**Existentialist Ethics**

Existentialist ethics is an ethics derived from existentialist philosophy; it follows ineluctably from the metaphysics of existentialists. The proponents of existentialism include Soren Kierkegaard, Martin Heidegger, Karl Jaspers and Jean-Paul Sartre. We shall examine in more detail the existentialist ethics of Jean-Paul Sartre. But first and foremost, we present the reasons for the emergence of existentialism and its central theme.

Existentialism emerged after the Second World War. It is a philosophy that shows concern for human Existence; it shows concern for the condition and the quality of life of the concrete individual human being. Four major factors can be regarded as the *fons et origo* of existentialism. These include 1. the philosophical neglect of the individual. 2. The historical events, like wars. 3. technology. 4. the decline in religious belief. First, the philosophical neglect of the individual: the major systems of philosophy had generally neglected the individual human person. Apart from Socrates, the first Personalist philosopher, known for his famous dictum, 'Man know thyself' and perhaps St Augustine for his introspective reflection on the root cause of human anxiety, the system builders like Plato, Aristotle, etc. largely neglected the individual. In their metaphysics, ethics and epistemology, they approached their themes from an objective point of view. The concrete individual was not their immediate concern.

Second, historical events like wars were fought without enough consideration of the individual who bore the brunt of those wars. There were many causes of war. But nationalist interests appeared to have pre-eminence over other causes of war. In general, wars were fought to conquer, annexe, dominate and exploit minorities or other nations. All these wars were executed to the detriment of the individuals who were at the receiving end of misguided nationalism.

The third factor that enhanced the emergence of existentialism was technology. The cardinal intention for technological development was to make life better for the human person. Technology is supposed to be at the service of man. But it turned out to be doing the opposite. It was the man then who was at the service of technology. He was being zeroed in to behave like a technological instrument. This reduced the dignity and the quality of life of the human person. Besides this, technology led to the research and manufacture of lethal instruments of mass destruction at the expense of the development of the human person. The development and manufacture, for example, of the atomic bombs that were used in Hiroshima and Nagasaki were estimated to have cost 2 Billion Dollars. Their deployment in Hiroshima and Nagasaki led to the death of 152000 Japanese. These figures do not include those who died later from radiation and burns. The life and dignity of the human person were so downgraded and cheapened as to warrant the deployment of these lethal instruments of mass destruction.

The last but powerful proximate cause that served as the watershed for the emergence of existentialism was the decline in religious belief and affiliation. Religion was something that showed concern for the individual. But with advancements in science and rational thought, religious belief and affiliation declined tremendously. It was the last straw that broke the camel's back. The enthusiasm in matters of religion went down to a depressing level. It was such that Nietzsche declared that God was dead. With the farrago of the abovementioned factors, the concrete individual was bereft of 'life support'. The existentialists cashed in on this challenging situation. They emerged to fill in the vacuum and give support to the individual. They provided this support either from a theistic or atheistic point of view.

**The Common Existentialist Outlines**

Existentialists see man as a conscious being. And because he is conscious, he is a self-transcending being. He transcends the present and looks toward the future. It is only a conscious being that can behave in this way. Apart from this, it is consciousness that makes one unique. This is so because no one can penetrate another's consciousness. It is impenetrable. This resembles what Spinoza says about the monad as being windowless and impenetrable. Now since for the existentialists, the individual is unique because of his consciousness that is impenetrable, it implies that a concrete individual is identical to none. No two individuals are the same. Now the individual becomes aware of his individuality and uniqueness only when he comes to know that he has to pass through death alone, that no one can die for him, and that he has to experience death alone. This ineradicable fact that an individual is unique implies that he must live his life as he wants it to be. To live in this way is to live an authentic life. To live otherwise, that is, to live according to the dictates of others or to do things because others are doing them, is to live inauthentically. To live authentically or inauthentically implies that man can live either way. Freedom is a very important theme in existentialism. At this point, we consider Jean-Paul Sartre's ethics.

**Jean-Paul Sartre's ethics**

Like other existentialists, Sartre underscores human freedom. But unlike others, he exaggerates the scope of this freedom to the extent that he uses it as a reason for his denial of the Existence of God. For him, the notion of God and human freedom are not contiguous; One is rather the converse of the other. If God were to exist, there would be no human freedom. The converse is true as well. If human freedom were to be admitted, there would be no God. He adopts the latter. Indeed, he uses his exaggeration of human freedom to affirm the denial of the Existence of God. And he uses this denial of the Existence of God to reject objective universal moral laws. Without God, there will be no one to issue objective universal moral laws. The belief that there are no universal moral laws is called antinomianism. Sartre is a professed atheist and antinomian. Nietzsche is also an atheist and antinomian. But unlike Sartre, Nietzsche does not derive his antinomianism from his denial of God but from the nature of man. He argues that people are different; there is not just one kind of human nature for all. Each person has their nature and is different from others. Because of this, Nietzsche maintains that there cannot be objective universal moral laws for all.

