ETHICS AS A PRACTICAL SCIENCE

by Brian Lewis*

An ethics class has being given a ten-week trial in ten NSW primary schools from 20 April 2010. This class will be held during Scripture time for children whose parents do not wish them to attend religious classes. The move has roused considerable debate in the community and faced strong opposition from some of the churches. Ethics can be theoretical or practical or both. In the NSW context ethics seems to be mainly theoretical, a study of morals and values, but at this stage it is not clear how far the teaching will attempt to be practical in the sense of furnishing the children with sound principles to make moral judgments about what is right and wrong. Many parents are concerned about this.

In the introductory question to his great treatise on theology, Thomas Aquinas (c.1225 -1274) asks whether theology is a practical science. By practical science he understands a scientific treatment of those things that human persons can put into operation. In this sense moral science, or ethics, is practical because it is concerned with human actions, just as architecture is a practical science because it is concerned with buildings. Theology, Aquinas says, although it is predominantly speculative because it is principally about divine rather than human issues, nevertheless comprehends both the speculative and the practical. The part of theology that treats of human actions, namely moral theology, or what today is often called Christian ethics, is therefore, in the view of this great Catholic thinker, a practical science.¹

There are of course different degrees of practicality. In the foregoing reference Aquinas makes the general point that ethics is practical because it is concerned with human action, with what should or should not be done if human persons are to be true to themselves and reach the final goal of human life. His moral theology becomes more practical when he deals with conscience and especially in his treatise on the dynamics of moral decision making, which centres upon prudence or wisdom of the heart,² but it is not his purpose to descend to a detailed treatment of concrete moral cases. This was left to those who succeeded him, who have tackled the issue in somewhat different ways.

Making Ethics Practical

Casuistry

The trend towards seeking solutions to concrete cases, or casuistry as it has been called, was begun in the following century by John Duns Scotus (c.1265 –1308) and especially William of Ockham (c. 1288 - c. 1348). In line with their philosophical approach (Nominalism), they sought answers to problems not from a priori principles but from concrete reality, interpreted in the light of the divine will and in legal terms. Not surprisingly, Ockham’s followers tended to confuse law and morality. The result was legalism, that is, seeing morality as just sticking to moral rules under threat of eternal punishment. In the 16th century the main

¹ Moral theologian Brian Lewis has contributed articles on ethics to this website, http://www.social policy connections.com
² See my article on this website, Wisdom of Heart: the Meaning and Challenge of Morality, especially note 20.
Concern of a lot of casuistry was to determine whether some action was ‘allowed’ or ‘not allowed’, almost as if one needed to know how far one could go without crossing the line into grave sin. Legalism and minimalism were often the outcome. According to the temperament of those involved, there were in due course extremes of excessive rigorism or, on the other hand, acute permissiveness.

These and other shortcomings gave casuistry a bad name. Nevertheless, it must be said that not all casuistry was like this. Rightly understood and employed, it has served a useful purpose and there is no reason why it cannot still do so. In fact, failure to give due place of casuistry or casework is to limit severely the scope of ethics as a practical science and to make it unduly theoretical. This certainly is not the traditional understanding of ethics. As already said, ethics integrally considered should be both theoretical and practical in the sense that it takes up specific problems relating to particular and concrete circumstances of human behaviour as well as studying general principles of human conduct. This requires wide competence in many fields besides ethics, for example, civil law, sociology, psychology, physiology, biomedicine, and so many other areas of expertise. No one person could possibly be an expert in all these fields, but at least the ethicist needs to have access to them as required or the sensitivity to consult professionals in such areas where appropriate.

**Moral Reasoning**

Rather than use the term casuistry it might perhaps be better to speak of moral reasoning or reflection whereby an attempt is made to bring moral principles to bear upon a specific case in all its particularity, taking into account all the factors that can be envisaged as relevant to the situation. Such reasoning takes account not only of the bearing of fundamental moral principles but also of specific norms, guidelines, trajectories of actions, which have been acquired by experience and tested in practice, and which have the appearance of being probable in other situations. Hence part of the process of moral reflection consists in analysing ‘paradigm cases’ and noting similarities or dissimilarities between the case under consideration and others like it. These are genuine tested hypotheses, arising from social reflection and communitarian experience.

