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A study of the influence of custom on the moral judgment

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Chapter I - The Problem

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CHAPTER I

THE PROBLEM

From the dawn of ethical speculation to the present time, it has been a favorite doctrine that custom is the mother of morality. This view has been held not merely by men of the world like Herodotus and Montaigne, but also by great numbers of special students of ethics, and is probably more widely accepted today than ever before. For all its popularity, however, it has never, I believe, been adequately tested. For the most part, in fact, its truth seems to have been virtually assumed as a matter of course. But the subject has too much importance for both theory and practice to justify us in resting in mere impressions. I have accordingly thought it worth while to undertake a detailed examination of the relation of custom to the moral judgment. The field selected for investigation is, of necessity, circumscribed in area, but it will, I believe, prove to be typical of a large section of contemporary civilized society. So that the present study, while not pretending to be exhaustive, may fairly claim to represent a serious beginning.

Custom is defined in the Dictionary of Philosophy as "a manner of acting somewhat widespread and habitual in a society, but not physiologically inherited." The theory under examination will hold, then, that the prevalence of a uniform mode of behavior in a given society, especially if none of its members can remember a divergent mode as existing within its borders, is capable of creating the judgment that the conduct in question is a duty. In connection with this there is usually held a second view, namely, that the moral judgments which thus arise are immediate, that is, formed without any consciousness of the relation of the conduct approved or disapproved to happiness, beauty, or whatever other values may give their actual validity to such judgments in the eyes of the philosopher. "Moral laws,"

writes Professor Paulsen,¹ "arise in consciousness as categorical imperatives. They do not counsel us to promote individual or universal happiness, but appear as absolute commands and prohibitions." Again:² "In obeying customs the individual is not conscious of their purposiveness, but only of their existence and obligation. He insists upon their observance by others as well as self, formulating them into those universal rules which begin: Thou shalt, and Thou shalt not."

If we attempt to picture with some degree of definiteness the *modus operandi* of the processes to be investigated, there are open to us, as far as I can see, three and only three possibilities. (1) The mere fact that a certain mode of conduct is observed to be general, generates in the mind of the individual the notion that it is obligatory. (2) The fact that a mode of conduct is general is taken by the individual as evidence that the majority (or all) wish it to be universal. This felt pressure of the wills of the many upon his will generates in him the conviction that the action is obligatory. (3) In this the individual is supposed to start with at least some moral conceptions of his own resulting from the native structure of the mind, but to be, at the same time, more or less distrustful of his own powers. From the fact that certain forms of conduct are general in his community, and, of course, from other data, he infers that those who practice them believe them to be right. In so far as he looks upon the conscience of the majority as a safer guide than his own, he casts his own judgments aside in cases of conflict, and fills in gaps according to the pattern supplied him from without. Obviously this third view is radically different from the first two. They assert that custom creates the code; the last claims only that custom modifies it after it has come into existence.

The first of these views I can hardly believe to have ever been accepted by any serious student of the subject, at least for modern civilized society, with which, in this study, we are alone concerned. Illustrations of the differences everywhere recognized to exist between mere custom and morality are so numerous that it is embarrassing to have to make a selection. In a certain American city one balmy June morning five or six years ago a

¹ *System of Ethics*, Eng. tr., 356.

² *Ibid.*, 343.

