

ETHICS WITH (OUT) SUCCESS: BETWEEN SCHELER AND KANT

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Abstract

*Can kant's strong claim against non-formal ethics of values be validly sustained: namely that, all non-formal ethics are necessarily grounded only on success? In ascertaining the moral weight of an action, is there a way of theorizing non-formal ethics, which acknowledges success but neither gives success a final say nor denounces it? In this paper, i shall argue that max scheler with the central stance of his theory, clearly affirms the import of the second question above and strongly denies the claim in the first. I shall adopt a phenomenological approach in fleshing out scheler's middle ground contentions, in defense of non-formal ethics of values against the two extremes of kant's deontology and bentham's utilitarianism. The key entailment of the methodology i adopt is that it largely allows for a combination of interpretive description and expository analysis. **Keywords:** ethics, success, scheler, kant, moral tenor, values*

Introduction

The paper investigates scheler's central stance that his version of non-formal ethics of values is *not necessarily only* an ethics of *success*. This stance of scheler runs counter to kant's (1785) claim that all theories of non-formal ethics of values are *necessarily grounded only on success*. By the phrase 'not necessarily only' attached to scheler, i wish to strongly indicate that while scheler is ready to admit that there is no surgical operation that can rule out success from the moral worth of a person's action, it does not also follow that the determining basis of such moral evaluation *solely* rests on success. As would be used here, success means making the *consequences* of an action determine its moral value; which is of course invariably, as jeremy bentham's utilitarian theory will argue, making success *the criterion for willing*. Success in this sense becomes a placeholder term covering such situations which also get designated as, result, outcome, consequence, utility, repercussion, etc.

To be sure, a person's moral action in scheler's view *may include* but *may not end* in success. So, even when a person *willfully intends* success, no such willful intention goes without the value-components that necessarily come as preceding processes leading up to the success. As a matter of fact, it is what scheler (1987) calls the basic moral tenor [*gesinnung*] that stands as the determining ground for positing the values of good and evil and as such remains decisive in granting moral credibility to an action. The basic moral tenor “governs a personal, basic direction of loving and hating”

(p. 136). The implication is that in willing an action, a person's intention leans on the footing of the basic moral tenor for the realization of the values within a specific state of affairs. Success therefore may or may not result from such intentional willing of values.

The status of a person in non-formal ethics of values

Non-formal ethics covers a scope which success cannot and does not exhaust. To make good his claim, scheler undertakes a phenomenological description of what constitutes an ethical characterization of a person in his/her acting, in order to lay bare the structural unity of will and deed. The person scheler (1973) argues, is given as one who executes intentional acts that are bound by a unity of sense. In contrast to a person, every psychological objectification is identical with *depersonalization*. Psychic being therefore has nothing to do with person-being [*personsein*].

What scheler is getting at here is that human individuals like children who are yet to come of age, individuals yet to attain a certain level of maturity, the mentally unstable, and those who certain societies refer to as slaves would *morally* not count as "persons". This is because the ability to rightly express clarity between one's own and someone else's acts stands out in holding a person morally accountable and responsible. Otherwise, we may be dealing with a human individual whose action has no bearing on his/her personality and who therefore would not be under any moral obligation to own up to his/her deeds.

Conation, willing, and purpose

For this reason, scheler identifies the personalizing move that initiates the fundamental act of the will as *conation* [*streben*]. Conation is according to scheler (1973) the primary stirring or feeling which every morally acting person experiences in his/her basic moral tenor. As willing, conation tends to be realized because of its being given as an (ideal) *ought-to-be*. Its directional character makes conation while remaining distinct, the foundation of the state of affairs of an ought-to-be of every application of the concept of *purpose*. And as we shall later come to demonstrate, just as purpose does not stand as the foundational basis for willing, success too which is our main concern comes in only insofar as certain other value-components are already rightly in place.

These value-components are primarily present only because there is already a conation that is goal-directed. This as yet does not include though it serves as the prerequisite for the appearance of purpose. And purpose being representational in texture, of necessity requires a picture-component. Conation is where one finds the valuecomponents while the picture-component rests with purpose. Hence, the ontic relation between value-components and picture-component is that the former founds the latter. What we are getting at here is that it is only and exclusively at a definite *level* of our conation that purpose makes its appearance. A direct implication to this is that it is not the case that in all conation, a purpose and the content of a purpose (which is where success comes in) are given.

