Moral Experience and Philosophical Ethics∗

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1 The Three Levels of Moral Knowledge

Reading the book *La libre afirmación de nuestro ser*¹, and particularly its third chapter, has been the stimulus for the reflections which I now present, and which are intended to be a cordial homage to the grand master of thought who Professor Antonio Millán-Puelles has been. What is necessary for avoiding misunderstandings that frequently vitiate ethical-philosophical reflection is a thoughtful indication of the distinctive epistemological status of ethics. In this same way, the distinction and delimitation of what, in moral experience, is the work of the intelligence and of that which corresponds to it, is no less important than are the emotions and inclinations.² However, I think that the pages dedicated to moral experience have, above all, the purpose of establishing the basis for precisely understanding in what sense it is affirmed that our nature is the general and immediate foundation of the content of our duties.³ The study of moral experience allows us to understand that the

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¹ Translated by Kira Howes.
³ Ibid., 88-116.

The importance of this clarification to the whole work is obvious when you consider the following statement: “the reason for which the content of our duties has its general and immediate foundation in our nature is the same reason for which an ethics of the free affirmation of our being is fully justified.” (Ibid., p. 64), our translation.
foundation that is spoken of is strictly ontological in nature, not a premise from which one derives or infers knowledge of something. He speaks with clarity when he affirms that “the principle of the congruence of duty with the respective subject’s own being is not a methodological norm that provides us the service of discovering the material of the duty. This material is already uncovered in moral experience where natural law, dictated by practical reason, is immediately present as something lived, not theorized in its primordial determinations.”

It is no easy task to get an accurate idea of what moral experience is. As professor Millán Puelles writes, “the thematization, or properly said, objectification of moral experience” cannot be done “without some reflection”, and it “makes possible the risk of replacing the description of it with an effective construction of it, more or less bound to certain convictions, whether philosophical (knowingly or unknowingly), or not.” He then added: “Hence the need for philosophical ethics, of moving toward moral experience, treating of it with an attitude, to coin a phrase, ‘tuned in’ to the spontaneity of the exercise of the same experience.”

Cajetan, in my judgment, makes a very interesting observation for identifying the innermost core of moral experience. This author says that many are confused because, at the time of describing the spontaneous development of the moral decision, they consider *in actu signato* what instead they should consider *in actu exercito*.

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4 Ibid., p. 457, our translation.
5 Ibid., p. 80, our translation.
6 Ibid. The problem before us is, thus: on the one hand, philosophical ethics encounters in moral experience its principles and that, on the other hand, the interpretation of the moral experience of the philosopher is conditioned by his or her beliefs and attitudes. A circularity is verified that explains the existence of a plurality of conceptions of moral experience and philosophical ethics. However, just as pluralism does not preclude communication, even more so when it comes to a plurality of forms that coincide in claiming to be reasonable ways of thinking about moral life. I see no reason to rule out that a dialectical comparison of the various conceptions could give satisfactory results. With this, I mean that the conception of the moral experience and of its relationship with philosophical ethics that I am going to exhibit below should be completed with a comparison with other alternative modes of understanding the same issue: a step that is not possible to take here for reasons of space.

direct exercise of practical reason (*ratio practica in actu exercito*) and its reflexive exercise (*ratio practica in actu signato*). It is a very fine analytical distinction between two dimensions that are actually always united because a rational activity cannot be completely unconscious; however, it is important in order to note the distinction between what in practical reason is primary and what is derived, what is constitutive and what is its reflection in the conscience. I would add to this distinction that the reflection on the direct activity of practical reason can be carried out on two distinct levels: a first common level, which is a reflection of practical reason itself, and a philosophical level, in which theoretical elements undoubtedly come into play. Thus, we have three levels of moral thought, which will be my focus in what follows.

2 The Direct Exercise of the Practical Reason

The direct exercise of the practical reason is the radically constitutive core of the moral life. Without the direct exercise of practical reason, there would neither exist morality nor—consequently—moral experience, nor philosophical ethics. The direct exercise of practical reason is the governance of action, conduct, and human life needed for being morally good. It does not consist in knowing an object—morality in this case—but rather in ordering, planning, and organizing action, conduct, and life. Moreover, in ordering, planning, and organizing, the direct activity of practical reason constitutes morality, it makes it exist and, only for this reason, it also knows it, but with a specific mode of knowledge that is precisely practical knowledge in the most proper sense of the term.

