
UNIT 1 NATURE AND SCOPE OF ETHICS

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1.0 OBJECTIVES

This unit aims at introducing the students to the philosophical need for Ethics starting from a brief discussion of Moral law and how the human person in his or her process of growth intuitively understands the ethical principles. Discussions pertaining to the dynamics of morality are undertaken to show how on the one hand new situations call for new responses from a moral point of view and on the other hand certain fundamentals of ethics remain the same in so far as there is something of a common human nature adequately understood.

1.1 INTRODUCTION

Let us begin our study of Nature and Scope of Ethics by understanding what we mean by moral law. But two things need to be clarified before we raise the question with which we are concerned here. First, the moral law is called 'law' only metaphorically, or if one prefers, analogically. The primary meaning of law is "a rule of action, promulgated by him/her who is in charge of a community in view of the common good". This is called positive law. If the legislator is considered to be God, it is divine positive law; if the legislator is a human person, and it is human positive law. Human positive law can further be subdivided according to what the common good aimed at. (e.g. civil law, criminal law, commercial law, etc.) In a case, a positive law lays down rules to be observed by human persons. It is prescriptive. Then there is another sense of 'law' which is quite different. In this sense it is a formula expressing a constant of behaviour of things and of persons. So we have physical law (including laws studied in physics, chemistry, biology, etc.), psychological law, sociological law, etc. (Since the constant of behaviour among human persons is less fixed and foreseeable than that among things it is more of a statistical constant). As distinct from positive law, this kind of law is called 'natural law'. It is descriptive. It can also be called prescriptive to the extent if it is considered as willed by God and includes the divine positive law, and descriptive to the extent that this divine will is the ultimate cause of the constant of behaviour in things and human persons. However, moral law corresponds exactly neither to the positive law nor to the natural law. On the

contrary, the sense of the 'absolute should' is an immediate datum of the moral consciousness itself.

Secondly, in the language of Moral philosophers, moral law includes not only general and abstract rules of action (e.g. "do good and avoid evil"), or, in our language, the sense of the absolute should, but also particular and concrete precepts (e.g. help the poor, obey legitimate authority, be truthful, do not kill the innocent, adultery is wrong, etc.). These particular and concrete precepts, we are here calling the specifications of the moral law.

Hence our question: How are the general data of the moral consciousness particularized and concretized in specific precepts and what is the cause of this difference among men? In terms of moral value, we can raise this question as follows. If the moral value par excellence is human person's self-realization as human how can this moral value determine specific moral values? And why is there disagreement as to whether such and such an action is a 'good' (moral value) or not?

1.2 MORAL INTUITIONISM

All 'deontological' theories agree that there must exist some rule or law which 'enforces' moral value and that it is natural to human person, intuitively known. There is then an element of 'intuition' in all of them – no matter how they conceive of it and the way they approach it, whether as 'conscience' (Ockham), 'Logos' (Stoics), 'moral sense' (Shaftesbury), the 'a-priori categorical imperative' (Kant), 'right reason' (Thomas Aquinas and Suarez). This element of moral 'intuition' is also found in the 'teleological' theories whether implicitly or even explicitly. It is implicitly found in the concept of '*autarxia*' (Epicurus), in that of '*eudemonia*' (Aristotle), and explicitly in the concept of 'right reason' (Hobbes), in the 'conscientious feelings of mankind' (Mill).

And in fact the more the idea of moral obligation is prominent in an ethical theory, the more explicit becomes the recourse to this element of 'intuition' (or 'direct perception'). This element of 'intuition' is strongly emphasized by meta-ethicists who maintain that moral language is 'objective' and therefore 'informative'. But here again, they differ as to what the 'object' of this moral intuition is. This difference is explainable by the difference in their meta-ethical theories regarding the meaning of moral 'good.' Hence for some, this object is the 'rightness of specific acts' (Carritt, Prichard) for others it is a kind of moral property, simple and indefinable in non-moral terms (Moore), for others, it is a general principle (e.g. the 'the principle of utility' itself – Sidgwick) or a set of principles (e.g. the 'Prima facie' duties of fidelity, reparation, gratitude, justice, beneficence, self-improvement and non-maleficence – Ross). In ethics the philosophy which insists on the necessity of moral intuition is called Ethical Intuitionism.