How does Sartre's existentialism lead to his exaggeration of human freedom, which results in the denial of God and the objective universal moral laws? It is his metaphysics that brings about these consequences on his ethics. His metaphysics is centred on the claim that "Existence precedes essence". This claim is a reversal of the traditional metaphysics. The traditional metaphysical belief is: Essence precedes Existence. Sartre radically torpedoes this belief. It beholds him to provide an argument for this radical reversal. This leads us to the contrast between the metaphysical belief 'essence precedes existence' and 'existence precedes essence'.

**Essence precedes Existence**. What is the meaning of essence? Essence is referential. It refers to the nature of a thing or what makes a thing what it is. For the traditional metaphysicians, this nature or essence of a thing precedes its actual coming into Existence. We can make an illustration with an aircraft. Before it is manufactured, its nature, that is, the image or the idea of how it will be produced, as well as the purpose for embarking on this project, would exist first in the manufacturer's mind.

The same is true with a house. The image of the house and the service it will provide would pre-exist in the builder's mind before the actual realisation of the house. When these examples are transferred analogically to God and man, it would mean that the nature of each human person existed in the mind of God before coming into Existence; that God had the foreknowledge of the nature of each person. Sartre objects to this. He argues that if this were true, man would not be free because God would control him. And if he is not free, he would not be responsible for his action. But Sartre believes strongly that man is free and responsible. How does he derive man's freedom and responsibility? This leads us to explain his metaphysical claim that 'Existence precedes essence'.

**Existence precedes essence**. Having denied the validity of the traditional metaphysical belief that 'essence precedes existence', Sartre would defend his thesis: Existence precedes essence. Man, for him, has no nature preconceived by God. Man exists, confronts himself and gives himself essence or nature. It is a man that makes himself what he is. He has the awesome freedom to do this. He is not a finished item. He is a self-creating being in the sense that he has the capacity and the freedom to make himself the way he wants to be. The past or the present does not limit him from realising the type of being he wants to be.

In Sartre's attempt to explain the capacity and freedom man has to create himself, he makes a distinction between *l’en soi* – the being-in-itself and *le pour soi* – the being-for-itself. *L’en soi* refers to a being that remains the same all the time. An example of such a being is a mountain or a stone*.* A mountain or a stone cannot do anything for itself. It remains as it is; it is immobile and inertial. *Le pour soi*, on the other hand, refers to a self-conscious being. *Le pour soi* has more dignity than *l’en soi.* This dignity is because it is self-conscious; It knows itself as a subject and the other things surrounding it as objects; it can transcend the present and move towards the future; It can imagine something in the future and move towards its actual realisation. Transcending the present and moving towards the future to realise its intention implies that it has the capacity and the freedom to do it. Sartre, therefore, derives human freedom from the self-consciousness of *le pour soi*. Man is that self-conscious being; he has the power and freedom to develop himself, create his values and give himself essence. According to Sartre, man cannot escape from freedom. He is "condemned to be free". Not making a choice is already a choice made. Freedom is part and parcel of the human person. Man is therefore entrapped in the shackles of freedom.

It would appear that Sartre's existentialist ethics would lead to moral anarchy if everyone were allowed to use his freedom to create his values and give himself essence. It would not lead to this conclusion, however. He argues that in using your freedom, for example, to choose between x and y, you attach a value to whichever you have chosen. If you choose x over y, it means that x is better than y, and Sartre adds, "Nothing can be good for us without being good for all". So, in choosing a value for oneself, one is at the same time doing so for all. So, there is no moral anarchy.

Sartre says something that is additionally important in this context of creating values or creating one's essence. He says that in doing this, that is, in creating values and giving oneself essence, an individual usually has before him an idea of the type of human nature he wants to provide himself with, the type of human being he wants to be. Sartre maintains that while making these choices that enhance the type of person an individual wants to become, he should allow others in similar situations to make the same choices as one does. Sartre observes, however, that one may not authorise others in similar situations to make the same choices. But to make choices and not allow others to do the same is self-deception. That possibility that one may not allow others to make the same choices makes Sartre say that freedom involves anguish.

