Considerations Preliminary to the Study of Ethics

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Introduction

"It is not good that man should be alone," God said after creating Adam. And so He made Eve. Ever since then we have been trying to figure out how people can get along with each other.

Well, not quite ever since then. If his response on waking up to find her at his side is any indication, Adam had no trouble getting along with Eve before the fall. He was delighted to have her aboard. The trouble started when she asserted her independence, he abdicated his leadership, and they both submitted to an impostor as their master. Ever since then, people have had trouble getting along.

Politics is the art—not the science, really—of helping people to get along together. The word *politics* comes from the Greek word *pólis*, meaning "city." Actually, *pólis* applied early on to settlements that we would hardly call cities now—little walled villages with perhaps a dozen families in them were called cities. By extension it has come to refer simply to human society in general. Hence Augustine (354-430 A.D.) could write *The City of God*, in which he compared the Kingdom of God, made up of the redeemed of all times and places (the city of God), with the kingdom of this world, made up of the unregenerate of all times and places (the city of man). The same Greek word is at the root of our modern word *police*—which should tip us off that sometimes people in the city *don't* get along very well at all.

One reason people have such a hard time getting along is that they are different. Another is that they are the same. Because people are—in some ways—different, they think differently, act differently, and feel differently, and woe to anyone who tries to suppress the differences. *Vive la difference!* Because people are—in other ways—the same, they think the same, act the same, and feel the same, and woe to anyone who tries to force them to be different.

One way in which many people are the same is that they want to enjoy the benefits of thinking, acting, and feeling differently without having to bear the costs—in other words, while still enjoying the benefits of thinking, acting, and feeling the same. And why shouldn't they? After all, holy writ assures us, "All men are created equal." Or *is* that holy writ?

Actually, as we have already seen, there *is* another problem besides people's sameness and differences that stands in the way of our getting along. Sin. But that's really one of the ways in which people are all the same: we're all sinners. If that were not so, we might have no need for ethics, that is, either the principles and rules of conduct or the study of those principles and rules.

In this lecture, we will survey two subjects underlying the study of ethics–metaphysics and epistemology–and then introduce ethics by looking at two competing systems of ethical thought–teleological and deontological ethics.

Metaphysics

Ordinarily when people think of Aristotle (B.C. 384-322), they think immediately of philosophy. Aristotle didn't—at least not in the sense in which most of us think of philosophy

today. In his day, philosophy meant precisely what the two roots of the word implied—*phílos*, loving, and *sóphos*, wise. A philosopher was a lover of wisdom, whether the focus of his love and wisdom was rocks, or birds, or people, or God. One of Aristotle's great loves was nature, the Greek word for which is *phúsis*, from which we get our words *physical* and *physics*. Aristotle and his students conducted extensive and minute studies of physical (natural) objects, living and non-living, in loving pursuit of wisdom about *phúsis*—nature. Aristotle described many of their findings in a series of what we would call "natural essays."

But Aristotle was also interested in more fundamental questions about reality, questions not answerable by sensory observation. He wanted to know about the essential reality underlying the physical objects he handled. These questions he explored by mental analysis, and he wrote about them in another collection of essays. About four centuries later, an editor of Aristotle's works—traditionally Andronicus of Rhodes in the first century B.C.—catalogued Aristotle's essays. Those on nature he listed under the heading *ta phúsica*, or what we might call "The Essays on Nature." Lacking any suitable title for the essays on the underlying essence of reality, the editor called them simply *ta metá ta phúsica*, or "Those After Those on Nature." So a happenstance of cataloguing bequeathed the term *metaphysics* to the study of the reality underlying the observable objects of nature—or, we might say, the study of the nature of nature.

Nowadays many questions come under the heading of metaphysics—whether God exists, whether man differs in qualitative rather than merely quantitative ways from animals, plants, and minerals, what we mean by time and space, and so on. Some of these have important implications for politics. If God exists, then perhaps He has something to say about how people get along together in society, and perhaps He acts in judgment when we don't do as He instructs. If so, it is important for us to know those things. If man is only quantitatively different from animals, not qualitatively different, then we should expect people to get along together no differently from animals. If, as the late celebrated Supreme Court Justice Oliver Wendell Holmes believed, man is not significantly different from "a baboon or a grain of sand,"[1] we will treat each other very differently from how we will if we bear the image of God. For the moment, however, we will look at just two questions in metaphysics and how they affect our understanding of politics: (1) Is the physical world—nature—all there is, or is nature an illusion and something else is all there is, or do nature and something else coexist? (2) Is reality ultimately one, or many?

