument" -- that those who defend violence create a world in which violence, including violence against themselves, is increasingly legitimate, remains sound. On the other hand human aggressiveness cannot be condemned as an absolute evil: if constrained it contributes to the good life in important ways. Hence it is appropriate to speak of human life as sacred.^{xxv} Even if we reject pacifism as unduly restrictive, it is reasonable to look for absolute standards constraining the human propensity to violence. But I do not see how a philosopher could claim anything more than to have approximated these absolutes, especially when one remembers that a moral absolute must be valid for persons of all times, places, and social situations. (This remark applies to my own efforts as much to anyone else's.)

The moral prohibition against taking human life is often expressed in terms of our right to live. And one of the appeals of rights theories is that they attempt to give us moral and political guidance without opening up the endless controversies about the good life for human beings that other approaches to ethics invite. But it turns out that such theories are undermined by the vices latent in these virtues. Alasdair MacIntyre's dismissal of belief in rights as "at one with belief in witches and in unicorns"^{xxvi} goes well beyond his argument. But we may agree with him that, as Jenny Teichman has well put it, "The concept of a right isn't separate from, or above or below, the other moral concepts."^{xxvii} Hence it is not sufficient to appeal to a right to life, whose contours are discovered in intuition, to settle moral issues about killing,^{xxviii} though one ought not express this conclusion in terms of a denial of the right to live.

2. A second area in which we might find moral absolutes might is that of honesty and deceit. Communication is a centrally important in human life; imagine yourself in a society where no one speaks your language, and in which you are unable to learn a single word of the language others speak. And ingenuity in the use of language is both harmless and necessary. It is not a lie to begin a letter to an enemy or stranger "Dear Mr. Smith," nor does it make an insincere letter worse to conclude it "Sincerely yours." And nearly all moralists allow one to reply to a question, requesting information one is not at liberty to disclose, "I don't know."

But if one could never trust another person to tell the truth, where it differed from what it was advantageous for him to say; or to keep a promise when so doing entailed any cost, then cooperation among human beings would be impossible. No more for lying than for homicide, however, can one, by philosophical reasoning alone, state the prohibition in such a way as to include all and only legitimate exceptions.

3. It is difficult to state the third zone of absolutes for all societies. But in America it has to do with our Constitution, especially those parts of it designed to protect the individual from governmental tyranny. Few Americans -- whatever their political coloration -- are prepared to attack the Constitution; on the contrary political disputes get transformed into questions of interpretation of a document written to provide maximum scope for disagreement on constitutional issues.^{xxix} Those discontented with the prevailing interpretation can always hope that a future Supreme Court will favor their views.

The line between civil disobedience and terrorism, however unclear it may be in some cases, distinguishes those who remain in dialogue with their fellow citizens, from those who have withdrawn from the constitutional process in bitterness and despair. Americans, we may say, regard their constitutional order as sacred, even though they hold themselves at liberty to dispute its

meaning. Nonetheless, we cannot treat the American Constitution, or any other merely human institution, as of perpetual validity (see □1.4). One is forced to speak here of conditional sanctity. The rules of all societies are in constant flux, as these societies attempt to deal with issues ranging from labor unrest to national and ethnic minorities to competition with foreign business. But there are also background understandings that contain (they never abolish) political and social conflicts, and when they collapse lead to civil war. To these understandings -- which may or may not be expressed in a written constitution -- the members of a functioning society accord a certain sacredness.

We have not yet reached a moral absolute. Revolution is sometimes justified, and the duty of loyalty to a society's institutions does not bear on everyone with equal stringency. But somewhere here there are absolute obligations, whose assertion is necessary to the vitality of human social life. But there seems no prospect of formulating them with accuracy with the help of philosophical reason alone.

4. The fourth arena of absolutes is the one in which intuitions vary most widely. It includes that long and complex process by which generation succeeds generation, ranging from the sexual maturity of the parents to the sexual and social maturity of the offspring: in other words, the whole contested area of marriage, sex, childbearing, child rearing, and family life.^{xxx} Friendship in the ordinary sense, as well as Platonic relationships (whatever the sex of the parties) also partakes, to some degree, of the emotional complexities that are generated by sexual and reproductive life. Camile Paglia has powerfully -- if not with complete coherence -- challenged the popular view of sexual activity as no more than a way of expressing affection, and has reminded us of the deep and powerful psychological forces at work in the sexual impulse.

The most extreme bad consequence possible here, that the human race should cease to reproduce itself and thus die out, seems unlikely.^{xxx1} But the other evils chaos in this area produces are evident enough: epidemic disease, bitterness between the sexes and the generations, abuse and neglect of both the old and of the young, and the exploitation of persons who are economically, emotionally, and physically vulnerable. Hence we should accept the commonsense understanding that the sexual and reproductive aspect of human life requires firm, possibly even exceptionless, rules to sustain it.^{xxxii} What these rules exactly are is another matter, and one that the argument so far does little to resolve. Nor is there much hope that philosophy will resolve it.

