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# Cultural Conservative Policy Insights

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Cultural Conservatism and Transcendent Norms

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Earlier essays on cultural conservatism have pointed out that a body of Judeo-Christian ethical norms are at the heart of Western culture. We have not dealt with the religious and philosophical grounding of these norms. Their status as transcendent or divine truths has been left unexplored.

It was not a case of "cagey" evasion, as one particularly stupid reviewer suspected. It was a sensible postponement, necessary in order to emphasize the fact that cultural conservatism is an invitation to form a governing coalition, not a review of metaphysics.

Cultural conservatism proposes a coalition to rally around practical contentions. It says in a nutshell that Western culture has delivered unique benefits of freedom and prosperity, that America is in danger of losing this culture through thoughtless drift and ugly *ersatz*, and that we must therefore take steps in many institutions, including churches, synagogues, schools, and the appropriate levels of government, to sustain the culture.

'Cultural conservatism' is the name of this practical conclusion. It is not the name of any one intellectual tendency (in theology or philosophy) that would prove the conclusion. Cultural conservatism welcomes many such lines of proof — not in a spirit of eclecticism, nor agnosticism, nor religious indifference — but in the practical spirit of a capsized missionary, treading water in the Yangtze River, and willing to postpone his objection to the Confucian argument for pulling him out.

Nevertheless, cultural conservatism is not blind to intellectual issues. There is a theoretical affirmation implicit in the conduct of the floundering missionary — an affirmation of the goodness of life. So also there are theoretical claims implicit in cultural conservatism. The purpose of this essay is to bring some of them forward into the light, especially those that bear upon the transcendent validity of traditional moral norms, and the role of culture in their recognition.

## The Pieces of the Problem

What kind of grounding or validity moral claims need in order to be called "transcendent" is not a simple religious question. It won't do to say, "the will of God," without taking a stand on the further question of whether God could have willed otherwise. For if you say that He could — that He could just as easily have commanded us to have contempt for our parents instead of honoring them — and that our contempt would have been just as "right," in that case, and just as much a "moral duty," as honoring them is now — then you are really saying that the duty has no transcendent ground. It is just a contingency, with nothing behind it but arbitrary whim. We shall be like soldiers who happen to have been ordered to march up this

hill, rather than down that valley, by a Commander who had no particular reason to give either order. Hence the question of transcendence has divided theologians as well as philosophers.

Moreover; once we get past this overly simple mistake, most of us realize that we are perplexed. We are unfamiliar with the problem. It would be helpful to have the pieces of it laid out before we proceed.

Unfortunately, it is controversial what they are. The ingredients of this problem tend to blur together unless careful distinctions are maintained, but the distinctions themselves are controversial. So the reader should be forewarned that the pieces I am about to lay out, through seven basic distinctions, are not a neutral analysis. They represent some hard theoretical choices on my part. I cannot pretend that every cultural conservative would dissect the problem in the same way, but I think that what follows would be congenial to many and bearable to most.

### *The Success of a Culture / The Truth of Its Contents*

The Judeo-Christian ethic is part of the content of Western culture. But there is a very real distinction between the truth of this content and the success of our culture. We do not identify these things. We celebrate the success of the West; but unlike pragmatists and "instrumentalists," we do not suggest that the truth of our ethic is the same as the success of our culture — as though truth were reducible to "functionality."

Success is never the same as truth. Rather, functionality is a test of truth. It is evidence of truth. The functionality of a bridge is that it keeps on standing. This success is evidence that the science behind the bridge is true. The evidence is only partial, admittedly. The builders' science can succumb on distant theoretical grounds — as Newton succumbed to Einstein. But the evidence is real. Relativity physics must also predict that the Brooklyn Bridge will stand.

In matters of the spirit, functionality is again evidence of truth but more ambiguously so, because the "success" of the soul is more ambiguous. The quick and insolent prosperity of a trashy life-style is not the enriching fruit of an examined life, nor the peace that comes from integrity. We must distinguish, in other words, between the tinsel success of men and cultures — the worldly success that turns to ashes — and the solid success that lasts, fulfills, enriches, and saves.