But even the most insistent of all moral philosophers on this element of intuition in the moral consciousness, namely Kant, not only does not deny, but, on the contrary, explicitly states that the moral judgment includes elements derived from experience (which are therefore '*a-posteriori*' as opposed to the '*a-priori*' element). Kant denies the possibility of deriving particular and concrete moral precepts from the concept of practical reason alone. For this the study of human nature is necessary.

Similarly, Thomas Aquinas distinguishes between the ‘first principles’ of the *synderesis* which are ‘self-evident’, intuitively known by all, and which cannot be deleted from the human heart, and the ‘secondary and more specific principles’ which are derived from the former ‘as if by way of conclusion from premises’ what is implied here is that this secondary principles require reflection. Thomas speaks of the difficulty involved in applying general principles to concrete cases. Even though principles whether theoretical or practical can be evident in themselves, they may not be so evident to us. And this is due, according to Thomas, to wrong persuasions on the part of human person.

Saurez is perhaps even more explicit in his doctrine that even the secondary principles – which like the primary are self-evident in themselves – require a certain amount of thought and experience. This is truer of the tertiary principles which require study and discursive thought. But all moral principles can be derived from self-evident principles. One notable difference between Thomas and Suarez is that the former derives the concrete principles in a way corresponding to ‘human person’s natural inclinations,’ the latter derives them in a way corresponding to a legal system. For Suarez these precepts have their immediate norm the ‘good’ of human nature. The need of experience and reflection is similarly – indeed even more insisted upon by contemporary ethicists. Why this greater insistence?

1.3 HUMAN PERSON IN SEARCH OF HIMSELF/ HERSELF

What we are dealing with here is to see whether a general principle such as ‘serious promises should not be lightly broken’ is ‘self-evident’ and therefore be counted among the ‘first principles’ intuitively known by everybody. If yes, how is it derived from the very first self-evident principle that ‘good is to be done, evil to be avoided?’ Is it merely by a kind of logical deduction? And if it is ‘self-evident’ in itself but not known by all, is it because of some accidental reason such as ignorance or bad habit? Finally, if it is not ‘self-evident’ how is it that human person has today come to agree that such a general principle is correct (that it is amoral value)?

To speak more specifically of thinkers like Thomas Aquinas, Suarez and Ross are we to say that the examples they give of first principles (or of *prima facie* duties) are meant to serve merely as examples or are we to say that they are meant to be included among the first principles themselves? In the first case we could perhaps disagree that the examples they give are good examples but still agree with their doctrine that there exist first principles intuitively known by every man. The question would be then which are these first principles. In the second case to question the aptness of the examples would be to question their doctrine itself. Irrespective of what such thinkers actually mean we have got to study the problem in itself.

If there is any principle that cannot be denied, it is the immediate data of moral consciousness. If these data cannot be denied they are self-evident. They are self-evident not as principles, that is, as formulae but as data whether they are thematically formulated or not. The immediate ontological foundation of the moral obligation is human inter-relatedness and that the norm for moral good (as distinct from the moral right) is human person as a social being. We have also reflected how the only moral precept which is immediately given that is

self-evident and cannot be justified on a mere moral level is that human person should be human (as an individual and social being). Hence all other precepts (what we are here calling specifications of the moral law) must somehow or other flow from this fundamental precept that a person should realize himself/herself as human.

Human consciousness is in a process of becoming. Human person is becoming moral and more himself and in the process his awareness of himself develops. He/she has been continuously asking himself the question what he is. Human person is in a never-ending search of himself/herself. The more he/she grows the more he/she becomes conscious of himself/herself as human person the more he/she is himself/herself. Moral consciousness is a part or an aspect of human consciousness. The more human person becomes himself/herself the more he/she becomes conscious of what he/she should be. This leads to the emergence of moral precepts specifying evermore clearly the conduct of human person.

Hence the moral precepts (moral values) flow from the first fundamental moral precept that human person should be himself/herself (the moral value par excellence not by way of mere logical deduction or of mere mediate inference. The former are related to the latter not simply as logical conclusions or as implicitly correlated to their premises. Logic has got to do with ideas, with mere ideas. It cannot be denied that this relation of the explicit to the implicit of the clear to the unclear to the unclear of the concrete to the abstract is here present. But it is present in the sense that a continuously developing human consciousness is related to its stages past and future of its development. Existence is more than logic.