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[1]Richard Hertz, *Chance and Symbol* (Chicago: University of Chicago Press, 1948), 107; cited in David A. Noebel, *Understanding the Times: The Story of the Biblical Christian, Marxist/Leninist, and Secular Humanist Worldviews* (Colorado Springs: Summit Press, 1991), 506.

Metaphysical Dualism or Metaphysical Monism. First, is the physical world alone real, or is the physical world unreal while something else is real, or are there both physical and non-physical (natural and non-natural) sorts of reality? Two main categories of answers are available to this question: dualism and monism. Those who answer that both nature and non-nature are real are called metaphysical dualists because they believe in two sorts of reality. Orthodox Christians, who believe not only in rocks and trees and animals and human bodies but also in human souls and angels and God, are metaphysical dualists. Those who answer that all reality is either nature or non-nature but not both are called metaphysical monists because they believe in only one sort of reality.

Metaphysical monism, in turn, comes in two varieties: materialist monism and idealist monism.[2] Some monists are called materialists because they believe nature—matter and energy—is all there is. When the astronomer Carl Sagan introduced his film series, *Cosmos*, by saying, "The Cosmos is all that is, all that ever was, and all that ever will be," he not only mimicked–and mocked—the Biblical confession of God as He who is, and who was, and who is to come (Revelation 1:7) but also identified himself as a materialistic monist. (And by the way, astronomy did not lead him to that conclusion. When he said that, he spoke not as a scientist but as a metaphysician, and his expertise in astronomy gave him no more credibility in metaphysics than you have.) Other monists are called idealists because they believe everything is ideal, not physical. They think the physical world is a projection of the mind and that only minds—or spirits, or ideas—are real.

Epicurus (B.C. 342?-270) was a materialist monist, and hence he thought only what was susceptible to the senses was real and important; from his name we get the word *epicurean*, someone who lives to satisfy his sensory appetites. It is no accident that Secular Humanism, a self-proclaimed materialist religion, has promoted epicureanism, particularly the quest to gratify sexual appetite.

> **Which is ultimate: unity, or plurality? Our answer to this question affects how we understand society and politics by preparing us to emphasize either the one (the community, society, the state) over the many (individuals) or vice versa.**

Idealist monism is rare in Western thought,[3] but it is the dominant version of Hinduism.

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[2] The order of terms in these descriptions is important, although often casually mishandled. Metaphysical monism, which affirms that all reality is of only one kind—either physical or non-physical but not both—but that more than one thing exists, is not synonymous with absolute (or numerical) monism, which affirms that only one thing—whether physical or non-physical—exists. Absolute monism may theoretically be either materialist (only one thing exists, and that thing is physical) or idealist (only one thing exists, and that thing is non-physical, i.e., spiritual). I try to reserve the word orders *materialist monism* and *idealist monism* for the views either that only material or only ideal things exist but that there may be more things than one, and the word orders *monistic materialism* and *monistic idealism* for the views either that only one thing exists and it is material or that only one thing exists and it is ideal. I am not aware of any philosopher who has ever believed in monistic materialism; the distinctions among physical objects are simply too apparent to argue against if one admits the independent reality of material objects in the first place. Monistic idealists, however, are common.

[3] Perhaps the closest any major Western thinker has come to affirming idealism in the sense of denying the reality of the material world was Irish philosopher George Berkeley's (1685-1783 A.D.) philosophy of

Indeed, the founder of modern Hinduism, Shankara (788?-820? A.D.), called his philosophy *advaita*, a Sanskrit word meaning "non-duality." For Shankara, all is Brahman, Brahman is absolutely one and immaterial, and hence there are no distinctions in reality: "In the same way as those parts of ethereal space which are limited by jars and waterpots are not really different from the universal ethereal space," Shankara explained, ". . . so this manifold world with its objects of enjoyment, enjoyers and so on has no existence apart from Brahman."[4] It is no accident that *advaita* Hinduism and other idealistic religious worldviews have produced cultures with little regard for—and hence little development or care of—the material world. No wonder the Christian missionary E. Stanley Jones answered, when asked why he did not give the starving Indians bread instead of preaching the gospel to them, "India does need bread and needs it desperately. . . . [But] I believe that the best way to give India bread is to give her Christ."[5] Knowing Christ would produce a transformation in the Indians' behavior that would, Jones understood, end their need for bread. Much of the contemporary New Age Movement, reviving gnostic beliefs against which early Christians wrote,[6] advocates monistic idealism.[7]

The Problem of the One and the Many. Second, which is ultimate: unity, or plurality? Our answer to this question affects how we understand society and politics by preparing us to emphasize either the one (the community, society, the state) over the many (individuals) or vice versa.