Situating success in values

By insisting on the indispensability of the value-components in assessing the moral worth of a person's action, non-formal ethics as scheler presents it provides itself with the much needed immunity that safeguards it from the danger of ending up as merely an ethics of success. In effect, scheler's conviction is that there is more to the version of non-formal ethics he endorses than success, even if success counts as one of the elements which receive consideration within its purview. While success is clearly unimaginable in the absence of the basic moral tenor from where the willing of what one intends acquires the corresponding moral value, no moral action is imaginable without the possession of the basic moral tenor. In this sense at least, the moral value of the person and the person's acting are to some degree indifferent to the success of moral deeds.

Success here as scheler (1973) notes is taken in the sense of the repercussion of what is realized in acting. And an ethics of success would mean any moral tradition that makes the value of persons and of acts of willing dependent upon the experience of the practical consequences of their efficacy in the real world. It therefore connotes outcome, result, gain, usefulness, benefit, loss, profit, failure, and the likes. Technically then, success in this sense alludes to the ethical theory that is traditionally referred to as utilitarianism as espoused notably by john stuart mill (1863) for instance. Its twin-cousin is consequentialism. And for scheler, it cannot count, come about or even be at all, without first of all recognizing and dealing with the functionalizing character of the basic moral tenor operative in every acting person.

Grounding moral actions in the basic moral tenor

In a way, scheler with his theory of non-formal ethics appears to be steering a middle cause between kant's (1785) formal ethics with its emphasis on the autonomous rational will on the one hand and bentham's (1823) utilitarianism with its demand for outcome on the other hand. Hence, in a graphic description, scheler (1973) outlines the features of the basic moral tenor as follows, the basic moral tenor:

Shows the directedness of willing towards a higher (or lower) value and its content.

- Contains a non-formal value-quality [*wertmaterie*] that is independent of success.
- Does not unilaterally determine intentions.
- Indicates that the content of intentions depends on the valuecontent.
- Stresses that the peculiar content of the basic moral tenor determines intention, and hence purpose.
- Delineates a *non-formal a priori field* for the formation of possible intentions.

- Permeates with its own value-content all levels of a deed up to its success (p. 115).

What the above outline clearly highlights is that there is a special process of reciprocal interconnection chiefly between the basic moral tenor and intention leading up to the success of a moral action. Nonetheless, such special reciprocity is only effectively possible because the basic moral tenor retains the gravitational weight that sustains and drives the values in the moral indicia of an action. Precisely because of the foremost a priori presence of the basic moral tenor and rather than in spite of it, there is unequivocal clarity in moral feeling as well as the moral judgments founded on the contents of this feeling. It is the basic moral tenor that ultimately furnishes willing with the raw materials which our intention subsequently realizes in goods, purposes, deeds, or actions.

An important point to note from the outline too is that the basic moral tenor is never without value-orientation toward which the goal of willing is always directed. The value-orientation, scheler argues, has a hierarchical ranking according to which a person acting orders his/her preferences. The ordering while factoring in the milieu of the person, follows the values according to how they rank higher or lower in the value-height. The more a person's preference moves towards the higher values the more positive is the realization of the state of affairs to which the person's action is directed. The opposite becomes the case if the person's preference moves him/her in the direction of realizing the negative or lower counterparts in the value-ranks. The success or failure of his/her action is therefore value dependent.

As the outline further indicates, the basic moral tenor contains a non-formal value quality that is clearly independent of success. It is scheler's manner of maintaining that he does not want to end up allowing *outcome* be the determinant of moral values. That of course is different from observing that values possess some form of functionalizing effect. Different from viewing them as aiming directly at success, values are always according to scheler functionalizing, given the fact that what directs them towards the realization of any state of affairs is the conative willing up that takes its initial cue from the basic moral tenor. It is the functionalizing character of values that makes it possible for us to notice and give attention to certain things in our milieu of experience and ignore or perhaps not even notice others at all. With a graphic description scheler (1973) writes:

[t]he slightest sounds that have a significatory function toward her child condition the awakening of a mother from a deep sleep by the interest in her child and his state; but these same sounds *without* this significatory function "toward the child," though with the same value of liveliness or same abilities (or even greater ones) to draw the mother's passive attention, *cannot* condition the mother's awakening (p. 146).

The functionalizing dimension to values determines the things in our milieu to which our basic moral tenor calls our attention. The value of the child's state of well-being would of course have a signficatory function and takes top priority for the mother over the preciousness of her own sleep that can wait until the child experiences some comfort. Hence, among the units of experience and milieu-objects around her, the direction of her interest gravitates toward her child's state because of the signficatory function the baby's cry elicits. That would have a completely different functional effect if the child is in the habit of crying mostly whenever the mother finds little time to sleep and more so if such cry fails to command attention in the mother's scale of values. The mother can simply ignore the child as being naughty or playing games on her since she judges that the state of the well-being of the child is not under any threat or danger.