Now, Sartre has established man's freedom, first from his denial of the Existence of God and second from his affirmation of man as a self-conscious being. Having established that man is free, he affirms that man is responsible for his action. Freedom goes with responsibility. These are correlatives. Sartre harps on this. Man must accept the responsibility for his action. To deny that man is responsible for his action amounts to what Sartre calls *mauvaise foi* (self-deception). There is no escape from human responsibility. Attributing human errors to determinism, human nature, custom, or social pressure is downright self-deception. Even postponement of decision is *mauvaise foi*. Sartre gave an example of a girl being seduced by a young man. Instead of making a decision and taking responsibility for her action, she pretended as if she never knew that this young man was seducing her. For Sartre, this is *mauvaise foi.* If someone, for example, is faced with the choice of conducting the funeral ceremonies of his relative in a Christian or traditional way, he has to choose one and take responsibility for the action. For Sartre, no God says one ought to act in one way and not in the other. One has to choose and take responsibility for the action.

**Evaluation**

Sartre’s emphasis on freedom and responsibility is good. People should be ready to take responsibility for their actions. But Sartre’s exaggeration of freedom is absurd. What is it that makes an action good? Is it because the action is good in itself or because it is freely chosen? It is undoubtedly because it is good itself and freely chosen. It is not simply because it is freely chosen. If one freely chooses to be a kidnapper, does this make the act of kidnapping good? Certainly not. So, there is a need for objective universal moral laws to serve as guides in exercising an individual's freedom.

Again, the Existence of God is not necessarily against the idea of freedom. God may give the commands, but the individual has the free will to obey or not to obey. So, man is not determined just because God exists.

**Joseph Fletcher: Situation Ethics**

**Introduction**

The situation ethics is known as the New Morality. This name, new morality, indicates that there has been an old morality in Existence before the present one. That old morality referred to here is that of the Jews, the Catholics and the Pentecostals. This traditional morality is said to be legalistic. It asserts that certain actions are intrinsically evil. Nothing can make them good. Such actions include adultery, murder, abortion, rape, stealing, premarital sex, falsehood etc. Situations and circumstances cannot change the nature of these actions. They remain fundamentally flawed actions. There is no hard and fast rule about this. The Situationists, that is, the new moralists, disagree. For them, the same actions can be good in certain situations and bad in others; when the chips are down, one will undoubtedly accept the veracity of this conclusion. Joseph Fletcher, a priest of the Episcopal Church in America, who later became an atheist, promoted and popularised situation ethics in 1966 by publishing his book *Situation Ethics*. A Pandora’s box was opened with the publication of this book. A floodgate of reactions trailed the publication, some positive and many more negative.

**Joseph Fletcher's Situation Ethics**

Joseph Fletcher regards situation ethics not as a system of ethics but as a method of moral decision-making. His basic tenet is that situations are different; each situation is unique and not identical to any other situation. And if this is acknowledged and accepted as true, the same action cannot be judged in the same way in every situation. Each action must be evaluated within the context of the particular situation. Every action is in itself neutral. It is neither good nor bad. Goodness or badness is not a property intrinsic to an action. An action is judged to be good or bad depending on the prevailing or unique nature of the situation in which it is performed. Almsgiving, for example, is regarded as something good. For the situationists, almsgiving is neither good nor bad. If giving alms to an indigent person, for instance, will lower the dignity or self-worth of that person, one should refrain from doing it, for it is bad. One should find some other way to help him. Divorce is not considered as something good. For the situationists, divorce is neither good nor bad. Joseph Fletcher encourages people to go for divorce if it improves the spiritual and material welfare of the children and the couples themselves.

This position of the situation ethics implies that the existing moral laws are not absolute. Moral laws cannot be validly applied in all situations since every situation is unique. Joseph Fletcher regards moral laws as illuminators, not directors in moral decision-making. They are illuminators in that they serve as guides on what to do but are not directors in the sense that they are not absolute, they are not obligatory, and one is not bound to obey them in every situation. All those examples of moral laws mentioned earlier are illuminators and not directors. The only moral law Joseph Fletcher recognises as absolute is the law of love, the love of the neighbour as commanded by God. It is the only law that can be validly applied to any situation. The reason for this is that, for him, love is the only thing that is intrinsically good. And so, any action that is inspired by love or is a demonstration of love is good.

Fletcher understands love in a utilitarian way. If, for example, performing an action will ensure the welfare of the neighbour or yield positive results, one should perform it, for it is a good action; one should perform that action no matter what the moral law says. In the words of Joseph Fletcher, "The situationist follows a moral law or violates it according to love's need... His decisions are hypothetical, not categorical. Only the commandment to love is categorical" (*Situation Ethics*, p.26).