Plato (B.C. 427?-347?), perhaps influenced partly by having watched democratic but decadent Athens fall to autocratic Sparta in B.C. 404,[8] favored the unity of all reality as a hedge

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immaterialism, by which he meant not that physical objects are unreal but that they are real only *as ideas*, or perceptions, in the minds of perceiving selves. A lesser philosopher, Arthur Collier (1680-1732 A.D.), went a step farther, claiming that physical bodies are delusory.

[4]Shankara, *The Vedānta Sūtras of Bādarāyana with the Commentary by Śankara*, translated by George Thibaut, 2 parts (New York: Dover, 1962), 2.1.14; cited in David K. Clark and Norman L. Geisler, *Apologetics in the New Age: A Christian Critique of Pantheism* (Grand Rapids: Baker, 1990), 40.

[5]E. Stanley Jones, *The Christ of the Indian Road* (London: Hodder and Stoughton, 1930), 52-3. By giving India Christ, Jones emphatically did *not* mean superimposing all of Western culture on India. He greatly admired much Indian culture but recognized that the false Indian worldview was necessarily economically unproductive.

[6]Both Paul's Epistle to the Colossians and the First Epistle of John appear to argue against some beliefs that later became associated with gnosticism. Gnosticism proper, however, had not developed by the time Paul and John wrote those epistles. Direct apologetics against mature gnosticism are to be found in the writings of the Church Fathers Irenæus, Epiphanius, Hippolytus, and Origen, among others.

[7]One of the best Christian critiques of the New Age Movement is Elliot Miller's *A Crash Course on the New Age Movement: Describing and Evaluating a Growing Social Force* (Grand Rapids: Baker, 1989). Also helpful is Peter Jones's *The Gnostic Empire Strikes Back* (Phillipsburg, NJ: Presbyterian and Reformed, 1992).

[8]". . . by the time Plato had reached his young manhood Athens was showing unmistakable signs of a decadence in culture, a visible waning of creative power, and a social conflict that threatened the very existence of the polis. In short, Plato must be seen, for all his own individual creative greatness, as a mind shaped by the torments of perceived social disintegration and breakdown. There is no other way of understanding the specific thrust of his *Republic*. . . .

". . . One could make a strong case for the defeat of Athens as the single most momentous one, in terms of intellectual consequences, in Western history. It was more than simple military defeat: it marked the ending of the one democracy that had ever existed in the ancient world, with an accompanying degradation of moral ethos and the beginnings of a radical change in type of thought and culture. There is

against decay, although he recognized that plurality was not mere illusion. Aristotle, the great empirical (but not empiricist) philosopher and Plato's preeminent student, favored the plurality of reality, although he also thought there must be some underlying unity of which all the particulars partook.[9]

The two great Greek philosophers, and many philosophers after them, struggled with what we call the *dialectic*: the existence of opposite principles, ideals, or rational poles that simultaneously depend on each other and threaten to eradicate each other.[10] Try as it might, non-Christian philosophy has never discovered an intellectually defensible or practically liveable way to solve this problem.

Biblical Christianity, however, denies the ultimate antithesis between unity and plurality, for it finds in God, as He has revealed Himself in Scripture, a Being simultaneously one and many. The Bible tells us that there is but one God, that the Father

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and the Son and the Holy Spirit are each this same God, and that the Father, the Son, and the Holy Spirit are distinct Persons.[11] To the question, "Which is ultimate, unity or plurality?" Trinitarian theology answers, "Both, for God is ultimately one Being and three Persons."

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abundant testimony to the effect of the shock, the traumatic derangement, of Athenian life, politics, culture, and thought in consequence of defeat by the hated Spartans, who had built an entire culture around military values alone. To all of this Plato responded as he could hardly have helped responding, given the sensitivity of his mind." Robert Nisbet, *The Social Philosophers: Community and Conflict in Western Thought*, concise edition, updated (New York: Washington Square Press, 1983), 2-3.