A culture has its worldly success in its rapid spread, its superiority at arms or prevalence in commerce over its rivals. Japan and China, Islam, India, and the West have historically known such successes against each other, and none of them proved very much about moral truth. The solid success of a culture is more subtle and more telling.

It consists in the culture's ability to sustain a broad spectrum of achievements simultaneously, in mutual reinforcement and fruitful tension. This was the strength of the West. Its Biblical forms of faith met the religious hunger of man's heart without banishing his questions, cheapening his art, or swallowing his government in pious tyranny. Hence science flourished in the West, along with art and civil liberty. The traditional culture of the West sustained stable families, rather than fragmented human relationships, but it did so without stopping the wellsprings of individuality, without turning ancestors into gods or canalizing commerce in the ruts of kinship. Western culture restrained the vices and regulated the conduct of all social classes without reducing life to inflexible rituals or turning the classes themselves into closed castes. The West handed on its tradition of literature without stifling the individual talent and fought its wars without enslaving the losers.

There is a fine pattern in the balance of these things, and the balance is not truth. But it is solid success — fulfilling — and evidence that the Western ethic is true. For a true ethic

must give every excellence its place, reproving both the low sensualist, who aspires to no excellence, and the fanatic, who aspires to only one.

### *Theoretical Reasoning / Practical Reasoning*

But can one really speak of a "true" ethic? David Hume thought not, and his dichotomy between 'is' and 'ought' prepared the way for Max Weber's more famous dichotomy between 'fact' and 'value'. If an ethic is a tissue of value judgments, and such judgments can be neither true nor false, then it makes no sense to speak of a "true ethic."

Cultural conservatives are not happy with the Hume/Weber conclusion, especially if it is taken to mean that ethical judgments are arbitrary. Fortunately, there are ways to answer these thinkers. One way is to point out that they rely on a notion of truth which is too narrow. Truth is always some kind of "conformity to the real," but the truth of an ethic can be different in kind from the truth of a factual description or the truth of a scientific explanation. This is because an ethic pertains to practical reasoning, which is different in kind from theoretical reasoning.

Scientific descriptions and explanations are the products of theoretical reasoning, and their truth is some kind of conformity to inert fact, to "what is."

Practical reasoning turns out decisions. At issue in a decision is not "what is" but "what is to be done." Decisions are neither true nor false. But they are smart or stupid, brave or craven, permitted or impermissible. Decisions are evaluated, in other words, rather than explained. They are "justified" or "found wanting."

But there are many kinds of evaluation. A decision can be evaluated on the basis of its outcome: if it worked, it was smart. It can be evaluated on the basis of the degree of reflection that went into it — it was hasty, impulsive, informed, or deliberate. A decision can be evaluated on the basis of the intellectual traits it shows (brilliant, creative, stodgy) or the character traits it shows (magnanimous, cruel). It can be evaluated on the basis of applicable laws or "rules," in light of which it was legal or illegal. And still differently, I think, a decision can be evaluated on the basis of moral norms.

Moral norms are neither facts nor decisions. They are principles of practical reasoning, in light of which decisions are evaluated as good or evil. *Moral norms are statements of what is right or wrong.* They have their own kind of truth or falsity, appropriate to practical reasoning, and consisting in their ability (or inability) to guide action. 'It is always wrong to close one's mind to the truth' is true — true to something indispensable in acting, I think — while 'It is always wrong to give a sucker an even break' is false.

The truth of an ethic, largely speaking, is the truth of its moral norms.

### *Moral Norms / Laws and Rules*

Moral norms are profoundly different from laws and rules. Laws can be repealed, and moral norms can't. A law is not "in force" unless it has been enacted, whereas a moral norm is "in force" without preliminaries. Laws and rules are limited to a given society, game, institution, or field of endeavor, whereas moral norms cover the whole of life.

