

Reviews

FUNDAMENTALS OF ETHICS, by John Finnis, *The Clarendon Press, Oxford, 1983*
Pp. x + 163. £4.95 (Paperback); £14. (Hardback).

This book, the latest from the pen of John Finnis, attempts to elucidate and justify the possibility of a natural theory of morality. Essentially the six Carroll Lectures, only "slightly revised and lightly annotated", given in 1982 at Washington's Georgetown University, these essays continue to explore the naturalist thesis Finnis put forth quite eloquently in his 1980 work, *Natural Law and Natural Rights*. Using insights from contemporary theories of meaning and truth, Finnis presents not only provoking but cogent arguments for some degree of objectivity in moral matters. Quite a task, to be sure, written for most of us nurtured on the non-cognitivism of much ethical theory since Hume.

Beginning with the Aristotelian concept of practical reason—he quotes Miss Anscombe, who, a quarter of a century ago, noted: "Can it be that there is something that modern philosophy has blankly misunderstood: namely what ancient and medieval philosophers meant by practical knowledge?" —Finnis provides his account of "practical reasonableness" and develops his ethical theory accordingly.

But what does this mean? Finnis writes that ethics is practical because 'the object one has in mind in doing ethics is precisely my realizing in my actions the *real and true* goods attainable by a human being ...' (p.3) The emphasis on the possibility of attaining "*real and true* goods" by a human being certainly places Finnis within the natural law tradition. The end of human activity—Aristotle's *eudaimonia*—Finnis calls "flourishing". He notes: "The master principle of ethical reasoning: make one's choices open to human flourishing". (p. 124) And how is flourishing obtained? By attaining the "basic goods" which he describes as "opportunities of being all that one can be". Finnis suggests that his essays are rooted in the moral tradition of not only Plato, Aristotle and Aquinas, but also Paul and Augustine. Furthermore, he suggests that this tradition has been commonly misunderstood. Hence, his task is to elucidate clearly how this tradition can be unpacked conceptually for contemporary readers and to indicate how it is preferable theoretically to competing ethical theories alive in the academic marketplace today.

Finnis accomplishes this task by treating extensively two methodological issues which he claims dominate contemporary work in ethical theory: (a) the justification of objectivity in ethical judgments (or, the other side of the coin, the refutation of scepticism in moral knowledge); and (b) the refutation of any form of consequentialism (Finnis reduces all teleological theories to what he terms "proportionalism"). Through an exhaustive analysis of practical reason, Finnis establishes his thesis. The last chapter treats the reality of free choice, the nature of character-formation and the possibility of considering God (in an almost Kantian fashion) as connected with moral matters.

How does Finnis attempt to ground objectivity in moral matters—an important question, given that most of us are philosophical descendants of Hume, who noted in the *Treatise* that "morality is determined by sentiment"? Finnis takes as his foil the writings of J.L. Mackie, who has argued that Hobbes, Hume, *et al*, were correct in denying objective moral qualities. His task, then, is to transcend the sentiment view of ethics in all of its forms, the position so characteristic of moral philosophy since Hume. Finnis argues convincingly that this view misses what is important about human action. Practical reason enters here as that which identifies the "something wanted", the good sought, and this, Finnis claims, is a use of reason and not merely a matter of sentiment.

In considering what practical reason can determine, Finnis discusses three themes, all of which he suggests are common to Aristotelian ethics: (a) activity has its own point; (b) maintenance of one's identity is a good; and (c) appearances are not a good substitute for reality. Readers familiar with Nozick's "experience machine" will recognize the method Finnis has used in deriving these propositions. Put simply, Finnis argues that these goods are discernable *only* by intelligence, not by sentiment. This move, Finnis suggests, is as important as the intellectual conversion by which philosophers overcome the limits of empiricism. What might elicit surprise from some readers is that Finnis places Brentano, Lonergan and Kenny in the camp of those who have reduced practical reason to a matter of sentiment and not intelligence.

In discussing goods, Finnis wants to go beyond the "thin theories" of good first articulated by Rawls. Referring to his earlier *Natural Law and Natural Rights*, Finnis lists seven basic aspects of human well-being: life, knowledge, play, aesthetic experience, friendship, practical reasonableness and religion.

Now why is this objective knowledge? Reasonableness, Finnis argues, "requires us to reject radical scepticism as both unjustified and literally self-refuting..." (p.56) Using the analysis of meaning and truth given recently by David Wiggins, Finnis argues that Wiggins' theory can provide a structure in which value judgements can be true objectively.

Next, Finnis provides a detailed and telling critique of all forms of consequentialist ethics—what he calls "proportionalism". Included in the proportionalist camp are many theologians—Richard McCormick, in particular—and analytic philosophers like Smart and Hare. Using the "case history" approach, Finnis concludes by arguing that any moral theory which admits a proportionalist principle is necessarily going to overlook the wrong in certain seriously wrong actions. The most obvious case-history is killing an innocent person for a so-called "greater good", the "torture" example familiar to most critics of utilitarianism. Finnis's critique of proportionalism is telling; the issues he has raised must be faced by any philosopher or theologian who opts for such a theory. In the end, Finnis concludes that proportionalism, in any form, "logically cannot" serve as a guide to practical reasoning, deliberation and choice.

