Several Attempts at Reconstructing a Morality with Objective and Permanent Elements

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Abstract
Following the dramatic consequences that twentieth-century totalitarianism had had for humanity, some philosophers and thinkers resumed the challenge of embarking on the quest for universal elements present in specific values which, under no circumstances, could be transgressed without such an action being duly rejected or condemned. A new theory of natural law thus emerged which defended the existence of a morality inherent to law. This claim was studied by Professor Arnold Brecht and, subsequently, by authors like Alasdair MacIntyre and John Finnis, who recuperated the classical presuppositions of Aristotelianism and Thomism. Brecht approached the issues of justice and values from a perspective that he chose to call "scientific value relativism". In this connection, he considered that justice was an empirical problem and recognized the ability of science to shape the universality of values. For his part, MacIntyre performed a comprehensive critical analysis on modern and postmodern philosophy and on all the attempts at reconstructing the Enlightenment project, for the purpose of demonstrating that it is indeed possible to substantiate morality objectively. As to Finnis, his reasoned defence of the methodological superiority of a theory of natural law over a positivist theory of law, in view of the impossibility of formulating a general theory of valuatively neutral law, has been applauded even by authors of normative positivism. Accordingly, this paper addresses a field of research aimed at developing and giving continuity to some of the theses on the new theory of natural law in the context of the information society.
Keywords: moral values, knowledge, relativism, emotivism, communication.

I.   INTRODUCTION

Despite the fact that the law applied by the Third Reich was not law in reality,[1] it was in force as such, while the legal validity of supra-legal law, albeit true law in reality, was not recognized as such by the positive legal system.[2] In the wake of the Second World War, and with the still recent experience of the alleged alliance between legal positivism and its "*Gesetz ist Gesetz*" and the Nazi regime, and of the disrespect shown by an arbitrary law for its moral foundations, some philosophers and intellectuals undertook the task of scientifically

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[1] The positivist theses were diametrically opposed to St Thomas' (*Summa Theologica* I, II, q 96 a.4) claim, endorsed in turn by St Augustine (*De Libero Arbitrio* I, c.11), that unfair law is not law. According to the positivists, that claim would be based on how law or the law ought to be, but not on how law is or can be. Unfair laws, such as the racist laws of Nuremberg, are actually laws. In this respect, see John Austin, *The Province of Jurisprudence Determined* (first published 1832, Hackett 1998). However, this interpretation of the maxim "*lex iniusta non est lex*" is, as Finnis explains, erroneous and partial, since it should be understood that, when St Thomas formulated it, he was referring to the central case or model of the law, which differs from peripheral cases. Finnis avoids the criticism of the traditional positivists who refuse to include criteria of moral correction in the definition of law. "Thus, the central case viewpoint itself is the viewpoint of those who not only appeal to practical reasonableness but also are practically reasonable, that is to say: consistent; attentive to all aspects of human opportunity and flourishing, and aware of their limited commensurability; concerned to remedy deficiencies and breakdowns, and aware of their roots in the various aspects of human personality and in the economic and other material conditions of social interaction," Finnis, J. 1980. Natural Law and Natural Rights. New York: Oxford University Press, 15.

[2] Rodríguez Molinero, M. 1973. El relativismo de valores como sistema, In Derecho Natural e Historia en el pensamiento europeo contemporáneo, 343. Madrid: Editorial Revista de Derecho Privado, serie XXX Grandes Tratados Jurídicos de Derecho Privado y Público, vol. 83.

demonstrating man's ability to know, examine and interpret, in a conclusive and lucid fashion, certain universal elements present in legal traditions and in moral, political and legal values and obligations.

With the fall of the Nazi regime, there was a clear, widespread tendency to invoke natural laws and moral values and obligations among those requesting redress for legal injustices committed during the previous 12 years, a tendency that resulted in court jurisprudence by making room for legal ethics and even a natural order.[3] The Basic Law for the Federal Republic of Germany approved in Bonn recognized the absolute validity of a transpositive law, with the invocation of the subjection to "The Law and Law" envisaged in Article 20.[4] At different times, the proposals of Brecht and MacIntyre in this regard intended, without denying the contributions of the relativist theories of the past 150 years, to debunk the fundamental thesis on the human inability to know with certainty whether or not something is truer or fairer. It is possible to discard this thesis thanks to the demonstrability of certain elements that make values what they are, and to the consequences that exercising the virtues involving such values have for human beings.