Above all, laws and rules are not true. They may be good or just, but not true. And if the law is to be good or just, it must have more than technical merits. It must also conform to, or at least be consistent with, moral norms which *are* true.

This does not mean that there is no connection between moral norms and the Laws of God, the Ten Commandments. It only means that the relation between Law and norm is a little more complicated than simple identity. It could be said, for example, that the Laws of God promulgate the Norms of God in the form of Commandments. Which brings us to our next distinction.

### *Reasons / Motivations*

It is easy to turn the norm, "Theft is wrong," into the commandment, "Don't steal." The reason the commandment is good is because the norm is true. Many people see how the security of property contributes to the freedom and development of human beings. They see the good that stealing violates and therefore see the reason why the norm is true. And some people are even motivated to keep the commandment because they see this. But there are other motivations, such as respect for the authority of the Commander, fear of getting caught, fear of prison, and fear of Hell. Most people would not abstain from stealing a few of their favorite things, unless they had one or more of these other motivations.

So there is a difference between understanding why a norm is true and observing it. Moral norms may be justified by reasons, but their observance needs motivations. And for most of us, a healthy part of our motivation comes from the fact that the norms are enforced. They are turned into commands, written into laws, and armed with punishments.

### *Moral Norms / Virtues*

A few moral norms are enforced by government action, through the criminal law. Many more are enforced in the "private sector," through family discipline and social pressures. All the agents of enforcement are fallible and inefficient, short of Judgment Day.

Yet the norms need to be observed all the time. Because they are true, we need to live up to them, even when the authorities aren't watching. If moral norms need to be observed, and yet enforcement is spotty or eschatological, something else is required, if we are to overcome the vivid inducements of wrongful conduct.

This "something else," in the opinion of some, is sheer reason — if we see how the norms are justified by reasons, we will keep them when no one is looking. Others say the answer is sheer faith — if we believe that God is watching, we will behave. Neither answer is deep enough to be correct. Understanding doesn't motivate a person to resist temptation, unless that person already wants to "be reasonable" more than he or she wants to enjoy what tempts. Similarly, faith that God is watching fails to motivate, unless the believer already wants to remember God, and wants to please Him, more than he or she wants to please the self. Such cases of "already wanting" are called virtues.

A virtue is a particular strength of mind, will, or character. It may come from a good up-bringing or from personal conversion. A virtue may have its source in the culture, or in the special life of a strong family, or in the effort of personal reflection, or it may come directly from the grace of God. Whatever its origin, each moral virtue is a psychological disposition to live up to the truth which a moral norm enshrines.

Hence an ethic has a choice: it can speak directly of norms, or it can speak of them indirectly, through speaking of virtues.

More importantly, society has a choice. Society needs a high incidence of law-abiding and responsible conduct. A people can try to have this by sustaining widespread virtue or by spreading ever wider the nets of enforcement. Some libertarians seem not to understand this choice. They fear that all talk of virtue is an excuse for coercion. But in fact virtue, as a voluntary compliance with moral standards, is the alternative to coercion.

### *Ethics As Science / Ethic As Cultural System*

Once norms, enforcements, and virtues have been distinguished, it is easy to lay out the different senses of 'ethics' and 'ethic'.

'Ethics' can be taken as the name of a science or intellectual discipline, pursued for its own sake. It is aimed at discerning which ethic is true. Contributions to the discipline will take the form of showing which alleged moral norms are really sound, or showing how the sound norms hang together and follow from a few basic principles, or showing how the norms are to be applied in new and difficult cases. In moral theology, such arguments will be combined with revealed information and evaluated in its light. A major part of the evidence which such a philosophical or theological "science of morals" will consider is the achievements, insights, virtues, and failures of the major human cultures.