That is why there are numbers of such hypotheses and why they need to be applied in a particular case, to see what can be a line that should be followed. For example, ethicists have in more recent times discussed arguments for and against removing a feeding tube from a patient in a prolonged vegetative state resulting from some serious trauma. They have been led to ask whether doing this can be classed in the same category as removing other types of life-sustaining treatment which has become more burdensome than beneficial (which is today fairly commonly approved) or whether the withdrawal of a feeding tube in this case is more like depriving a person of a basic form of care and so unjustified.

In speaking of moral reasoning in these terms, we are not referring to a personal moral decision in altogether singular circumstances but to a moral judgment about the morality of a particular case. The practical

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4 See my article, ‘Reflections on Caring for Patients in a Vegetative State (Post-Coma-Unresponsive Patients)’, *The Australian Catholic Record*, 82, 2 (April 2005), 202-209  
5 Since no case is ever perfectly translatable into a real concrete action, moral reasoning of this nature must inevitably fall short of a living moral decision in conscience. The quite particularised judgment that may be reached in moral reasoning
judgment can at most offer a conclusion that is workable in the generality of cases but it must leave latitude for individual differences and particular circumstances in the concrete situation. That it be workable in the generality of cases is the precise nature of truth at the level at which it is reached in any practical science. This is really as far as ethics can go in its attempt to be a practical science.

Moral reasoning serves a twofold purpose. In the first place the conclusions reached function as a benchmark for us in our personal search for the right decision about the concrete moral problems we perhaps face in life. They not only illuminate general moral principles and values as well as more specific moral norms but also enlighten our conscience in our quest for objective moral truth in particular situations. As Capone puts it, such a conclusion is a luminary idea, which directs us to a conscience decision by way of example or model to follow, not in any sense of course a coercive idea pre-empting that decision. Conscience assimilates and weighs up the model offered but the decision of conscience is made freely and autonomously, from within the person.

Secondly, moral reasoning about typical situations arising from experience has an instructive function, not in the sense of providing readymade solutions to be applied automatically without personal reflection, but as an aid to moral guidance in relation to some of the problems that confront us in our personal and communal lives. This is of practical value in the classroom as an aid towards the gaining of skills in analysing and reaching a moral judgment about moral cases of common occurrence. It can also, it seems to me, be helpful in group discussions about concrete moral issues.

**Practical Theology**

The name ‘practical theology’ is used by some contemporary Christian ethicists to mean a theological process that begins with the world of human action and makes connections with Christian Scripture and Tradition, in such a way as to lead to transformative practice. It claims to have roots in the methodologies of liberation theology and to make theology accessible to as many people as possible. According to Neil Darragh, practical theology is not simply about arriving at theological conclusions, it is also about teaching other people how to arrive at their own conclusions and about arriving at conclusions in such a way that other people can see how we got there.

What is in point is a way of doing theology, especially ethics, a tool or a technique of moral reasoning to achieve a practical goal. The starting point is a significant ethical issue within an area of contemporary interest, the analysis of which should lead to a ‘pivotal’ question that can be discussed in the light of the Bible and Christian Tradition. These resources are then considered in the light of that question, taking into account accepted principles of interpretation, so that hopefully a biblical or traditional response may be reached. Finally, if such a response is forthcoming, a contemporary application that will transform contemporary action in the original context is sought.

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7 Various attempts have been made in recent times to develop a practical method of undertaking the process of moral reasoning. See, for example, Daniel C. Maguire, *The Moral Choice* (Doubleday: Garden City, 1978); Richard M. Gula, *What are they saying about moral norms?* (Paulist Press: Ramsey NJ, 1982); Robert Gascoigne, *Freedom and Purpose: an Introduction to Christian Ethics* (E.J. Dwyer: Sydney, 1993)
9 See Darragh, *The practice of practical theology*, p. 3, 4
While there are similarities in these different ways of making ethics practical, it seems to me that the process of what is called Practical Theology takes too little account of the role of human reason and the place of natural law as a legitimate source in ethical thinking. Most scholars today – whether Protestant or not - would agree that Scripture alone does not provide an adequate basis for Christian ethics.

