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Cynthia S. W. Crysdale

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FROM "IS" TO "OUGHT": KOHLBERG, LONERGAN, AND METHOD IN THE HUMAN SCIENCES

Cynthia S.W. CRYSDALE

RÉSUMÉ. — Cet article est un réexamen et une critique de la défense par Laurence Kohlberg des présupposés philosophiques et normatifs implicites en sa théorie psychologique du développement moral. Kohlberg prétend qu'il peut valider ses prétentions normatives (« ought ») en renvoyant à sa recherche empirique (« is ») et inversement. Après avoir réexaminé son argumentation, je soulève plusieurs questions : (1) Kohlberg lui-même ne semble pas voir clairement s'il défend son argumentation sur des bases empiriques ou philosophiques ; (2) je mets en doute que la moralité « à principes » de l'« étape 6 » soit nécessairement une moralité de justice ; (3) je mets en doute son présupposé que toutes les différences morales soient uniquement « développementales » ; et (4) son concept des principes comme des abstractions de la réalité concrète ne parvient pas, à mon sens, à refléter la vraie nature du conflit moral. Pour finir, je présente la théorie cognitive de Bernard Lonergan comme un fondement plus adéquat pour traiter des importantes questions auxquelles Kohlberg tente de répondre.

SUMMARY. — This article is a review and critique of Lawrence Kohlberg's defense of the philosophical and normative assumptions implicit in his psychological theory of moral development. Kohlberg claims that he can validate his normative claims ("ought") by reference to his empirical research ("is") and visa versa. Having reviewed his argument, I raise several issues : (1) Kohlberg himself seems unclear as to whether he is defending his argument on empirical or philosophical grounds, (2) I question whether the "principled" morality of "Stage 6" is necessarily a morality of justice, (3) I question his assumption that all moral differences are merely developmental and, (4) his concept of principles as abstractions from concrete reality fails, in my estimation, to reflect the true nature of moral conflict. Finally, I present Bernard Lonergan's cognitional theory as a more adequate foundation from which to deal with the important questions that Kohlberg is attempting to answer.

LAWRENCE KOHLBERG is a Harvard psychologist who began his research on moral development in the late 50's. In line with Piaget's cognitive-developmental approach to moralization, Kohlberg tested a group of boys on a number of hypothetical moral dilemmas.¹ Based on this research, he proposed a theory of six stages of moral development.² Children are said to pass through these stages in an invariant sequence as they increasingly differentiate and integrate their reasons for certain moral judgments. In very general terms, the stages involve shifts from considerations of physical aspects of a situation (wealth, status, punishment) to criteria of social approval/disapproval and, finally, to abstract moral principles in determining the right solution to a moral conflict. Though the implications of Kohlberg's theory are most salient in the psychological and educational fields, Kohlberg himself has tackled certain philosophical issues, most notably that of the relationship between determinations of what *is* and justification of what *ought to be*. In this article I would like to 1) make a few comments on the strengths and weaknesses of Kohlberg's attempt to wed empirical psychology and moral philosophy and 2) give an account of how Bernard Lonergan has more satisfactorily addressed the questions that Kohlberg raises. I have chosen these issues because they are central to a broad range of concerns about method in the human sciences.

Kohlberg's Theory of Moral Development and the Is/Ought Dilemma

In his article "From *Is* to *Ought*: How to Commit the Naturalistic Fallacy and get away with it in the Study of Moral Development,"³ Lawrence Kohlberg draws out the implications of his theory of moral development for philosophical ethics. His concern goes in two directions: first, he wants to ground his psychological studies in

1. Kohlberg's research has taken two forms. His initial study was cross-sectional, studying age-linked groups of boys and postulating a developmental relationship between these groups. For an exposition of this initial work see Lawrence KOHLBERG, "Stage and Sequence: the Cognitive-Developmental Approach to Socialization," in *Handbook of Socialization Theory and Research*, ed. D.A. Goslin (Chicago: Rand, McNally and Co., 1969). Kohlberg then followed these boys throughout the next two decades in an effort to generate longitudinal evidence for his theory. This has been published as: A. COLBY, L. KOHLBERG, J. GIBBS, and M. LIEBERMAN, *A Longitudinal Study of Moral Judgment* (Chicago: The University of Chicago Press, 1983). For a shorter and more "popular" account of Kohlberg's theory, see L. KOHLBERG, "The Child as Moral Philosopher," in *Psychology Today* 7 (1968), 25-30. For Piaget's earlier account of moral development see Jean PIAGET, *The Moral Judgment of the Child* (London: Kegan Paul, 1932).
2. Initially, Kohlberg postulated six stages of moral development. More recently, due to both philosophical criticism and lack of empirical evidence for Stage 6, he has limited his theory to five stages. He continues to hold Stage 6 as a speculative ideal for moral development and a "yet to be proven" stage of moral development. See L. KOHLBERG, *The Psychology of Moral Development*, vol. II of *Essays on Moral Development* (San Francisco: Harper and Row, 1984), pp. 270-274.
3. L. KOHLBERG, "From *Is* to *Ought*: How to Commit the Naturalistic Fallacy and Get Away with it in the Study of Moral Development," in *The Philosophy of Moral Development*, vol. I of *Essays on Moral Development* (San Francisco: Harper and Row, 1981), pp. 101-189. This article was originally published in 1971 in *Cognitive Development and Epistemology*, ed. T. Mischel (New York: Academic Press). Since this section of my article focusses almost entirely on this Kohlberg article, future references to it will be by page number in the text. Any page number in the text can be assumed to refer to the 1981 publication unless otherwise indicated.

a philosophical and an epistemological theory, and second, he states what he thinks his psychological theory can contribute to philosophical moral questions. Although he rejects a simplistic use of the "naturalistic fallacy", he does believe that there is a relationship between "is" ("the development of knowledge and morality") and "ought" ("epistemological and moral norms and criteria") (p. 105).⁴ He denies that *ought* statements can be derived from *is* statements but does presuppose the "fallacy" that "the *ought* statements of philosophers of knowledge and morality, and the *is* statements of psychologists of knowledge and morality, should be based on mutual awareness" (p. 105).