So, for Joseph Fletcher, the laws that guide decision-making are not a priori laws; that is, moral laws are established and codified before one ever comes face to face with a concrete moral situation. According to him, laws that influence decisions ought to be empirical in the sense that the experience of the concrete moral situation may help one to choose the action that is more beneficial than the others in a particular situation. Fletcher gave four examples to support his tenets in situation ethics. We shall give only two of them.

**First Example: World War II.** America detonated two atomic bombs in Japan in 1945, one in Hiroshima and the other in Nagasaki. One hundred fifty-two thousand people (152,000) died on the spot, and many more died later due to the effects of the bombs. The Japanese surrendered after the detonation of those bombs. Later, the US military and scientists discussed whether it was proper to have deployed those bombs to end the war. There was a protracted argument. Some said that it was not appropriate. Others said it was necessary. The latter argued that the Japanese would not have surrendered without such drastic action. And that if they had not used those bombs, the number of people who would die were the war to continue would outnumber those who died as a result of the use of those atomic bombs. The situationists would approve the use of the bombs, for their perceived outcome is more positive than negative. For them, it was more beneficial to use them than not to use them.

**Second Example: A woman on a shuttle flight.**

Fletcher gave another example of a woman he met on a shuttle flight who shared her moral dilemma. There was a war raging on at the moment, she said, and her government was asking her to go and seduce an opponent's spy and blackmail him. This was the only way to end the war quickly and save the lives of many citizens. But her conscience pricked her tremendously because going to involve herself in this seduction was against her morals. Was she to embark on this seduction project, end the war, and save the lives of many or not? That was the dilemma. The situation ethics would advise her to go for the seduction.

Joseph Fletcher discusses three approaches to moral decision-making to indicate the nature and importance of situation ethics.

**Three Approaches to Moral Decision Making.**

**a. Legalism**. This is the traditional decision-making system. Here, the moral laws are codified and written out in books. These laws are believed to be absolute and valid in every situation. When confronted with a moral choice, one has to recall or consult a moral law book to find out what the law says, whether an action is good or bad. For the legalists, all the moral laws, for example, those already mentioned earlier in this course, are not only illuminators but directors; they illuminate and prescribe or command actions. The Jewish, Catholic and Pentecostal laws are examples of absolute moral laws which must be applied while assessing or judging the morality of actions. Legalism emphasises the letter of the law and not its spirit.

**b. antinomianism**. This is the opposite of legalism. Antinomianism and legalism are poles apart. Antinomianism is a principleless or lawless approach to moral decision-making. It rejects the ideas of laws as illuminators and directors in moral decision-making. Fletcher says that the Corinthians and Ephesians exhibited the symptoms of antinomianism. He says, "They were repudiating all laws, as such, and all principles, relying in all moral action choices solely upon guidance in the situation" (*Situation Ethics,* p.23). In the philosophical circle, Jean-Paul Sartre stands as an unapologetic, rugged, dogged antinomian who has no regret whatsoever when he rejects objective moral laws and maintains that man has unfettered freedom to make decisions in moral dilemmas. The individual's uniqueness confers on him the power and freedom to behave this way.

**c. Situationism**. This stands as a middle course between legalism and antinomianism. It recognises moral laws as illuminators but not as directors. A situationist recognises the moral laws, but he is prepared to set them aside or compromise them when the application of love is better served in a particular situation. Love is the only thing that is good and the only thing that can be applied in every situation. However, the fact that situationism says that moral laws are illuminators shows that it shares partly with the ideals of legalism. And the fact that it maintains that moral laws are not directors shows that it shares partly with the ideals of antinomianism. This is part of why, for Joseph Fletcher, situation ethics is the best for moral decision-making.

**The Four Working Principles of Situation Ethics. These refer to what one should have in mind in the discussion on situation ethics.**

**a. Pragmatism**. Situation ethics is pragmatic because it is concerned with what is workable, expedient and satisfactory. One makes a choice that works out in practice in a concrete situation, a necessary choice and one that brings about satisfaction

**b. Relativism**. Situation ethics is relativistic in the sense that moral laws are not absolute. They are relative. Whether an action is good or bad depends on the situation. An action can be good in one situation and bad in another. Goodness or badness is not a property inherent in an action.

**c. Positivism**. Situation ethics is positivistic, for it adopts an empirical rather than a priori approach in moral decision-making. A priori laws are not helpful, for it is difficult to prove what they are and why they are good or bad. Fletcher believes that even the meaning of love cannot be determined a priori. It is a simple term; it is indefinable, like goodness. It cannot be defined in terms of something else. But when one sees an action manifesting love, one knows it intuitively. That is why situation ethics is said to adopt an empirical approach.