'Ethics' can also be combined with the name of one of these cultures — as in 'Greek ethics', 'Chinese ethics' — and the result is the name of an "attainment" in the moral field. As Greek, Egyptian, and Chinese mathematics are different attainments in one discipline, so Greek and Chinese ethics are attainments in one discipline. Of course, not every culture has made such attainments. Not every culture has an ethics. But every culture has an ethic.

This means that every culture has been able to acknowledge or articulate some moral norms. But it also means more. The "ethic" of a culture is also a system of motivations and enforcements. In this respect, a culture is a particular and rooted strategy to secure the observance of the norms it acknowledges. Especially crucial is the fact that cultures transmit forms of nurture, which give rise to typical virtues or typical vices, so that the culture becomes a pattern of these.

(Today in the United States our society is unclear in the ethic it presents. Norms acknowledged in some circles are scorned in others. Traditional strategies of motivation and enforcement are overlaid by conflicting messages in the media and elsewhere. The resulting "drift" has been noted above.)

Crucial for our purposes in this essay is the fact that the ethic native to Western culture has a special complexity. The West contains and transmits not only an inherited, Judeo-Christian body of norms, and not only a clutch of strategies to secure some observance of these norms, but also an intellectual tradition of reflection on its own norms and strategies *and* those of other cultures. Viewed as a whole, then, the moral system of the West is not only ethical but meta-ethical, and not only cultural but meta-cultural. The West transmits the whole "science" of morals as well as its own attainments in it.

### *Moral Norms / What They Are True To*

Hence our topic in this essay, the grounding of the Western ethic, is a very Western topic. It does not concern the urgent matter of observance, at least not directly, but the more "academic" one of justification. To speak of it, we need a final distinction, which is elementary but not easy. It is the distinction between moral norms and what they are true to.

Billions of people have recognized moral norms and lived by them, without ever facing this distinction or worrying about it. Most of our contemporaries would recognize that it is wrong to commit murder — would assent to the truth of a norm like that — without ever questioning what makes it true. But in the West, and preeminently in the West, this questioning has been allowed . . . and faced.

It was faced already in ancient Greece, where a multitude of answers were known and debated. Some said that the real norms of conduct — the sound moral norms — were the ones which were true to the oracles of the gods and the settled conventions of the city. They were

true to a sacred tradition. But what if the oracles contradicted one another, and the cities were very different in their conventions? Didn't each tradition have somebody's personal ideas behind it? Didn't each city-state have such laws and customs as its founding law-giver had chosen to give it?

So some said that moral norms are true to personal belief — if you believe something is right, it is right for you. Others noted, with a cynical grin, that persons are of unequal influence, so that what counts as right, they said, is what the strong person believes.

But what if the strongman stupidly puts his clout behind beliefs which aren't really in his interest? If believing something to be right makes it right, how do you account for the fact that people make mistakes?

Wiser heads therefore set aside these early expressions of subjectivism and class warfare. They said that moral norms had to be true to the inner purposes of human life, or to the requirements of a flourishing society, or to an eternal standard, such as the pure Idea of Justice, or true, indeed, to the very rationality of God. This last answer was defended by the Stoics and by Cicero.

Jews and Christians were close to the Stoic answer. They, too, believed that moral norms were true to the Mind of God, but three aspects of Biblical revelation made a profound difference. The Biblical God was the Creator of the Cosmopolis, not just its Presiding Officer; and He provided new information about His Mind by revealing His purposes to special people; and He turned out to have a plan for man which went beyond the norms of good behavior.

Each of these aspects had major cultural consequences in the West. God's revealed information added new specifics to many areas of moral concern, such as sex and marriage. The fact that His plan called for supernatural salvation, and not just good behavior, meant that Western thought on moral norms would develop in a sublime context, in the hunger and thirst for holiness. But most important of all, the status of God as the Creator meant that human nature, the principal object of study for philosophers, would be seen as God's product. Understanding our nature would be "thinking God's thoughts after Him," and so the hunger for holiness would whet (not suppress) the appetite for understanding. A partnership of religion and philosophy would become possible. We shall be returning to this topic in a subsequent essay.