It is helpful to make a clarification in what follows. Human action can be governed so that it may be good in the technical sense, and this is not obviously a moral governance. To specify the moral meaning of good and evil, I have spoken of ordering, planning, and organizing action, conduct, and life. What specifically characterizes the moral aspect of practical reason is that it always refers, in the final analysis, to a good (or to an evil) of human life considered as a whole. The moral ordering of a singular action

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8 "Primum autem principium in operativis, quorum est ratio practica, est finis ultimus" (St. Thomas of Aquinas, *Summa Theologiae*, I-II, q. 90, a. 2). An excellent study on the importance of this thesis to Greek ethics is that of Julia Annas, *The Morality of Happiness* (Oxford: Oxford University Press, 1993).
presupposes and makes concrete, here and now, a comprehensive plan for one’s own life, which the chosen action supports. The technical ordering of action does not refer, in turn, to the human life in its entirety, but to a restricted or particular purpose.

These considerations give rise to the following question: Does not the moral direction of conduct presuppose knowledge? Can one, perhaps, direct oneself without knowing? The reality is that in order to direct our conduct we avail ourselves of much knowledge: some of it acquired in the context of our family life, some of it contained in the *ethos* of the society in which we live, from the religious community to which we belong (if any), and finally, some of it is the fruit of our personal experience and reflections. However, if we want to reduce to essentials our answers to these questions, we have to say that the absolutely indispensable knowledge of the direct activity of practical reason does not operate as knowledge from which other knowledge is drawn, but as goods or ends that are obtained and carried out through actions. The specific logic of the *ratio practica in actu exercito* is based in principles, not in premises (i.e., its starting point is in goods or ends, not judgments). The essence of the specific logic of practical reason was beautifully expressed in the opening lines of the *Nicomachean Ethics*: “Every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good; and for this reason the good has rightly been declared to be that at which all things aim.”

There are no human actions that do not tend toward a good, and one can only speak of a good, or of an end, in the practical sense if one is concerned with a good that is realized, or realizable, through action. Action and good (or end), as well as conduct and good (or end), are correlative terms. Thus, an end is a practical principle not inasmuch as it is known, but inasmuch as it is desired or rejected; an end which leaves me indifferent would not be a practical principle for me.

It is worth saying, in summary, that the direct and spontaneous activity of the practical reason essentially consists in proposed ends, as can be, for example, the desire to justly resolve the problems created as a result of the bankruptcy of a business that I own, and to seek and plan appropriate actions for obtaining and realizing those ends. If it is not taken into account that practical reason presupposes the desire or the attraction of an end, philosophical ethics could not explain why human reason is practical; a question

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to which Kant could not give an answer. What I say here does not mean that the objective value of a norm or a moral requirement is subject to a subjective condition. This is a different, subsequent problem, which is resolved through an objectively based discernment between true good and apparent good, between the ends that necessarily integrate the comprehensive human good and those that only seem to do so but do not actually do so.

3 The Reflective Exercise of Practical Reason

The direct activity of practical reason, even with all its peculiarities, is a truly rational activity, and therefore is conscious, knowable, and more or less, always clearly known by each person. The confusion referred to by the aforementioned observation of Cajetan is possible because the content of the practical reason, when passing from the direct level (ratio practica in actu exercito) to the reflexive level (ratio practica in actu signato), even while remaining identical in its ultimate substance, acquires certain modalities and presupposes various conditions. Specifically, inasmuch as the reflexive level is the most immediately accessible, the risk of confusion consists in attributing the modes belonging to the reflexive level to the level of the direct exercise. I will give some examples merely for purposes of illustration, without claiming to exhaust the problems that they encompass.