Kohlberg begins his article with a rejection of behaviorists who consider learning to be simply a stimulus-response association. Just as Piaget could only study cognitive development by having a concept of knowledge in relation to which children's thinking was observed, so Kohlberg defends his philosophical concept of morality and admits that he began his research with certain assumptions about human development :

... I started my studies of moral development fifteen years ago with the notion (1) that there were universal ontogenetic trends toward the development of morality as it has been conceived for Western moral philosophers, and (2) that the development of such "rational" or "nature morality" is a process different from the learning of various "irrational" or "arbitrary" cultural rules and values (p. 105).

Kohlberg thus rejects "the common assumptions of the cultural relativity of ethics, on which almost all contemporary social scientific theorizing about morality is based" (p. 105) as well as the corresponding view that moral and social development do not involve increments of knowledge but are simply the internalization of the norms of a given culture. Kohlberg advocates the universally normative character of moral development but sees these norms as the goal towards which development is headed, rather than as culturally defined and inculcated values. He is concerned to demonstrate the evidence for a "nonrelativist 'cognitive-developmental' theory of the developmental *process*" (p. 106). He says,

My account is based on a rejection of the relativity assumption and an acceptance of the contrasting view that "ethical principles" are the end product of sequential "natural" development in social functioning and thinking; correspondingly, the stimulation of their development is a different matter from the inculcation of arbitrary cultural beliefs (p. 106).

Kohlberg goes on to tackle the assumptions of many social scientists regarding ethical relativity. He claims that many of them fail to distinguish *cultural* relativity (the fact of value diversity among many cultures) from *ethical* relativity (the assumption that there are no principles or methods which could resolve such

4. The term "naturalistic fallacy" was coined by G.E. Moore in *Principia Ethica* (Cambridge: Cambridge University Press, 1913). It generally refers to an assumption that knowing values is not distinct from knowing facts, and that the facts of a situation automatically determine what ought to be done. It is this conflation of facts and values that Moore termed a "fallacy" and that Kohlberg wants to maintain in a qualified sense.

diversity).⁵ He accuses them of committing the naturalistic fallacy by assuming that the fact that "everyone has their own values" necessarily means "everyone ought to have their own values" (p. 107).⁶ He criticizes those who confuse ethical relativity with ethical tolerance, who assume that in order to be tolerant of those with different values one must also assume that there are no universal prescriptions. He points out the inconsistency of the American Anthropological Association when it pleaded for "tolerance for diversity of beliefs and values" on the grounds that no principles are universalizable. The inconsistency lay in the failure of the Association to realize that its plea for tolerance appealed to tolerance as a universal principle (p. 110). Finally, he criticizes those who assume that by adopting ethical relativism they are being scientifically neutral. To the contrary, he claims, ethical relativism itself implies a normative ethical and social science theory.⁷

Thus, Kohlberg rejects any approach which assumes that the facts dictate what ought to be or that dispensing with norms, values, or principles is a way of being either tolerant or scientifically neutral. He admits that one's philosophical starting point affects one's research and then defends his own assumption that certain universal principles (such as justice) can be used to arbitrate between or evaluate varying cultural norms. Having rejected ethical relativism Kohlberg is seeking to define morality as a universal phenomenon with universal substantive principles which can be used as criteria for judging the relative adequacy of various types of moral reasoning. "A morality on which universal agreement could be based would require... that moral obligation be directly derived from a substantive moral principle that can define the choices of any person without conflict or inconsistency" (pp. 161-162). He claims that a truly moral judgment will have formal characteristics such as impersonality, ideality, and universalizability (p. 170). He further claims that these formal criteria increase as one develops towards moral maturity.

This recognition shows (1) that there are formal criteria that make judgments moral, and (2) that these are only fully met by the most mature stage of moral judgment, so that (3) our mature stages of judgment are more moral (in the formalist sense, more morally adequate) than less mature stages (p. 170).

Thus, a truly consistent and universalizable morality is only achieved when one learns to use principles for moral reasoning. Stage 6 "principled" morality is the goal of development and, in fact, defines what it means to be moral.

5. Although Kohlberg does not do this, let me further point out a distinction among ethical relativists between those who believe that ethical criteria perhaps exist but cannot be known with any certainty (ethical agnostics) and those who believe that there are no ethical criteria at all (absolute ethical relativists). These latter are often *emotivists* who claim that ethical standards are mere expressions of emotion with no cognitive criteria of judgment.

6. Cf. KOHLBERG, "From IS to OUGHT," pp. 107-108 where Kohlberg criticizes L.S. FEUER, *Psychoanalysis and Ethics* (Springfield, Ill.: Thomas, 1955) for rejecting any meaning to words like *good* and *bad* at the same time that he continues to make value judgments.

7. Cf. KOHLBERG, "From IS to OUGHT," pp. 112-114 where Kohlberg criticizes Berkowitz, Durkheim, and Weber along these same lines.