We may add that the functionalizing effect of values admits of the expression of preference which we find in the order of value-ranking. Such preference we exhibit allows us to fluidly move through the value-ranks in the attempt to respond adequately to the higher and lower indicators we find in the value-heights. Hence, values can be functionalizing at many different levels insofar as they gear towards the realization of some state of affairs.

Another point we need to emphasize from the outline above is that for scheler (1973), the non-formal a priori value field need not be outside of nature. This for him is what kant thinks when he (kant) proposes that there need to be a transcendental presupposition that makes action in the phenomenal world possible. Kant's (1785) notion of freedom establishes such ground that is outside the system of nature and hence outside experience on the basis of which the granting of moral worth to an agent becomes possible. There is here a sense of getting back into the world from a completely different basis.

Kant's appeal to such grounds of possibility outside the immediacy of an acting person's intuitive experience ends up – in scheler's view – demanding that an acting person needs first to extricate himself/herself from the world of everydayness and subsequently finds a way of getting himself/herself back to it autonomously and nonheteronomously. It is only by getting back to the phenomenal world in this manner that one constitutes himself/herself as a person. This kantian manner of going about it would however be *depersonalizing* for scheler. Hence, he would argue on the contrary that one needs not depersonalize oneself or run away from the world of experience first, in order to gain a sense of moral worth or dignity as a person.

If there is any transcendental ground available on which to anchor a person's actions, it is for scheler *pace* kant the basic moral tenor since it delineates a non-formal a priori value field for the formation of possible intentions. In his view, a person acting feels immediately the directional impulse of the basic moral tenor. This does not need to locate the person in the unconditional horizon which the autonomous rational will establishes. The acting person already possesses in himself/herself a certain quality of value-totality which includes but is not exclusively tied to the person's rationality. In that case, a person neither needs to get outside the world nor involve himself/herself in some kind of abstractions in order to act morally. To do that would be both limiting and

distorting the basic moral tenor that lays out the non-formal values of a priori field constantly at a moral person's acting disposal.

As scheler (1973) sees it, there is no denying the fact that the basic moral tenor and intention are clearly two distinct features of the ethical packaging of a person. He gives kant the credit for rightly stressing the distinction. The basic moral tenor with its conative stirring, possesses the values of good and evil and as such maintains the status of the bedrock from which our incessant willing wells up. Intention, because it always posits a situation within a person's lived-experiences, mostly involves elements that subsequently lead to success of deed. Its ability to make such positing rests for scheler on the a priori recognition of the basic moral tenor.

But that the basic moral tenor precedes intention both in temporality and quality of relevance does not suffice to treat the latter as though its presence destabilizes the purity that would typically characterize the edifice of a credible moral theory. Quite on the contrary, there must be a manner of accounting for the essential connections that bring together the basic moral tenor and intention such that we have a complete moral package in place (kelly, 2011, p. 43). Doing so would invariably guarantee a justification of success in ethics without necessarily conceding to the view that it holds a foundational status. Thus, our consideration of the moral functioning of a person without bringing together in a place the person's basic moral tenor and the contents of the person's intention is no more like a car running without a complete set of engine, electrical features and fuel components all linking up to each other. Such a car would be no car at all. In similar fashion, a person's basic moral tenor serving as the engine set of her moral functioning links up with the intention for which actions come in place before leading up to the success the actions may finally entail.

If one wills to move his/her car, it comes with the presupposition that the car engine, the electrical features and the fuel components are intact. Though one begins by turning the ignition with the car key, it does not lead to the conclusion that the ignition point does not have the backing of the engine set and fuel facilities for its almost automatic response. It is a similar thing that happens when one realizes a state of affairs via the essential interconnections between the basic moral tenor, its value-orientation and intention. That it is a realization which comes either as success or as failure does not preclude the functionalizing value of the basic moral tenor. Just as the car ignition may appear to do the magic of setting the car in motion, the consequence of willing often appears to be the determining basis of moral evaluation without *necessarily* being the case.

If we dispense with the value-orientation which the basic moral tenor supplies, the actions would even be such that we cannot attribute ethical significance to them. It is the ethical significance of actions that make us hold a person morally responsible for his/her action. It explains why not all that we do comes under the category of moral evaluation. For instance, turning one's head to the left or to the right is an action. But there is nothing moral about it.

Cleaning one's nose is another action. But it carries no moral value.