**d. Personalism**. Situation ethics is personalistic, for its principal objective is the human good and welfare. Moral laws are supposed to be for the benefit of man. Laws are made for man and not man for laws. Traditional morality appears to underscore that laws are made for man, while situation ethics emphasises that man is not made for laws. Traditional morality emphasises the letter of the law, while situation ethics underscores the spirit of the law by showing concern for the development and the good of the individual.

**Situation Ethics' Axioms on Love**

1. **Love only is always good**. For situationists, love is always good. It is good in every situation in which it is applied. Other moral laws are not good in all situations. God is love; he is love himself. Human action is good to the extent that it is done with love and imitating God, who is love. To emphasise that love is always good, Fletcher quotes St Augustine, who says that to find out whether someone is good, "one does not ask what he believes or what he hopes but what he loves".

2. **Love is the only norm.** Love is the only absolute norm. Other laws are not absolute. They depend on love; they derive meaning and efficacy from love. This is supported by St Augustine who says that all virtues whether cardinal or theological hang on love. And because all norms and virtues find their articulation and meaning in love, Augustine says, "Dilige et quod vis, fac (love with care and then what you will do)" (*Situation Ethics*, p.79).

3**. Love and Justice are the same**. In situations ethics, love and justice are identical. They are not separable. Fletcher states this in unmistakable terms when he says that "Love ₌ justice; justice ₌ love". The Bible says, "The only thing you should owe to anyone is love for one another" (Rom. 13:8). So, everyone has a right to be loved. This is a duty we owe to everyone. Justice is simply the practical working out of this commandment of love to all in which everyone is given what he deserves. Therefore, there is no way one can love another without at the same time being just to him. Love and justice are symbiotically connected.

4. **Love is not liking**. Situation ethics understands love, the agape love, as benevolence or goodwill. It is nonreciprocal love. This agape love is extended to all, the deserving and the undeserving, the lovable and the unlovable. It is so in imitation of God who is love himself, who allows the sun to shine on the good and the bad alike. The fact that agape love can be extended to all makes it to be different from liking. Liking is emotional. It cannot be extended to all. Some people are unlikable. It is futile to command people to like such persons. But love, because it is commanded for the sake and imitation of God, can be extended to all.

5. **Love justifies its means**. The traditional moral dictum is that the end does not justify the means. Situation ethics reverses this by saying that the end justifies the means. This end is love. Fletcher emphasises this when he says, "There is only one end, one goal, one purpose which is not relative and contingent, always an end in itself. Love" (*Situation Ethics*, p.129). It is this love that justifies whatever means is used to achieve it. The means are actions. Actions are in themselves neither good nor bad, right nor wrong. These moral properties are not inherent in actions. When the end is love, actions or means leading to the realisation of the end acquire the predicate of goodness.

6. **Love decides There and Then**. Situation ethics claims that when one makes a choice, the past does not determine him or the future but only the present. According to Fletcher, we live in the past by faith (legalism), in the future by hope (antinomianism) and in the present by love (situationism). The presence of love in a situational context is the deciding factor in whether to act or not to act. "Love's decisions are made situationally, not prescriptively."

**Evaluation**

The emphasis on agape love is something good. Agape love is all-inclusive; we are enjoined to love all, even our enemies. It is because we love God that we are obliged to love all. All human beings are creatures of God. To love God effectively, we ought to love all, for they are dear to him.

But Joseph Fletcher's interpretation and application of the agape love in his situation ethics is bizarre. His understanding of agape encourages the violations of the commandments of love, which God himself had ordered. Jesus says if you love me, keep my commandment. He did not just order it; he kept it. He told the Jews, “Do not imagine that I have come to abolish the law or the prophets, I have not come to abolish but to complete them” (Mtt. 5:: 17). And in Romans, we read "You shall not commit adultery, You shall not kill, You shall not steal, You shall not covet, and all the other commandments that there are, are summed up in this single phrase: You must love your neighbour as yourself." (Rom. 13:9). How then does Fletcher say that adultery and other precepts, which are summed up in love, can be violated and justified in certain situations? He may have another meaning of love and not agape love.

Again, Joseph Fletcher looks at agape love in a utilitarian way. For him, an action that produces something good in a situation is a sign of agape love, and it ought to be preferred to any other action. The problem with this is that it is very difficult to foresee all the direct and indirect consequences of an action. An example, the use of atomic bombs in Japan was said to be justified because it reduced the number of those who would have died if they were not used to end the war. This claim can only be hypothetical and not categorical. There is nothing to confirm it in one way or another. Besides, other factors, for example, intense hunger or eruption of infighting among the Japanese, which could weaken their fighting spirit, could have forced the Japanese to surrender if the war had lingered without the use of the bombs.

