

A Moratorium on "Moral Rules" for the Benefit of Understanding

HOWARD R. BAILEY

WITHIN a considerable amount of ethical writing and discourse the referent of the term "rules" or, more importantly, "moral rules" is ambiguous. This ambiguity is a major source of confusion in moral discourse, discussion, and debate, and is an obstacle to understanding for many who encounter ethical discussion.

This ambiguity and its consequential confusion is rather widespread. Although frequently clarified within the written context, John Hospers, for example, employs the term to refer to directives, command, precepts,¹ the traditional do's and don'ts,² and principles.³ In these and other instances of Hospers' the referent is usually clear, sometimes however, it is not. William Frankena⁴ uses it to refer to axioms, abstract rules, and principles. I have, for example, encountered the "Ten Commandments" referred to as rules, commands, and principles.

Similar multiple usage is discovered in non-professional discourse, especially that among college students and usually without contextual clarification. Perhaps here, among the non-professionals, it is accompanied by the greatest degree of confusion, or, is the most troublesome source of confusion. The frequent dissatisfaction of college students with the "ethics of their elders" is often dis-

satisfaction with the dogmatic moral injunctions. As the young attack these "moral rules" they believe that they are attacking the whole of morality and moral standards, and as is usually the case, their elders think so too when it is only one kind of "moral rules" which they have attacked.

The plethora of meanings of "moral rules," e.g. axioms, commands, directives, precepts, and principles, is quite legitimate of course; the term "rules" may refer to all of these and a few more. The point is that the confusion is not necessary and certainly is undesirable. The problems in ethics are great enough without the added confusion which this particular ambiguity contributes.

The thesis of this paper is that this ambiguity and its accompanying confusion can be reduced, and greater clarity and understanding enhanced by declaring a moratorium upon the word "rules," or "moral rules," within ethical discourse, and then differentiating those "rules" which are commands or injunctions from those which are principles. This distinction is possible; in fact, it is maintained frequently within a written context although not specifically discussed. Further, the characterization of each of these aids to moral choice, decision, and judgment, can, I believe, facilitate moral analysis, discussion, and instruction. I shall therefore, attempt to characterize and differentiate these two basic meanings of "moral rules."

II

Moral principles are necessarily vague and general in character. They are generalized statements which serve to guide and inform choice, decision, and judgment making. A moral principle is a statement of obligation referring to

HOWARD R. BAILEY is Director of Religious Activities at Dakota Wesleyan University. This paper was presented at the Rocky Mountain Sectional Meeting of the American Academy of Religion in March, 1968.

¹ John Hospers, *Human Conduct*. (Burlington: Harcourt, Brace & World, Inc. 1961), p. 11.

² *Ibid.*, p. 17.

³ *Ibid.*, p. 76.

⁴ William K. Frankena, *Ethics*. (Englewood Cliffs: Prentice-Hall, Inc., 1963), p. 25.

kinds, classes, or categories of behavior. It is a working guideline which, with careful consideration of relevant factors and full employment of intelligence, enables one to choose, act, or judge in such a manner so as to more completely achieve maximum actualization of "good" and/or "the good life," however these might be conceived or understood.

Moral principles may be negative, e.g., "do nothing which is injurious to your health," "do not deprive another of his means of economic survival," "do not interfere with another's rights or liberty," or it may be like Sidgwick's principle of justice: "It cannot be right for A to treat B in a manner in which it would be wrong for B to treat A, merely on the grounds that they are two different individuals, and without there being any difference between the nature or circumstances of the two which can be stated as a reasonable ground for difference of treatment."⁵ However, moral principles are more likely to be positive in character, e.g., "love your neighbor," "always treat another person as a end and never as a means only," "do to others as you would have them do to you," or like Rashdall's "Axiom of Equity, 'I ought to regard the good of one man as of equal intrinsic value with the good of anyone else.'"⁶

Moral principles are, in addition to being generally positive in thrust, generally creative and cognitive in their demands. That is, they are grounded in values to be sought along with a high degree of rational commitment to a formulated "good" or value and they evoke and require a considerable degree of creative and cognitive effort in application and/or implementation. Since moral principles do not state, explicitly, precisely, and unquestionably the specific acts or behavior that is to be initiated or prohibited, followed, completed or ceased in any given situation, one has to discover just what it would be to adhere to the accepted principle in any

given instance, or what would be required to achieve maximum implementation of that moral principle in a concrete life situation. Such discovery requires a considerable amount of thought and inquiry, as well as conjecture, projection, prediction and inference. Consequently, moral principles require both creative and critical thinking to a high degree.

Finally, moral principles employed as guidelines in moral behavior tend to increase the uncertainty of moral righteousness, anxiety, and individual responsibility. A person choosing to act upon moral principles or employ them as his guide in choice and judgment must not only acknowledge his acceptance of vague and generalized statements as a basis for moral decision but also acknowledge that his choice and judgment are based upon his own analysis and understanding of that being evaluated, as well as the principle itself. In short, one has full responsibility for justifying his judgments and choices. On the other hand, the acceptance and employment of moral principles exposes one to the charges of subjectivity and relativism and opens opportunities for rationalization, self-deception, and the formulation of empty tautologies.

III

Moral injunctions or commands, on the other hand, are very explicit, particular, and literal in character. They are rather precise and clear statements "to do," or as is more often the case "not to do" some very specific act, or participate in some singular type of activity. Moral injunctions are less like working guidelines and more like a set of scales whose readings, or in this instance decisions and judgments, are clear, categorical, unquestionable and certain.