Brecht approached the issue of justice and values from a perspective that he chose to call "scientific value relativism". In this respect, he considered that justice was an empirical problem and recognized the ability of science to shape the universality of values, without this involving, in contrast, giving them an absolute value. However, the former—according the Brecht—could indeed give universal validity to some of the elements that ought to comprise specific values. Brecht, confronting relativist defeatism, suggested that sets of culturally shared values could be employed to establish a universal rule.[5]

Twenty years later, in his work *After Virtue* MacIntyre—who is now recognized in the field of philosophy for his contributions to the ongoing debate between neoliberal individualists and communitarians—performed a comprehensive critical analysis on modern and postmodern philosophy and on all the attempts at reconstructing the Enlightenment project, for the purpose of demonstrating that it is indeed possible to base morality on objective foundations, persuaded as he was that the Enlightenment only "inherited incoherent fragments of a once coherent scheme of thought and action".[6]

In his book, MacIntyre clearly describes the cultural situation in which we currently find ourselves. Our reality is determined by an emotivist self that is incapable of reaching a consensus with the rest of society on the pre-eminence and objectivity of certain values. This has led it to reject ideological individualism and to stress the need to recuperate a moral horizon of the virtues, thus paving the way for a reassessment of the Aristotelian-Thomistic tradition, its analysis of ancient virtues and its current oblivion. MacIntyre concludes that such an oblivion has been one of the reasons behind the decadence of modernity—it should be recalled that to understand the concept of virtue it is necessary to go back to Greek thought, insofar as Greek ethics was one of virtue.[7]

In line with Brecht, MacIntyre's proposal is grounded in a positive (although not positivist) relativism that, in the exercise of the virtues that affect the welfare of humanity and society, seeks the ultimate proof of the existence of some values that can be communicated in an intersubjectively conclusive manner.[8] Be that as it may, Brecht and MacIntyre are not the sole authors who, in the Kantian tradition, have proposed analysing the conditions of a non-partisan judgement of practical issues that are properly grounded.[9]

Finnis, for example, declares that there are basic human goods of a pre-moral character. For this reason, it is impossible to formulate a general theory of valuatively neutral law; it is only possible to formulate a general theory of law if we consider what is really good for man and, if so, there ought to be a necessary connection between law and true morality. It is not a question of a connection between law and a positive

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[3] The authors of the new natural law usually contend, as Michael More would note, that there are objective moral truths and that the truth of a legal proposition necessarily depends, at least in part, on a moral proposition. Moore, M. 1992. Law as a Functional Kind. In Natural Law Theories. Oxford: Oxford University Press, 189.

[4] Alexy, R. 2004. Menschenrecht ohne Metaphysik? Dtsch Z Philos 52 (1): 15–24.

[5] Brecht, A. 1959. Political Theory: The Foundations of Twentieth-Century Political Thought. Princeton: Princeton University Press.

[6] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 55.

[7] Camps, V. 2005. El concepto de virtud pública. In Democracia y virtudes cívicas. Madrid: Editorial Biblioteca Nueva, 19.

[8] MacIntyre suggests a path, which, in line with that proposed by Brecht, is based on the factual, whose aim is to discover scientific evidence of the universality of certain elements present in values and which, according to MacIntyre, can be deduced from the exercise of the virtues understood in Aristotelian terms. MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press.

[9] Habermas, J. 1991. Moral Consciousness and Communicative Action. Cambridge (MA): The MIT Press, 43.

morality or between law and a subjective morality, but between law and a true objective morality. Only by recognizing the morally necessary character of law is it possible to understand the institutional character of the legal system. This claim is compatible with the theses traditionally associated with positivism, like those that hold that the legal system does not always provide a sole correct answer.[10] Or with those that state that an unfair law has legal validity and is valid, even though it is a case that is legally deficient from the perspective of natural law that assumes the legal operator (which, according to Finnis, does not answer the question of whether that law should be obeyed or even be applied by a judge).[11]

For Finnis, law is aimed at the common good of the community as a whole, which is the "whole ensemble of material and other conditions that tend to favour the realization, by each individual in the community, of his or her personal development".[12] In order that a system of coactive rules should protect the common good, conceived as such, it should contain

rules made, in accordance with regulative legal rules, by a determinate and effective authority (itself identified and, standardly, constituted as an institution by legal rules) for a "complete" community, and buttressed by sanctions in accordance with the rule-guided stipulations of adjudicative institutions, this ensemble of rules and institutions being directed to reasonably resolving any of the community's co-ordination problems (and to ratifying, tolerating, regulating, or overriding co-ordination solutions from any other institutions or sources of norms) for the common good of that community, according to a manner and form itself adapted to that common good by features of specificity, minimization of arbitrariness, and maintenance of a quality of reciprocity between the subjects of the law both amongst themselves and in their relations with the lawful authorities.[13]

Legal positivism, whose theses have been best formulated and defended by Hart,[14] understands that denying the existence of a necessary connection between law and morality—so that justice is not a necessary condition of the legality of a law—does not imply the possibility of the existence of an objective morality that serves as a critical reference for positive law and which on this basis the law can be disobeyed. The new theory of natural law, however, defends the existence of a morality intrinsic to law and that, as Finnis holds, "there are human goods that can be secured only through the institutions of human law, and requirements of practical reasonableness that only those institutions can satisfy".[15] Those goods and compliance with those requirements of practical reasonableness are necessary for human prosperity in any minimally complex society and a good general theory of law should be grounded in natural law.