business man went down town without a hat. Before he had reached his office he was seized by the police and carried off to the insane asylum in the suburbs from which they supposed he had escaped. If the theory under discussion were true, he would, of course, have been taken to the police-station from which he would have been sent to the penitentiary. According to an article in the *American Journal of Psychology* for January, 1907, certain arithmetical prodigies when multiplying begin at the left instead of at the right as in the ordinary written method. According to our theory, this would be an "unheard of" crime, more terrible, because more infrequent, than anything in the long catalogue of human iniquity. It is, of course, true that universal or nearly universal modes of conduct may exert a pressure upon us by their mere existence, but in such cases they appeal to something very different from the moral consciousness, namely, the dislike of being conspicuous. Furthermore, whereas wrong-doing in others always tends to awaken blame and indignation, it is only under certain circumstances that a mere breach of custom does so. If a woman (in the United States) stands on the platform of a street-car when there is plenty of room inside, or a university student known to have ample means for the supply of every need wears a straw hat all through a New England winter, people will assume that they are trying to make themselves conspicuous, and some will think less of them for that reason. When an Englishman who had travelled in the United States introduced into his house in a provincial English city an American furnace and the appointments of an American bathroom, the disapprobation with which certain of his neighbors met these breaches of custom was due to their supposition that he was setting himself up before them as knowing more than they. When a family in a New England town began to adopt some of the formalities of entertainment customary in the large cities, the censure that followed was due, among other things, to the fear that this would lead to the breaking up of a certain routine which was dear if for no other reason than that it was habitual. But anyone can distinguish these three considerations from moral disapprobation. And, furthermore, where they do not hold, a mere breach of custom on the part of others is regarded with indifference. When an acquaintance on

meeting us lifts his hat instead of bowing, or when the lightning calculator begins his multiplication with the left hand figure instead of the right, these facts, as the Germans phrase it, leave us quite cold.

If, then, custom be admitted to have any influence upon the moral code—and no one can deny that it has some influence—the choice lies—at any rate as far as modern society is concerned—between the second and the third formulations of the doctrine. Either the fact that my parents, my teachers, the community about me, or God above me, desire me to perform a certain action can create in me the conviction that it is my duty, or the human mind has standards of its own which can indeed be influenced by other persons, but which at the same time have a very definite power of resistance. In order that we may decide between the claims of these rivals, it will be necessary to understand precisely what each involves.

The characteristic features of (2) have already been stated. They are immediacy in the judgment, and the practically unlimited power of authority. (3) however, can not be so easily dismissed.

Among contemporary moralists the adherents of this third view, which I shall call the theory of autonomy, may include three different classes: the Intuitionists, including the Kantians; the Herbartians; and those schools which agree in placing the ultimate source of the moral judgment in the feelings of approbation and disapprobation, or—what I believe to be the same thing—in desire. I shall leave the representatives of the first two schools, now relatively few in number, to state their attitude towards the facts of custom as best they can, and shall confine myself to a statement of the position of the third, as I conceive it. In so doing I may, after all, be speaking for the others also, as I do not believe Intuitionists and Herbartians will find a great deal to criticize in my presentation. I shall take up first the question of the extent to which the school under consideration can admit the influence of another's personality in the formation of the moral judgment.

In the first place, then, the theory that treats approbation as the fundamental fact of the moral life is bound to admit that common sense means by the word "right" something more than

one's accidental likes and dislikes. It means at the lowest this much: that which will be approved by me when all the relevant facts of the case, all the phases of the situation under criticism have been considered, and when the resultant verdict has been brought into consistency with the entire system of my moral judgments. So much objectivity every moral judgment claims, and this claim obviously may be well- or ill-founded. Thus it comes about that we may distrust our own conclusions in matters of right and wrong as well as anywhere else, and may accordingly take the word of our parents, of society about us, or of the Bible or the Church, concerning the content of duty, just as we may with regard to the truth of any historical event. Secondly, in the case of God, we may believe that He not merely knows what is best, but also that He is guiding events for the best interests of His children and therefore, for their sakes and our own, we must not interfere with His plans as far as we can discover what they are. Thirdly, emotions, including the emotions at the foundation of the moral judgment, are contagious, and we are particularly susceptible to such influences when they form, as it were, a complete net-work about us, or when they proceed from those whom we admire or love.

These indubitable facts are obviously something very different from the claim that the mere pressure of one will upon another, the supposition that society wants me to perform a certain action, or—to return for an instant to (1)—that the mere knowledge that everyone is performing it, is capable of glueing together any conceivable mode of conduct and the feeling of obligation. All of them might be, and indeed would be, admitted by a moralist who held that every moral judgment was determined by the perceived conduciveness of the action to the welfare of those directly and indirectly affected by it. Such a formula I myself should consider far too narrow. In particular I am convinced that common sense, in forming its moral judgments, makes use not of a single standard but of a number of standards. But, however the representatives of this school might disagree on such points, all would be equally justified in admitting or rather insisting upon the facts described in the preceding paragraph.