A formalistic normative theory says, "Stage 6 is what it means to judge morally. If you want to play the moral game, if you want to make decisions which anyone could agree upon in resolving social conflicts, Stage 6 is it" (p. 172).⁸

Kohlberg further asserts that, if mature morality has the formal characteristics described, the principle of justice will be central to any truly moral judgment.

If my formal characterization of the functioning of mature principles is correct, it is clear that only principles of justice have an ultimate claim to being adequate universal prescriptive principles. By definition, principles of justice are principles for deciding between competing claims of individuals, for "giving each person his due." When principles, including considerations of human welfare, are reduced to guides for considering such claims, they become expressions of the single principle of justice (p. 175).

The core of principled morality (Stage 6) is justice. Principles of justice are therefore the most adequate criteria for moral judgment and the principles towards which moral development is oriented. Kohlberg thus traces the development of justice as it and its inherent criteria of reversibility and universalizability operate throughout the stages (pp. 147-168). There is a "justice structure" to each stage which becomes ever more differentiated and complex as persons develop. The final goal of this development is reached when justice concerns go beyond concrete cultural rules (Stages 3 and 4) or mere procedural solutions (Stage 5) to a truly universalizable decision, a decision "acceptable to any person involved in the situation who must play one of the roles affected by the decision, but does not know which role he or she will play" (p. 168). The formal psychological criteria for development are increased differentiation and integration; these find moral parallels in the increased prescriptivity (differentiation between facts and values) and universalizability (consistency) of later stages.

A Critique of Kohlberg's Argument

Although I agree with the most general thrust of Kohlberg's approach, i.e. the assumption that there are norms operative in human development which are the objects of one's ongoing attempt to resolve moral questions, I question the adequacy of his argument for principles of justice on several grounds. Before elucidating these specifically, let me note that his argument is made obscure by his continuing confusion as to whether he is proving his argument "objectively" and "empirically" or defending an a priori, sui generis choice for justice and deontological morality. Thus, in tackling "moderate sociological relativism" which holds that morality is *formally* but not *substantively* cross-cultural, he defends a mild doctrine of social evolutionism, claiming that one culture can be judged more moral or better than another since he and others have discovered "objective" moral criteria.

8. As stated above, the empirical status of Stage 6 remains questionable. Although Kohlberg has admitted this empirical uncertainty, the outline he gives here of Stage 6 continues to be the norm or "moral ideal" upon which his theory is based. In addition, much of what he says here would now be applied to Stage 5. Cf. KOHLBERG, *Psychology*, Chap. 3.

Although Westernmarck assumed that one cannot define the more advanced without an arbitrary value standard, Hobhouse and our own group define a “developed consciousness” by objective measures of ontogenetic or historical sequence, measures quite independent of “agreement with the speaker’s conviction” (p. 129).

That Kohlberg himself is not entirely satisfied with his “objective” argument for justice is made clear towards the end of the article when he resorts to defending justice simply on the grounds that no better alternative has been proposed :

The fact that psychological study shows that no one does use unjust “principles” in a formally principled way, is no proof that they cannot. However, it is of more moment that no philosopher ever has seriously attempted to demonstrate that an alternative substantive principle to justice could function in a universal fashion in a satisfactory way. ... In summary, if a formalistic definition of moral principle is unjustified, no one has proposed a better definition. And if an equation of moral principle with justice is unjustified, no one has proposed a satisfactory alternative (p. 177).

In resorting to this negative defense of justice, Kohlberg not only dismisses and ignores whole sections of philosophy within Western history (for example, Christian moral philosophy which takes love as its focus) but misses the entire point — that values and their corresponding models of morality are proven neither by empirical research nor by a “consensus” argument. His entire argument reduces, at some point, to a justification of deontological morality and justice over against other theories and values, an a priori assumption rather than an a posteriori fact.⁹

Nevertheless, given Kohlberg’s confusion on his philosophical methodology, we can still examine his model of morality to see if it is an accurate and helpful model for explaining the normative aspect of human development. Here I would like to raise several interrelated issues regarding “principles” and “justice.” First, I question his equation of Stage 6 principled morality with justice. This is connected to his (false) assumption that all moral differences are simply developmental. Further, I question whether his concept of principles as abstractions from culture and concrete reality adequately reflects the true nature of moral conflict. Finally, Kohlberg’s inconsistency on whether the universal core of morality is formal or substantive only obscures the other issues.

To raise the first issue, Kohlberg seems to make two points about Stage 6 morality: first, that it is formal principles (e.g., treat each person as an end, not a means) that “tell us how to resolve claims that compete in a situation” and, second, that only principles of justice are “adequate, universal, prescriptive principles”

9. In more recent works Kohlberg has shown greater sensitivity to the difference between philosophical argumentation and empirical verification (Cf. KOHLBERG, *Psychology*, Chap. 3, esp. pp. 222–224). He now acknowledges the need to defend his philosophical claims on philosophical grounds. He now maintains that empirical evidence cannot *prove* philosophical claims but should be complementary to them. In spite of Kohlberg’s greater clarity on this issue, I believe that there are still significant confusions about what constitutes objectivity and the manner in which a priori claims are verified. On the objectivity issue, see E. MORELLI, “The Sixth Stage of Moral Development,” *Journal of Moral Development* 7 (1978), 97–108.

