Marianne Mahoney

Prudence as the Cornerstone of The Contemporary Thomistic Philosophy of Freedom

The objective of this essay is to show that a full elaboration of "prudence" must be the cornerstone of any distinctively Thomistic public philosophy. In contemporary philosophy, Yves R. Simon makes the most comprehensive contribution to the work of elaborating a prudence-centered public philosophy.

Prudence reigned as one of the four cardinal virtues of Plato, Aristotle, Cicero, and Aquinas. In modern ethical and political philosophy, however, prudence has taken on a narrower and more self-interested persona. Aristotelian-Thomistic prudence integrates human cognitive and moral faculties and opens the person to the whole range of the comprehensive good; Hobbesian and Kantian[1] prudence defines and promotes the well-being of one individual only. Contemporary moral and political philosophers as well as the assumptions of everyday speech favor and employ the narrower, more self-focused views of prudence, to the point that one cannot assume that a prudential motive is a moral motive.

The first section of this essay will contrast the fuller and self-focused views of prudence, showing how the differences over the scope of prudence reflect basic axiological cleavages within contemporary political philosophy. The first section will conclude by suggesting that the justice-dominant axiologies cannot serve as adequate bases for the range of moral issues any public philosophy ought to address. The second section of the essay provides an overview of the public philosophy of prudence,

[1]Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H.J. Patton (New York: Harper & Row, 1964) 83–84. Alan Gewirth, *Reason and Morality* (Chicago: University of Chicago Press, 1978), 71.

primarily as Yves R. Simon elaborates it. The third and final section of the essay deals with the distinction between the common and particular good. The interest of prudence in political life involves promoting the common good and doing justice to the autonomy of human persons who legitimately pursue the particular good. In this section, the issue will arise whether members of a political community must have some degree of agreement on the nature of the common good, the virtues of citizens, and the particular good.

I. Prudence and the Axiological Patterns Of Contemporary Democratic Theory

Axiological patterns refer to any aspects of an ethical theory that single out some dimension of the human good as central or primary, along with any explicit or implicit ranking rules for ordering different aspects of the human good. Metaethical distinctions such as "consequentialist" and "deontological" have an axiological import, because they identify maximizing consequences or observing side-constraints in action as central concerns.

Differences in axiological patterns make themselves felt in the two major issue cleavages of contemporary democratic theory: principles for determining whether the enforcement of morals is a legitimate activity of the democratic state, and principles governing distribution of advantages and burdens among members of a society. Axiological patterns in political economy separate contemporary democratic theorists readily along redistributionist versus minimal-state lines. John Rawls' *A Theory of Justice*[2] elaborates a theory of moral knowledge that justifies the principles of the modern welfare state, namely, equal liberty and a distribution of benefits and burdens with the perspective of the least advantaged man as a point of reference. In *Reason and Morality*,[3] Alan Gewirth envisions an even more aggressively redistributionist political order. From his central thesis that all human agents must recognize the rights of freedom and well-being in themselves and others, Gewirth derives further arguments supporting redistribution of resources and affirmative action. Such redistribution empowers persons by eliminating obstacles to their efficacy as agents. While the principles of Simon's political economy derive from teleological and axiological premises entirely different from the principles of Rawls and Gewirth, Simon would probably have found the institutional framework

---

[2]John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1972).

[3]Gewirth, *Reason*, 312–27.

of Rawlsian political economy congenial. Simon believed that workers require unions to empower them to seek commutative justice in social exchange and to articulate their resistance to laws that favor the richer classes (*PDG* 97, 98). Simon also believed that while private property could serve autonomy of the person and the family, an egalitarian dynamism within democratic societies might erode it.

By contrast, such theorists as Robert Nozick,[4] Frederich von Hayek, and Milton Friedman try to show that we cannot justify redistributionist schemes or political structures more extensive than the minimal state. Like Rawls and Gewirth, these theorists focus on the rationality and autonomy of human agents, but their view of rationality and autonomy takes shape around the entitlement to enjoy the proceeds of one's own labor, ingenuity, and property.