The problem of the knowledge of values in a relativist world

The relativists insist that value judgements—particularly those relating to ethics—are statements about meaning and not about facts, about "ought" and not about "is". All in all, the relativists no not deny that science may contribute to the discussion, clarifying the precise meaning of possible interpretations and examining the consequences of actions based on such interpretations.

This thesis, together with emotivism whose classical precedents date back to Anthony Ashley Cooper (the third Earl of Shaftesbury) and the logical or naturalistic fallacy set out by David Hume[16] which prevailed in the non-cognitive and non-rationalist conceptions of ethics, has weakened the individual and, at the same time, has demolished the great Enlightenment project and its intention to attain truth in knowledge. Hume's central thesis asserts that moral judgements do not describe (natural or any other type of) properties of X, but express the emotions that X elicits from whoever formulates the judgement. To this thesis should be added the distance that, in his view, there ought to be between belief and attitude, with an eye to explaining the difference between the descriptive value of empirical judgements and the expressive value of moral ones. Nowadays, truth is

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[10] Finnis, J. 2011. Philosophy of Law: Collected Essays Volume IV. Oxford: Oxford University Press, 290–5.

[11] Finnis, J. 1980. Natural Law and Natural Rights. New York: Oxford University Press, 364–5.

[12] Finnis, J. 1980. Natural Law and Natural Rights. New York: Oxford University Press, 154.

[13] Finnis, J. 1980. Natural Law and Natural Rights. New York: Oxford University Press, 276–7.

[14] Hart, H. 1958. Positivism and the Separation of Law and Morals. HarvLRev 71(4): 593–629.

[15] Finnis, J. 1980. Natural Law and Natural Rights. New York: Oxford University Press, 3.

[16] The fallacy becomes more consistent in the undue transition from the "is" of the factual logos—descriptive language—to "ought", namely, the volitional, prescriptive or normative language of morality. Finnis believes that the formulation of the logical fallacy attributed to Hume, which establishes the impossibility of deducing regulatory demands from mere descriptions, far from being incompatible with Thomism, was formulated for the first time by St Thomas Aquinas and not by Hume. See Finnis, J. 1998. Aquinas. Oxford: Oxford University Press, 79–94; Hume, D. 1960. A Treatise on Human Nature. Oxford: Oxford University Press, 1–6.

approached more as a matter of perspective, or context, than as something universal. There is a general feeling that we do not have access to reality, to the way in which things are, but only to what they seem to be to us.[17]

The foregoing has given rise to an unprecedented feeling of vulnerability: postmodernity is the age of disenchantment. The idea of joint progress has been renounced in favour of a commitment to the individual kind. Postmodernity has established the limits of modern science as regards the production of true, accumulative, universally valid knowledge. As a result, the great charismatic figures have disappeared to be replaced by a myriad of parvenu leaders who last until someone more novel and appealing comes along.

In postmodernity, the emotivist individual is incapable of defending that an event or action is objectively better than others and that such a statement can be conclusively proven. In this connection, the Italian thinker Gianni Vattimo, a professor of theoretical philosophy at the University of Turin, clearly defines, in his apology of nihilism, the influence of postmodern thought on the community sphere, in which what is important are not the facts but their interpretations.[18] Similarly, time depends on the relative position of the observer, the certainty of a fact being no more than that: a relatively interpreted and, as such, uncertain truth. Doubt is emphatically cast on the determinist model of causality, of the truth of a strong subject in the style of Hegel, Kant and Marx and an approach to linear time like Leibniz's.

It is true that several hypotheses have been put forward in an attempt to reconstruct the Enlightenment project, with the intention of establishing objective and absolute grounds for values. Contrary to this, great stress had been placed on the importance of the separation between the realms of "is" and "ought". First and foremost, this importance dwindles owing to the fact that nature itself establishes external limits for both reaching the ultimate objectives that we set and the means that we propose for achieving them: for example, working uninterruptedly without sustenance or rest can be eliminated in a scientifically conclusive way from the objectives that man "ought" to meet in moral, legal or political life, given its evident proof of impossibility. Additionally, in human nature itself there are elements of "ought" so deeply rooted in human thought and feeling that they cannot be denied.[19] If the intention is to transmit them with scientific evidence, however, it is fairly complicated matter to find absolute postulates in political and legal life. What indeed seems possible is to establish criteria so as to encounter those invariable elements that are present in values such as justice. These criteria include the immediate experience of evidence, the general confession of everyone, the impossibility of imagining a point of view that does not contain those elements and the impossibility for everyone to imagine the foregoing.[20] In short, it is not an absolute truth that evaluative moral conclusions or those of another kind cannot be deduced from factual premises, because, to start with, talking about "absolute truth" blatantly contradicts the essence of relativism.

In this regard, Jürgen Habermas' reconstructive proposals are interesting. The aim of his theory of communicative action (*Theorie des kommunikativen Handelns*) is to establish a frame in which it is possible to resume that project of interdisciplinary studies of the selective type of rationalization representing capitalist modernization. At any rate, for Habermas a path to reaching a consensus between the concepts of free and responsible being should be opened, by virtue of specific meta principles that solely define the ultimate conditions of a free society, without specifying any of the content or characteristics of rational discourse.