### The Ladder of Transcendence

The distinctions we have just drawn make it possible to go on to the topic of transcendence. Getting an ethic clear from a fact or a science, on one hand, and from its cultural system of observance, on the other, allows the notion of norms to emerge. Getting norms clear from decisions, commands, laws, and virtues allows the question of their truth to emerge. Getting the norms which an ethic contains clear from that to which the norms are true, whatever it is, allows the question of transcendence to emerge. For moral norms are transcendent only if they are true to something which is itself transcendent.

Transcendent of what? To "transcend" means to "go beyond" or "rise above." Well, above and beyond what?

It is important to realize that there is a whole series of answers, an ascending series, like a ladder, on which each rung is important.

"There is no truth: decide!" says the existentialist. The town punk decides to put a swastika on his arm and shoot the existentialist. So there is, after all, the truth of poetic justice. The pupil has done what the master advised.

*If moral norms are true at all, to anything, then right and wrong transcend our private and momentary decisions.* For if norms are true at all, we cannot "make" them. For we do not "make" the truth. And if we cannot make them, we cannot make them up. If we cannot make them up, life cannot be a game whose rules we choose for ourselves, moment by moment, as we invent the game and assert ourselves. This is clear to everyone but the toddler, the thug, and the C.E.O. who paid good money for an 'est' seminar.

*If moral norms are true to a public standard, be it only the savage conventions of our tribe and race, then right and wrong at least transcend our personal beliefs.* Nothing is true or false simply because you or I believe it to be so. If moral norms are true to any public standard, even a barbaric one, nothing will be right simply because you in your conscience, or I in mine, believe it to be right. If you lay hold of a hand-axe, and inform me that your conscience requires you to insert it in my forehead, I shall not be limited to reverential silence. I shall have standing to criticize your conscience as ridiculous.

A public standard is indispensable, but not every public standard is adequate. Tribal customs are often understood to obligate only the tribe's own members. Outsiders are left unprotected. If a young brave takes the hand-axe and scalps a foreigner, there is no blame. It was an exploit.

This feature of the tribal ethic, by which only a restricted company of moral fellows is acknowledged, has been revived by several modern ideologies. Extreme legal positivists recognize no moral requirements outside the *corpus juris*; those who are not protected by existing legal rights have no immunities at all, and those whose rights have been repealed have no claim to immunity left. Nazis and neo-Nazis recognize no sense of moral obligation toward those they consider their race-inferiors, the non-Aryans. Marxists are similarly uninhibited towards another group, their "class-enemy."

*But if moral norms are true to goods higher in human beings than their genes, and more deep-seated than class labels and citizenship papers, then right and wrong transcend racial, juridical, and economic divisions.* Moral norms will be true across the usual lines of hate.

A public standard of morality can also be inadequate on another ground. It may apply to enough people but not to enough cases. In this regard, too, fashionable ideologies can be more cruel than ancient folkways. I have in mind utilitarianism and situation ethics.

These highly popular systems restrict the truth of moral norms to particular situations in one's life. Whether it is right or wrong to rape your secretary is felt to depend upon the situation at hand. That it would usually be wrong to rape her is conceded, because the consequences would usually be bad on balance, but the present situation might be an exception. Thus no action can be pronounced wrong in all cases. The erstwhile Commandments become the Ten Tips, helpful only in average circumstances.

*But if moral norms are true to human goods that are not reducible to the pains, pleasures, and consequences native to a given set of circumstances, then right and wrong transcend the "situation."* Your secretary's rights are safe even on days when a forcible embrace seems like "the loving thing to do."

I have begun to suggest that moral norms might be true to certain "goods." This seems plausible for the following reason. If moral norms are what I have said, true principles for guiding man's actions and decisions, then these norms must be true to the things which our decisions and actions need to respect, and not just the things they aim to achieve. But it seems likely that our actions (whatever they aim to achieve) need to respect goods like justice,

friendship, integrity, knowledge, and life itself. So it seems likely that moral norms must be true to these same goods, declaring "right" what protects them and "wrong" what violates them.