The issue that creates a special opportunity for the public philosophy of prudence arises out of an issue nexus that Sir Patrick Devlin called "the enforcement of morals."[5] Despite major disagreements on the redistribution issue, Rawls, Gewirth, and Nozick all clearly share a justice or rights-dominant approach when delineating the legitimate scope of government authority. Welfare state democratic theorists and libertarians alike share a distaste for any ethical structure that would take government beyond the concern with equal liberty and economic rights, however differently these theorists interpret economic rights. Rawls elaborates a "thin theory of the good" that names basic "goods" such as income and wealth, opportunity, and self-esteem. But his general reflections on axiology indicate that he would like to derive a full theory of the good from a theory of right, making all ethical claims a matter of either rights or duties. Thus the deontological political theorists share the common belief that while rights-discourse is meaningful, claims about the goodness of human pursuits (pursuits that are consistent with justice) cannot bind the conscience of the public. As a consequence, rights claims about economic goods and lifestyles legitimately enlist the coercive measures of the law, while goodness claims cannot.

Simon's philosophy of prudence regards justice as a cardinal virtue of persons as well as a feature of institutions, yet regards justice as only one aspect of the larger comprehensive good. Simon's respect for the moral autonomy of persons and small communities in the principle of autonomy

---

[4]Robert Nozick, *Anarchy, State, and Utopia* (New York: The Free Press, 1974).

[5]Sir Patrick Devlin, *The Enforcement of Morals* (London: Oxford University Press, 1965).

means that the public philosophy of prudence would not contemplate enforcing every requirement of the human good. But the public philosophy of prudence gives the good and not just one aspect of it a presence in every dimension of political life. In the philosophy of prudence, no one dimension of the comprehensive good enjoys a status of independent intelligibility or self-subsisting dominance. The Thomistic theory of prudence maintains that all moral goods, including those pursued in public policies, are relative to the comprehensive good. The balance of this essay shows why Simon's theory of prudence holds more promise as a public philosophy than does the justice-dominant approach.

II. Dimensions of the Good in the Public Philosophy of Prudence

The human capacity for prudence affects both the justification and the legitimate scope of political authority. The public philosophy of prudence orients itself to the good in the dispositions of persons, to the particular good of persons and smaller sub-regime communities, to the common good of the society both formally and materially considered, and to the comprehensive good, which is the ultimate object of all goal-directed action.

According to a method Simon elaborates in *Critique de la connaissance morale,*[6] one can consider the comprehensive good either speculatively or practically. The comprehensive good is the primary operative moral entity in moral knowing, esteeming, and doing. Human wills and intellects approach the comprehensive good through the virtues, through every goal-directed human act, and through the intellect's love of the good and the desire to become one in nature with it (affective connaturality). The comprehensive good can coincide with pure act or the infinite good (God), according to Simon, but the good of human experience does not achieve this coincidence. That is why Simon describes the comprehensive good as transcending every good action or good thing we experience without being vitiated by any conceivable limitation of the good (*FC* 25).

The speculative and practical intellect both reach out for the comprehensive good. In its speculative activities, the intellect seeks to grasp an undiminished good that it cannot change, a good that cannot fail in the

---

[6]Yves R. Simon, *Critique de la connaissance morale* (Paris: Desclée de Brouwer et C^ie^, 1934), chapter 7, especially 103–04. In 1980, Professor Ralph McInerny kindly duplicated and sent me a copy of a translation he made of *Critique.*

shows the appeal of partial goods for what they truly are. Moderation and courage govern the physical passions of the human person, especially those having to do with the desire for pleasure and the fear of death. Governing passions that may determine the will without any reference to the requirements of the good, moderation and courage free the person to act justly toward others when it is unpleasant or dangerous.

A public philosophy concerned above all with justice, even if justice is understood strictly as distributive justice, cannot be indifferent to the other virtues. Greed begets welfare fraud, which in turn begets both resentment and proposals to end income transfer programs that the disadvantaged really need. The justice of Rawls and Gewirth also holds equality of opportunity for women to be a requirement of justice, yet the decision of whether to look at pornography in which women are portrayed as non-autonomous objects is held to be a matter of private unaccountable choice. Redistribution and equal dignity are tenuous because moderation is optional, private.

The need for properly oriented inclinations derives from the practical nature of moral judgment.[8] Interestingly enough, many of the sources of the need for virtuous and impartial inclination in situations of practical choice coincide with causes of contingency that create the need for authority.

Aristotelian science concerns itself with the unchanging and the necessary. The unchanging and the necessary are eminently knowable. But human moral action occurs in an environment of constant change and uncertain outcomes. The contingent circumstances of human moral choice have many causes: the availability of multiple means; the unforseeability of other persons' actions; the partiality of our information about the goals of an action when someone proposes that we join them in a common venture; the lack of foresight into the consequences of our own choices, such as the unknown effects of a relatively new technology; and the contingent quality of some natural phenomenon, such as a hurricane (*PDG* 27, 278; *FC* 20; *MV* 110–111).[9] A lack of virtue is not an essential cause of the need for

---

[8]These comments on how contingency creates a special role for prudential judgment have many sources. See Simon, *Critique,* especially chapters 1 and 2; *Moral Virtue* chapters 4 and 5; *Philosophy* 19–35; *Freedom of Choice* 99–102; and "Introduction to the Study of Practical Wisdom": 15. See also *Summa Theologiae,* II-II, 47, 2 and 3.