[9]Just as Plato's views were influenced by his experiencing the decay and collapse of once-democratic (plural) Athens under the powerful totalitarian (unified) Sparta, so also Aristotle's views were probably influenced by his own, very different, circumstances, in which the tutor to Alexander the Great watched the conqueror bind together disparate parts of the world into a new whole. Plato feared plurality as the root of chaos; Aristotle saw that it could be reconciled with order. See Nisbet, *The Social Philosophers*, 16-18.

[10]I am indebted to my colleague Henry Krabbendam for this manner of describing the dialectic.

[11]This is how Benjamin B. Warfield summarizes the doctrine in his article "Trinity" in *The International Standard Bible Encyclopedia*, 4 volumes, edited by James Orr (Grand Rapids: Eerdmans, 1956). See E. Calvin Beisner, *God in Three Persons* (Wheaton: Tyndale House, 1984) and *"Jesus Only" Churches* (Grand Rapids: Zondervan, 1998) for discussion of the Biblical doctrine. Rousas John Rushdoony helpfully describes ethical social implications of Trinitarian theology in *The Foundations of Social Order: Studies in the Creeds and Councils of the Early Church* ([Philadelphia:] Presbyterian and Reformed, 1972) and, more specifically, *The One and the Many: Studies in the Philosophy of Order and Ultimacy* (Nutley, NJ: Craig Press, 1971).

Epistemology

So much for metaphysics. How, though, do we know anything about the fundamental nature of reality—if indeed we know anything at all? Why do we know anything rather than not knowing anything? These are questions of epistemology. Here again various options exist.

Empiricism. Recently (that is, in the last three centuries or so) some people—strict empiricists—have claimed that we know things only by sensory experience. Generally these people are materialist monists, and some presume to tell us that this is the truly *scientific* way of thinking. Since everything is physical, nothing non-physical is to be known, and we know physical things by physical means only—i.e., by our senses. Their epistemology—their theory of knowledge—has come under withering attack, though, by logicians who point out that the assertion *Knowledge is attainable only by sense perception* cannot be confirmed by sense perception. If it is true, then it cannot be known; if it is known, then it cannot be true. In other words, it is self-defeating.

Rationalism. At the opposite end of the epistemological spectrum from empiricism is rationalism—the notion that everything we know we know by reason alone without reference to sense perception or any other source. Ordinarily, idealist monists are rationalists. Since everything is ideal, nothing physical exists to be known, and we know ideal things only by means of ideation—reason. This epistemology suffers a fate opposite that of empiricism. While empiricism commits epistemological suicide by defining its essential principle as unknowable, rationalism climbs out on a limb attached only to itself; it commits the fallacy of circular reasoning. If indeed we know truths only by reason, then we know only by reason that we know truths only by reason, which assumes the conclusion in order to prove the conclusion. No defendant has ever done very well arguing for his innocence by saying, "I'm not guilty, your honor, because I'm innocent," nor has any prosecutor successfully argued for the defendant's guilt by saying, "He's guilty, your honor, because he's not innocent," and the inherent sensibility of these observations compels rational people to abandon rationalism.

Skepticism. Some people, seeing the irrationality of both empiricism and rationalism, presume to solve the problem by denying the possibility of knowledge altogether. They are skeptics. But thoughtful, honest skeptics soon realize that they have found no magic middle ground, for if they are consistent skeptics they must deny *all* knowledge, which implies that they *know* one cannot know anything—which may *sound* profound but is literally foolishness. The alternative—to be an inconsistent skeptic—is no help, since that merely means admitting that some knowledge is possible, the very thing the skeptic wants to deny.