If what we are saying about the progressive development of human consciousness, and therefore of moral consciousness is true one can easily understand the development of morals from the cave-man to modern human person from ancient slavery to the Universal Declaration of Human Rights which was approved without a dissenting voice in the United Nations General Assembly in 1948.

Ignorance of the moral precepts is therefore not necessarily the result of perverse customs as if this result were accidental. It is a fact of experience that perverse customs not only weaken the will to pursue the moral good but darkens the mind to recognize what the moral good is. But this is more easily possible on an individual level. Here we are placing ourselves on the level of mankind and its historical progress. This ignorance and the variety of morals can be explained by human historicity itself, that is, by the historical progressive development of his human moral consciousness.

However, we must not easily take it for granted that this development has always and everywhere been a linear progress. It may have suffered setbacks, reverses and regress. We need not go into that. What is more pertinent here to ask is whether we should reasonably suppose that human person has now attained the some of his/her self-consciousness and of his/her moral consciousness. What is reasonable to suppose according to us is that he/she has not. Apart from the fact that one cannot predict the future, contemporary moral problem of the morality of abortion hinges to a great extent on whether one should consider the human foetus a human person. The so-called women's liberation movement indicates no matter what its merits and demerits are that women have not been treated as full human persons everywhere in the world. One could think of many other

indications. If progress is still possible it can only be done by the passage of time and on the part of human person by experience and by his reflection on his own experience.

1.4 LOVE AND THE MORAL PRECEPTS

Here we wish to bring into focus the more salient moments of our reflection on the subject bringing them to bear upon the topic at hand. To recognize human inter-relatedness as the immediate ontological foundation of the moral order and to act accordingly can be expressed in terms of love. Love is therefore the existential basis of the moral order. This leads us already to start thinking that love is the basic moral activity.

The primary intuitively grasped demand that human person realizes himself as a human person is particularized and concretized in moral precepts. This too can be expressed in terms of love. Universal love is particularized and concretized – it is objectified – in the moral precepts. Hence as love not just one moral virtue among others but the form of all of the moral virtues, so too love is not just one moral precept among others but it is the form of all of them. It is what makes moral precepts moral precepts. Indeed it could hardly be called a precept since taken by itself in a non-objectified sense, it does not prescribe anything definite. And in the same way one can hardly call the moral realization of oneself as human as an obligation. This too taken by itself in a non-objectified sense does not oblige human person to do anything specific. And there is hardly any meaning in the saying that human person should love (love cannot be enforced) so too there is hardly any meaning in the saying that human person should fulfil himself as human.

If love is the form of the moral precepts and if love – like human moral consciousness – is a progressive affair this means that acting according to the moral precepts is acting according to love but that this awareness admits of degrees. This means that love can also be considered to be not only the beginning of the moral life but also its end. At the beginning it is present as a seed – which is more than mere potentiality but already an actuality albeit in a seminal form. The seed can develop into a fully mature and fully conscious love. And if it is in love that human person perfects himself as human, it is in this fully mature and fully conscious love that he/she does so.

Many factors go in this process of maturing of self-fulfilment. No matter how logically we can distinguish one human faculty (or aspect) of human person from another human person is a totality one integrated whole. As it is not the intellect which understands but human person by his intellect so too it is not with his/her heart that human person loves but human person by his heart (but heart is one's whole being). Love is an existential relation involving my whole existence.

Suffice it here to remark already that though human person can develop one or other of his/her faculties independently of the rest (or at least quasi independently) one cannot develop himself/herself as a human person without developing the core of his/her being namely his/her love and this is not achieved by mere study and reflection – although these can be very useful – but by doing. As scholastics say the operation is the perfection of being.

1.5 THE DYNAMICS OF MORALITY

Here we examine two questions which are intimately linked. In an evolutionary vision of human person to what extent can we say that morality (that is, the specification of the moral law) are universally valid for all human persons to what extent can we say that they are unchangeable? If one maintains their universal validity one is charged with absolutism with holding the opinion of a static nature of human person incompatible with present day theories about man's dynamic and evolutionary nature. If on the other hand one were to maintain a relative validity one would fall into a philosophically untenable moral relativism. Can the dilemma be overcome?

The Evolutionary nature of human person and of his human consciousness has long been recognized one way or another. Charles Darwin gave the theory of evolution a biological basis. An Evolutionary view of the world and of human person is today at the basis of a great deal of scientific philosophical and theological thinking. The thinking of such human persons as Pierre Teilhard de Chardin and of Aurobindo comes of course spontaneously to mind.