(p. 175). He thus assumes that one cannot reach Stage 6 “principled” morality without also using principles of justice in one’s moral reasoning. Prescinding, for the moment, from the question of whether such abstracted morality is even possible, I question whether a “principled” conscience is necessarily a just one. As Alston puts it:

What Kohlberg really wants most to recommend to our acceptance is the principle of justice (in his interpretation) as a supreme moral principle. But stages of prescriptivity will not advance that cause. A judgment based on a principle of racial destiny or on no principle at all, can be just as prescriptive as a judgment based on an application of Kohlberg’s principle of justice.¹⁰

What Alston is referring to here is Kohlberg’s claim that prescriptivity and universality (as the formal characteristics of a moral judgment) increase through the stages so that Stage 6 justice is the most prescriptive and most universal. What Kohlberg misses is the point that it is only from his “mature” perspective that he considers Stage 4 morality (or any other stage) to lack prescriptivity and universality. A moral judgment seen from *within* the stage itself is completely prescriptive (a statement about what *ought* to be done) and applies to everyone *within the social world* of that particular stage. Judgments are equally *moral* (in the formal sense) at every stage. If universality and prescriptivity increase, it is only in the sense that the “all” to which prescriptive judgments apply gets ever larger and more differentiated as one’s social world expands and that part of this differentiation is the differentiation of the *given* (external authority) from the self, i.e., an increasing internal locus for the “*ought*”. The social world expands to incorporate an ever-larger “all” as one’s self-concept differentiates towards increasing autonomy. Thus, as Alston points out, Kohlberg’s claim that justice is the only possible universal prescriptive principle is, again, only Kohlberg’s predilection that it ought to be the one central virtue.

In responding to Alston, Kohlberg retreats to a “consensus” argument once again:

For most of us, it is counterintuitive to believe that racial destiny could be held as a universal, prescriptive principle. This is because no human being held it or similar beliefs as such a principle, at least none in research studies done by my colleagues and myself. Hitler himself explicitly said, “*Might makes right*” —that is, his judgments were nonprescriptive. And he explicitly held that Nazi morality was nonuniversal — that is, it was not designed to govern the decisions of Jews and others (p. 177).

Kohlberg here falsely assumes that because he himself does not believe in Aryan supremacy, it is “counterintuitive,” “nonprescriptive,” and “nonuniversal.” But these are simply his own judgments of others’ “principles.” In fact, the principle of racial destiny was *prescriptively* advocated (non-Jews *ought* to have certain privileges over Jews) in a universal manner (this prescription applies to all Jews in relation to all non-Jews), not only by Hitler but with the support of an entire nation. Justice is not the only principle which can claim prescriptivity and universality.

10. W.P. ALSTON, “Comments on Kohlberg’s ‘From IS to OUGHT’” in *Cognitive Development and Epistemology*, ed. T. Mischel (New York: Academic Press, 1971).

This touches on another assumption that Kohlberg makes; he seems to deny that there are genuine value conflicts among persons or cultures. In his effort to avoid ethical relativism, he claims that there are universal ethical principles on which "all rational men" could agree. Thus, any differences between persons or cultures are either complementary or, as he emphasizes, simply developmental:

There are marked individual and cultural differences in the definition, use, and hierarchical ordering of these universal value concepts, but the major source of this variation, both within and between cultures, is developmental (p. 126).

This further means that one can rank these differences along a continuum on which some types of moral reasoning are better than others. Although the differences can be ranked, at bottom there is no genuine conflict since aids to development could remedy the conflict:

In sum, my evidence supports the following conclusions: there is a universal set of moral principles held by people in various cultures, Stage 6. (These principles, I argue, could logically and consistently be held by all people in all societies; they would in fact be universal to all humankind if the conditions for sociomoral development were optimal for all individuals in all cultures) (pp. 127-128).¹¹

It seems to me that by reducing all individual and cultural differences to developmental differences, Kohlberg misconceives the nature of moral conflict itself. A moral conflict arises precisely because there are *dialectical* differences which cannot be resolved by further development. If it were merely a case of "educating" the druggist to see the value of another's life, the Heinz dilemma would not exist.¹² Moral dilemmas arise precisely *when* further education or negotiation does not resolve the conflict, when the persons involved hold diametrically opposed positions. Although some differences are, at bottom, complementary (there is no real conflict), and others are developmental (the difference between an adult and a child), there are dialectical differences in which persons hold radically opposed positions.¹³ These conflicts are resolved only if one person is "converted" to the other's position. Beyond this, persons must agree to disagree or, when action is demanded, act on one's conviction and accept the consequences.

11. The assumption that all differences are simply developmental has a tendency to become cultural arrogance. Anyone who does not fit the chosen norm is considered "less developed" or "culturally deprived". Kohlberg is guilty of this in reference to the data on Atayal children which he explains as regression due to "contamination" by cultural factors. The "slower rate" of development among Atayal children results from their "somewhat cognitively impoverished culture" just as the same slower rate among American slum Negro children arises from cultural deprivation. Cf. "Stage and Sequence," pp. 358-359. The possibility that these other cultures have criteria for reality or right and wrong which are dialectically different from (and deserving the attention of) Kohlberg does not seem to occur to him.

12. The Heinz dilemma is the most famous of the moral conflicts presented to subjects in Kohlberg's studies. It involves a man, Heinz, whose wife is dying of cancer. The one drug which might save her life is available only from a druggist who is charging an exorbitant price. Subjects must decide whether Heinz, who cannot afford the drug, should break the law and steal it or obey the law and allow his wife to die. It is the *reasons given* for a particular answer rather than the specific choice itself, which determine the moral stage of the subject.

13. These categories of differences come from Bernard Lonergan's discussion of *horizon* in *Method in Theology* (New York: Seabury Press, 1972) p. 236.