Where they would part company with the adherents of what,

from now on, I shall call the foreign pressure theory would be in their account of the process by which the influence of one personality makes itself felt in the moral judgments of another, and secondly, in the extent of this influence. The former lies beyond the range of the present study; the latter, however, provides us with just the means we need for testing the truth of the rival theories. According to the foreign pressure theory, where it is held in its purity, the pressure of the social will, as has already been pointed out, is omnipotent. The mind of man is mere putty, as far, at least, as his moral nature is concerned. The only limit to the effects of pressure from one direction is a greater pressure from some other. According to that form of the autonomic theory which is being here presented, on the other hand, man is born with certain desires or approbations, just as he is born with certain other emotions, as fear or curiosity. Precisely how far these desires will develop, precisely what forms of conduct they will demand, will depend to a considerable extent upon the character of the human environment in which they are rooted. But in the nature of the case there is a limit to this power of the environment. If, then, an examination of the moral judgments of common sense should reveal the existence of such limits, and particularly if the limits turned out to be decidedly narrow ones, the foreign pressure theory of the origin of the moral judgment would have to be ruled out of court.

We turn now to the relation of the two theories to immediacy. The foreign pressure theory usually asserts immediacy to be a characteristic of the moral judgments of common sense. The reasons for this are patent. All that is supposed to be necessary to create a moral judgment is a vigorous and perhaps persistent demand on the part of society or God. A perception of the *rationale* of that demand is not a factor. The third form of the autonomic theory,³ on the other hand, would seem compelled to hold that every such judgment involves an awareness of the values to be gained and lost by the action. This, however, is not necessarily the case. The idea of value must indeed always be the moving force but it need not be always explicitly in con-

³ See above, page 12.

sciousness. The possibility, in other words, of "unconscious cerebration" cannot be denied or ignored.

If, then, the moral judgments investigated exhibit a large amount of immediacy, we shall be unable to decide between the foreign pressure theory and the theory of autonomy, as far as this phase of the subject is concerned. However, any approach to complete immediacy would be a point in favor of the former. For if "unconscious cerebration" is to be used as a means of explanation, not as a means of throwing dust into your opponents' eyes, it must be conceived as a process working according to certain ascertainable laws. And the study of its exhibitions in the fields of social tact and business judgment seems to show that it ordinarily appears in complex cases rather than in simple ones, and that in the average man it is decidedly the exception rather than the rule. While, then, no dogmatic statement is permissible in advance of a careful examination of the situation as a whole, we may assert, as above, that the existence of wide-spread immediacy would create a strong presumption in favor of the foreign pressure theory. While *per contra* its complete or almost complete absence would supply a strong argument in favor of the theory of autonomy.

Besides "unconscious cerebration" there is another form of immediacy that is entirely compatible with the autonomic theory. Let us suppose that in deciding a certain set of cases, for example, matters of veracity, a man habitually uses a certain principle or set of principles of whose value he is in general fully aware. To such a one it may often happen that when the question of the permissibility of lying arises he recognizes it as belonging to a class with regard to which he has already made up his mind. The answer accordingly emerges in an instant without any explicit awareness of its grounds. If this phenomenon is to be called immediacy, it is an immediacy that is found equally in the "prudential" judgment. The chief executive of any large business establishment, for instance, may make a score of decisions an hour without having before his mind the reasons that justify them. He merely recognizes each problem as belonging to a class upon which he has already passed and recalls to mind his former conclusion. The considerations which then guided him he may not even be able to remember, and yet he