[9]The example of the natural phenomenon not amenable to scientific knowledge (in the Aristotelian sense) is my own.

practical wisdom in its guidance of the will's choices; rather, the activity of virtuous inclinations creates even more choices for the will to make. Likewise, the lack of virtue among members of society is not among the essential reasons for authority, although the common contingency of deficient virtue does account for many of the activities of authority.

When the philosophy of prudence takes the comprehensive good as its object, several important implications follow for contemporary thought. First, acknowledging the practical and contingent nature of moral judgment need not lead us to embrace moral subjectivity in the ordinary sense. Simon grounds the subjectivity of the human agent in ontology, in the ample being known as the comprehensive good. Inclination must be attuned to that comprehensive good; inclinations opposed to the interest of the *bonum in communi* are wrong inclinations. Second, Simon's philosophy of prudence offers an opportunity to question the self-evidence and utility of the sharp distinction liberal democracy draws between the public and private realms of life, especially with respect to what ethical judgments society may desire that its good citizens share. Simon does not explicitly undermine the public-private distinction, but his political thought does point out a way to respect the particular good of individuals and simultaneously insist on the critical nature of the interest the common good can take in virtue of individual persons. All dimensions of the good impinge on the choices of persons in their individual capacities and as members of various communities. The philosophy of prudence recognizes the particular good of sub-regime communities and of individual persons, but the comprehensive character of human desire would not support a public-private distinction that would sanction two separate realms of moral judgment. In other words, the spirit of the philosophy of prudence recognizes the special character of the particular good and its service to autonomy without condoning a wholly private sphere of judgments concerning good and evil. The comprehensive good ranges over the desires of persons pursuing particular goods and over the aspirations of communities. No dimension of the human good is inherently private or in principle shielded from public view, however prudent and good it may be to commit many matters to the autonomous pursuits of persons.

III. The Common Good, the Particular Good, And the Activities of Authority

Human action, however inarticulately, yearns for the comprehensive good. In the concrete circumstances of a political community, however, the quest for the human good plays out its course in the relations between the common good and the particular good. The entire community seeks its common good in united action. A community's very interpretation of the

human good constitutes an important aspect of its common good, as Aristotle points out in Book I of his *Politics*. Functional concerns with the ongoing business of a social order make up separate activities of the common good: defense, justice, transportation, agriculture, education, housing, etc. Another dimension of the common good inheres in the "communion causing" communications of the society. These communications call attention to the common life and common good of the community, building and strengthening the community simultaneously (*PDG* 58, 66–67). Another constituting aspect of the common good is the community's use of authority to command the means to realize united actions needed by the society.

While the common good belongs to the entire community, the particular good belongs to smaller communities or to autonomous persons. Consistent with the prudential nature of political judgment, Simon does not list rules about what particular goods of persons cannot be violated in the interest of the common good. Yet the way Simon distinguishes despotic and political regimes suggests a strong institutional framework of protection for the particular good of persons. Whether democratic or not, political regimes feature institutional means for persons and organizations to resist the government, or to pursue autonomous goods (even goods having apolitical or non-political purposes). Despotic regimes do not permit such institutionalized resistance to government action, and consequently place the population in a status resembling that of a slave (*PDG* 74–75). Following Aristotle, Simon's despotic regimes do not even sacrifice the particular good of persons to the common good. Instead, they sacrifice both particular good and common good to the private good of the despot or the despotic group.

A society that does not recognize a common good, as well as a society that would relativize the particular good of persons to the point that the particular good has no definite content, may have great despotic or exploitative potential. The role of the common and particular good in securing the good of the community and the good of persons against depredations suggests that institutions alone cannot guarantee the dignity and autonomy democratic theorists desire. For the common good tells us what may never be appropriated for our private use; the particular good tells us what pursuits we must attempt in all good faith to leave to the autonomous pursuits of persons and of smaller communities. Some public understanding or political culture of the common good and of the particular good of autonomous persons may be required to secure the institutional framework of liberty and autonomy so central to the democratic theorists of the 1970s and 1980s.