But if one turns his/her head to the left or to the right in order to inflict wound on another's eye, or cleans his/her nose in order to fling the dirt to the person sitting beside him/her, then the person who does this stands morally accountable for it since here, there is the willful intention that expresses a value-content that is detrimental to another. In scheler's (1973) words:

I do not “will” to perform a “movement” when i take my hat off the shelf and put it on, for i will “to have my hat on my head.” Of course, a “movement” can be a willed state of affairs, e.g., in gymnastics, etc. But even if it were a question of the same movement, the two cases would remain different. He who slays someone wills “to slay him, not to “move his arms and the axe in a certain way (p. 126).

It is because we have to recognize that an acting person acts from the valueorientation coming from his/her basic moral tenor that we hold him/her responsible for his/her action. If we fail to connect the basic moral tenor with the intention from which the value-orientation finds expression, we would hardly evaluate any action on the basis of morality.

Without the value-orientation securely fastened on the basic moral tenor, our willing will be directionless with regard to moral values. For scheler (1973), the nonformal value quality our willing contains places the basic moral tenor in the position to be experienceable in an intuitive sense of self-givenness and as such it is not a mere form or mode for the positing of intentions. As the outline of the features of the basic moral tenor above further indicates, the non-formal value-quality is the material of the basic moral tenor. It ensures that the basic moral tenor is neither empty nor a basis for a will that maintains a status entirely different from the action that owes its determination to it. And because of being the principal determinant or bearer of values, it is peculiar to the basic moral tenor to remain *constant* throughout the changes in the qualities of conation (mohr, 2014, p. 228).

That the basic moral tenor does not unilaterally determine intention is the extent scheler is ready to go in acknowledging that in being foundational to all that we can ever will, the basic moral tenor nonetheless employs other elements other than itself in accomplishing its moral task in a person. It is also his manner of recognizing that a person's moral action always takes place in a milieu. Thus, if the proper texture of the situation within which a person's action takes place must elicit moral concern, then such consideration must be such that does not need to appeal to a set of criteria outside of experience in order to make sense of the moral value of the person's action. And if the criteria on which actions are considered moral remain *à la kant*, eclipsed in the inexperienceable set of a priori oughts, how do we even begin to account for their status as the determining basis for the morality of our actions?

To resolve the above difficulty which owes its inception to the aforementioned distinction kant (1785) makes between autonomy and heteronomy – with its attendant dichotomy of the will and the authenticity of the intentions possible in an action – scheler (1993) begins on the insistence that the location of the moral value of willing in

the basic moral tenor is not and does not remain the exclusive reserve of formal ethics, as perhaps, Kant purports to claim. Non-formal ethics of value on its own right equally locates its delineation of the moral value of willing in the basic moral tenor.

In the end, there is for Scheler nothing special about formal ethics if what it claims sole prerogative to, namely the basic moral tenor, finds a fertile ground also at least in his own version of non-formal ethics. And since formal ethics does not have monopoly of establishing the presence of the basic moral tenor as the basis for the moral value of willing, formal ethics already exposes its lack of insight when dealing with the proper articulation of our moral situation. Again, the flight of formal ethics from empirical experience in order to account for the basic moral tenor compounds its problem. In contrast, non-formal ethics sees no need for such a flight venture. While being able to ground its *a priori* principles, especially the basic moral tenor in the experiential sphere with which an acting person easily relates, the non-formal ethics in Scheler's terms, equally guards itself against any attempt that reduces its determining basis to success alone.

The deeper sense of willing

In fact for Scheler, without absconding from experience even if momentarily, non-formal ethics goes about its articulation of the moral situation in a manner that paints a richer picture of what happens when dealing with the ingredients that qualify certain actions as morally justifiable. There are important contours and levels of our willing and the values we realize in willing certain actions which neither get to the surface nor receive adequate expression when the Kantian autonomous rational form of willing alone, confers moral validity to an action, to the total exclusion of the various empirical values that find their way in our willing and acting (Kelly, 2011, p. 42).

In pointing out how Kant misses these important contours and levels of our willing and acting, Scheler (1973) writes:

Since the material of willing and conation rests of *necessity* on the relationship between what is willed and our sensible states of pleasure [*lust*], and since pleasure is first represented necessarily as a (not yet intended) success of some kind of acting in the world, or some excitability resulting through the world, any consideration of the “material” of willing necessarily implies, ..., that “*success*” is a standard for this material (p. 112).

The above citation contains in Scheler's view Kant's reasons for completely distancing the will from and emptying it of our sensible states of pleasure, intentions, and excitability. With the distancing and emptying, Kant's optimism is that the will is rid of all impurities which when present in the will necessarily imply that success – in the sense of using the consequences of an action to determine its moral value – is the criterion for willing. Any attempt then at considering the material of willing for

whatever reason, unjustifiably for kant (1785) ends up amounting to constituting success as the sole determining criterion for all non-formal ethics.