Methodism vs. Particularism. Again we see that neither pole of the dialectic is satisfactory, but that splitting the difference offers no

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escape. What are we to do? The crux of the problem is that both empiricism and rationalism, opposites as they are, rest on the same assumption: that everything we know, we know by some *method*. They are, in other words, both varieties of epistemological *methodism* (which has nothing to do with the followers of John Wesley). They both assume that in order to know

anything, you must have a *method* by which to know it. If the method is known, it must be known by some method. If it is known by the same method by which one knows everything else—that is, by itself—then it argues in a circle; if it is known by some other method, then it leads to an infinite regress, for then one must have a third method by which to know the second method, and a fourth by which to know the third, and so *ad infinitum*. Whether empiricist or rationalist, epistemological methodism is necessarily irrational.[12]

Christian Presuppositionalism. This is welcome news to Christians, since we claim to know some things by sense perception, some things by reason, some things by other methods, and some things—the laws of logic—by no method at all but directly—literally *im-mediately*, without means—as truths it is impossible not to know (although one may, as we shall see, dishonestly *claim* not to know them). We do not know logic *by* logic or by any other means; instead, logic is the *sine qua non* of all knowing—that without which we can know nothing, since it is the ground rules of thought, and knowing is a species of thought. Only by presupposing certain particulars—the truths of logic im-mediately known—are we justified in pursuing other knowledge by any *means* at all. And so to save *methods* we must abandon *methodism* and embrace epistemological particularism instead.

Or, to put it in language more familiar to Calvinists, we must become presuppositionalists—of a sort.[13]

Biblically faithful Christians believe that, in addition to the laws of logic, the existence and nature of God and certain fundamental moral truths are particulars that we know by no method but im-mediately. And we have Biblical confirmation for that belief: "For the wrath of

> **Biblically faithful Christians say that in addition to things like logic and "This is a hand" and "Ordinarily you should trust your senses and your reason," the existence and nature of God are particulars that we know by no method but im-mediately.**

God is revealed from heaven against all ungodliness and unrighteousness of men, who suppress the truth in unrighteousness, because *what may be known of God is manifest in them*, for God has shown it to them. For since the creation of the world His invisible attributes are clearly seen, being understood by the things that are made, even His eternal power and [divine

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[12]My argument here draws on Roderick Chisholm's *The Problem of the Criterion*, The Aquinas Lecture, 1973 (Milwaukee: Marquette University Press, 1973), 3. Chisholm's brief book is a marvelous starting point for students of epistemology, mercilessly and wittily destroying methodism and upholding particularism.

[13]My argument here follows closely Chisholm's in *The Problem of the Criterion*. For a more thorough description of the sort of presuppositionalism I have in mind, see my lecture "Classical Presuppositionalism: Re-introducing an Old Theme," for AP506, Apologetics, Knox Theological Seminary, fall 2001. A similar approach is to be found in Carl F. H. Henry's *Toward a Recovery of Christian Belief*, The Rutherford Lectures, 1989 (Wheaton: Crossway Books, 1990), particularly in lectures 2, "Presuppositions and Theological Method," and 3, "The Axioms of Biblical Theism." Henry's is an eminently sensible contribution to the presuppositionalist (particularist) vs. evidentialist (methodist) debate among Christians, offering a variety of Biblical presuppositionalism that avoids the fideism, circularity, and self-contradictions of Cornelius Van Til's variety. See also Gordon H. Clark, *A Christian View of Men and Things* (Unicoi, TN: Trinity Foundation, 1998), *Logic* (Unicoi, TN: Trinity Foundation, 1998), *Religion, Reason and Revelation* (Unicoi, TN: Trinity Foundation, 1995), *Three Types of Religious Philosophy* (Unicoi, TN: Trinity Foundation, 1989), and *The Johannine Logos* (Unicoi, TN: Trinity Foundation, 1989).

nature], so that they are without excuse, because, although they knew God, they did not glorify Him as God, nor were thankful, but became futile in their thoughts, and their foolish hearts were darkened" (Romans 1:18-21 [NKJV margin]); thus God's existence is known innately.[14] Likewise, Scripture reveals that homosexual acts are contrary to nature and that homosexuals "know the righteous judgment of God" (Romans 1:26-7, 32) and that "Gentiles, who do not have the [written] law, . . . show the work of the law written in their hearts" (Romans 2:14-15). So there is innate moral knowledge as well.

Now, building upon these foundations of knowledge—these particulars, or presuppositions—Christians also recognize several avenues—means, or methods—of knowledge: authority (or what some people call tradition), revelation, reason, and experience. Knowledge gained by authority is knowledge imparted to us by others. Revelation is a particular category of authority; like all knowledge acquired by authority, it is knowledge imparted by someone else, but it so happens that the Someone who imparts revelation is God—which to our way of thinking makes Him an Authority with a capital *A*–indeed, the supreme Authority. Reason is our capacity to make inferences from one idea to another, i.e., logic. Finally, experience is the series of events we undergo throughout our lives, from which, although we do not learn everything we know, we nonetheless do learn much.