In the direct exercise, that which is usually called the ‘first practical principle’ is the fundamental light of human reason as practical reason, presupposed by the perception of any object inasmuch as it is practical (i.e., inasmuch as it has to be done or it has to be avoided). This first light, possessed by nature and not by the free choice of the individual, explains that human reason places itself before a reality not only as it is an object of knowledge (‘A is A’), but also as it is an object of realization or non-realization, that is, as before a good or an evil (‘I should do A’ or else ‘I should not do A’). On the reflexive level we have no other choice but to give to that light a ‘judicative’ expression\(^{11}\) (bonum faciendum, malum vlandum), which is acceptable, provided that we do not lose sight that its true reality and function are neither that of a judgment nor a premise. To consider it a judgment would be to

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11 Translator’s note: What is mean here by “judicative expression” is simply an linguistic expression of judgment.
impoverish the reality of the first practical principle, and would give rise to
the temptation of wanting to derive it. The first principle of practical reason
is, however, original, and not derived.

In its direct exercise, practical reason naturally possesses, together with the
first principle, other fundamental practical principles. These are general cri-
teria for the rational regulation of the human goods (i.e., of the goods that we
manage, use, realize, or possess through our actions). Classical philosophy
calls these general criteria of rational regulation the moral virtues, which are
not only habits that fix the appetites into certain ends (justice, temperance,
etc.), but also are ends themselves (justice, temperance, etc.) that determine
what is good or evil in the appetite's realization in action.\(^\text{12}\) Said in other
terms: the moral virtues, besides having an affective and dispositional di-
mension, also have (and inseparably have) an intellectual dimension.\(^\text{13}\) The
virtues are the fundamental principles of moral rationality, known by the
practical intelligence and, at the same time, inscribed in the tendencies. If we
pass, in turn, to the reflexive level (\textit{ratio practica in actu signato}), the rati-
nal regulation of the goods expressed and taught through norms or precepts,
and their urgency and unconditional value, are expressed and communicated
in the form of duty. However, both the norms and duties are derived reali-
ties, which belong to moral thought and are formed through reflection on the
direct activity of practical reason. They are absolutely necessary concepts
for philosophical ethics, but are neither primary nor direct moral realities.
Norms and duty are both functions of life in accordance with virtue, and not
vice versa.\(^\text{14}\)

If we reverse the relationship between the plane of the direct exercise of
the practical reason and that of reflection upon it, many drawbacks arise,
both for the understanding of the moral life on the part of the common man
and for its philosophical comprehension. I will give just one example. The
practical primacy of the construction (of the obligation) over that of the
attraction (the finality, the virtue) follows from the aforementioned reversal.
This primacy developed in all its consequences becomes unintelligible and
unacceptable. In the moral life the ‘No’ has its foundation in, and is ordered

\(^{12}\) We would like to refer the reader interested in a larger study of virtues as ends to our
\(^{13}\) We take the designation of these three dimensions from Julia Annas, \textit{The Morality
of Happiness}, cit., ch. II, although actually the same idea, expressed in other words, is
found in many other authors.
\(^{14}\) We discuss in greater detail the relationship between virtues and norms in Angel
Rodriguez Luño, \textit{Ética General}, 5\textsuperscript{th} ed. (Pamplona: Eunsa, 2004), ch. VIII.
toward, a ‘Yes’. The ‘No’ is often necessary, but cannot be a primary, but only a derived, reality. The primary reality is to guide the tendency toward its true object, and only on that basis must it separate the latter from what only appears as its object, without actually being so.

All of this has broad repercussions in the moral attitudes of the common man. Now I will mention only one. If it is granted that there is a primacy to the attraction, one can see in morality the guide to the full and positive meaning that one desires to carry out with one’s own life: every day and every task has value, none of these are odious procedures. Morality is not understood as an uncomfortable waiting room where there is an obligation to lose some time and strength before moving on to what really matters. If, in turn, it is granted that there is primacy to the construction, there arises in the person the concern of doing what is mandated and avoiding what is prohibited, considering as ‘free’ the broad ambit of life that is not covered by prescriptive and prohibitive norms. For those who have this mentality, freedom begins where the law ends, so they understand morality as a limit of freedom (all that is necessary or advantageous that one desires), and not as the positive and inseparable direction of all free life (i.e., as the rational self-government which belongs to the free tendency as such).