**Lawrence Kohlberg and His Moral Development**

**1. Introduction**

In this introduction, we give a synopsis of what this lecture is all about. Lawrence Kohlberg says that an individual develops morally. He claims that there are three major levels of moral development. Each of these levels consists of two moral stages. Hence, there are six moral developmental stages. Kohlberg makes certain claims about these moral stages, namely, that they are natural, universal and invariant. He claims equally that each moral stage, apart from the first one, is an advanced form of the one before it. He also claims that the sixth moral stage is the most adequate for making moral decisions.

Carol Gilligan finds Kohlberg's theory inadequate. She claims that his theory is not contextual; that is, it does not take into account the moral experience of women in concrete situations. She calls for ethics of care and responsibility to address these deficiencies. Her objection was flawed by Habermas, who advocated instead for ethics of discourse, otherwise known as consensus ethics.

**2. Kohlberg’s Description of the Major Levels of Moral Development**

According to Kohlberg, there are three major levels of moral development, namely, the preconventional, the conventional and the post-conventional. Each of these is subdivided into two stages. The preconventional level comprises moral stages 1 and 2, the conventional level comprises moral stages 3 and 4, and the post-conventional level comprises moral stages 5 and 6. So, there are, in total, six moral stages. Children under 20 and many adolescent and adult criminals are at the pre-conventional level.

Most adults are at the conventional level. A few adults attain the post-conventional level, usually after age 20. At the pre-conventional level, the individual does not understand the rules and expectations of society. He has not internalised them. Indeed, these rules and expectations are external to him. According to Kohlberg, the individual's knowledge at the pre-conventional level about what is good or bad depends on whether an action will be rewarded or punished. The hope that action will be rewarded motivates the individual at this level to perform it, while the fear of punishment makes him refrain from it. The individual does not understand why society says that an action is good or bad, right or wrong. These moral concepts are understood in terms of the consequences of an action, that is, reward or punishment.

At the conventional level, however, the individual is aware of the rules and expectations of the society; that is, he understands the laws, customs and traditions of the society and what he is expected to do at each moment. He accepts them hook, line and sinker. He does not question their legality or legitimacy. He believes they are correct and good. Maintaining them in society, family, and groups is his primary concern. He believes that one who conforms to them is doing something good, and one acting contrary to their stipulations is acting badly. Now at the post-conventional level, the individual understands society's laws, customs and traditions and expectations. However, his acceptance of all these depends on whether they conform with the universal principles of justice – equality, freedom and respect for the dignity of the human person. When the universal principles of justice and society's laws conflict, the individual at the post-conventional level upholds the principles rather than the society's laws.

**3. Kohlberg’s Claims on the Moral Stages**

Kohlberg makes some claims about the six moral stages that make up the three major levels of moral development. First, he says the second moral stage of each level is the more advanced form of that level. So, the moral stages are arranged hierarchically from moral stage 1 to moral stage 6. While moral stage 1 is the lowest, moral stage 6 is the highest and the best for moral decision-making. The second claim is that the moral stages are invariant. That is to say, a child moves step by step or sequentially through the stages. No child jumps on one stage and enters into another. However, Kohlberg admits that a child can move faster in the moral stages than another child of the same age. He asserts that a child may reach a particular stage of moral development and remain there. But as long as he moves upward, it is a step-by-step movement.

The third claim on the moral stages is that they are "structured whole". A stage represents an individual's way of thinking not simply in a particular situation but in all cases. Thus, the position that an individual at stage 6 maintains, for example, on stealing to save a life, is likely similar to what he claims concerning civil disobedience. However, Kohlberg adds that an individual is not wholly and entirely in one stage. He may be at a particular stage which is his major but participates to some extent in the next stage towards which he is moving and also retains the traces of the previous stage from which he has just emerged.

The fourth claim is that the moral stages have universal validity. Their validity cuts across cultural values. He argues that as an individual grows, he does not simply and only learn the values of his culture; he also learns universal values, which can be found in any culture. But if this claim is correct, critics could ask him to explain why there are many cultural differences if the basic moral experience and development in the different cultures are the same. To this objection, Kohlberg would respond that the universal principles of action in moral stage 6, for example, can be found in all cultures. We shall see what moral stage 6 is all about. Let us present Kohlberg's description of each moral stage at this juncture.