How is all this relevant to ethics? Well, in ethics, decisions must be made, and those decisions rest on knowledge—or at least claims of knowledge—about the true and the good, and sometimes even the beautiful. But if real knowledge were impossible, we would be wasting our time making decisions; each one would be a mere shot in the dark. We would be captives to absolute relativism, with every claim of truth or goodness or beauty as credible as every other claim. (Which, by the way, is also a self-defeating proposition. Just think what happens when you introduce the claim, "Some claims are more credible than others.") Or if all knowledge were either entirely empirical or entirely rational, then we would have to exclude moral considerations from policy making, for neither empirical investigation nor rational analysis by itself yields moral principles.

So we may be thankful that Biblical Christianity gives us a foundation of undeniable truths on which we can build, by several good but not autonomous methods, various kinds of knowledge more or less certain, on the basis of which we can make various ethical decisions.

Ethics

You will have noticed that our focus now has shifted from beliefs about reality and knowledge to decisions. Decisions are the very essence of ethics. Now, one of the things that make decisions interesting is the fact that we believe some decisions are right and good while others are wrong and bad. If it were otherwise, we could just as well make all our decisions by flipping coins or drawing straws; one decision would be as good as another. Since nobody in fact does that, we may assume that everybody thinks decisions properly rest on a criterion, or

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[14]Note the etymological connections between *natural* and *innate* and *native* and *nativity*. All are rooted in *natus*, birth. An innate idea is something possessed at birth (or conception), something natural (or native) to a human being simply because he is a human being, a truth "programmed" into him, to borrow language from computer engineering.

perhaps several criteria.[15]

This leads us to ethics. As in epistemology we need a criterion, a standard, of truth and falsehood, so in ethics we need a criterion of right and wrong. Both historically and logically, we have two kinds of criteria from which to choose.

Some people believe we should base all decisions on the goals, or ends, we intend to achieve by them. This option is sometimes called consequentialism, but the preferred term is *teleological* ethics, stemming from the Greek word *télos*, meaning "end," "purpose," or "goal." Some people mistakenly call all

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teleological ethics utilitarianism, but that term properly applies only to a particular brand of consequentialism connected with the empiricist philosophers Jeremy Bentham (1748-1832 A.D.) and John Stuart Mill (1806-1873 A.D.), who thought it possible, at least theoretically, to construct a "utilitarian calculus" that would perfectly weigh the degree of happiness and suffering (utility and disutility) that any given act would cause to everyone affected by it; the right choice in any instance would be the one that would cause the highest preponderance of happiness over suffering. If that sounds a little impractical to you, it is because it is impossible for finite human beings, bound by time and space, to predict accurately all of the consequences of *any* of our acts, even the least significant, let alone the more momentous ones. In fact, that very impracticality applies to every form of teleological ethic, which is one reason why many thoughtful philosophers reject teleology as a final ethical criterion—and all philosophers should. Indeed, often we don't even know which of our acts are significant and which are insignificant, as Benjamin Franklin, borrowing on George Herbert, pointed out in a proverb:

> For the want of a nail the shoe was lost,
> For the want of a shoe the horse was lost,
> For the want of a horse the rider was lost,
> For the want of a rider the battle was lost,
> For the want of a battle the kingdom was lost—
> And all for want of a horseshoe nail. [*Poor Richard*, 1758]

Another reason is that a teleological ethic begs the question, for while it purports to justify a choice by reference to an end, it cannot, without either becoming circular or entering an infinite regress, answer the question, "But why pursue *that* end and not another?" In other words, it cannot justify the end other than by appealing to some non-teleological criterion. But

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[15]By the way, suppose somebody *did* simply flip coins to make all his decisions. Would that show that no reference to criteria of decision making was necessary? Certainly not. On what grounds would he have made the decision to flip coins to determine all his decisions? If by flipping a coin, his decision-making criterion would be circular. If by some other criterion, he would either replace coin flipping by that new criterion or enter an infinite regress of criteria.

the moment it does that, it concedes that teleology is not the real criterion of ethical decision making. Why, for instance, do Bentham and Mill believe we *ought* to maximize happiness over suffering? Do they think there is something ethically *good* about happiness, and something ethically *bad* about suffering? If so, on what grounds do they think it?