The particular good of autonomous persons comes to view when one

considers which means virtuous persons must commit to realize the common good. Virtuous persons, as long as they formally will the realization of the common good, can prefer, and prefer intensely, to withhold materially what the common good may require in a particular instance. Simon's example involves a woman whose husband has been convicted of a crime and now faces imminent execution. The woman formally wills the common good and generally wills that justice be done; she does not offer illegal, violent resistance to the execution decree. How is the woman's wish that the execution decree not be carried out consistent with the requirements of justice? Simon's justice requires that all persons formally will the common good. But the automatic goodness of the particular good means that people can cherish and prefer not to alienate that which belongs to one's particular good.

One can imagine supporting military service generally and wishing that one's nation could win a just war. Also wishing that one's only son, or some special son, not be required to risk his life would be to embrace a particular good. How far one could go in this different example becomes a delicate matter. The military manpower example operates in zero-sum fashion for two young men and for two families. If my son obtains an occupational or medical exemption, the draft board will find someone else to go to war in his place. By preserving my particular good in this case, I will the consequences that you must yield what is probably just as precious. Eventually, the exemptions will be used up, and some families will give up their sons for those who were able to use the laws to their advantage. In the draft example, the only general actions consistent with justice would generally be to work for peace, as a matter of principle. A generalized desire that one's son never be called could also be just. But if the call comes, the lad's parents cannot preserve their particular good without raiding the particular good of another family. Under the superintendence of prudence, distributive justice requires that persons not transgress against another's particular good.

Critiques of Plato's *Republic* from Aristotle to Simon and Alan Bloom point up the absurdity of social arrangements that abolish the distinction between the common good materially and formally willed. In the *Republic,* the guardian class has mass weddings and the whole ensuing generation of babies will grow to adulthood calling the men and women married at the time of their birth mother and father. The adults in turn will call all children their sons and daughters. Plato realized that the preference for one's own, one's adherence to one's particular good in one's biological offspring, detracts from the intensity of one's commitment to the common good and what it requires. This theme is also strong in Homer's *Iliad* and in Aristophanes' and Euripides' "women and war" plays. The abolition of

the family and private property and the repression of eros in Plato's *Republic* represent violations of human autonomy through the abolition of the particular good. Simon believes that the common good is best served when autonomous persons and smaller communities have charge of pursuing and protecting the particular good. A particular good that is appropriated commonly ceases to motivate the person. A child who belongs to a whole generation, as Aristotle points out, is really no one's child. His common status makes him an orphan.[10]

Simon's insistence on the "automatic goodness of the particular good" has very definite consequences for the way a political order is constituted. The material willing and realization of the common good requires that specific means be chosen to further some requirement of the common good. These means lie in specific policy choices, choices that command resources, distribute benefits and burdens, permit and proscribe categories of activities, and compel united action. The moderate representative regime that emerges from *Philosophy of Democratic Government* features a distinct governing personnel. This distinct governing personnel materially realizes the common good and cannot consider the impact of any salutary policy measure on its particular good. Simon believes the common good is best served if the regime empowers autonomous persons and organizations to seek justice in exchange (labor unions) and to form parties that can

---

[10]Simon's critique of Plato's *Republic* occurs in *Philosophy* 52–57. See also Aristotle, *Politics*, 1260b 27–1264b 25; the status of children who are held to be common offspring is discussed at 1261b 31. Alan Bloom's interpretive essay following his outstanding translation of Plato's *Republic* is not so much a critique as an argument that Plato was attempting to show the difficulties in abolishing all particular claims on a person in favor of the common good. For Bloom, Plato's purpose was to show the abolition of the common good, especially as it inheres in human gender differences and attachments to one's own children, to be ridiculous. Plato, *Republic*, trans. Alan Bloom (New York: Basic Books, 1968). The interpretive essay begins on p. 307. Aristophanes depicts the hostility of women, as such, to war efforts in *Lysistrata*. In *The Congresswomen*, ruling women abolish the options of males to choose their sexual partners, subordinating the particular good of eros to a comically conceived distributive justice. In a more tragic vein, many of the Trojan War plays of Euripides show the particular good of family and of femininity in a defeated political order to be destroyed utterly by war. *Hecuba*, *The Trojan Women*, and *Iphigenia* are a few examples.

help the deliberative-consultative assembly of the civil multitude to define a political agenda. The man-wife community serves an irreducible and irreplaceable function in taking particular care that their own union and the welfare of their children be advanced. Likewise, the family farm and rural democracy become special autonomous preserves of the particular good. Only a prudential judgment that some serious deficiency requires the exercise of paternalistic interference can justify temporary rule of the autonomous particular realm by the common good. When the essential conditions of authority are in place, the particular good must be pursued autonomously.