Affecting all the areas where absolutes are to be sought is the following consideration. Some people are able to take part in deliberations concerning the rules of social life, and if these interests are neglected can make their displeasure felt. But infants and small children must rely on the rest of us to represent their interests. Absolutes constraining the sorts of injury that may be inflicted on them are therefore especially appropriate.

I have not here suggested actual exceptionless moral rules, only provided a partial list of danger zones,^{xxxiii} where both agents and moralists are well advised to proceed with caution in making exceptions to moral rules accepted ordinarily and for the most part. For human beings are notorious for taking every possible opportunity to exploit whatever loopholes may exist in moral rules that obstruct their passions or the pursuit of their self-interest.

We can, at least, hope to be able to formulate virtual absolutes. Virtual absolutes are rules having three features: (1) they are stated, in moral education (and self-education), as exceptionless; (2) those proposing the rules have not admitted any exceptions so far -- or else have included any exceptions in their formulation of the rules;^{xxxiv} and (3) when someone raises the possibility of an exception -- whether in theory or in practice, whether as a general matter or in a particular case --

the burden of proof rests with him.^{xxxv} For only such rules are strong enough to withstand the rationalizing tendencies of the human mind. And we have no reason to suppose that the formulation of virtual absolutes is impossible; prohibitions on genocide, rape, and torture are plausible examples with which to begin (see § 6.2).

The cultural relativist is right on one issue. Granted that some sets of moral standards are better than others, and that some are so atrocious that no conscientious person can accept them. Nonetheless, there is a wide range within which any moral code, however unsatisfactory, is better than no code at all. And there are important utilities in sharing a moral code with one's neighbors -- or at least in having one that is not so different from theirs as to create obstacles to communication and co-operation. Hence one ought, in the absence of persuasive reasons to the contrary, to support the conventions of one's society. And those who believe themselves to have such reasons for criticizing the conventions on one point ought not to widen their criticism into a general rejection of all inherited ideas; for example those who would criticize American institutions on the grounds that they authorize economic exploitation have a reason to address the rules of family life with some gentleness.

7.4. The Limits of Philosophical Argument

Philosophers have distinguished ethics, or reflection upon the principles of conduct, from morals, or the principles themselves, as first inculcated by parents and others, and subsequently developed by agents as they grapple with moral challenges. One implication of my discussion is that morals are independent of ethics. Theoretical reflection is only one of the influences on our moral consciousness, and not the most important one at that. Nor is the impact of philosophical ethics on day-to-day morals always benign: there is some reason to fear that the conventions of academic philosophy favor moral laxity or worse.

Literature can tell us about the complexity of human situations, and make us aware of claims that we have been neglecting. But it can do very little to help resolve moral conflicts. An author can punish a character for breaching a moral norm -- as Tolstoy pushes Anna Karenina under a train -- but novelists have no authority to impose their value judgments outside the four corners of their own works. And awareness of moral complexity, unless somehow balanced, tends to paralyze moral (and political) judgment.

Theology in the wide sense examines the common moral consciousness of a group of people -- be it Americans, feminists, Baptists, or professional philosophers -- and articulates, interprets, and applies the norms found there. So long as one adheres to a group, its norms will have binding force, but no merely human community can assert an absolute claim on persons in varying degrees alienated from it. Secession remains as a loophole to any moral standard, so long as it is sustained only by the consensus of a certain community.

Every human community has an implicit picture of the world and the place of human beings within it, in terms of which its members understand their life together and resolve disputes. In some cases, a community claims intimacy with the Author of the universe, Who has disclosed to it some part of His plans. But even such communities exist in history, and for that reason their ruling ideas are vulnerable to distortion. Even their most loyal members must deal with elements in their doctrines and practices that conflict with their reasons for adherence to them.

"For her committed members," Germain Grisez responds, the Church is not a society from which they are more or less alienated. For such people, to accept the Church's teaching is to be self-consistent. To wish to be a Catholic while refusing to accept the Church's teaching would be rather like wishing to have a friend without being a friend.^{xxxvi}«

But this observation is at best only part of the truth, at least so long as Roman Catholics hold with Vatican II that "Christ summons the Church, as she goes on her pilgrim way, to that continual reformation of which she always has need, insofar as she is an institution of men here on earth."^{xxxvii}

The most important obstacle to theological understanding is the gap between the experienced world of contemporary people and that of the people among whom the classical expressions of Christianity arose. The attempt to reflect on contemporary experience in the light of the Gospel constantly threatens to collapse in the face of whatever secular ideology is most pressing at the time. In Protestantism the constraint on dissolution is popular disaffection, as reflected in shrinking church membership; in Catholicism it is Vatican pressure; in both cases it is external to the structure of theological discourse. Theology has become a form of politics, and orthodoxy a form of political correctness rather than a form of truth. And the concepts of accommodation, dissimulation, repression, secession, and submission threaten to drive out both faith and reason.^{xxxviii} To require of oneself or others that they become first Century or medieval people (or early Nineteenth Century Americans) is to impose a burden that those who lived during the periods did not bear. Possible ways of changing this situation lie outside the scope of this essay, but now as always the highest court of appeal on Earth is the informed conscience.