Yet another reason that teleological ethics fails is that it provides no ground for judging ethically between the happiness of a Marquis de Sade, which arose from making others suffer, and the happiness of a Mother Theresa, which arose from relieving others' suffering. The utilitarians propose to substitute happiness for virtue as an end, and to judge all means by their propensity to increase our happiness. Sir James Fitzjames Stephen (1829-1894), once himself a disciple of Jeremy Bentham (1748-1832) and John Stuart Mill (1806-1873), the two great utilitarians, devastated utilitarianism by laying bare its absurdity in his *Liberty, Equality, Fraternity* (1873), in an argument summarized by Russell Kirk:

> What, for that matter, is happiness? Mill thinks he can test it, and plan the happy society. What conceit! "Where are we to find people who are qualified by experience to say which is the happier, a man like Lord Eldon or a man like Shelley; a man like Dr. Arnold or a man like the late Marquis of Hertford; a very stupid prosperous farmer who dies of old age after a life of perfect health, or an accomplished delicate woman of passionate sensibility and brilliant genius, who dies worn out before her youth is passed, after an alternation of rapturous happiness with agonies of distress?"

> These questions never can be answered; they are "like asking the distance from one o'clock to London Bridge." The legislator and the moralist never really try to obtain the happiness of each individual: they simply endeavor to persuade or compel men to accept their particular view of life. The positivists' aspiration to complete a design for making men happy, and–still more presumptuous–to arrange that each man's happiness shall count for as much as another's, is their crowning absurdity. Here Stephen makes mincemeat of his adversaries; and in demolishing them, he annihilates the cardinal principle of his own nominal preceptor, Bentham. The grand scheme of God is inscrutable; the object of life is virtue, not pleasure; and obedience, not liberty, is the means of its attainment.[16]

What we discover when we analyze teleological ethics this way is that it is really a failed attempt at *autonomy*, at delivering us from any prescriptive rule, or law, about right or wrong by making our choice of ends the sole means of justifying our choice of means. It fails both because we cannot be sure our chosen means will achieve our chosen ends and because we cannot justify our choice of one end over another without appealing to some prescriptive rule, or law, exterior to ourselves and to the sequence of means that our choices generate.

We are thrown, then, unavoidably into the alternative sort of ethical criterion. This option claims that some acts are right by their very nature, while others are wrong by their very nature, and therefore that no appeal to intended ends can justify the use of particular means. This is called *deontological* ethics, stemming from the Greek words *déon*, "duty" (from *deîn*, "to

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[16]Russell Kirk, *The Conservative Mind from Burke to Eliot*, 7th ed. (Washington: Regnery Gateway, 1986), 313.

bind," which in turn is from *deî*, "to be necessary"), and *lógos*, "word," "science," or "study"—hence the science of duty. Deontological ethics asserts that we are bound by duty to do (or not to do) certain acts; that they are morally necessary (or that refraining from them is morally necessary).

But how are we to *know* whether the act in itself is right or wrong, permissible or impermissible—whether it is our duty to do it or to refrain from it? By an appeal to some rule independent of ourselves, transcending the limits of time and space, of culture and personal preference. By an appeal to law, a standard of moral necessity. And if we paid attention to our language above—our quest for some means of *justifying* our choices—and if we know something of the etymology of that word *justify*, our being driven to law should be no surprise, for the word *justify* is

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rooted in the Latin *iustitia*, meaning "justice," which in turn is rooted in the Latin *ius*, meaning "law." To justify something is to show that it conforms to law.

But what law? The primary candidate in Western philosophy has been divine law, sometimes seen as embodied in special, verbal revelation (like the Ten Commandments), sometimes seen as embodied in general, natural revelation (like the order of nature, or the conscience).

Specially revealed law obviously is affirmed in Scripture, where we find not only the Decalogue but also extensive law codes in the Pentateuch repeated piecemeal as occasion warranted by the Prophets; confirmed by Jesus when He said that He came not to destroy the law but to fulfill it (Matthew 5:17) and, lest anyone should misunderstand, added, "Whoever therefore breaks one of the least of these commandments, and teaches men so, shall be called least in the kingdom of heaven; but whoever does and teaches them, he shall be called great in the kingdom of heaven" (Matthew 5:19); confirmed again by Jesus when He said that the whole law and the Prophets were summed up in the two great commandments to love God and neighbor (Matthew 22:37-40); and confirmed by Paul when he wrote that all the commandments are summed up in the command to love, making love the fulfillment of the law (Romans 13:8-10). (Paul's statement, by the way, does not mean that loving *substitutes* for obedience to the law but that love *necessitates* obedience to the law. To the extent that we disobey the law, we fall short of full and perfect love.)