With the concept of communicative reason, Habermas suggested that, from a reason inherent to the use of language when this use rectifies knowledge, a modern understanding of the world can even ensure its universality. Thus, according to the German philosopher and sociologist, the opaque figures of mythical thought should illuminate and clarify the incomprehensible expressions of foreign cultures, in order that we should not only understand the learning processes that separate us from them, but should also be aware of that which we have unlearnt during out learning processes. It is therefore a theory of society that ought not to exclude a priori that possibility of unlearning or take a critical stance on the pre-understanding that we receive from our social environment. In this sense, Habermas contended that unlearning processes could only derive from a critique of

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[17] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 29: MacIntyre, A. 1969. Hume on "is" and "ought". In The Is-Ought Question: A Collection of Papers on the Central Problem in Moral Philosophy, 35–50. London: Palgrave Macmillan; Franken, W. K. 1939. The Naturalistic Fallacy. Mind, N. S. 48: 467–77; Franken, W. K. 1968. Ought and Is Once More. Man and World 2: 515–33; Prior, A. N. 1960. The Autonomy of Ethics. Australas. J. Philos. 1(38): 199–206; Rynin, D. 1957. The Autonomy of Morals. Mind, N. S.: 308–17.

[18] Vattimo, G. 1985. La fina della modernità. Milano: Editorial Garzanti.

[19] For further information on the proposals of different philosophers in this regard, see Werthlermer, M. 1935. Some Problems in the Theory of Ethics. Soc Res (New York) 2(August): 353–67, esp. 364.

[20] Brecht, A. 1940. The Search for Absolutes in Political and Legal Philosophy. Soc Res 7(210).

the deformations based on the selective use of a potential of rationality and understanding which was formerly accessible, but has since been consigned to the grave.[21]

Our culture is currently immersed in emotivism. Value and, specifically, moral judgements are considered to be no more than expressions of preferences, attitudes or feelings. From an emotivist perspective, it is held that each past or present attempt at providing an objective morality with a rational justification has in fact failed. Morality is no longer what it used to be and this has signified an important cultural loss.

Postmodernity has vindicated the emergence of the free individual, who cast off the chains of social constraints and hierarchies that the modern world rejected the moment it came into being. On the other hand, it has renounced what modernity understood as superstitions of teleology. Morality has been secularized and doubt has been cast on the status of moral judgements as expressions of divine law which are susceptible to being rationally proven to be true or false. At the same time, a consensus on what ought to be the nature of man and the ends that ought to guide his behaviour has been eschewed. In short, the entire project of attempting to share and justify morality has been shattered.[22]

However, the emotivist self has its own class of social definition, being found in a specific type of social order currently predominating in advanced countries. There are now only two alternative ways of life open to us: one in which the free and arbitrary actions of individuals rule, and another is which bureaucracy prevails, precisely to restrict those free and arbitrary choices of individuals. The society in which we are living is such that bureaucracy and individualism are both partners and antagonists "and it is in the cultural climate of this bureaucratic individualism that the emotivist self is naturally at home".[23]

The terrible effects of this state of affairs were already palpable at the end of the first decade of the twenty-first century. By accepting the impossibility of conclusively knowing the values that ought to be pursued individually and collectively, man and society are undergoing a process of demoralization leading to the corruption of both. As a result of the moral inconsistency of individuals wielding political and factual power, the social contract which obliges the political establishment to uphold certain values has been broken; money and maintaining power have become absolute ends. Thus, legal certainty, administering justice and the equal redistribution of resources have ceased to be effective, and the citizenry, considering that the foregoing discredits the powers that be, have begun to act accordingly: they break laws, take the law into their own hands and cease to pay taxes. It is not a question of denying the achievements of modern science and its methods. Nevertheless, modernity appears to have vaccinated us against religion, philosophy and even ethics, for none of these disciplines have been able to offer postmodern man any robust means of differentiating between good and evil, right and wrong or justice and injustice.

In view of this situation and notwithstanding the fact that Brecht has not lived to witness the ultimate drift of events, his contributions can cast light on a path—barely visible and practically impassable—which could extricate Western civilization from the perplexity and stagnation in which it is currently immersed.

Brecht explained and substantiated the existence of a link between "is" and "ought" that does not have a logical character, but indeed a *factual* one; a link that, being so evident and intersubjectively transmissible, challenges the positivist doctrine merely based on logical separation. Suffice it to observe such a factual link in a relevant number of individual cases to arrive inductively at the conclusion of its universal presence, with the same certainty or uncertainty than in any other inductive conclusion.