Herbert Spencer is perhaps the best known Evolutionary ethicist. He starts by observing that both human and animal conduct consists in acts adjusted to ends. The higher we proceed in the scale of Evolution the easier it becomes for us to obtain evidence of purposeful actions directed toward the good either of the individual or of the species. This purposeful activity forms part of the struggle for existence waged between individual members of the same species or between different species. But this type of conduct is according to Spencer an imperfectly evolved conduct. In a perfectly evolved conduct which is ethical conduct in the proper sense of the word this struggle for existence will yield place to cooperation and mutual help. Egoism and altruism will be both transcended. This leads Spencer to distinguish between absolute and relative ethics. Absolute ethics is an ideal code of conduct formulating the behaviour of the completely adapted human person in the completely evolved society. Relative ethics is the nearest approximation to this ideal according to the more or less perfectly evolved society in which human person happens to find him/her.

Spencer adopts the utilitarian ethical principle. In fact he takes happiness to be the ultimate end of life and measures the rightness or wrongness of actions by their conduciveness to this end. From a nascent state when this utilitarian principle was dependent on non-ethical (e.g. authoritarian) beliefs it gradually developed to become independent and as suggested by the theory of evolution, it will continue to evolve and reach an ideal limit.

Happiness however depends on the fulfilment of some conditions. And these conditions are the observances of certain principles and rules which causally determine human welfare. Spencer acknowledges the existence of moral intuitions which however are the slowly organized results of experience received by the race. In other words an induction from experience handed down from one generation to the other ends up by becoming an instinctive moral reaction. Evolution is moving towards the emergence of the highest form of life. Happiness as the supreme end of human person is the concomitant and virtue is the condition for its attainment. In the preface of the fifth and sixth parts of his *The Principles of Ethics* subsequently withdrawn Spencer confesses that the theory of Evolution

has not provided as much practical guidance as he had hoped. What is peculiarly Spencer's is his interpretation of Evolution as a teleological process directed towards the establishment of a higher and higher moral order.

1.6 THE CONSTANT AND THE VARIABLE IN MORALITY

Whether or not man has evolved from sub-human beings it is not for us to decide. But we can easily accept the theory that this human consciousness itself has natured and developed. At the beginning human person was not necessarily conscious of himself/herself as human as we today are. On an individual level this progress in human consciousness is a fact of experience. The child is a human being but as it grows it becomes more and more conscious of itself as a human being. We can accept this theory even on the level of mankind as such to explain how the moral law is particularized and concretized in specific moral precepts.

Human consciousness involves one's consciousness of oneself as an individual and as a social being. Moral consciousness is an integral part of human consciousness. Primitive human (to call him so) must have been morally conscious – otherwise we are not entitled to call him/her human at all. So if moral consciousness belongs essentially to human consciousness as such – and in a univocal and not in an analogical sense – it has been a kind of constant in all the later stages of man's evolution. However, on the accepted theory that the human and therefore moral consciousness has been developing, the different stages of this development can be reasonably considered as the variable in human evolution.

If we speak of moral consciousness at all – whether of the primitive human or ours – we must speak of it in terms of the immediate data of consciousness as foundation on the human order more precisely on human inter-relatedness and these data to be in conformity to human reason and to be conducive to the self-realization of human person as human. But human moral consciousness has been evolving. This change takes different forms some of which are easily understandable and afford no real problem to ethics some are not so easily understandable and therefore afford some difficulty.

As human person becomes more and more conscious of himself as human – as an individual and as a social being – he/she becomes more conscious of his/her human inter-relatedness and of his/her rights and duties as a human person. This clearer self-consciousness is obviously concretized and particularized in specific moral precepts. Even at one given stage of human moral consciousness different people living in different human situations (situations affecting their inter-relatedness) will live a more or less different moral life. Such human situations can arise out of geographical, climatic and economic conditions.

Again since moral consciousness has been in fact intimately linked to and condition by religious consciousness, different religious beliefs have produced different moral values. And a change in religious consciousness has often wrought a corresponding change in morality. The history of religion affords us with many examples (e.g. human sacrifice, burning of witches, saturnalia, etc.). This change is primarily and directly in religious consciousness and only secondarily and indirectly in moral consciousness. It is a change in the religiously conditioned morality.