An adequate account of the judgments of an informed conscience is one of the most difficult tasks of moral theory. Information about the relevant facts, including the official positions of communities of which one is a member, carries one only so far. Every moral code contains ambiguous, conflicted, and doubtful elements that make its mechanical application impossible. But act-intuitionism, which expects the conscientious person somehow to know what is right in every situation, without the help of rules and principles, cuts away the possibility of reason and

communal reflection in moral judgment. One can seek the counsel of a trusted adviser, and those who believe in God naturally pray to Him for guidance. But knowing whom to ask, and knowing when one has received appropriate counsel from God or man, also requires a judgment of conscience.

Nonetheless, it sometimes clear what one ought to do, even in a situation others find difficult. We can adduce reasons for our judgments in such cases, though the force of these reasons, and their capacity to cut short reflection and demand action, goes beyond their argumentative force. And those who find support for their consciences in moral rules taught as absolute cannot be dismissed as unreasonable. When conscience does speak, Socrates puts the result to Crito, "these are the words that I seem to hear, as the Corybants hear the music of the flutes, and the echo of these words resounds in me, and makes it impossible for me to hear anything else."^{xxxix}

NOTES

ⁱ "The Value of the Canon," *Debating P.C.*, Paul Berman ed. (New York: Laurel, 1992), ch. 6, esp. pp. 153-7.

ⁱⁱ For a sustained critique of the cultural Left from the standpoint of the political Left, see Gerald Graff, *Literature Against Itself* (Chicago: University of Chicago Press, 1979), esp. ch. 3.

ⁱⁱⁱ See Alasdair MacIntyre, *After Virtue*, 2nd. ed. (Notre Dame: University of Notre Dame Press, 1984), ch. 17.

^{iv} *What is Neostructuralism?* (Minneapolis: University of Minnesota Press, 1989), p. 427.

^v E.g., Thomas Pynchon, *Vineland* (New York: Penguin, 1991), pp. 134-5: "So that when they came and kidnapped her in the Pizza Hut parking lot and took her back to Japan, she wasn't sure right away that being sold into white slavery would turn out to be at all beneficial as a career step."

^{vi} September 16, 1993. Examples could be multiplied indefinitely.

^{vii} Many neoconservative writers, for example, propose to abandon the concept of social justice as opposed to justice among individual human beings. See Irving Kristol, "A Capitalist Conception of Justice," *Ethics, Free Enterprise, and Public Policy*, Richard T. De George and Joseph Pichler eds. (New York: Oxford University Press, 1978), ch. 4; and Roger Scruton, *The Meaning of Conservatism* (Totowa, N.J.: Barnes & Noble, 1980).

^{viii} See my *Relativism, Nihilism, and God* (Notre Dame: University of Notre Dame Press, 1989).

^{ix} For example, James Miller, *The Passion of Michel Foucault* (New York: Simon and Schuster, 1993).

^x E.g., *Bribes* (Berkeley: University of California Press, 1987); quotation, p. 684. See ch. 19 for the fine line between bribes and campaign contributions, and ch. 21 for Noonan's moral arguments.

^{xi} *Modernity on Endless Trial* (Chicago: University of Chicago Press, 1990), pp. 71-2.

^{xii} *Ibid.*, p. 70.

^{xiii} Human need -- or so a persistent strand in our moral tradition holds -- may require us to override or modify property rights. But St. Thomas Aquinas argues that in extremity all property is in common, and consequently that, strictly speaking, such actions and policies do not infringe property rights.

^{xiv} "Absolutism and the Good Life," in *Absolutism and its Consequentialist Critics* (Lanham, Md.: Rowman and Littlefield, 1994), Joram Graf Haber, ed., p. 121. My argument in this chapter owes a great deal to Hampshire.

^{xv} People also use the word *sanctity*, but for reasons I shall be exploring shortly, the connotations of this word are less pertinent to the issue of moral absolutes than those of *sacredness*.

^{xvi} I am here agreeing in part and disagreeing in part with Jenny Teichman, "Is Anything Sacred?" *Providence: Studies in Western Civilization*, 2 (Fall, 1993), 27-34. I am grateful to Leonard Hindsley, O.P. for letting me see a copy of this article before publication. See also Teichman's articles, "What is Sacred?" *New Criterion*, Nov. 1993, pp. 8-15; and "The False Philosophy of Peter Singer," *New Criterion*, April 1993, pp. 25-30.