What does one make of all this? Finnis's work, which must be taken seriously by anyone interested in contemporary moral theory, comes to at least these conclusions: (a) practical reasonableness, a form of intelligence beyond sentiment, is necessary for any adequate moral theory.

(b) The end (*telos*) of moral actions is human "flourishing", a contemporary rendering of *eudaimonia*.

(c) Using Wiggins' theory of meaning and truth, the fact-value dichotomy is suspect theoretically.

(d) Moral scepticism rests on a series of bad arguments.

(e) Non-cognitivism can be transcended philosophically.

(f) Consequentialism (proportionalism) in any form is indefensible theoretically.

While Finnis notes that his work is not a defense of either Aristotelian or Aquinian moral theories, he does suggest that both Aristotle and Aquinas would accept the thesis on practical reasoning put forward in his book. Some natural law philosophers, however, might disagree. Two points can be made concerning this claimed similarity:

(a) the role of "human nature" in determining the content of the basic goods, and (b) the traditional way of interpreting *phronesis* as an "action" and not as a piece of knowledge. To the first point. What is the connecting link between the basic good to be sought, reason's awareness of these goods, and the human person? Finnis rejects the philosophical anthropology usually associated with Aristotelian moral theories. But isn't the conception of good—the end or *telos*—elucidated by Aristotle and Aquinas derived by a consideration of the human essence—human nature, if you will—which is a set of dispositional properties to be analysed? Hence, the goods, as ends, are connected with the structure of the human person as final cause to formal cause. To the second point. I

am worried that in considering practical reason, Finnis slips from a discussion of "knowing and doing" to just "knowing" alone as an intellectual "grasping". He writes: "What I do assert is that our primary grasp of what is good for us is a practical grasp" (p.12) This grasping, although about an end to be attained, might be reducible, in Aristotelian eyes, to a "knowing" rather than a "doing". Readers interested in these problems might consult recent issues of *The American Journal of Jurisprudence* (formerly, *The Natural Law Forum*) in which criticisms of Finnis's revision of natural law theory have been raised and where he has responded. The remarks of Professor Henry Veatch are, I believe, particularly informative. (Vol. 26 — 1981 — pp. 247—259).

Furthermore, while Finnis's account of the basic goods is enlightening and interesting normatively, nonetheless it is unclear how he arrived at the particular list noted above. Given his rejection of a philosophical anthropology, what grounds this list as opposed to another list? At times, I wondered if Finnis had not dusted off Ross's method of determining the "prima facie duties" — a practical grasp, yes, but ultimately a kind of intuition. Finnis explicitly denies that his position is reducible to intuitionism. (p.51) But it is not clear how his particular list is obtained and how it might differ from other lists. My last remarks are just questions in the continuing dialogue over the possibility of working out a consistent theory of natural law ethics, a project with which I am in total agreement. And Dr. Finnis has undoubtedly assisted all of us to think more clearly about these possibilities. He has done a quite commendable job. Like his earlier work, the footnotes are a goldmine of scholarly information ranging over the history of philosophy, natural law, contemporary ethical theory and moral theology. Whether or not one agrees with Dr. Finnis on every point of the argument, one can learn much from this thoughtful and careful work.

This is not an easy book — nor should one expect it to be, given the scope and nature of the philosophical issues Dr. Finnis raises, elucidates, argues and defends. For anyone worried about the theoretical bankruptcy of non-cognitivism and the pit-falls of consequentialism, Dr. Finnis's work will be a philosophical joy to work through.

A highly recommended book.

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AESTHETIC THEORY by T.W. Adorno, translated by C. Lenhardt; London, Routledge & Kegan Paul, pp. x + 526, £26.50

This to me is a strange book, appearing to come from a totally different philosophical world from that in which I have lived. Thus Adorno wrote in the first paragraph of his draft introduction that 'for several decades publications dealing with aesthetics have been few and far between' (p.456); but I have on my own shelves a couple of dozen publications on aesthetics of the past few decades and have recently received another four to be added to them. In the same period new journals of aesthetics have been founded and discussion has been frequent and intense. If asked to name important writers in this period I should mention Collingwood, Gombrich, Beardsley, Goodman, Wollheim before pausing to think; but none of these is mentioned in this book. Sixty-six references to Hegel and thirty-four to W. Benjamin are given in the index, but none to Hutcheson or to Hume, though Adorno lived for about twenty years in Britain and the United States and so could presumably read English with ease. Again, Adorno's explanation of the alleged lack of concern for aesthetic questions is breath-taking for he says that it is 'because there is a general institutionalized avoidance of uncertainty and controversy among academics' (p. 458); my experience of academic life has been one of unending controversy.

The book is wide ranging, but there is a central and recurring issue. Art is said to have once had its place as an adjunct to religious and other rituals, but has ceased to be so; what then is now the place and function of art, or has art no longer a place and shall we be faced with the death of art? Adorno is convinced that the function of art is not to