**4. Kohlberg’s Description of the Six Moral Stages**

**Moral Stage 1 – Stage of punishment and reward.** Kohlberg says that the action that the individual at this stage understands as good or bad, right or wrong, is not dependent on the ordinary human meaning of these moral concepts. The consequences of an action determine whether it is good or bad, right or wrong. An action with a punishment attached to it is understood to be bad, while one with no punishment or reward attached to it is said to be good. An individual at this moral stage obeys a rule to avoid punishment and the superior power of authority. The individual at this moral stage does not consider the interest of others. He does not recognise that others have points of view different from his.

**Moral Stage 2 – Stage of interest**. Here, Kohlberg says that what an individual considers as a good action is that which is principally to his own interest, an action from which he stands to gain something. An individual follows a rule only and in so far as he stands to gain or profit from the action. By inference, the action in which one stands to lose is bad. However, unlike in moral stage 1, the individual in moral stage 2 is aware that others have their interests too. But then his interest comes before that of others. Even though there may be fairness and reciprocity in the relationship at this moral stage, the individual bargains primarily for his interest and only occasionally for the interest of others.

**Moral Stage 3 – Stage of appearing good to others**. Doing good at this stage is understood as doing what people generally expect one to do. One, for example, who plays well the role of a son, or a brother or friend, pleases his parents, siblings and friends respectively. He is considered a good son, brother and a friend. Everyone is pleased. At this moral stage, the reason that motivates one to action is to please others by playing one's role effectively. So, there is an element of care for others, to please and make them happy. One wants to appear good to others. Hence, there is a concern for others. Indeed, there is a golden rule. And so, there "are mutual relations like trust, loyalty and respect".

**Moral Stage 4 – Stage of Authority**. At this stage, the individual has a strong tendency towards authority; he tends to maintain rules and order. He believes that laws and agreements should be obeyed except when they conflict with societal laws. Hence, what he considers as a right action is obeying authority and conforming to fixed rules. The reason or motive for toeing this line of action is to avoid anarchy or a total breakdown of law and order. He believes that if everyone disobeys the authority or rules at one's whims and caprices, the result will be anarchy.

**Moral Stage 5 – Laws of Social Contract**. There is here a strong emphasis on laws, the laws that are made through social contract. Right action is considered by an individual at this moral stage as obeying the laws of the social contract, that is, the laws of the state. One's reason for upholding that right action is obeying the law is because of one's commitment to the social contract and that impartiality should be maintained. However, the individual at this moral stage observes that sometimes the legal and the moral laws conflict. For Kohlberg, when such conflicts arise, the individual does not know how to resolve them effectively at this stage.

**Moral Stage 6 – Stage of Conscience**. This is the last of the six moral stages. Here, the individual follows his self-chosen principle, his conscience. He accepts particular laws, customs and traditions or social contract laws as valid as long as they are based on universal ethical principles. According to Kohlberg, "When any law violates these principles, one acts in accordance with the principles. Principles are universal principles of justice: the equality of human rights and respect for the dignity of human beings as individual persons". The individual at this moral stage believes in and is committed to the validity of universal principles. He believes that human beings are "ends in themselves" and should be respected.

Kohlberg says that this sixth moral stage is the best for moral decisions. The reason is that the individual at this moral stage understands right and duty as correlatives; they go together. If one has a right to something, every other person has a duty to protect it. If someone has a right to life, everybody has an obligation to protect it; everyone can break any law, even the law of the state, to protect it. This is unlike the moral stage 5. Here right and duty are not correlatives. There is a difference between an individual's natural right and the state's awarded right. If the person has the natural right to life, this right does not impose a duty on everyone to protect; one is not obliged to break the law of the state to preserve it. If he does, he will be punished by the state. But in moral stage 6, one can violate any law to protect natural rights.

Kohlberg uses the philosophers' responses to the following dilemma to illustrate his claim concerning stages 5 and 6 and his preference of stage 6 as the most adequate for moral judgement. The dilemma as he constructs it is as follows:

*“In Europe, a woman was near death from a very bad disease, a special kind of cancer. There was one drug that the doctors thought might save her. It is a form of radium for which the druggist was charging ten times what the drug cost him to make. The sick woman’s husband, Heinz, went to everyone he knew to borrow the money, but he could only get together about half of what it cost. He told the druggist that his wife was dying, and asked him to sell it cheaper or let him pay later. But the druggist said, ‘No, I discovered the drug and I’m going to make money from it. So, Heinz got desperate and broke into the man’s store to steal it for his wife.”*

According to Kohlberg, the philosophers who are classified as belonging to stage 5 recognise the woman's right to live. But they do not think this right generates a duty on her husband, Heinz, to steal. Some of the philosophers in stage 5, however, recognise the duty of Heinz to steal to save his wife if it is part of the social contract. Nevertheless, they do not recognise that one has to steal to save a stranger or a friend.