The statements made by Brecht on universal elements do not derive from arbitrary definitions of justice, but can stem from necessary feelings inherent to human beings. Enquiring into this is clearly within the bounds of scientific research. And if such elements are considered as a whole and combined with the two

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[21] Habermas, J. 1987. The Theory of Communicative Action Vol. 2. Lifeworld and System: A Critique of Functionalist Reason. Boston: Beacon Press, 400ff. I should stress that, in my view, neither the efforts made to reconstruct the Enlightenment project, aimed at establishing objective and absolute grounds for morality from different Kantian angles, can satisfy the needs of postmodern society, nor convince present-day man about objective and absolute good and objective and absolute evil. Certainly, human contributions have been taken into account, vindicating an aspect on which the majority of sociologists and philosophers agree, above all since the beginning of the twenty-first century: that Western civilization needs to reconstruct its collective and individual identity. But I believe that the way of achieving this is more in line with the contributions of Brecht and MacIntyre discussed here.

[22] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 36–50.

[23] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 35.

methods proposed by the relativists—clarifying the meaning of the proposed interpretations and the analysis of their implications—the demonstrable elements that are obtained are of considerable importance.[24]

Additional problems in the Digital Age

Two World Summits on the Information Society (WSIS) were held in Geneva and Tunis in 2003 and 2005, respectively. At the former, the Geneva Declaration of Principles was adopted, a document in which it was considered advisable to differentiate between the information society and the knowledge society, the latter as an ambition.[25] It should be specified that, in contrast to information, knowledge is endowed with beliefs, values and commitments, for it is the information possessed by a person which can be put to use in pursuit of an objective or purpose.[26]

The new virtual space or network that has been generated possesses, as such, a number of characteristics that apparently modify our vision of reality. It is virtual not because it does not produce effects, but because it lacks the properties that have been hitherto attributed to reality.

The question is whether or not we can know and communicate, in an intersubjectively conclusive fashion, objective values that can extricate man from the situation of vulnerability in which he currently finds himself. Is this possible in a civilization of computers, calculus and computation, which to a great extent functions digitally and which substitutes the qualities of the living with accounting entities that, in contrast to life experience, provide total technique?[27]

Many of the beliefs implicit in the use of moral expressions have been lost; it would seem that moral language has been emptied of content. What we possess are fragments of a conceptual scheme, parts of which now lack the contexts from which their meaning stemmed. We have imitations of morality employing many of the key expressions, although we have lost our—theoretical and practical—understanding of the concept. Our ability to use moral language, to be guided by moral reasoning, to define out dealings with others in moral terms, is so crucial for the vision that we have of ourselves that suggesting that we are incapable of doing so implies a change in vision of what we are. This has been exacerbated by the advent of virtual reality in our lives.

In 1993, Roberts and Warwick defined virtual reality as "the science of integrating man with information".[28] This new dimension of reality is determining more and more human habits, culture and relations. It is its real-time data processing capacity that has given digital technology its most characteristic power and which differentiates it from the reality predating that of cyberspace. Therefore, we are referring to a different time and space within real space-time. To access this new reality is to access a qualitatively different world in which natural spatiotemporal relationships have disappeared, thus producing a space dissociated from presentiality.

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[24] Brecht, A. 1941. The Myth of Is and Ought. HarvLRev 54(5): 817–31.

[25] World Summit on the Information Society. "Declaration of Principles. Building the Information Society: A Global Challenge in the New Millennium," Item 67; "We are firmly convinced that we are collectively entering a new era of enormous potential, that of the Information Society and expanded human communication. In this emerging society, information and knowledge can be produced, exchanged, shared and communicated through all the networks of the world. All individuals can soon, if we take the necessary actions, together build a new Information Society based on shared knowledge and founded on global solidarity and a better mutual understanding between peoples and nations. We trust that these measures will open the way to the future development of a true knowledge society."

[26] In this regard, see Castells, M. 2005. La era de la información, vol. I. La sociedad red, 3rd edn. Madrid: Editorial Alianza, 47, in which he cites the definition of knowledge proposed by Daniel Bell and that of information put forward by Marc Porat in the following terms: "Knowledge is an organised series of facts or ideas that yield a reasoned judgement or an experimental result, which is transmitted to the rest via some or other medium in some or other systematic form. […] information is data that has been organised and communicated."

[27] Aicher, O. 2001. Analógico y digital. Barcelona: Editorial Gustavo Gili. To Aicher's mind, one of the leading proponents of modern design and co-founder of the Ulm School of Design, putting the abstract before the concrete creates a false hierarchy, an order that has fatal consequences for culture. The abstract digital is superior to or greater or more important than the concrete analogue.

[28] Cited in Woolgar, S. (ed.) 2020. Virtual Society? Technology, Cyberbole, Reality. Oxford: Oxford University Press, 42.