may feel great confidence in the validity of his present decision. The ultimate source of this will, of course, be, in the absence of "unconscious cerebration," open-eyed scrutiny of the relevant data. Such immediacy, then, is entirely compatible with autonomism. If the amount of it is great we shall once more find it difficult to decide between the claims of autonomism and its rival. However, we may use the same principle here that we used in discussing "unconscious cerebration." If autonomism is true, immediacy of the kind under discussion should be a somewhat sporadic phenomenon. For it has its source in mediated judgments that have been so frequently repeated that, in accordance with the law of habit, the greater part of their bulk (*i. e.*, the considerations which have led up to the conclusion) has dropped out of focal and perhaps even marginal consciousness. It can therefore be found only in judgments upon frequently recurring situations. Moreover a retentive memory ought to be able to re-suscitate most of the considerations whenever there is any motive for attempting to do so. Summarizing our discussion of immediacy, therefore, we may assert that in the abstract almost any amount of it is compatible with autonomism. Actually, however, the discovery of any very large amount of it in any given society might properly be treated as affording strong evidence for the foreign pressure theory, while its merely sporadic appearance would create a strong presumption in favor of autonomism.

In the preceding account I have been describing the foreign pressure theory in its most thorough-going form. I am, of course, aware that it may be held with certain modifications. To these I shall attempt to do justice as the study proceeds. I am also well aware that it is possible to hold that while the pressure we have been describing is an important factor in determining the content of the moral code, it is not the only factor. Such a view is, of course, more difficult to test than the more radical one. The data to be presented, however, seem to me to afford help in determining the attitude to be taken towards this position also.

The words immediacy and mediacy have appeared again and again in the preceding description. A brief statement with regard to the use of these terms is therefore necessary before we

take up the investigation before us. The denial of immediacy at any particular point is not intended to carry with it any implication as to the presence of reasoning processes in the formation of the judgment in question. In fact I am prepared to insist that the majority of our moral judgments do not contain even the suggestion of an inference. Thus when we see a son neglecting his parents or allowing them to suffer for the want of what he could provide, our condemnation is not usually, I believe, the result of the subsumption of his conduct under some major premise. We condemn him directly. However, the judgment is mediated, in the sense in which I shall use the term, because the condemnation is based upon a perception of the relation of the man's conduct to the welfare of those affected. Still more obviously are judgments arising from a perception of moral beauty independent of any syllogistic process. They again, however, are in the nomenclature here adopted mediated because they have their source in a sense of value. When, therefore, in what follows, the persons examined speak of seeing the reasons for a judgment, this may merely mean that they have perceived the relation of the conduct under criticism to the welfare of some or all of the parties concerned, or have seen its beauty, or any other value it may have, and approve or disapprove as the result of such perception. Of course judgments of welfare may be actually reasoned, as where the conclusion is based upon an estimate of the indirect effects of the action. The point is, however, that they need not be. If the use of the term immediacy here adopted is somewhat unusual it can be justified by the maxim: "Necessity knows no law."

The method adopted for testing the truth of the foreign pressure theory consisted in the examination of a large number of actual moral judgments. The great majority of these were passed upon certain modes of conduct which most students of ethics would agree belong, objectively considered, under the jurisdiction of what I shall call the eudaemonistic standard. It is demonstrable that common sense makes use of several different standards in the work of moral approbation and condemnation. The eudaemonistic standard is, of course, that which is based upon the claims of welfare. So that the eudaemonistic judgment is one in which conduct is approved or disapproved

according as it aims or fails to aim at the welfare of some individual or individuals or social group that will be affected directly or indirectly by the action. "Welfare" is here, of course, not necessarily pleasure. We are, it must be remembered, engaged in investigating the moral consciousness of common sense, so that in this study "welfare" stands for whatever common sense includes under the term.

In examining these judgments the attempt was made to determine, first, whether the eudaemonistic judgment would anywhere appear; and—since the first casual reading of the returns showed that it did—more definitely, to how great an extent; secondly, whether any light would be thrown upon the claims of authority to possess sufficient power to mould the utterances of conscience to its own will.

The method employed throughout is the use of casuistry questions. Two groups of students in the University of Wisconsin supplied the material, one consisting of about one hundred members of the College of Letters and Science, whom, following local nomenclature, I shall call "Hill" students; the other, half as large, recruited from the first year class in the Short Course in Agriculture. To the members of each group papers containing the problems were presented in printed form, with the request to hand in answers in writing. They were directed not to consult with each other before replying, and were requested to give their reasons for their answers wherever possible. In order to insure perfect frankness on their part they were assured that their names would not be made public in connection with their answers. None of the men or women whose answers I used—it seems hardly necessary to say—had ever been a student in any department of ethics in this or any other institution, or had heard from other students anything about the topics discussed in my ethics classes, or had any acquaintance with the literature of the subject.