The response of a philosopher classified as belonging to stage 6 is quite different from those in stage 5. The philosopher at stage 6 believes that life is prior to any attachments – wife, friends, strangers, etc. He believes that Heinz should steal to save his wife. The right to life generates his duty and not because she is his wife. That right to life is independent of any personal ties explains why Heinz should steal to save his wife even though she is not affectionate to him. This also explains why one ought to do the same to a friend and even to a stranger. Hence, Kohlberg prefers the moral judgement at stage 6 as the most adequate. As we have seen, this is because rights and duties are correlatives.

But then what happens if two people have conflicting rights to be protected? How does one resolve the dilemma? Which right is one obliged to protect? Kohlberg says that the dilemma can be solved with the principle of reversibility. One has to reverse the roles. One has to imagine whether each of those whose rights are to be protected should put himself or herself in the position of the other and still maintain that his or her right ought to be protected. If he can, then one can act based on this. If he cannot, then one must refrain from acting.

Socrates is a good example of someone in Kohlberg's sixth moral stage. He was always on the side of truth and justice and was prepared to take responsibility for the consequences. As a member of the Athenian senate, he and his colleagues were once asked to try the case of ten commanders who failed to rescue other soldiers in a navy battle. He voted against trying them together, for it was unjust and unconstitutional. He was the only person who voted against trying them en bloc. Each person is unique, and his right has to be protected. He would have been punished severely for voting against trying the commanders together, but he thought it was his duty to stand by justice rather than injustice through fear of imprisonment or death.

Again, when the so-called government of Thirty was in power in Athens, he and four others were asked to go and fetch Leo of Salamis for execution. He considered this action wicked. Everyone has a right to his life. The four others went, but he refused to join them. Had the government not fallen almost immediately, he would have paid the supreme price for this intransigence. He was not afraid to die following his conscience.

Nelson Mandela and Martin Luther King, Junior are also good examples of those whose actions depict the actions of those in moral stage 6. Nelson Mandela reacted against the discriminatory laws of the Apartheid regime in South Africa. He fought for the freedom and equality of all South Africans. He was arrested for his activism and sentenced to life imprisonment. He was released 27 years after. He later became the first black South African president. Martin Luther King Junior fought for the freedom and equal rights of all. He was arrested on a number of occasions. His struggle led to the official ending of the segregation laws against African Americans.

**5. Evaluation**

Some philosophers question specific aspects of Kohlberg's theory. For instance, Holstein's study of Kohlberg's six moral stages shows that no individual proceeds through the moral stages in a stepwise fashion. His data shows a considerable skipping of stages and regression among the final stages of both sexes. E. Simpson, on her part, questions the universality of Kohlberg's theory. She argues that a philosophical theory that claims universality must give an account of the reality of the conceptual differences that arise in the varying perceptions and explanations regarding customs and broad social environments of diverse groups.

Carol Gilligan gives a more damaging criticism of Kohlberg. She observes that Kohlberg, in conducting his research on moral development, which lasted over 20 years, based it on 84 boys alone. Girls were excluded entirely. She says that excluding the girls in the research is perhaps why the women do not fit in well in Kohlberg's theory. Women are dominant in the third moral stage. This stage is characterised by care, caring to be good, and caring to appear good to others. Care is the particular virtue of women. Carol Gilligan considers care to be very positive in human interaction, but Kohlberg has downgraded it to the third stage in the ladder of moral development. She argues that if morality is formulated from the women's experience of care, ethics better than Kohlberg's will emerge, particularly in resolving moral dilemmas. This ethics will be known as ethics of care. It is contextual and not abstract in its approach to moral issues. Women will do well in this ethics.

Carol Gilligan develops her view in a book titled *In A Different Voice*. The title portrays what she has in mind. Kohlberg has spoken from one voice, the male voice. The different voice different from this male voice that ought to be heard is the female voice. Gilligan regards Kohlberg’s theory drawn from the male voice as justice theory or theory of rights and regards the theory from the female voice as ethics of care. For her, women suffer disadvantages in justice theory.

Habermas has criticised both Kohlberg and Carol Gilligan in their respective theories. He pointed out the loopholes in their theories. He called for a union of the two voices through argumentation. His point is that the two voices must discuss a moral issue before it can be adopted as a moral law for all. This is known as discourse ethics or ethics of consensus. This has its own horrible and unacceptable implications, for people can easily come together and discuss and adopt what is against the natural law or the commandment of God.