Nor is it clear to me what is meant by transformative action as the desired conclusion of the process. If the final step in the process, transformative action, simply means a judgment regarding the morality of the issue considered, there is no problem. But if it is meant, as seems to be the case, in the sense of a conscience decision about something to be done here and now, then in my view it goes beyond the range of ethics as a science.

With this proviso, it can be said that in general terms casuistry or moral reasoning or practical theology refer to a process of reaching a judgment upon a particular moral issue drawn from experience on the basis of certain premises which are accepted as valid by the person deliberating. For example, the moral judgment that ‘A’ should not be killed results from the moral norm, ‘Do not murder’, which in turn for many is based on the principle of the sanctity of innocent life, a traditional and biblical value. The immediate premise is the rule forbidding murder, but underlying the rule is the human and Christian value of respect for human life. This is the basic premise in the argument.

The main thrusts of a practical ethics, therefore, should include these salient points:

1) A factual analysis of the case or situation for discussion arising from experience needs to be the starting point of the moral deliberation.

2) The reasoning process should then seek to identify and reflect on the relevant moral values (and norms), both human and stemming from the Christian tradition, that throw light on the concrete moral issue.

3) The process should if possible terminate in a judgment of the morality of the issue or a decision regarding what should or should not be done.

Comments on Method in doing Practical Ethics

What follows is a commentary on some key elements in these three steps which ought to be considered in any method of doing practical ethics and which are sometimes in danger of being overlooked in the search for concrete answers to moral issues.

1. Unpacking the Situation

a) Unpacking the situation first of all requires adequate factual information, since moral judgments, if they are to have any value, must fit the situation as it actually is. Morality must rest on reality. Factual information, drawn where necessary from cross-disciplinary sciences such as the natural or behavioural sciences, is indispensable in reaching an informed moral judgment. One cannot adequately discuss the morality of abortion without knowing what abortion does – to the mother as well as to the nonviable foetus, or the morality of transplanting a heart from a dead person without knowing when that person is really dead, or the morality of smoking without reliable information about what smoking does to one’s health. A realistic judgment about the use of condoms to prevent the spread of AIDS in countries like Africa requires that one be informed about the effectiveness of condoms for this purpose. Is it true that condom use encourages a sense of freedom to be sexually reckless, which is a major cause of the spread of AIDS? What about the quality of condoms, which are left for long periods in the sun and are subject to rough handling? Can the experience of condom use in other countries and in regard to very specialised groups such as prostitutes and gays be applied without further investigation to Africa and at the level of the whole population? There is no evidence that supports this contention. What of alternative remedies such as the promotion of sexual abstinence, which has worked well in Uganda? One is not in a position to give any definitive answer without sound information about such matters.
Another example might be the justice of the country’s immigration laws and practices. A moral judgment about this issue requires legal and social information. What laws are currently in force in the country? What is the country’s current immigration policy? Why are some asylum seekers coming by boat refused residence in the country? Have instances of abuse occurred? With what results? To individuals? To Government policy?

Such factual information demands a lot more than hearsay or recent media reports. It may sometimes be found that reliable and informed research has already been done, but failing this the deliberator must undertake some personal research and ensure at least that sufficient information is available to make possible a realistic discernment of the issue in question.

b) Secondly, experience shows that research into some issue remains at the level of technical or scientific matters of fact. Ethics as a practical science is concerned with what ought or ought not to be done, that is, with the morality of the issue under discussion. For example, the use of performance-enhancing drugs in sport needs to be seen, not merely in terms of the degree of enhanced ability such drugs cause or merely in regard to the health hazards entailed, but as a moral question. Is this kind of behaviour ethically right or wrong?