These goods are deep enough to reside in all agents and to demand respect in all cases. Though realized in differently nuanced ways in different cultures and civilizations, these goods are pan-human in the sense that they are not the monopoly of any one civilization. Their universal attractiveness is such that they would seem to reside in the inner purposes of human life and in the objective requirements of a good society.

Such purposes and requirements, in turn, would seem to reside in human nature or to flow from a divine Source. Either of these alternatives will boost transcendence a rung higher.

*If moral norms are true to human nature, e.g. to the goods which every human person spontaneously pursues (and so must learn to pursue coherently), or to the immunities which every human agent naturally requires, then right and wrong transcend all cultures and ideologies.* For things that are true to human nature transcend the relativities of culture and the vagaries of intellectual fashion. If moral norms are true to human nature, they will obligate all of us, despite our deepest differences in material condition and intellectual outlook. Thus, if human nature demands stable families, but my society tolerates or even encourages family breakdown among the poor, I shall have standing to criticize my society and urge its reform.

*The same will be true, however, if moral norms get their truth from the mind and will of God.* He also transcends cultures and ideologies. If God commands marriage and family stability, I again have standing to criticize an anti-family policy, sub-culture, or civilization.

### Implications and Conclusions

The pieces of the problem and the rungs of the ladder are now in front of us. Where do they leave us? Where do cultural conservatives stand?

As I said at the beginning, cultural conservatism is the name of a coalition growing around the practical conclusion that we should act to preserve our long-term freedom and prosperity by reinforcing our traditional culture, including its moral content. Reaching this conclusion implies that one is profoundly dissatisfied with the alternatives to our traditional culture, and implicit in that dissatisfaction are many judgments about the transcendence of moral norms.

For example, one of the alternatives to our traditional culture is the view that moral questions are so highly personal, that the answers must be personal, too. Nothing is right or wrong across the board, and no person's answer is automatically valid for another person. On the terrain of "life-style" issues, such thinking is already close to becoming the new American orthodoxy. Every consenting adult rules his own moral universe.

Cultural conservatives are dissatisfied with this alternative because many of these private universes are starting to smell. The herpes epidemic, the AIDS epidemic, battered spouses, battered children, abused children, falling achievement levels, absenteeism, the social costs of alcoholism and drug abuse, soaring divorce rates, and the "feminization of poverty" among abandoned mothers and divorcees — all testify to the social untenability of life-style relativism.

Our casual society is beginning to face a hard choice about protecting itself from the social costs of private misbehavior: if we do not welcome the intrusion of the criminal law, with its apparatus of police enforcement, behind our drawn drapes, we shall have to restore voluntary standards of decency there. As noted above, this means restoring the virtues.

Moreover, if held consistently, this counter-cultural relativism is not restricted to "life-style" issues. It holds for all issues on which people make decisions. If Ivan Boesky *believed* he was doing right, he was doing right. If the Walker family spy-ring *believed* it was doing wrong, then and then alone was it truly doing wrong. This counter-cultural tendency thus makes conscience and social order irreconcilable. It gives every sleaze-ball a "right of conscience" to prey upon the rest of us, until we empower the police to stop him. *By dissolving morals into the pure individualism of private conscience, such a position robs society of a functioning cultural order between the individual and the state.* There cease to be public moral authorities independent of the State. So, progressively, as society is deprived of the "unbought grace" of a public, moral civilization, the choice facing the government becomes more Hobbesian: to crush the disorder of individual consciences with Leviathan's laws, or else to float helplessly at their mercy.