4 Ethical-Philosophical Reflection

The superior level of reflection on the activity of practical reason is what inevitably leads to philosophical ethics. In the book *La libre afirmación de nuestro ser* the relationship between philosophical ethics and moral experience is studied in a very precise way. 15 From the particular standpoint I have adopted here, it is fitting to add that philosophical ethics has the mission of explaining and elaborating in a critical and systematic way (i.e., in a properly philosophical way) the specific logic of the moral life. Furthermore, in the development of this work, it is of great importance to fully and correctly understand the relationship that exists between the direct activity and the reflective activity of practical reason. This contributes to the proper understanding of what the principal object of ethical investigation is, or if it is preferred, to what the fundamental question to which ethics should give a

If the philosopher does not sufficiently point out the derived, and not constitutive, character of what we have called the reflexive exercise of practical reason (*ratio practica in actu signata*) and of the concepts characteristic of that level, philosophical ethics will be configured as an inquiry about moral norms to be observed, that is, it will focus on the good or evil of the singular action and on the foundation of the norms that determine its licit or illicit character. Thus, we have an ethics of acts or of norms, which admit of various forms. It can be an ethics of norms of a metaphysical or religious character; it can also be an ethics that proposes as its ultimate purpose the search and founding of the rules necessary for coexistence and social collaboration (contractualism), or else an ethics that understands itself as knowledge that is ordered toward the production of a good (or of the best) vital condition for the individual or for the collectivity (utilitarianism).  

If, on the contrary, it can be understood that the constitutive logic of moral existence is that of the direct exercise of practical reason (*ratio practica in actu exercito*), philosophical ethics takes the form of an investigation about the kind of life that is best for man. Attention is not concentrated primarily on the actions and norms, but on the determination of a practical standpoint of the good of human life considered in its entirety or, in classical terminology, of the supreme good of man, conceived as a way of life whose principles of a cognitive, affective-dispositional, elective, and executive nature are the virtues, on which the norms that regulate action are then based. In this sense, I speak of virtue ethics.

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16 In the following pages we systematically present ideas and arguments that we discussed with greater depth in *Ética General*, ch. III.

17 An important comparative and systematic study of the current leading figures of ethics is that performed by Giuseppe Abba, *Quale impostazione per la filosofia morale? Ricerche di filosofia morale – I*, (Rome: LAS, 1996).

18 It should be noted that currently, the term 'virtue ethics' has no single meaning. Other authors understand 'virtue ethics' as a 'weak' form of non-cognitive ethics, that is, a kind of moral reflection that does not trust the human capacity to achieve real ethical knowledge and of the possibility of substantiating a rationally true conception of the human good and its regulatory requirements. Ethics is limited then to speaking of the affective dispositions, of the good sentiments, of the character and of their psychological presuppositions, etc. For a first contact with this current philosophy, cf. Clarke, S.G., "Anti-Theory in Ethics", *American Philosophical Quarterly* 24 (1987) 237-241; Clarke, S.G. - Simpson, E. (eds.), *Anti-Theory in Ethics and Moral Conservatism*, Albany (NY) 1989; Louden, R., "Virtue Ethics and Anti-Theory", *Philosophia* 20 (1990) 93-114. There is also a great variety of positions between those who do not share this
Naturally, normative ethics does not solely concern norms, and neither does virtue ethics solely concern virtues. However, this way of speaking seems to me suitable for distinguishing the two different conceptions of philosophical ethics. Of this one treats in reality, because that which is considered the principal object of ethical knowledge depends on the type of knowledge and the grade of certainty that is sought, the method followed in the investigation, the structure given to attained knowledge and how the most important ethical concepts relate to one another, etc.

Normative ethics leads, in my judgment, to insurmountable stalemates. Important objections can also be directed, and in fact are, at virtue ethics. My personal conviction is that, taking into account the pros and cons, virtue ethics is much better suited for the actual operation of practical reason and to the logic that actually inspires the moral existence of the human person.