Respecting the demands of the common and particular good demands that the impartiality or indifference of the will be in act. In fostering impartiality, or an openness to the vastness of the comprehensive good, prudence seems to require that persons take a certain attitude toward the good that cannot be realized by any finitely good action. Here the work of Germain Grisez[11] offers a way of amplifying Simon's treatment of indifference or impartiality. To respect the comprehensive good, a good action that is finite—as are all political policies and social means—(1) must never act directly against another requirement of the good, and (2) must openly acknowledge the good that cannot be done by the finite action. These requirements point up that the human good is indivisible, a quality deeply resonant with its comprehensiveness; they also point up that the good is heterogeneous within its unity, because one aspect of the good is not substitutable for another. This amplification of Simon shows that the philosophy of prudence offers side-constraints that prevent us from contemplating the violation of the particular good in favor of some other good.

The next proposed extension of Simon's philosophy of prudence argues that a public teaching about the content of the particular good is necessary. In chapter 4 of *Philosophy,* Simon speaks of the "problem of recognition." The "problem of recognition" as Simon employs it there refers to problems the democratic electorate has in recognizing the qualifications of prudence in those who would be governing personnel. The recognition problem comes in when Simon acknowledges that these evidences of active prudence are difficult to recognize in human persons. The act of recognition and intelligent voting itself therefore requires much

---

[11]Germain Grisez, *Abortion: The Myths, the Realities, and the Arguments* (New York and Cleveland: Corpus Books, 1970) and *Life and Death with Liberty and Justice* (Notre Dame: University of Notre Dame Press, 1979).

prudence.

In the current environment of advanced relativism, an analogous recognition problem makes itself felt when one considers the content of the particular good. The particular good is critical in public philosophy because the common good prudently directed must make every presumption in favor of its autonomous promotion by persons and independent organizations. If public consensus about what the particular good is deteriorates too much, both the common good and the good properly committed to autonomous promotion become vulnerable to violation. It is one thing to say that the particular good should be left to autonomous promotion in every possible instance, but it is entirely another thing to say that what the particular good includes must be left to individual interpretation. The principle of autonomy sanctions independent promotion of a particular good that has a fairly definite content. If people cease to cherish or desire an aspect of the particular good, this abandonment of the particular good in one or more aspects constitutes a deficiency in recognition, as well as a failure of inclination. Society cannot effectively employ its authority to protect the autonomous particular good of persons if persons do not agree on what this good of persons is.

Rawls deals with this problem of recognition effectively within the limited axiological scope of his theory. Rawls realizes that a theory of distributive justice has, as a requirement, a theory about what may be distributed justly or unjustly. The "thin theory of the good" in Rawls identifies basic goods such as liberty, opportunity, income and wealth, and self-esteem as states of persons or of their possessions that are desirable, whatever else one seeks and considers good. Rawls believes that all rational persons would want to see these primary goods justly distributed.

The feeble moral discourse our society is still capable of wants to allow each person to draw up his or her own list of particular goods while simultaneously professing bafflement about drug use and the lack of affect behind violence and one-parent families in our underclass. Autonomy has been stretched to mean that one has the right to define what one's particular good is, but society also wants to encourage us not to destroy certain aspects of this same menu of optional particular goods. An anti-drug commercial shows eggs being dropped to fry in an oiled skillet. A voice-over declares: "The eggs are your brain. This is what drugs do to your brain. Any questions?" If legitimate authority in a democratic order cannot tell persons what to cherish, authority cannot be sure it will engage the conscience of the public when the neglect of an "optional" particular good threatens public health. What if a healthy brain, or a healthy baby, or a maximally supportive nuclear family simply fail to make people's menus? If we join Rawls in pointing out that self-esteem is a minimal basic good

that persons require in order to accord justice to others, the relativist will reply that everyone should have self-esteem, but that what self-esteem means to the person whose actions make him vulnerable to AIDS or to the woman who knowingly uses crack while pregnant is not the same as what self-esteem means to a more fortunate individual. Tolerance yields to condescension. Relativism with respect to the content of the particular good undermines public philosophies based on justice-dominant concerns almost as much as it undermines the belief and inclination conditions that would favor the public philosophy of prudence. The quest for consensus about the human good in general and in particular constitutes the heart of rational discourse and affective communion. This quest for consensus and the inevitable affirmations of the good in the public realm is itself an aspect of the common good.