This failure to recognize truly dialectical conflicts is not unrelated to Kohlberg's notion that Stage 6 is better because it relies on principles which are free of cultural content. Whereas the earlier stages are categories of morality which are culturally defined, Stage 6 principles are more universal because they abstract from the concrete context.

At lower levels than Stage 5 or 6, morality is not held in a fully principled form. Accordingly, it is more subject to specific content influence by group definition of the situation than is principled morality. ... Even Stage 6 principles are somewhat accommodate to cultural content, for example, Lincoln and Jefferson were able to partially accommodate their principles to slavery in response to social pressure (p. 128).

The impression given here is that the ideal type of moral functioning is culture-free and would entail holding certain principles in spite of or abstracted from the concrete cultural context. To allow concrete considerations or cultural values into one's decision-making is a regrettable "accommodation." Nevertheless, Kohlberg does claim that these abstract, formal principles can be used in concrete situations of conflict by using "universalizability" and "reversibility" to arrive at equilibrated role taking. By recognizing the claims of every other party and by taking each role in turn, one can resolve the moral conflict :

In the sense just outlined, a universalizable decision is a decision acceptable to any person involved in the situation who must play one of the roles affected by the decision, but does not know which role he or she will play. This perspective is not that of the greatest good, nor is it that of an ideal spectator. Rather, it is a perspective sharable by all people, each of whom is concerned about the consequences to him or her under conditions of justice (p. 168).

Again, Kohlberg appears to labor under the illusion of the abstract nature of moral judgment.¹⁴ I am not saying that there are no general moral principles by which one seeks to live, nor that persons make moral judgments without some criteria. The point is that discerning the *principle* (treat each person as an end, not a means) is only the first step, which does not resolve the concrete conflict. Rather, the conflict arises precisely because the principles cannot be clearly applied — one finds oneself in a situation in which someone *must* be treated as a means to an end and the dilemma is to decide *whom* it will be. Philosopher 3 and Kohlberg, in their assumption that Heinz's wife's life is more valuable than the druggist's property, fail to see that by stealing the drug, Heinz uses the druggist as a means to an end

14. This is another area in which Kohlberg has taken seriously the objections of his critics. He has clarified his notion of principles (Cf. KOHLBERG, *Psychology*, pp. 296-300). His current position is that principles are not something "outside" the particular situation but "filters" through which one interprets the situation. I believe that this nuance is helpful but does not fully recognize that the good is always known concretely and that common sense (which is what, in fact, he is studying) aims, "not at establishing general truths, but at building up a core of habitual understanding that is to be adjusted by further learning in each new situation that arises" [Cf. B. LONERGAN, *Insight: A Study of Human Understanding* (San Francisco: Harper and Row, 1957), p. 297]. I believe that, in his best moments, this "habitual understanding" is what Kohlberg means by "principles." Still, his conception of principles retains elements of the "already-out-there-now-real."

(pp. 162–168). The judgment that Heinz should steal the drug is simply a decision that it is better for Heinz to use the druggist as a means (to save his wife) than it is for the druggist to use Heinz as a means (for profit). Likewise, all the rhetoric about “universalizability” fails to see that moral conflicts often arise precisely because each *cannot* be given his or her due, and a choice must be made as to whom will be treated unfairly. Kohlberg himself alludes to conflicts between distributive and commutative justice, (p. 144) yet glosses over these differences (and centuries of discussion in philosophy, political science, and ethics) as if justice were a singular, clear-cut principle. Further, the notion that one ought to be willing to take the role of any other party in the conflict fails to give credit to the subjectivity of conflict. In hypothetical or ideal cases, ceasing to be a self-interested subject and taking on the role of others might work, but in concrete situations one makes one’s judgments *as a subject* whose claims are part of the conflict. If each party were willing to take the role of any other, the conflict would not have arisen in the first place!

There is one final confusion in Kohlberg which I would like to point out. Much of his argument rests on his claim that there are universal ethical principles which function in all cultures. He does not make it clear, however, whether this universal core of morality is formal or substantive, whether he is discussing the structure of moral judgment or its content. On the one hand, his theory of stages depends on structural, ontogenetic development; he studies the *way* persons reason morally rather than the particular choices they make.

It is this emphasis on the distinctive form (as opposed to the content) of the child’s moral thought that allows us to call moral development *universal* (p. 116).

So also, in his philosophical discussions, he uses a formal definition of morality.

I am arguing that a criterion of adequacy must take account of the fact that morality is a unique, *sui generis* realm. If it is unique, its uniqueness must be defined by general formal criteria, so my metaethical conception is *formalistic*. Like most deontological moral philosophers since Kant, I define morality in terms of the formal character of a moral judgment, method, or point of view, rather than in terms of its content (p. 170).

In this same vein, Kohlberg often uses the word “principles” in a very general, formal way, meaning the criteria of moral judgment. “In our empirical work, I and my colleagues considered the term *principles* to refer to considerations in moral choice, or to reasons justifying moral action” (p. 174).

In spite of this emphasis on the formal criteria of moral judgment, Kohlberg at other times claims that the core of morality must be “*substantively universal*” (p. 166). He rejects the “moderate sociological relativists” who believe morality is formally universal even though cultural content varies. He insists that there is more to universal morality than simply *form*:

I am arguing, then, that even moderate or sociological relativism is misleading in its interpretation of the facts: not only is there a universal moral form, but the basic content principles of morality are also universal (p. 126).

Later, in analyzing Philosopher 3's discussion of the Heinz dilemma, he says,

I (and Philosopher 3) claim that full universalization of moral judgment requires more than a formalistic claim — it requires substantive moral principles. These principles are themselves limited to those which are fully universalizable. ... The substantive principles meeting this claim are "justice" and "respect for personality" (p. 126).