Another example concerns a researcher into air pollution in cities. After some research, including measurement of gas emissions, health problems, etc., the decision might be reached that the significant and immediate issue is how to reduce gas emissions from motor vehicles. As Darragh says, ‘research will falter at this point because the issue is not an ethical one … the issue as stated here is essentially technical – how to reduce gas emissions’. There may be other legal, political and economic implications, but the question has not been formulated in economic terms and so the moral deliberation cannot proceed.

A further requirement for clarity in the ethical formulation of an issue relates to the definition of terms. Homosexuality, for example, may refer to the homosexual orientation of a gay person or to homosexual activity. Lying is traditionally defined as telling an untruth to another in order to deceive him/her but it can be understood as telling an untruth to someone who has no right to it. Confusion results if terms are not clearly defined. Withdrawing artificial life supports, even when morally justified, is often equated with euthanasia, which it is not. A more complex question concerns the definition of ‘terminal illness’, for instance, in regard to patients in a permanent vegetative state. Such patients are not dying or terminally ill in the sense that they are suffering from an incurable condition that will lead to death in a short time whether there are medical interventions or not. The reason is that the brain stem remains intact, and so they can breathe spontaneously, have their eyes open and have a sleeping-waking cycle, etc. If they are otherwise in good health and receive proper care, they can have a fairly long life-expectancy.

However, in the sense that they will die within a short time without the assistance of artificial feeding and hydration they may be accurately described as being in a ‘terminal state’, just as a person with end-stage renal disease is a dying person if no dialysis is available. It depends on how one defines the terms ‘dying’ or ‘terminally ill’. The distinction is very important in that it raises the crucial issue as to whether nutrient withdrawal from such a patient is positively causative of the person’s death (an act of killing) or merely the occasion of it (which is not necessarily morally wrong). This raises the precise question to be resolved.

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11 See Ronald Cranford, ‘The Persistent Vegetative State: The Medical Reality (Getting the Facts Straight)’, The Hastings Center Report 18 (1988) 27-32; see my article on post-coma unresponsive patients referred to in note 4, p. 10
c) Thirdly, as is clear from the preceding example, the statement of the ethical issue to be judged needs to be precise rather than vague. The deliberator needs to be clear about the reality of the situation. Otherwise further reflection on the issue will be distorted and no satisfactory outcome will be reached. Vagueness may result from a lack of familiarity with the issue due to inadequate information. Since moral questions often have different ramifications, it is important to determine which aspect is to be considered. AIDS for example raises questions about community attitudes, about prevention by abstinence or ‘safe sex’, about the duty of confidentiality in some cases, and so on. These aspects need to be carefully distinguished in order to determine which ethical problem is to be addressed. A general direction with no clear assessment of the most significant moral issue within the area of concern is quite inadequate.

d) An important requirement in unpacking the precise moral issue is taking into account the foreseeable consequences involved. A bad outcome can vitiate an otherwise good action if it is foreseen and not compensated for by an equally good or better result. Though certainly not the only determinant of morality, consequences of actions, whether for oneself or for others affected, whether in the short or the long term, call for serious attention. It is important, for example, to consider the effects of a policy in support of euthanasia, of surrogate motherhood, of adoption of children by single persons, of using pesticides on lawns, crops and bushland. Consequences are a necessary concern of moral responsibility. To be alert to them in the process of moral deliberation, however, calls for the ability to put oneself in the position of persons affected by the action or policy at issue. A certain empathy is needed.


a) Identify the relevant moral values

a) The first step is to identify the relevant human and Christian values (and moral norms that flow from them), which throw light on the issue. These furnish the premises or principles on which moral deliberation is based.

We necessarily bring to each issue raised the beliefs and attitudes and system of values that have shaped our character. Certain basic human values are commonly accepted by the general run of people throughout the world by reason of their common humanity. They are the indispensable conditions for the flourishing of the human person in society. Human dignity, happiness, survival, trust, community, justice and fairness are some of these values. Other human values are caught from our particular culture and the traditions that have shaped it.

In the same way we internalise the norms that are traditional in our culture, relating, for example, to killing the innocent, lying, marital fidelity, sexuality (though each generation may refine and reshape these norms).

