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Dietrich von Hildebrand with Alice von Hildebrand, MORALITY AND SITUATION ETHICS

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Morality and Situation Ethics, by Dietrich von Hildebrand with Alice von Hildebrand. Hildebrand Press, 2019. Pp. xxxviii + 180. \$16.99 (paperback).

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This newly republished book, originally available in 1955, is an example of a text which proves its worth by its continued relevance today, and in circumstances that its author could not have anticipated.

Morality and Situation Ethics has as its primary aim to point out the flaws of situation ethics, which is the theory that there are no exceptionless moral rules and that “[t]he morally good is what our conscience tells us to do in a unique case when we examine all factors before God” (143). I will summarize this argument in the first part of this review. Von Hildebrand’s descriptions can be used to illuminate new situations, however, so I will explore a contemporary application of his work in my second section. Finally, I will discuss some limitations of the text before summarizing its highlights.

Because von Hildebrand began to formulate his arguments against situation ethics before Joseph Fletcher published its manifesto, *Situation Ethics: The New Morality*, in 1966, von Hildebrand is criticizing an implicit theory or “moral mentality” which he finds in literature rather than in academic philosophy or theology. He frames the debate by describing kinds of moral characters, which he relates to characters in classic works of fiction. The primary contrast used by those who endorse situation ethics, von Hildebrand claims, is between the “pharisee” and the “tragic sinner.” The pharisee seeks to obey God, but only as the source of a set of rules that give him moral superiority over others rather than as an infinitely holy and mysterious being deserving of our love and adoration. The pharisee, therefore, opposes the spirit of the law—the true meaning of a law, considered in the context of the rest of morality—in order to follow the letter of the law—a misinterpreted and isolated law which serves to elevate him and with which he judges others harshly and without mercy. The situation ethicist is rightly repulsed by such an attitude, and proposes as an alternate ideal the tragic sinner: one who is fully aware of his own sin but suffers because it separates him from God, for whom he has a deep longing. This leads the situation ethicist to a “sin mysticism” which condones—or even glorifies—actions traditionally considered sinful if they are performed by someone of a generally moral character who is relying on God’s mercy. Sin is, in these cases, seen as protecting the sinner from pharisaical pride (91). Von Hildebrand emphasizes that the term “sin” in the context of this work is not intended to imply anything about the state



of the sinner's soul; it refers merely to the breaking of a moral commandment or "attitudes embodying a moral disvalue" and the resultant offense against God (9).

Von Hildebrand reminds us that the truly Christian approach is neither the pharisee's nor the tragic sinner's; the situation ethicist has in fact created a false dichotomy. While the tragic sinner may be closer to God, von Hildebrand points out that this closeness is not due to his sin but in spite of it. For every tragic sinner who longs for God and hesitates to judge his fellows, there are many who commit the same sin but fail to love God and are hypocritically ready to condemn others. What saves the tragic sinner are his humility and other good character traits. The humility of the tragic sinner can also be found in those who have not sinned: the experience of temptation can be enough to show an innocent person his own weakness and prevent him from the pharisee's confidence in his moral superiority (102). Moreover, even if a sin can be instrumental in bringing someone to a greater awareness of his need for God and his inability to judge others harshly, we cannot for that reason choose to sin ourselves or encourage others to sin. Von Hildebrand points out that every sin is an affront to God, and it would be incoherent to choose to distance oneself from God directly in the hopes of bringing oneself indirectly into a closer relationship with God (81). There is no context in which we ought to neglect or disobey God's laws—or at least the spirit of these laws—in order to become closer to God. Further, unless we are to assume some sort of divine revelation occurs each time we make a moral choice, the only way that we can inform our conscience is by paying attention to God's commandments and the morally relevant values (such as the value of the human person) requiring our response (143). Situation ethics, then, has failed to prove its conclusions.

Von Hildebrand ends the book with a substantial argument for the contentious claim that the most appropriate moral responses are only available to the Christian: that a deep sense of moral value (such as the rightness of an act) depends on an awareness of and a relationship with God. While morally relevant values can be recognized by the non-believer, a belief in an all-good and all-loving God will make these values even more important—for instance, a human person's value is seen more clearly when he is understood to be immortal.

At this point, I would like to claim that the relevance of von Hildebrand's text is not restricted to a single, possibly dated, debate. Due to his deep insight into human experience, the characters von Hildebrand describes are not unique to a specific era or even to the moral conflict surrounding situation ethics, but are found wherever humans live in societies. Situation ethics may be a less prominent threat today (though there are many advocates of similar theories—such as utilitarianism and relativism—who agree that there are no universal prohibitions since every kind of action could be right in the right set of circumstances), but von Hildebrand's characters are invaluable in understanding new problems that have arisen.

Given the increasing polarization in politics, religion, and public life, we are often pressured to adopt strict systems of rules for ourselves in order to fit into the group with which we identify. Many use these rules to judge their opponents ruthlessly, as evidenced by the proliferation of scandal-mongering, yellow journalism, and even fake news—not just surviving as clickbait, depending on our curiosity, but promoted and defended on social media by millions of people. Demonization of the opposition is found on both sides of most debates; it would be nearly impossible to find a cause whose defenders are innocent. Nevertheless, it is often difficult to discern whether we are ourselves engaged in hypocritical judgment of others or if we are righteously indignant about a genuine horror, and von Hildebrand's comparison of self-righteousness and Christian judgment may help clarify our own actions.