The study of the written returns thus obtained was supplemented, wherever necessary, by personal interviews. In these, ambiguities in the written answers were cleared up, reasons were asked for where omitted in the paper, and, in some cases, additional problems were presented. Leading questions were, however, scrupulously avoided throughout except in certain in-

stances which are explicitly mentioned in their proper place. They had always to do with reasons for judgments expressed in the paper. No intimation was ever given by me (consciously at least) in any of these interviews as to my position upon any problem.⁴ Every student was requested to say nothing to any one else about the interview, and with the Agricultural students I invariably took the precaution, with each new comer, of satisfying myself that this request had been complied with in his case. Of the students from the College of Letters and Science over half were interviewed; of the Agricultural group, all the members but four, the written answers in their case supplying (with the exception named) little more than a vague outline of their thought. The reports of these interviews were written up ordinarily immediately after the interview itself. Particular care was taken in this respect with the Agricultural students, who supplied me, in my opinion, with my most valuable material. Using, as I do, a combination of longhand and shorthand I was able in many cases to record the interview practically *verbatim*, and in every instance, I believe, its substance was reproduced in my notes with entire accuracy.

It may be advantageous to summarize, at the very outset, the results of the investigation. Of the more than five hundred answers obtained from the "Hill" students only eleven can urge even a *prima facie* claim to immediacy. Of these at least two seem to be of the type described above, page 15. The remainder are more or less obscure. They may be regarded as cases of genuine immediacy, but on the other hand they are capable of being interpreted with varying degrees of plausibility as applications of the eudaemonistic standard. These answers supply no unequivocal example of "unconscious cerebration," though there are apparently two or three cases of it among other answers obtained at the same time but not made use of in this study. The examination of the members of the Short Course in Agriculture yielded precisely the same results. These students were asked so many questions in the interviews that the total number of answers to their credit exceeds considerably those supplied by the College of Letters and Science. Of these about fifteen may

⁴ For further material on this subject, see below, page 104 ff.

possibly be immediate, though again all or almost all leave the door open to classification as eudaemonistic.

The direct examination of the power of volitional pressure to produce moral judgments was carried on in the following way. The representatives of the foreign pressure theory recognize, as of course they must do, that the pressure of God's will, if actually felt as a living reality by the individual, is capable of bringing about the same effects as the pressure exercised by society. If, then, the theory is valid, this pressure should exhibit evidences of its efficacy in the judgments of those persons who believe that in the Bible we have an authentic record of His will. Those students were accordingly noted who held this view, and their answers to questions about the justifiability of breaking the Sixth or the Eighth Commandment and the law requiring forgiveness in the place of revenge were analyzed and classified with reference to their relation to the divine authority. These answers, it was found, were divisible into three classes: (1) Those which decided against obedience, but tried to conceal this fact from themselves by various forms of sophistry; (2) those that deliberately repudiated the authority of the commandment and offered no excuse for it; and (3) those whose decisions were in line with the commandment, but which held obedience to be justified solely by the fact that God knows what is best for His children, so that, to obtain this best, we must follow His guidance. The outcome was essentially the same in both colleges. Sporadic cases of leaning upon authority were indeed found in each, but they were too insignificant in number and character to supply the foundations required by the foreign pressure theory, and they were easily explainable by the principles of autonomism.

The only conclusion I am able to draw from these data is the absence of any evidence for the existence in these two groups of persons of moral judgments created by the mere pressure of a foreign will. And the influence of the autonomic factors is demonstrably so overwhelming that it seems to me to exclude even those various modifications of the theory we are testing which regard pressure as merely one factor acting in cooperation with native standards to produce the moral world. To the far more moderate claims of these views, also, our results seem to me to justify us in saying: No evidence!