However, a change in civil law governing the mores of the people does not necessarily mean a change in morality. When a civil law declares that something is legal it does not mean to say that it is moral. Civil law as such does not pass a moral judgment. Legal means allowed as far as the state is concerned. It is not the business of the state as such to promote the moral beliefs of one section of its population as against those of another. This is important to remember today when many countries proclaim themselves to be secular – today when society is increasingly pluralistic.

The variable in morality raises the important question regarding the kind of certitude we can have in moral matters. To put it bluntly if what is believed to be morally right today can be proved to be morally wrong tomorrow and vice-versa can one be absolutely certain of what is morally right or morally wrong? In more philosophical terms if human person is conditioned by his/her existential situation and if human (and moral) consciousness is always in a process of development and is dependent on physiological, cultural, social, psychological environmental and other factors, can he/she ever be certain of having reached objective moral truth if there is such a thing as moral truth?

At the very outset, we have to distinguish carefully between moral relativity and ethical relativism. Moral relativity is simply the view that different people especially in different civilizations and cultures have or have had different moral beliefs and what is believed to be morally right at a given time or place may be believed to be morally wrong at a different time or place. This is an undeniable empirical fact. But ethical relativism is the philosophical theory that no foundation exists, there is no universal moral norm (or basic moral principle), but what is morally right is relative to the individual or group of men in question. If such a theory can give reasons for such a position (as Sartre does), it is ethical relativism in the strict sense. If it cannot give reasons but simply admits that it is strictly impossible to say what is morally right and morally wrong it can be reasonably called ethical skepticism.

In an evolutionary view of human being, that is, on the accepted theory that human consciousness of himself/herself is increasingly developing, can we pretend to say the last word on what human person is? Obviously not. Human person's knowledge of his/her self is a progressive and dynamic knowledge, always tending towards a better and better understanding. In this sense human person's knowledge of himself/herself is relative. And if this is true his/her moral knowledge is also relative in so far as it is progressive and far from complete.

However an attentive study of the evolution of human person's self-consciousness and of moral knowledge helps one discover a certain constant progression, that is, human person is becoming more and more himself/herself. He/she is becoming more and more conscious of what he/she really is. His/her moral knowledge helps him/her to recognize himself/herself and others more and more as persons. Like in all spheres of knowledge a time of questioning debate and temporary disagreement is necessary in moral knowledge if progress is to be made. Indeed a state of incertitude on some issues is a pre-requisite and the pre-supposition of every progress. But whatever has been achieved is a definite acquisition – even if this acquisition remains still open to further advance and a deeper understanding.

Check Your Progress I

Note: Use the space provided for your answer

1) Explain Absolute Ethics and Relative Ethics.

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2) How are love and moral precepts related?

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3) How do the concepts of love and moral precepts help to build an ethical society?

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4) What is the notable difference between Aquinas and Saurez’s idea of self-evident or moral principle?

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1.7 LET US SUM UP

Human person both is and is becoming; he/she is an “is-in-becoming.” And this is because he/she is both essence and existence, rather he/she is and essence-in-existence. He/she is act and potency or here again he/she is act-in-potency. He/she is spirit and body, better still, spirit-in-body. In existential terms he/she is freedom and he is existentially situated, that is to say he is freedom-existentially situated.

Human person is both an end-in-himself and for others a particular human and social being. He/she can only find his self-perfection in the perfection of others. Hence the dialectical tension in human knowledge of moral law. The tension between the “is” and the “ought” between intuition and experience (or the *a-priori* and the *a-posteriori*) between the static and the dynamic the constant and the variable the absolute and the relative. We can go on like that an infinitum.

1.8 KEY WORDS

- Moral Intuition** : All ‘deontological’ theories agree that there must exist some rule or law which ‘enforces’ moral value and that it is natural to human person, intuitively known. There is then an element of ‘intuition’ in all of them – no matter how they conceive of it and the way they approach it.
- Absolute Ethics** : Absolute ethics is an ideal code of conduct formulating the behaviour of the completely adapted human person in the completely evolved society.
- Relative Ethics** : Relative ethics is the nearest approximation to this ideal according to the more or less perfectly evolved society in which human person happens to find him/her.

1.9 FURTHER READINGS AND REFERENCES

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