One of the most contested points of virtue ethics is the idea that the best kind of life for man can be philosophically determined. Some consider this task beyond the current possibilities of philosophy, or else that it presupposes a metaphysical or religious position that is not acceptable for all, a reason for which the development of this task is additionally opposed to tolerance and

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pluralism. Not being able to consider all of these problems here, I will conclude my reflections with an example that shows how many of the decisions that we do in fact make presuppose an idea regarding the comprehensive good of human life.

It is often objected to the approach proposed here that experience seems to suggest that men do not act with a single comprehensive good in mind (the ‘ultimate end’ of classical philosophy), but that there exists in our life multiple ambits or sectors, each one of which seems to have its own end. Thus, for example, all of the activities carried out from Monday through Friday by an engineer in the electric plant whose maintenance he or she directs, have as their end the monitoring of the operation of all systems of the plant so that it does not stop supplying electric energy to the neighboring city. Nevertheless, the sports played by our engineer on Saturday mornings have as their end rest and the maintenance of good health. Our engineer also carries out other activities on the weekend, some of which respond to the desire of giving to his or her spouse and their children the attention they deserve, while others clearly respond to a religious end. Would his or her conduct not be fully explained by stating that each sector of life—work, rest, health, attention to his or her family, religion, etc.—has their own end that is independent of the other sectors, and therefore, that there are different ultimate ends, and not merely one? In other words, do these observations not seem to demonstrate that, to carry out our various activities, we never consider our lives as a whole but, rather, we act in view of the specific end of each activity that occupies us at a given moment?

The answer to these questions is no. If the ends of each activity were truly ultimate ends, they would not be articulated or articulable ends in a totality that encompasses, so it would have to be admitted that they are incommensurable ends. However, experience teaches that only by commensurating these ends (i.e., putting them in mutual relationship within a broader whole), can permit us to make the appropriate decisions when a conflict arises between them. Let us assume, for example, that a change in the organization of work in the electric plant poses to our engineer the following alternative: to either accept a new schedule in which he or she is expected to also work on Saturdays and some Sundays, but with the advantage of a promotion and obtaining a consistent increase in pay; or to retain previous working hours, with

\footnote{For these critiques, cf. Habermas, J., 	extit{Aclaraciones a la ética del discurso}. (Madrid: Trotta, 2000) (original: 	extit{Erläuterungen zur Diskursethik} [Frankfurt am Main: Suhrkamp, 1991]).}
the condition that any possibility of a promotion or pay increase is closed. To accept the new work schedule would require reducing or removing what used to be for rest, attending to his or her family, and complying with his or her religious duties. To continue these activities as he or she had up until now would mean, in turn, foregoing significant professional and economic improvements, with all that this entails. The situation forces him to choose between the different activities and their respective ends: he or she has to limit some for the sake of others, or vice versa. In view of these conflicts, our engineer reasons and tries to understand what the economic position, professional career, attention that should be given to his or her family, religion, or the decrease of these goods adds to or removes from his or her successful life, to the fullness that he or she seeks or, more simply, to his or her own happiness and to that of his or her loved ones.

The reasoning that we just gave does not tell us what the comprehensive end of human life is, nor does it mean that the idea that each person has about his or her comprehensive good cannot change throughout his or her life. What it does tell us is that many of the decisions we make or, more accurately, that the decisions with which we establish a hierarchy between our different activities and their respective ends, can only be reasonably taken based on the idea that we have in that moment about our comprehensive good, that is, about the type of life that we want to lead.\footnote{This point is well expressed by Annas, \textit{The Morality of Happiness}, especially ch. I and XV.} It is possible to commensurate the ends of different activities, establishing among them priorities, which are based only on a single end and higher order.

That the supreme or comprehensive good is unique does not necessarily mean it is exclusive of the other ends. Actually, it can also be considered the ultimate end as an exclusive good, that is, as a good which acts as ordering principle or criterion of many other goods, articulating them in a project or plan of life that seems better and more desirable. Thus, scholars of ethics frequently speak of the ‘good life’ or of the ‘successful life’, to refer to the supreme or comprehensive good. It concerns, therefore, a type or kind of life that admits within itself of diverse concrete \textit{realizations}.