There is, therefore, a large repository upon which we can draw in order to determine what values and norms are important in relation to this particular moral issue.

b) For the Christian, there is in addition to these human values a constellation of goods and values that are distinctive of Christians and that should challenge the Christian as a disciple of Christ and a member of the Kingdom of God. These goods and values emerge from the Christian story as it is proclaimed in the Scriptures and lived by the Christian community in each generation since the beginning. They are formative of a distinctive Christian character and colour the moral judgment of the Christian person. As we confront the moral problems of our contemporary world, we need to be able to discern the Christian values (and the norms, if any, flowing from them) that should shed light on each situation. For the sincere Christian nothing should displace reading and reflecting on the New Testament. The professional Christian ethicist will of course need to do more.

12 See my article on this website on 23 April 2010, Does Christian Faith make a Difference to Morality?
Following Vatican II’s call for moral theology to be revitalised through a greater recourse to the Bible, Catholic ethicists have sought to give the Scriptures a higher profile in their reflections. This challenge has not been without its difficulties and much still remains to be done. What is not open to question is that it is not the way forward to comb the Scriptures in search of proof-texts to resolve moral issues of current moment. Because the Bible is time and culture conditioned, it is not possible to find in it codes of conduct that are directly applicable to contemporary society.

At least two steps are required in any attempt to apply biblical material to Christian ethics: the use of recognised biblical principles of interpretation and some kind of contemporisation. Tom Deidun takes up this challenge in his article on the use of Scripture in Christian ethics. His rather conservative conclusion is:

A relaxed and imaginative approach to the Bible – such as refrains from burdening it with our own preoccupations, and especially our preoccupation with ‘authority’ – might be endlessly enriching. Such an approach might have nothing to offer by way of text-generated ethical norms, be they ever so loose, nor anything that is satisfyingly amenable to system or which could conveniently be set out in a textbook. Still, it might have the potential of enriching our ethical imagination in unexpected ways.

Certainly Christian Scriptures are the indispensable record of early Christian religious and moral experience, which must be allowed to speak to us and to challenge us today as we confront a quite different and much more complex scenario. Both the Bible and Tradition are vitally important for us, not as sources from which we can read off in literal fashion norms and rules for living, but more subtly as a broad horizon of deeper meaning and the proper source of moral values, both subjective (virtues) and objective (goods to be sought), which lead us to discernment in regard to the problems of our world and to decisions about the course of action we should as far as possible seek to implement.

c) The lived and living Christian Tradition presents similar problems to the Bible in that it is also time and culture conditioned. For Catholics the same holds for the official magisterial teaching of the Church on moral questions, which is understood to be a privileged source of information and guidance, but which also needs to be subjected to principles of interpretation. Each Christian Church has its own moral tradition. For the ordinary Catholic it seems to me that the most readily available expression of their moral tradition is the body of contemporary papal and episcopal pronouncements, particularly in the field of social justice.

b) Evaluate the Morality of the Issue

The process of moral reasoning takes up specifically the impact of the moral values identified on the issue under consideration. Our assessment of its morality will be strongly influenced by the human and Christian moral values we hold dear. A couple of examples will suffice to illustrate this argument. We have no qualms about putting animals out of their misery because we see it as a dumb misery, without meaning and without hope. As Christians we would not lightly do the same to a human being if we believe that their suffering has meaning because it can conform them to the Christ who suffered and died on the Cross for his people and because their dignity as human persons has eternal value.

If we cherish the human value of the marginalised and the poor of our world, we are likely to listen to their call for justice and to recognise a preferential option for the poor as not just greater acts of charity trickling down from the poor to the well off, but much more profoundly as the liberation of both the oppressed and the oppressor from the unjust social structures that are the mark of such shattering of human and Christian justice in the first place.

Moral reasoning as a rational process should be sharpened by submitting the issue for assessment to the practical questions that have been considered in some detail on this website.17 A suggested sequence of questions might be as follows:

**What is the prior and more urgent value in a case of a conflict of values?**

Obviously this question will have bearing only when, as often happens, there is more than one value involved (it might be preferable sometimes to compare and weigh up competing moral norms). The use of such preference principles will guide the process of moral reasoning, for example, in resolving the moral dilemma of a married couple with a number of children who responsibly decide to postpone a further pregnancy because of health or financial problems.