It is this immediacy that allows for frontiers to be transcended, virtual communities to be generated, experiences to be shared and markets to interrelate. The past, present and future are re-elaborated and coexist in a random order in the new dimension of cyberspace.[29]

In our society, just as working or socialising without the Internet is now inconceivable, so too are economic systems, international relations and culture without an online expression. In other words, it is now difficult to imagine being able to work or socialize without the Internet. This means that our lives are experienced on two levels that run parallel to each other, intertwine, fuel each other and interfere with each other. As the old links based on traditional cultures and forms become weaker, this fragmentation multiplied by the number of individuals in society leads, in turn, to that of those societies. As Sherry Turkle contends, personal identity itself appears fragmented and discontinuous owing to new technologies.[30] In this new dual reality in which we are currently living, together with the fragmentation of society and identity, there is a great paradox: as the world has become globalized, differences have proliferated proportionally to the process of unifying integration via technologies. And in this situation the widespread confusion about the character of moral values means that we are living a contradictory reality: our communication capacity has increased, while our ability to share a moral code with which to understand each other and to reach consensuses has decreased.

That perhaps we are being betrayed by the same moral language that we employ does not occur to us. As MacIntyre states in *After Truth*, we are currently in such a calamitous state that we cannot place our trust in a general remedy. Moral language and appearances persist, even when the integral substance of morality has been greatly fragmented, before being partially destroyed.

The most startling trait of contemporary moral language is that most of it is employed to voice endless disagreements. From a rational point of view, it is impossible to reach a moral consensus in our culture. In our society there is no way of deciding between the intentions of those defending and those criticising abortion, war, state intervention in the private sphere or any other similar issue, for which reason there is no end to the debate. Additionally, neither do we have irrefutable criteria at a personal level, nor a set of conclusive arguments for convincing the rest. Thus, it seems that our moral judgements are no more than personal opinions, and contemporary disagreements are, in reality, clashes between opposing wills.

It is true that in colloquial language the habit of talking about moral judgements as true or false persists; but the question of what makes a specific moral judgement true or false now lacks a clear answer. [31] And this is so if we draw from the premise that moral judgements are linguistic survivors of the practices of classical theism, which have lost the context in which such practices were established. Nowadays, such judgements have become useful forms of expression for an emotivist self. The loss of context implies a loss of clarity. It is true that at the dawn of modernity many of those who experienced that transition considered it to be a liberation from both the burden of theism and the confusion of teleological ways of thinking; they understood it as the attainment of one's own autonomy by the self. It was at that moment when the distinctive modern self was invented, an invention that not only required a novel social situation, but also its definition by diverse and not always coherent concepts and beliefs, which made it necessary to bring the Enlightenment project of justifying morality to an end.

In the twenty-first century, the individual moral agent, freed from hierarchy and teleology, conceives himself as sovereign as regards his moral authority and attempts to elevate the moral rules that he has inherited to a status that supplements the teleological and/or categorical character that they had in previous ages. In the frame of postmodernity and the emotivist self, such rules do not actually have a status that rationally justifies resorting to them, so when recourse is had to them, they seem to be mere instruments of individual desire or will. For this reason, many contemporary thinkers and philosophers insist on how urgent it is to vindicate moral rules by devising some or other new technology or by giving them a new categorical status.[32]

Contemporary modern experience has therefore a paradoxical character. We are all accustomed to seeing ourselves as autonomous moral agents, but we all submit to practical, aesthetic or bureaucratic modes, which envelop us in manipulative relationships with the rest. This fact has become evident and widespread with

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[29] Castells, M. 2005. La era de la información, vol. I. La sociedad red, 3rd edn. Madrid: Editorial Alianza, 463–504.

[30] Turkle, S. 1997. Life on the Screen: Identity in the Age of the Internet. New York/London/Toronto/Sydney: Simon & Schuster. For an interesting rebuttal of Turkle's arguments, see Meneses. J. 2006. Diez años de vida (cotidiana) en la pantalla: una relectura crítica de la propuesta de Sherry Turkle. UOC Papers 2. https://www.uoc.edu/uocpapers/2/dt/esp/meneses.pdf.

[31] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 84.

[32] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 87ff.

the appearance of the Internet in our lives. In an attempt to protect autonomy, of whose price we are well aware, we aspire to avoid being manipulated by the rest. In our quest for incarnating our principles and postures in the practical world, we have not discovered any other way of achieving this than by addressing the rest with the same (strongly manipulative) ways of relating with others that we have rejected precisely for their manipulative character. The incoherence of our attitudes and experiences stems from the incoherent conceptual scheme that we have inherited, together with the digital reality in which we are living, which promotes the manipulation of concepts and the "absolutely relative" character of values.

From reason to action: values incarnated in the virtues

We are faced with something that can only be understood as the end product of a process of historical change. This transformation of the self and its relationship with its roles, from traditional ways of life to contemporary forms of emotivism, would not have been possible if the forms of moral discourse and language had not been transformed at the same time. Contemporary moral expression has two key factors: on the one hand, the multiplicity and apparent incommensurability of the concepts invoked; and, on the other, the imperative use of ultimate principles in attempt to close the moral debate.