Natural law is also affirmed in Scripture, which tells us that when those who do not have the written law "by nature do the things in the law, these, although not having the law, are a law to themselves, who show the work of the law written in their hearts, their conscience also bearing witness, and between themselves their thoughts accusing or else excusing them" (Romans 2:14-15).

Embracing a deontological ethic does not mean, however, that we ignore questions of ends and means. It simply means that we put those questions in their proper place—a place subordinate to the question, "Is this right in and of itself?" For a deontological, law-based ethic,

the first question is, *Is this lawful?* If the answer is yes, then we must also do our best—and it is always a fallible best—to answer the second question, "Will it achieve the desired end better than other *lawful* alternatives?" But if the answer to the question *Is this lawful?* is no, then we don't even bother to ask whether it will achieve the desired end. It is simply off limits.

Now of course the sort of ethic we choose—teleological or deontological; end-based or law-based—has important implications for the kinds of decisions we will make. A teleological, end-based ethic puts no acts, for either individuals or states, necessarily off limits. All options are open from the start, and any act can, theoretically, be rationalized on the grounds that it will contribute toward some chosen end. In politics, for example, the unavoidable implication is a potentially unlimited role for the state. Whatever the state deems necessary as a

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means toward some end, it may perform, whether that means killing Jews to purify the Aryan race; or killing unborn babies to promote women's "freedom" or to prevent "overpopulation" or—as intended by Planned Parenthood founder Margaret Sanger—to slow the growth of the undesirable races (blacks, browns, reds, and yellows); or lying to citizens to gain support for some policy; or suspending personal liberty to achieve some economic goal; or confiscating property to make way for some government project or simply to give it to other people. No matter what the nature of the act, it is at least potentially permissible under a teleological ethic. In contrast, a deontological, law-based ethic defines some acts as wrong regardless of the ends intended and regardless of who performs them. The unavoidable implication is a limited role for the state. It should come as no surprise, then, that the explosive growth in the size of American government relative to the whole economy began during the very years when American jurisprudence—the philosophy of law and legislation—was turning from the deontological, transcendent notion of law shared by the framers of the Constitution and by our early judges and legislators[17] to a teleological, sociological notion of law.[18] Other causal factors no doubt were also involved, but this one seems to me to be particularly important.

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[17] See particularly Joseph Story, *A Familiar Exposition of the Constitution of the United States* (Washington: Regnery Gateway, [1859] 1986).

[18] A key figure in this jurisprudential revolution was Oliver Wendell Holmes, a materialist monist who wrote, "I see no reason for attributing to man a significance different in kind from that which belongs to a baboon or a grain of sand." [Richard Hertz, *Chance and Symbol* (Chicago: University of Chicago Press, 1948), 107; cited in David A. Noebel, *Understanding the Times: The Story of the Biblical Christian, Marxist/Leninist, and Secular Humanist Worldviews* (Colorado Springs: Summit Press, 1991), 506.] Both in teaching at the Harvard Law School beginning in 1882 and in serving on the U.S. Supreme Court from 1902 through 1932, Holmes had an enormous impact on American jurisprudence. A second key figure was Christopher Langdell, dean of the Harvard Law School beginning in 1870, who introduced an evolutionary interpretation of law, rejecting the Christian jurisprudence that was at the foundation of William Blackstone's *Commentaries* on the Common Law. A third key figure was Roscoe Pound, dean of the Harvard Law School from 1916 to 1936, who developed a man-centered approach to law and many of whose graduates "went on to formulate policies for [President] Franklin D. Roosevelt's New Deal," and all of whom "were to some extent influenced by Pound's attempt to apply pragmatism [a form of utilitarian ethics] to legal theory. Pound's teachings and writings (especially *Jurisprudence*, a five-volume work) are largely responsible for America's move from natural law to legal positivism." Noebel, *Understanding the Times*, 506-7.