There are many moral values in such a situation: mutual love and love of the children they have, the sexual expression of mutual love, concern for the health and economic wellbeing of the family, observance (for Catholics) of official Church teaching, and so on. The most important value is not the last but the first. In some circumstances, where there is an insoluble tension between maintaining mutual love and the peace this brings with the duty to transmit new life, the former may well be the prior and more urgent value.18

**What if there are good and bad consequences?**

Evil consequences that are foreseen and intended render the action from which they flow morally wrong. But, when there are good and bad results and the good clearly outweigh the bad, there is a proportionate reason for acting and the action is morally justified. Having recourse to the principle of the double effect could be a sound basis for appropriate moral reasoning.

**Is there a proportionate reason for justifiable cooperation in wrongdoing?**

**Does the ordinary/extraordinary distinction of the means of sustaining/prolonging life have a bearing on the issue?**

**And what of the opinion of experts in the field?**

It is enlightening to take into account what other ethicists have said about the issue under review and especially to subject their reasoning to critical examination. The opinions of experts carry a certain weight and should be taken seriously into account, but their views are only as good as the reasons which support them. At all events, critical assessment of their reasons helps to clarify and put order into one’s own ideas.

17 Resolution of Conflict Situations, 5 May, 2009; Living in a Pluralistic World: Cooperation in the Wrongdoing of Others, 3 March, 2010; and The Principle of the ‘Double Effect’, on SPC site, under “Recent articles by SPC members”.

18 In their commentary on the encyclical Humanae Vitae (1968), a number of episcopal conferences throughout the world resolved a case like this by having recourse to the traditional moral teaching on the choice of the lesser or two or several evils.
A final comment. Because of its very formality, moral assessment is a reasoning process not a mere matter of how one feels, because it is meant to lead to the objective truth of what is being investigated. This, however, does not mean that emotions have no place in the process. In the first place, emotions help us to recognise moral values such as honesty and integrity and moral goods such as life and liberty. It may be argued that ‘our affective responses’ form part of moral reasoning itself. The moral theologians, Daniel C. Maguire and A. Nichols, put the matter in some detail:

An affective response is part of the evaluative process of ethics and qualifies as a kind of moral knowledge. We should listen to our feelings. They may at times be smarter than our abstract reasonings. It is possible that some persons might not be able to explain or defend their affective responses, yet they have them. It is also possible that some people might go on to think about their first feelings on a moral matter and reverse their position. A negative response might, upon further reflection, yield to a positive judgment or vice versa. Any change should occur within a process that is morally informed. The change should be one from knowing to knowing better. Something happens in the affective response that must be called knowledge, and that knowledge leads us on to subsequent rational analysis that may confirm or deny the original feeling.

Secondly, emotions also can stimulate us to action. Seeking to be a good person and to do what is right in one’s own life and in one’s relationships with others is often an uphill battle. It requires effort and that effort is often stimulated by our emotions. Being passionate about some cause, about justice, about caring for the needy, compels us to do what is necessary to achieve these goals.


Moral reasoning should hopefully terminate with a moral judgment about the rightness or the wrongness of the moral issue that has been addressed. It may sometimes happen that the final judgment does not differ from what was already envisaged in some accepted moral norm relating to the situation or instinctively felt to be right, or perhaps the situation may be so similar that very little adaptation of the judgment is needed.

On the other hand, the situation may be so radically different that the judgment concluding the reasoning process emerges in new territory, as it were, and goes beyond any existing moral norm regulating human conduct. An often-cited example is the change in the moral judgment of the mediaeval proscription of usury, a norm that was seen to be no longer applicable or just.

The need for continuing moral assessment and re-assessment in our age of scientific and technological advancement highlights the importance of sound moral reasoning about issues. Judgments reached will not necessarily be valid for all times nor will they enjoy absolute certainty, because this is not possible in such contingent matters. They should, however, depending on the force of the argumentation supporting them, provide us with moral certainty of being correct.

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