In these passages "principles" are not simply formal — they have content. By speaking of Stage 6 as "principled" morality he clearly means something other than a morality which uses criteria for judgment, since each stage has its own criteria or "principles." Somehow, at Stage 6, "principles" takes on substantive justice. "Formalists who disagree with the primacy of justice usually do so because they wish to keep morality completely content-free" (p. 176). Kohlberg claims that he can bridge this gap between form and content because justice is the only substantive "principle" which meets the formal criteria of prescriptivity, universalizability and reversibility. But, as I have already pointed out, many principles claim prescriptivity and universalizability, and since we live in an imperfect world, moral conflicts often demand that we restrict the "universal" and decide with whom we will reverse roles, given that we can't take everyone's part.

In conclusion, Kohlberg makes an innovative and bold attempt to define the relationship between empirical psychological research and philosophical moral issues. Unsatisfied with the ethical relativism of much social scientific theory, he tries to ground his own research in an unrevisable and universal moral value: justice. Although I sympathize with the *issue* that he is trying to address, I believe that his solution is less than adequate. With regard to his deontological morality, I question whether principled morality is necessarily a morality of justice and whether one can jump so easily from a study of the formal aspects of moral reasoning to a claim that only one substantive principle, justice, is an adequate criterion for moral judgment. Further, I question whether Kohlberg's assumption that all value differences are developmental and his notion of Stage 6 morality as abstracted from cultural content deals adequately with the nature of moral conflict. When persons hold diametrically opposed positions or have mutually exclusive claims, principles of universalizability and reversibility simply beg the question. In short, I do not think Kohlberg has adequately grounded his *formal* notion of morality in the actual operations of the human subject. In appealing to justice to do this job, he is simply taking one substantive and abstract value and tracing its development through the stages. Contrary to his intentions, this neither refutes ethical relativism, nor "proves" that a higher stage is a better one.

Lonergan's Philosophy and the Is/Ought Dilemma

As an alternative approach to the issues Kohlberg deals with, I would like to present Bernard Lonergan's analysis of human consciousness. Lonergan grounds his analysis on operations of human knowing which are both concrete and universal; an unrevisable and dynamic set of operations which cannot be denied without self-contradiction. He uses this analysis of human knowing as the basis of a method in

Theology. I believe his distinctions could also serve as a valuable ground for method in any human science and could go a long way toward answering the kind of issues that Kohlberg raises. Let me briefly outline Lonergan's basic approach and then draw some implications useful for further discussion.

In the first chapter of *Method in Theology*¹⁵ Lonergan outlines a basic pattern of operations which recurs in all human knowing and doing. In operations such as seeing, hearing, inquiring, conceiving, formulating, marshalling and weighing evidence, judging, deciding, speaking, writing there is an invariant pattern. Lonergan discusses this pattern as four levels of consciousness.¹⁶ On the *empirical* level, the data of the world around us and of our own consciousness impinges upon us. At this level we simply experience the data of sense and the images, memories or feelings arising spontaneously within us. Yet as humans we not only perceive a multitude of unconnected data, we naturally seek the intelligibility of this data. Thus, on the second, the *intellectual* level of consciousness, understanding is the prime operation. We inquire and question, What? How? and Why? We develop concepts and hypotheses to explain the phenomena; we seek insight into the given perceptions. Yet knowing is never complete at this level. For though knowledge is hard won, insights and theories are a dime a dozen, and beyond understanding and conceiving, human intelligence moves on to ask, is it so? Thus, at the *rational* level, hypotheses and conceptions give way to critical reflection. The questions now regard, not Why? How? or What? but Whether? and the answer is either Yes or No. Human persons are not content to live with possibilities; we insist on knowing the true, the real, and the "pure desire to know" pushes us ever forward toward a more complete grasp of truth.

Whereas knowing is the compound of *experiencing*, *understanding*, and *judging*, human persons not only know, we also act. So beyond the questions for intelligence (What? Why? How?) and the questions for critical reflection (Whether? Is it so?) we also ponder courses of action — Is it worthwhile? What ought I to do? So the fourth level on which the conscious subject operates is the responsible level of deciding. Here we deliberate, evaluate, consider goals and possible courses of action. It is this level which regards value.

Having outlined this basic pattern of operations, several observations must be made. First, though articulated as a sequence, these operations do not necessarily occur one at a time. Rather, the elementary operations of the four levels combine to form a unity:

But as the many elementary objects are constructed into larger wholes, as the many operations are conjoined in a single compound knowing, so too the many levels of consciousness are just successive stages in the unfolding of a single thrust, the eros of the human spirit. To know the good it must know the real; to

15. Bernard LONERGAN, *Method in Theology* (New York: Seabury Press, 1972). Future references to this work will appear in the text as: Lonergan, MIT.

16. "Consciousness" for Lonergan is not "awareness" in the sense of self-consciousness or introspection. Rather, one is conscious in that one is neither in a dreamless sleep nor in a coma but is awake, attending, questioning, judging, deciding and acting. See LONERGAN, MIT, pp. 6–13.

know the real, it must know the true; to know the true it must know the intelligible; to know the intelligible it must attend to the data (Loneran, MIT, p. 13).

Occasionally, in particular endeavors, we carefully prescind from one operation in order to pursue another; thus, scientific method can use observation, can hypothesize, and can test theories by pursuing sufficient evidence.¹⁷ But in daily living the four levels of operations go forward spontaneously, dynamically and in a compound unity. It is only by stopping and "objectifying" what we are doing that we notice and name the processes.