Given these conditions, it seems that the character of the self-righteous zealot has become much more prominent today. Such a man, von Hildebrand states, is convinced of his own moral correctness or even superiority, and may indeed want to obey God. Nevertheless, such a person takes pleasure in discovering and pointing out the flaws of others. He thinks it his moral duty to correct others, assumes the worst about their behavior, and is "continually indignant, continually scandalized" (21). He delights in making public the sins of others, since he hopes this will make his own righteousness more evident to all. A self-righteous zealot even "prefers to see the other fall rather than to have wrongly predicted his fall" (22).

While it may be tempting to join the throngs of the self-righteous, von Hildebrand argues that the Christian ought to approach evildoers with neither the hypocritical joy that the self-righteous zealot takes in exposing others' sin, nor the denial of objective moral laws typical of the situation ethicist. Rather, "the Christian will *never* judge before knowing the motives, the inner attitude that the sinner himself has toward his sin, and before knowing all the circumstances. . . . He will not yet form an opinion of the action's *specific* moral quality, of the degree of the man's responsibility, and still less of the man's character" (121, italics original). When confronted with certainty about a sinful act, the intentions of the sinner, and the circumstances, the Christian's underlying love of God and neighbor makes him respond in sorrow: sorrow that such an offense against God has been committed, sorrow that his neighbor has distanced himself from the source of all good, and an awareness that the Christian himself could sin in a like manner or could have been instrumental in encouraging this sin—and could even now push the sinner away from God by his actions. Instead of condemning the other in order to affirm his own moral standing, von Hildebrand argues that the true Christian will reject evil, but without assuming any superiority over the sinner. The Christian should focus on the reconciliation of the sinner to God.

This may seem to leave the Christian in a state of guilty uncertainty and constant fear about his actions and their repercussions, but von

Hildebrand argues that such a person will have what he calls “freedom of spirit”: “a clear sense of the hierarchy of values and of the rank of moral commandments” (73). Freedom of spirit allows us to distinguish between the spirit and the letter of the law so that we will not be anxious when a higher obligation makes a lower obligation impossible. However, freedom of spirit is not freedom from law, as the situation ethicist would have it. In opposition to thinkers such as Joseph Fletcher who argue that laws lose importance in the face of love, von Hildebrand points out that the reverse is true: when one is motivated by one’s love for God, one will be even more eager to discover and abide by the laws given us by God (152). It is true that in particular situations, as long as the available choices are not morally prohibited, commandments and general rules may not suffice in determining what is best for us to do: we may need to take into account what our own vices and weaknesses are and avoid that which will put us in imprudent moral danger (139). This is always in addition to obeying God’s commandments, however, not a replacement of these laws.

One minor limitation of this book is that, while the theory is compatible with a broad range of Christian traditions, it is written from a distinctly Catholic perspective. This is emphasized by some of the examples of sins discussed, e.g., not attending Mass on a Sunday. Obviously, one can simply substitute examples of similar faults without changing von Hildebrand’s argument.

Somewhat more problematic is von Hildebrand’s infelicitous use of terms in categorizing kinds of moral obligation. “Formal obligations” he defines as obligations “accessible to juridical terms; they are connected with juridical liabilities,” while “material obligations” are not (59–60). This does not seem to fit any traditional division of matter and form. Formal obligations, in this context, can be reduced to material obligations (though he says that it can be tempting for bureaucratic types to ignore obligations which cannot be stated in legal language) (62). This makes for some confusing discussion, especially since he later calls the “intrinsic element of oughtness” the “formal characteristic of the moral sphere” (128) and—more conventionally—refers to Kant’s ethical theory as a “formalism” (151).

Another potentially confusing distinction is found in the fourth chapter. As John Finnis notes in his introduction, von Hildebrand follows Thomas Aquinas in stating that only prohibitions are to be followed regardless of circumstances and conflicting moral commands; prescriptions, on the other hand, may be overridden by other moral obligations (xxvii). Von Hildebrand mentions prohibitions when he considers whether one can satisfy the spirit of the law without satisfying the letter; he claims that this contrast of spirit and letter is not possible for “moral commandments including an absolute veto. . . . It makes no sense to say that although someone committed adultery in the literal sense of the word he remains true to the spirit of the commandment” (55). However, he goes on to make the same claim about positive moral commandments, qualifying this with

a footnote noting that a “valid excuse” could be made (55n7). While technically true, this distracts from an otherwise clear distinction he is making, and the rest of the text is clear that only prohibitions are universally valid.

Despite these minor limitations, *Morality and Situation Ethics* is well worth the investment of reading. Besides giving detailed descriptions of a spectrum of familiar moral characters, von Hildebrand engages in a phenomenological exploration of temptation, sin, and the perception of values, including moral values and morally relevant values. This text builds on premises central to von Hildebrand’s work: that actions, affective responses to value, and habitual character traits are all of moral value, and that we radically misunderstand the moral realm if we attempt to reduce moral values to only one of these (83; see also Dietrich von Hildebrand, *Ethics* (Franciscan Herald Press, 1972)) Nevertheless, enough detail is given here that one need not have read his other work. This text could even serve as a brief introduction to—and an indirect argument for—his ethical theory as a whole.

Morality and Situation Ethics is a clear, coherent, and persuasive book; it accomplishes the rare feat of challenging both the reader’s abstract moral theories and his day-to-day habits.