This last observation allows us to define exactly what is meant when it is said that the comprehensive or supreme good makes the ends that are not ultimate ends to be commensurable. Commensurating between non-ultimate ends does not mean that they are disposed of arbitrarily or instrumentally.
In more technical terms, the fact that there is only one supreme good here and now for each person, does not mean that the other ends remain reduced to means, and thus are available for purely instrumental treatment. The non-ultimate ends and the ultimate end are not related to each other as are the means and the end. Their mutual relationship more closely resembles that of parts of a whole. The different activities and existential dimensions of human life are parts of the successful life, and those, to be effectively such, should occupy the post to which they correspond in the successful life. The life integrated by them ceases to be good when those activities and ends are sought or realized in a disordered way (i.e., with intensity, size, modality, etc. any of which are different from that required by the good life).

In light of what we just said, the possibility and the necessity of investigating what the best kind of life is for man entails, essentially, that the decision to be made by the engineer in our example—and similar decisions that we all need to make—are not the result of irrational choices, but, on the contrary, we consider them to be reasonable or unreasonable, right or wrong. If this is so, there is no reason to affirm that ethics cannot or should not reflectively and critically develop the criteria that inspire these decisions. It concerns explicitly raising an issue that people too often resolve implicitly, without sufficient reflection.

Experience teaches, for example, that a person can dedicate almost all his or her energy to work, which he or she sees as the most important activity, thus neglecting his or her family, cultural formation, and health. It can happen, and it does in fact happen, that only after many years does it become clear that work has not provided what he or she desired, and that he or she is now faced with loneliness, seriously damaged health, and a profound sense of emptiness and frustration. From its beginnings in classical Greece, ethics reflected on these experiences of dissatisfaction, and considered its principal

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23 It is worth noting that the idea of commensuration of ends is susceptible to a utilitarian interpretation, an interpretation that we do not accept here, and that consists in thinking that happiness, understood as well-being, is a kind of measuring unit to which all goods are reduced—something like money compared to all that is bought and sold with it—and that allows a price to be put on them, their exchange, giving up one for another, etc., with the result that no behavior or operational project can be excluded in principle; all depends on the ‘quantity’ of happiness that one gets. An interesting discussion on this problem is found in H.S. Richardson, *Practical Reasoning about Final Ends* (Cambridge: Cambridge University Press, 1994). This author offers helpful, though not complete, explanations with regard to modes of understanding the commensuration of ends in a non-utilitarian sense.
mission to consist in men avoiding these comprehensive failures or, to say it positively, in guiding free determination of the objectives and priorities with the end of projecting and living a full life of value, that one need not later regret. For this reason, ethics is concerned with leading man to a level of reflection that permits him to elevate himself above immediate necessities and circumstances, to rationally inquire about the good of human life seen as a whole. Once the distinction has been accomplished between what is truly good for the whole of human life and what only appears to be good, it is possible to precisely know what needs to be revised or modified in order to perform good conduct, day after day.

It is true that philosophical reflection does not intend to say everything that each person should do or set out to do: the professional activity to be performed, the concrete mode of rest, of attending to one’s own family, of manifesting one’s religious beliefs, etc. However, certain general modes of living can be determined that must be observed (which are subject to moral duty) in the choice and ordering of different activities and in the regulation and use of the diverse human goods. These general modes of living, of a normative character, already received in Greek philosophy the name of virtues.

The only absolutely necessary presupposition of virtue ethics is the readiness to reflect on human life considered as a whole. The thesis that I wanted to support here is that this readiness is an essential part of the direct exercise of practical reason and which, as such, can be denied only in theory and fictitiously. A careful and deep study of skepticism and relativism would demonstrate that these positions are ethical positions, that is to say, they respond to a precise idea—an idea that is unprovable in my judgment—of what, after all, is the good of human life considered as a whole. Everything would be much easier if the ethical-philosophical debate were focused, with sincerity, on this important point.

\[24\] With this it remains clear that the concept of duty fits perfectly in virtue ethics, as I understand it, but it certainly cannot be an ethical concept of a primary character. Cf. on this point Giuseppe Abbà, *Felicidad, vida buena y virtud*, (Barcelona: Ediciones Universitarias Internacionales, 1992) ch. V, paragraph III.