Secondly, though the "objectification" — the articulation of the pattern — can be revised or reworded, the pattern which forms the dynamic structure of human consciousness is itself unrevisable (Loneran, MIT, pp. 16–19). The question is whether, in fact, human knowing involves distinct operations of experiencing, understanding, and judging. But this question itself betrays the orientation to truth, the critical reflection which seeks knowledge of what is so. And any attempt to oppose the fact of these operations and propose another theory of knowledge will seek an *intelligible* theory, a pattern, a coherence in our cognitional processes and will, thus, betray the fact that human intelligence involves understanding. Certainly any argument against the pattern will appeal to the data and, unless one is asleep or in a coma, one operates on the level of experience. Finally, the very effort to "get things straight" presupposes the value judgment that getting things straight is worthwhile. Thus, while perhaps the formulation of this pattern of operations warrants expansion or revision, one cannot deny the fact of experiencing, understanding, judging and deciding without engaging in self-contradiction: "In brief, conscious and intentional operations exist and anyone that cares to deny their existence is merely disqualifying himself as a non-responsible, non-reasonable, nonintelligent somnambulist" (Loneran, MIT, p. 17).

Thirdly, while the operations on these four levels are conscious, they are also *intentional*. This refers, not to the answers to questions but to the nature of the questions themselves. Before answers are known, the questions *intend* what would be known if it were known. Here Loneran introduces the distinction between *categories* and *transcendentals*. Whereas categories are determinations with a limited denotation, which vary from culture to culture, "the transcendentals are comprehensive in connotation, unrestricted in denotation, invariant over cultural change. While categories are needed to put determinate questions and give determinate answers, the transcendentals are contained in questions prior to the answers. They are the radical intending that moves us from ignorance to knowledge" (Loneran, MIT, p. 11). The operations are intentional in that they move us beyond what we know to what we do not know yet. But this intentionality is not random; it pursues a goal and the content of what is intended can be objectified to yield transcendental concepts:

17. Kohlberg himself isolates and uses distinct aspects of scientific method. He recognizes the need to verify hypotheses with sufficient evidence. His problem lies in his tendency to not distinguish the "factual" aspects of his hypotheses from the evaluative assumptions in them. He is quick to point out these different dimensions in *others* hypotheses but slow to recognize them in his own. For example, see his discussion of middle-class and ghetto values in "IS to OUGHT", p. 111.

So if we objectify the content of intelligent intending, we form the transcendental concept of the intelligible. If we objectify the content of reasonable intending we form the transcendental concepts of the true and the real. If we objectify the content of responsible intending, we get the transcendental concept of value, of the truly good (Lonergan, MIT, pp. 11-12).

Lonergan goes on to distinguish transcendental *concepts* from transcendental *notions*. The objectified contents of what is intended by questions for intelligence, for judgment and for decision are the concepts just named. But prior to these concepts and prior to the answers to questions, there are the *notions* of the intelligible, the true or real, and value and the good. These transcendental notions are a priori notions which,

constitute the very dynamism of our conscious intending, promoting us from mere experiencing towards understanding, from mere understanding towards truth and reality, from factual knowledge to responsible action. That dynamism, so far from being a product of cultural advance, is the condition of its possibility; and any ignorance or error, any negligence or malice that misrepresents or blocks that dynamism is obscurantism in its most radical form (Lonergan, MIT, p. 12).

Lonergan grounds his method in the unrevisability of the operations of human consciousness. These operations cannot be denied without actual self-contradiction. The process of objectifying these operations can be a long one of self-appropriation (Cf. Lonergan, MIT, pp. 14-15) yet this objectification reveals the given dynamism of human consciousness, the thrust of the pure desire to know and the a priori transcendental notions of the intelligible, the true, and the good.

Lonergan goes one step further in his discussion of transcendental notions :

Not only do the transcendental notions promote the subject to full consciousness and direct him to his goals. They also provide the criteria that reveal whether the goals are being reached. The drive to understand is satisfied when understanding is reached but it is dissatisfied with every incomplete attainment and so it is the source of ever further questions. The drive to truth compels rationality to assent when evidence is sufficient but refuses assent and demands doubt whenever evidence is insufficient. The drive to value rewards success in self-transcendence with a happy conscience and saddens failures with an unhappy conscience (Lonergan, MIT, p. 35).

Thus, the unrevisability of human experience, intelligence, critical reflection and reasonable decision yields the fact that humans function, in every question for knowledge or decision, with implicit notions of the intelligible, the true and the real, and value or the good. Let me repeat that these notions also serve as the criteria for arrival at knowledge of what is or what is good, and while intending is very different from knowing, still a person knows *when* he or she knows and when further questions must be raised.

The Implications of Lonergan's Approach

Unfortunately, this review of Lonergan is brief and sketchy ; nevertheless, let me use it to develop several implications which could correct some of Kohlberg's false assumptions. Kohlberg is attempting to refute ethical relativism by claiming that one principle, justice, is universal. Lonergan grounds his method, not on a particular value but on a series of operations which occur everytime anyone seeks to understand, to know what is, or what ought to be. He bases his method on claims of universality, yet that which he claims to be universal is neither abstract nor determined a posteriori. What is universal are the transcendental notions *intended* in questions for understanding, judgment and decision. These notions are intended prior to any conceptualization or formulation of them, and serve as the criteria which reveal whether the goals intended by questions have been reached. Though the a posteriori conceptualizations may vary from culture to culture, the questions and the notions intended in them are universal.