^{xvii} New York: Farrar, Straus, and Giroux, 1987.

^{xviii} Kai Nielsen, "Against Moral Conservatism," Haber ed., 172.

^{xix} "The Authority of the Moral Agent," in Samuel D. Scheffler ed., *Consequentialism and its Critics* (Oxford: Oxford University Press, 1988), p. 270. I do not ascribe the argument in the text to Johnson.

^{xx} On minimalism and its relationship to the extremism implied by consequentialism, see Shelly Kagan, *The Limits of Morality* (Oxford: Clarendon Press, 1989), pp. 5-6, 386-90.

^{xxi} "Love, Situations, and Rules," *Norm and Context in Christian Ethics*, Gene H. Outka and Paul Ramsey eds. (New York: Charles Scribner's Sons, 1968), p. 413.

^{xxii} See Immanuel Kant, "On A Supposed Right to Lie from Altruistic Motives," Alan Donagan, "Cases of Necessity," and Alan Gewirth, "Are There Any Absolute Rights?" all in Haber ed., chs. 1, 4, and 10.

^{xxiii} Frances Howard-Snyder, "Rule Consequentialism is a Rubber Duck," *American Philosophical Quarterly*, 30 (July, 1993), 271-77, argues that rule consequentialism is in fact a form of deontology, since its principle makes essential reference to what the agent does. We may classify the theory as we wish, so long as we remember that rule consequentialists consider consequences of the same sort as considered by stock utilitarians.

^{xxiv} "Against Moral Conservatism," p. 161.

^{xxv} Here I depart from *The Ethics of Homicide* (Ithaca: Cornell University Press, 1978) (paperback ed.; Notre Dame: University of Notre Dame Press, 1990), p. 206; but see p. 209.

^{xxvi} *After Virtue*, p. 69.

^{xxvii} "What is Sacred?" p. 14.

^{xxviii} As Baruch Brody does; see his "The Problem of Exceptions in Medical Ethics," *Doing Evil to Achieve Good*, Richard A. McCormick, S.J., and Paul Ramsey, eds. (Chicago: Loyola University Press, 1978), ch. 2.

^{xxix} Jurisprudents such as Robert Bork, who attempt to constrain constitutional interpretation by the historically discoverable intentions of the document's authors, and treat other schools of

interpretation as morally corrupt. But they neglect the important political advantages that result from the document's flexibility.

^{xxx}For detailed discussion, see my anthology with Celia Wolf-Devine, *Sex and Gender* (Australia: Wadsworth Thompson, 2003).

^{xxxi}Schopenhauer welcomed this possibility, but views such as his can be safely neglected in real life moral discourse.

^{xxxii}For possible ways of developing this line of thought, see Christopher Derrick, *Sex and Sacredness* (San Francisco: Ignatius, 1982).

^{xxxiii}Other possible danger zones include the use of psychoactive drugs and damage to the natural environment. Some people would separate private property from the rest of the civil order that defines and protects it, but I am very dubious about this approach.

^{xxxiv}These two possibilities differ only verbally. It does not matter whether we say, "Thou shalt not kill," and admit an exception for self-defense, or "Thou shalt do no murder," where murder is understood as excluding self-defense.

^{xxxv}Many moralists have converged on such a conclusion. I.M. Crombie expresses roughly the point made here, though he makes too many concessions to consequentialism, when he writes: "I cannot dispute that in principle even a definite action rule may on some occasion enjoin the wrong action, but I can nevertheless decide that I will uphold certain of such rules without qualification on the grounds that it is better to do so." ("Moral Principles," *Christian Ethics and Contemporary Philosophy*, Ian T. Ramsey ed. [New York: Macmillan, 1966], p. 258.) John Finnis, on the other hand, rejects virtual absolutes as insufficient to the demands of the Tradition. (*Moral Absolutes* [Washington, D.C.: Catholic University of America Press, 1991], p. 5.)

^{xxxvi}*The Way of the Lord Jesus*, vol. 1 (Chicago: Franciscan Herald Press, 1983), p. 85.

^{xxxvii} *Unitatis Redintegratio* (1964), §6. Tr. in Walter M. Abbot and Joseph Gallagher eds., *The Documents of Vatican II* (New York: Guild/America/Association, 1966), p. 350. *Men* here is of course generic

^{xxxviii} I am here indebted to conversations with Augustine Thomson, O.P., of the University of Virginia. For an Evangelical perspective see David F. Wells, *No Place for Truth* (Grand Rapids: Eerdmans, 1993).

^{xxxix} *Crito*, 54e, G.M.A. Grube tr. *The Trial and Death of Socrates* (Indianapolis: Hackett, 1975), p. 54