In the last two decades of the twentieth century and the first two of the current one, the triumph of relativism and emotivism is clear to all, despite those, like Brecht himself, who have tried to combat relativism with its own methodology: the content of the message, the reassessment of the way in which it is conveyed and the degree of conviction to which a reality may give rise have ceased to be important. The mass media have professed to be the transmitters of reality, to such an extent that it could be said that whatever is not covered by them simply does not exist for society.

Whereby, for the vast majority, it can be contended that the most common perception of the morality of present-day society is such that it is now impossible to appeal to compatible moral criteria, as was indeed the case in not too distant times and places.

There are many philosophers, sociologists and thinkers who have attempted to find a way out of the cul-de-sac in which humanity is trapped. In line with the proposals of Brecht and MacIntyre, they have put forward their own with a view to accessing a certain knowledge of values and the consequent possibility of communicating them in an intersubjectively conclusive manner in the realm of "is". In this sense, MacIntyre suggests an "innovative return" to Aristotle's account of the virtues.

According to MacIntyre, Aristotelianism is the most powerful pre-modern mode of moral thought. If in opposition to modernity it were necessary to vindicate a pre-modern vision of ethics and politics, this would have to be done in terms close to Aristotelianism or not at all. So, either we continue to rely on the aspirations and collapse of different versions of the Enlightenment project until arriving at the diagnosis of Nietzsche, or contend that the Enlightenment project was mistaken and, therefore, should not be taken into consideration.[33]

In the Aristotelian account, a virtue is an acquired human quality, whose possession and exercise tend to allow us to obtain those goods that are inherent to practices and whose absence prevents us from effectively obtaining any of those goods.[34] It is not difficult to show that there is a set of key human virtues, without which we do not have access to the goods internal to practices, not only generally speaking but also in a very specific sense. For instance, we have to accept the virtues of justice, value and honesty as necessary components of any practice that contains goods internal to it. Each practice also calls for a certain type of relationship between the participants, for "the virtues are the good by reference to which we define our relationship with the people with whom we share the kind of purposes and standards which inform practice".[35]

The pre-modern vision of the virtues is grounded in a concept of the *self* whose unity lies in that of the narrative that links birth, life and death to its beginning, development and end. This vision played a decisive role in the cultures that have preceded us, and even now continues to be present in many of our ways of thinking, deciding and acting. So, in my opinion, to ask what is good is tantamount to asking how we could live more suitably the unitary narrative of our life and achieve its fullness. To ask what is good for man is to ask what all the answers to the first question should have in common. A catalogue of the virtues would therefore contain those that were necessary for maintaining families and political communities so that men and women may seek together the good and the precise virtues for enquiring into the character of whatever is good. In short, as

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[33] I am of the mind that this is one of the most controversial statements made by MacIntyre, above all for those contemporary authors who still consider that the Enlightenment project is the only one capable of reconstructing Western morality. The analysis of this controversy will be the object of a future study.

[34] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 239.

[35] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 191.

MacIntyre claims, the good life for man is a life devoted to discovering the good life for man, and the virtues necessary for such a quest are those that enable us to gain a broader and better understanding of what is the good life for man.[36]

On this quest, the isolated individual is incapable of finding the good or exercising the virtues. He needs others. We relate to our circumstances insofar as we possess a specific social identity. We have inherited a variety of duties and obligations from a past made up of our family, our city, our tribe or our nation. They constitute the previous information on our life, our moral basis. They give, in part, our life its own moral peculiarity. Because the history of our life is always embedded in those communities from which our identity derives: we were born with a past and attempting to dissociate ourselves from it in an individualistic manner amounts to deforming our relationship with the present. The possession of a historical identity and that of a social identity coincide.

The fact that the self ought to find its moral identity through its belonging to communities like a family, a neighbourhood, a city or a tribe does not mean to say that we should accept the particular moral constraints of those forms of community. Without those moral particularities as a starting point, there will be no place from which to start; the quest for the good, the universal, involves progressing towards those particularities. But those particularities cannot be denied. The notion of escaping from them towards a domain of entirely universal maxims that belong to man is an illusion with often painful ramifications. History is replete with cases in which the identification of particular causes with universal principles and values has had terrible consequences for humanity.[37]

The virtues discover their end and purpose not only in maintaining the relationships that allow for achieving a multiplicity of goods internal to practices, and not only to maintain a form of individual life in which the individual can seek his good, inasmuch as the good of his life as a whole, but also in maintaining those traditions that provide practices and individual lives, alike, with their necessary historical context. The lack of justice, veracity, value and pertinent intellectual virtues corrupts traditions in the same way as the institutions and practices whose life derives from those traditions, of which they are contemporary incarnations. In this connection, we endorse MacIntyre's proposal to reaffirm the existence of an additional virtue: that of an adequate sense of the traditions to which we belong and which we confront in order to understand the future possibilities that the past has made available to the present.

II. CONCLUSIONS

MacIntyre's thesis on the impossibility of suggesting some absolute values, valid at any time or place, is based on a dynamic conception of the moral nature of man. In this respect, it contradicts the Enlightenment project aimed at grounding morality in a static conception of human nature, according to which man possesses a specific nature that we can know with certainty. As a result, we can also identify moral values in an absolute manner.