*People become cultural conservatives because they are dissatisfied by the prospect of such a society and such a choice. Implicit in their reaction is an affirmation: that moral norms do transcend private subjectivity.*

Another alternative to our traditional culture, attractive to many Americans, is withdrawing into neo-tribal cults, communes, or extremist movements. Internally, the moral standards of these groups may be quite high; but externally, the rest of us derive no moral protection. We are *Untermenschen*, White Devils, Unsaved, or Bourgeois. Or perhaps we are the Great Unwashed, the Philistines. In any case we are low-life, and the neo-tribalists do not wish to hold us to any standard. Nor will they pronounce our way of life valid for us, as a relativist would. They will shun us or annihilate us, or perhaps move among us unseen, in a hidden fellowship of the Pure; but they will not establish a common framework of civility with us. White-supremacists, Black-separatists, religious cultists, terrorists, and Nietzschean aristocrats can agree on this: *l'enfer, c'est les autres.*

Does Norman Lear perhaps think that conservative Christians, Orthodox Jews, Mormons, and others on the Religious Right are neo-tribalists? Is that why he and his pressure group, People for the American Way, try to lump them together with neo-Nazis and other hate groups contemptuous of the standard American civilities? If so, would someone please tell him otherwise? Neither the Religious Right, nor any other potential component of the cultural conservative coalition, repudiates the democratic framework of civility. We simply differ from Lear and his allies in doubting that a framework consisting of nothing but (a) democratic procedures and (b) moral relativism is true to the American ideal or adequate to a thriving society.

*People become cultural conservatives because they fear the prospect of a morally Balkanized public just as much as Lear does. Implicit in their fear is an affirmation: that moral norms do transcend tribal boundaries of race, creed, or economic class.*

Still another alternative to our traditional culture is utilitarianism or situation ethics. Americans who have fallen under the influence of this "ethic" no longer think through a moral problem (such as what to do about an unwanted pregnancy) in terms of the norms applicable to it (such as protecting innocent life), or the virtues required (such as fortitude in the face of financial adversity). Instead they tend to think in pictures. They imagine a gloomy portrait of their present situation, with the problem in it, then a brighter picture of the world with the problem gone. They think that making the brighter picture come true would be "the loving thing to do" (and they acknowledge "no law but love"); or they pretend that they are working through a calculus of consequences, but the calculation is predictably rigged; the consequences achieved in making the brighter picture come true always seem to "outweigh" any other consequences considered.

In a society saturated with this kind of thinking, unfortunately, no one can rely on anyone else. Whether deliveries will be made, whether schedules will be kept, whether promises will be honored — all depends on the other guy's shifting sense of whether the inconvenience of acting reliably "outweighs" his own convenience. Matters are even worse when the other guy is a judge, like Rose Bird. For then there is a contradiction between the judge's ethic and the settled rights of everyone else. Under a traditional regime of rights, our lives, properties and freedoms are secure in the objective meaning of the law. But under a regime of situation ethics, the law is read "with love," and justice is invented "afresh" in every new case, because it is a new situation. Our lives, properties and freedoms have to "outweigh" the bright pictures painted in other people's briefs. We get to keep them just until the judge finds that taking them away is (regrettably) the loving thing to do.

*People become cultural conservatives because they are disgusted by the onset of such a society, where "nothing works," and such a regime of utilitarian law-makers. Implicit in their disgust is an affirmation: that moral norms do transcend "situations" and the alleged calculations of "utility" made in them.*

Is it also implicit in cultural conservatism that moral norms transcend culture itself? Do they transcend Western culture — and everybody else's traditional culture? Are moral norms so rooted in human nature and in nature's God that they are independent of cultures and their attainments? This is a more complicated topic. Cultural conservatives certainly do not say that every culture's ethic is equally good. Quite the contrary! Nor do we say that our own ethic is good just because it is ours, by tradition, as though we made traditionality the ground of transcendence. As noted above, such conventionalism is alien to the West. But the interaction of nature and culture, the interdependence of insight into our nature with historical cultures and with divine revelation, offers special difficulties, special issues, and special dangers. Hence it will be advisable to continue this discussion in a separate, forthcoming essay, "The Counterfeits of Transcendence."