Although not necessarily negative, moral injunctions are usually negative or prohibitive directives. One is very clearly informed what not to do, e.g., "do not smoke," "do not kill," "do not lie," "do not drink," "do not dance,"

⁵ Frankena, *Ethics*, p. 25.

⁶ *Ibid.*, p. 25.

"never break a promise," "do not swear"; or, as is sometimes the case one is informed what to do, e.g., "Always tell the truth." After the behavioral characteristics enjoined by the injunction have been described or fairly well clarified there is relatively little deliberation required in order to know what is right, good, or moral. An individual's major decision is whether or not to obey the injunction. Granted, however, the necessity of some schema to be worked out to handle situations of "injunction conflict" and complex situations where several injunctions are appropriate and some cannot be obeyed without violating others.

Moral injunctions or commands evoke a greater emotional response than cognitive ones in conjunction with moral choice, decision, and judgment. A corollary of this is that the power of these commands is grounded in threat and fear of punishment rather than in reward or sense of accomplishment. This threat or fear may take the form of **external actions** of abandonment, rejection, physical punishment, or public exposure and ridicule, or it may be expressed through a threatening **inner sense** of guilt, shame, or isolation and estrangement. Furthermore, although the rationale for the injunctions or commands may or may not be clear, once acceptance of the set of injunctions is acknowledged and accomplished it is primarily the emotional impact of threat and fear that influences subsequent specific choices and behavior, and the moral appraisal of that behavior rather than the rationale for the system of injunctions.

Moral injunctions or commands are unrelated to moral principles. As a matter of fact, with the exception of the "act deontologist," moral commands are **concrete** expressions of certain moral principles; and both moral injunctions and principles are grounded in values,

either moral or non-moral.⁷ Frequently, however, the principle being given concrete expression by a specific injunction is not identified, and in many instances I suspect that the relation of moral command to principle has become forgotten and unknown. That this is the case becomes clear when one begins to make inquiry concerning the rationale for moral injunctions and discovers that the rationale he receives is little more than a circular and authoritarian restatement of the command.

This situation is quite understandable since it is undoubtedly easier to teach, transmit, and enforce a set of clearly stated injunctions than it is vague moral principles. Consequently, after a few generations of transmission and enforcement the relationship of moral injunctions to moral principles, and both to values is neglected, forgotten, or if it is remembered, not clearly understood or judged to be significant.

Finally, there is an appeal to moral injunctions not unrelated to their ease of transmission that must not be neglected. The sorts of moral choices, decisions, and judgments rendered from a base in moral injunctions are clear, explicit, categorical, usually uncomplicated, and certain. Consequently the employment of moral injunctions as the basic criterion for doing ethics increases certainty, confidence and righteousness, as well as moral rigidity, legalism, and intolerance. However, it does not necessarily follow, as some suggest, from the acceptance of moral injunctions as one's base for making choices, decisions and judgments that one has either reduced ethics to a game of petty moral disciplines, or attempted to displace moral responsibility from self. Such could, and does, occur but as a form of the corruption of this base rather than its necessary conclusion. Full moral responsibility rests upon the

⁷ At this point acknowledgement is made to the fact that this last point would be disputed by most, if not all, deontological or formalistic ethical perspectives.

individual, but in using a base of moral injunctions, relativity, subjectivity, and apparent moral contradiction or hypocrisy is reduced, if not almost eliminated.

IV

In conclusion permit me to acknowledge that this modest proposal, "To declare a moratorium upon the term 'rules,' and 'moral rules' in ethical discourse" is no panacea for the problems and confusions present in contemporary moral philosophy. However, I have found that when this distinction between moral injunctions and moral principles has been suggested and discussed, and the relationship of moral injunction to moral principle illustrated that the results were encouraging. Not only has the distinction served to clarify a considerable amount of confusion in ethical discussion, but it has also

frustrated many attempts to greatly oversimplify ethics and moral issues, and attempts to abolish moral guidelines and criteria by reducing ethics to a game of petty moralism and then attacking piecemeal the petty do's and don'ts; it has served to sensitize and encourage lay persons and especially students to consider the complexity of moral choice and judgment on significant issues, and it has encouraged them to approach moral issues in a more critical manner.

In short, I have found that some ambiguity and confusion in ethics has been reduced, and some clarity, insight and understanding enhanced by simply declaring a moratorium upon the word "rules" and "moral rules" and then differentiating those "rules" which are injunctions and commands from those which are principles.

Copyright and Use:

As an ATLAS user, you may print, download, or send articles for individual use according to fair use as defined by U.S. and international copyright law and as otherwise authorized under your respective ATLAS subscriber agreement.

No content may be copied or emailed to multiple sites or publicly posted without the copyright holder(s)' express written permission. Any use, decompiling, reproduction, or distribution of this journal in excess of fair use provisions may be a violation of copyright law.

This journal is made available to you through the ATLAS collection with permission from the copyright holder(s). The copyright holder for an entire issue of a journal typically is the journal owner, who also may own the copyright in each article. However, for certain articles, the author of the article may maintain the copyright in the article. Please contact the copyright holder(s) to request permission to use an article or specific work for any use not covered by the fair use provisions of the copyright laws or covered by your respective ATLAS subscriber agreement. For information regarding the copyright holder(s), please refer to the copyright information in the journal, if available, or contact ATLA to request contact information for the copyright holder(s).

About ATLAS:

The ATLA Serials (ATLAS®) collection contains electronic versions of previously published religion and theology journals reproduced with permission. The ATLAS collection is owned and managed by the American Theological Library Association (ATLA) and received initial funding from Lilly Endowment Inc.

The design and final form of this electronic document is the property of the American Theological Library Association.