In my opinion, it is necessary to differentiate between the speculative Enlightenment project and that of Anglo-Saxon authors. Empiricist approaches, like those of John Locke, described briefly here, are useful for resolving some of the moral dilemmas raised by contemporary human beings. It is impossible to deny the demolition of the "naturalistic fallacy" initiated by David Hume (1711-1776) and continued by nineteenth- and twentieth-century authors, especially Hans Kelsen (1881-1973). Certainly, it would be necessary to discard the possibility of finding a purely logical link between what ought to be and what in fact is. Nevertheless, as Brecht suggested, it is possible to find universal elements in moral values, so that the existence of a factual link between the realm of facts and that of values may be scientifically proven.

From this empirical perspective, it is useful and convenient to recuperate Locke's theory of knowledge. With this theory, the English philosopher intended to demonstrate the logic with which reason functions and to identify the processes with which this ceases to be a "blank sheet" to acquire new knowledge. According to him, this "arduous task" intervenes in human freedom that seeks happiness. As already noted, he also declared that all

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[36] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 253; see Montoya Sáenz, J. 1983. A proposito de "After Virtue" de Alasdair MacIntyre. Revista de filosofia CSIC Jul.-Dec.: 315–21; de la Torre Díaz, F. J. 2001. El modelo de diálogo intercultural de Alasdair MacIntyre, El diálogo entre las diferentes tradiciones. Madrid: Editorial Dykinson, 179–96.

[37] I concur with MacIntyre's analysis. These claims do not imply a denial of the universality of values, but proof of the very constraints of historical reality and of man whose—individual and collective—life is an attempt at approaching the truth that he does not fully possess, but which he can and ought to approach through exercising the virtues. The twentieth century and also the present one have been, and still are, the times of charismatic political and economic leaders who, appropriating moral truth, have attacked and are still attacking the dignity of man and his freedom.

the errors into which men fall when they act before adequately examining their desires derive from the bad use of freedom. Locke's allusion to human happiness refers to reality, to facts, relating it to the good use of reason. Reason and reality reveal their convergence in the consequences that man experiences—happiness or unhappiness—the product of a certain concordance between the two. It is in this field in which MacIntyre constructs his thesis on the virtues. When man acts virtuously—in the Aristotelian sense of doing that whose enforceability derives not so much from authority or the nature of things than from the "humanization" that operates in whoever acts in this way—his behaviour has a moral value that can be absolute in his community and in the times in which he is living.

Certainly, it is not easy to acquire absolutely certain knowledge of the world surrounding us. We take certain values as being absolute in their daily application, despite the fact that, at other moments, in light of their destructive consequences, we are obliged to examine them critically, to choose other different values or to attenuate their application. In a nutshell, it seems that for making moral judgements human beings cannot dispense with examining the consequences to which the application of such values leads. And, on the other hand, they should perform an arduous and laborious analysis on such values.

To know the facts is important so as to make value judgements. It is impossible for us to make them on something with which we are unacquainted or know only partially or mistakenly. In this task of attaining knowledge, Locke shed light on something that the emotivism of our times has concealed to a great extent. His hypothesis on the processes of the mind can be used as a premise for addressing the issues raised by MacIntyre three centuries later: the possibility of reconstructing morality on the basis of principles that can be considered as absolute at a specific time and place. We could even go a step further: the possibility of discovering universal elements of evaluation that, at any time or place, ought to be present in moral values in order that they may be considered as such.

If our intention is to reconstruct the ailing morality of Western civilization, the scientific value relativism proposed by Brecht is a good starting point, for, while recognizing that it is impossible for knowledge to access absolute truth, he claims that it is indeed possible to approach it through a knowledge of objective and absolute universal elements, which ought to be present in values for them to be acknowledged as such. The next step should be taken in the realm of practice, following MacIntyre, recuperating the Aristotelian account of the virtues which teaches us that our good as human beings is identical to that of all those making up humanity. I cannot pursue my good in any way that opposes yours, because neither does the good belong to anyone in particular, nor is it private property. Thus, for Aristotle the egoist is someone who has made a fundamental mistake as to where his own good resides and, therefore, excludes himself from human relations.

In modern individualist morality, the concept of rule acquires a new importance. The virtues are not now conceived as having a role and function differing from rules and in contrast to them, according to the Aristotelian account, but rather those dispositions necessary for ensuring compliance with moral rules. This normative constraint is one of the reasons why approaches like those of Nietzsche triumphed.[38] He dared to come to the conclusion that the language of modern morality was replete with pseudo-concepts. We have come a long way (better said, we have passed through a long tunnel) since the advent of modernity and are now fully aware that the price that we have to pay for freeing ourselves from past errors is greater confusion.

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[38] MacIntyre, A. 2007. After Virtue: A Study in Moral Theory, 3rd edn. Notre Dame: University of Notre Dame Press, 314ff.

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