Not only are these intentional norms a priori as opposed to a posteriori in their universal ground, they are concrete as opposed to abstract. Whereas Kohlberg's model of mature or ideal morality rests on principles of justice abstracted from any context, Lonergan claims that the good is always concrete. We only know "the good" through instances of discerning it and bringing it about in specific circumstances. This is not to say that principles or rules of conduct cannot be extrapolated or defined in an abstract way or that in seeking what we ought to do in a particular circumstance we don't appeal to general moral codes. It simply means that "the good" or "what ought to be" does not reside in some abstracted, conceptual "moral order" with its own existence "out there" but occurs in specific instances in which persons discover what is right to do and then do it.

Thus, Lonergan, like Kohlberg, appeals to universality in human functioning yet bases his claims on operations which are undeniable without self-contradiction, which *intend* norms rather than define them, and which occur concretely everytime anyone questions what is or what ought to be. At first reading, it would appear that Lonergan claims only *formal* universality and would thus be subject to Kohlberg's rejection as an ethical relativist. But the fact that Lonergan does not discard norms altogether but claims that norms are inherent a priori in human questioning, reveals him to be neither a relativist nor a deontologist, but a critical realist.¹⁸ He thus succeeds where Kohlberg is inadequate ; he grounds his notion of morality on human operations which are formally universal yet inherently normative as well.

Further, Lonergan's delineation of the distinct levels of questioning helps to clarify the IS/UGHT problem. Knowledge of what is, is a compound of attending, understanding and judging and is only complete when one makes a *judgment* that a conditional truth has its conditions fulfilled.¹⁹ Knowledge of what ought to be is

18. For a discussion of Lonergan's distinction between the *naive realist*, the *empiricist*, the *idealist* and the *critical realist* see LONERGAN, MIT, pp. 238-239.

19. For a discussion of judgment as a "virtually unconditioned" see LONERGAN, *Insight*, Chapters Nine and Ten. See especially, pp. 280ff.

distinct from this and involves its own distinct questions. Thus, in human living, questions and knowledge of what is are distinct from knowledge of what ought to be; the two are not synonymous. At the same time the two are not unrelated; getting our facts straight is an important factor in deciding what we ought to do. An incorrect lab test or diagnosis can have disastrous effects on decisions about treatment of disease. Conversely, the values one chooses will affect the aspects of things to which one attends, the hypotheses one puts forward and the evidence one considers sufficient to determine the facts. An anti-semitic prejudice will severely effect the "facts" one discovers about Jews.

Both the distinction and the relation between knowledge of what is and knowledge of what ought to be are important recognitions for method in the human sciences. On the one hand, the failure to recognize the interrelation of the two can lead to an extreme emotivism or voluntarism in ethics. On the other hand, a simple equation of IS and OUGHT can hide a multitude of sins: one's value-laden starting point is overlooked and the "facts" are declared to be self-evident. In psychology, the behaviorist approach with its rejection of interpretive value issues as part of its method, is most obviously prone to this error. Yet even Lawrence Kohlberg, who expressly rejects behaviorism, and even explicitly negates the naturalistic fallacy, assumes his own North American middle-class male model of morality as cross-culturally normative and often resorts to an "objective" appeal to the "facts" to prove the validity of his model. Carol Gilligan's recent criticism of Kohlberg for basing his entire theory on an exclusively male sample betrays the conflation of IS and OUGHT and the discipline-wide assumption of male normativity.²⁰

Theology and philosophical ethics is no less subject to this conflation of IS and OUGHT. Efforts to avoid ethical relativism often lead to reaffirmations of deontological ethics which appeal to a "moral order" as given in creation. Although the attempt to ground ethics in more than just fluctuating predilections is noble, so called "natural" law is often based on a culturally and sexually biased definition of "nature".²¹ Both the distinction and the relation between our facts and our values must be recognized if we are to avoid cultural or sexual chauvinism. Yet if one rejects the "principle of the empty head", i.e., the possibility of beginning research with no preconceived value assumptions, an honest theological or psychological approach must develop a dialectical method to deal with value conflicts and their consequent differences regarding the "facts".²² This would involve, preliminarily, a distinction between purely complementary or developmental differences and those points of view which are diametrically opposed. Once dialectical differences are recognized, one must "encounter" those with whom one differs in order to determine the sound

20. See Carol GILLIGAN, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982).

21. See Christine PIERCE, "Natural Law Language and Women," in *Sex Equality*, ed. Jane English (Englewood Cliffs, N.J.: Prentice Hall, 1977).

22. Lonergan considers "Dialectic" to be a distinct task (or "functional specialty") in theology, a task which explicitly deals with conflicts of interpretation and/or evaluation. See LONERGAN, MIT, Chapter Ten.

basis or unfair bias of one's position ; to confront the possibility that one needs to be "converted".

I do not hope with these few comments to develop a new foundation for studies in moral development or human science in general. I merely wish to point out that, as there are hermeneutical problems in philosophy and theology, so we must also recognize interpretive issues in the human sciences in general and in the study of moral development in particular. I believe that Kohlberg, in a circuitous fashion, is making a stab at this in his article, "From IS to OUGHT". Unfortunately, he vacillates between establishing his model empirically on the one hand, and philosophically on the other. His attempt to ground his method on the principle of justice fails in my estimation. A recognition of the concrete contextuality of every moral judgment, of the normative *intentionality* of questions for judgment and decision, of the distinction yet relation between judgments of what is and judgments of what ought to be, and, finally, of the possibility of genuine dialectical conflicts, would provide a first step toward a method which could deal with fact/value issues in the study of moral development and in other human science endeavors.