In other words, no genuine willing for kant can maintain [the impure] materials of willing and still claim that its determining ground is the basic moral tenor. For scheler, it is with such shutting off of these [impure] dimensions to our willing and acting because of their material content that kant arrives at the conclusion that every non-formal ethics hardly would escape being an ethics of *success*. However, we can illustrate the difficulty scheler is working hard to point out in kant's theory with a scene within the 6th and 7th episodes named, "riot, drill and the devil" in the movie: *prison break* season 1 (mandel, 2005, episodes 6-7).

It is a riot situation in the fox river state penitentiary, illinois. The entire prison inmates are out of control. The prison authority and wardens seem too to be out of ideas on how to restore back law and order. In the prison sick bay, the female medical doctor who happens to be the daughter of the state governor is in danger of being taken advantage of by the sick inmates receiving medical treatment from her. But as events would have it, through the cctv monitoring screen in the penitentiary's control room, an inmate learns of the predicament of the female doctor and sets out on a mission for her rescue. He too stands in danger of being misunderstood by the female doctor herself, the wardens if they happen to see him, and of course, the sick inmates who would necessarily think that his goal is not any different from theirs except that he does not want them to be part of it.

Employing the will alone as the only criterion for understanding why the female doctor in the end opts to follow the inmate-turned-rescuer – even when it was obvious to her that his seeming-good-mission is not clear at all – would definitely not suffice to ground her action morally. There are unavoidable value-components in the milieu that supportively supplied orientation to the eventual direction of her will. The inmate who voluntarily – even *without being asked to do so* – commits himself to rescue her could not have arrived at such a risky venture without being aware that there is no guarantee that he will come out either alive or safe from the operation.

If success in the sense of consequences really saturates the determining basis for all ethics that recognize value-intentions and our sensible states of pleasure, neither the inmateturned-rescuer nor the female doctor could have reached a point in their respective moral dilemmas where their respective critical decisions gave birth to confidence and committed trust. From our own common individual experiences, such confidence and committed trust are not what willing alone achieves. If at all there is a way we can see into their respective *pure will* devoid of value loaded intentional orientations, that of the female doctor would definitely at first show *no conviction* while that of the inmateturned-rescuer will show *total hesitancy*.

However, because our will does not work in isolation but operates in the midst of valuecomponents, there is need to recognize the crucial place of these value-components in our action. As scheler would argue, if merely willing justifies a person morally, then other inmates who may have possibly entertained similar *good will* like the inmate-turnedrescuer but failed to act would in this situation be *kantianly* moral. But

then, that would mean that there is no difference between them and the inmate-turned-rescuer who actually stepped in and carried out the highly risky rescue operation.

Now, what matters in addition to some preceding value-components is the value-object that presents itself immediately as higher in the order of ranks. In this instance, the valueobject is the female doctor and her professional cum spiritual value of caring and healing, propelling the prisoner-turned-rescuer towards the critical direction of getting involved, irrespective of whether or not success in realizing his *willed saving act* materializes in the end. If anything at all, he is likely to be more aware that the scenario is destitute of chances of success than deceiving himself into thinking that it will magically be hassle free. The question: “why get involved?” Thus looms large.

Following the scenario here, it is the eventual safety of the female doctor that stands as part of the picture-component for the prisoner-turned-rescuer. And it is this aspect of the picture-component that gives a certain quality of content following from the valuecomponents already in place. As quite evident to the prisoner-turned-rescuer, saving the value-object, namely the female doctor, who is the key driving factor in the picturecomponent may or may not materialize in the end. But it is enough that an attempt is made at all following the weight of its lead. This ties back to the third element in the earlier outline above which scheler refers to as the willing of the content to be realized and its many levels, leading from the basic moral tenor, through intentions, deliberations, and resolution [*vorsatz*], to decision.

What in the end comes through with the above analysis is that scheler's defense of nonformal ethics of values, while steering clear of the accusations kant levels against it, also neither denounces nor gives success a final say in the assessment of a person's moral action. It also escapes the consequentialist footholds of bentham's utilitarianism.

Conclusion

As our task so far demonstrates, non-formal ethics of values is scheler's attempt to bring together as a self-given intuitive unity, the basic moral tenor, which is the determining ground from which our willing takes off, and the object of willing, in which the value realization takes place. For him, in any moral consideration, sufficient weights must be given to these vehicles of our action in order to avoid reducing one to the other. It is such risky reduction that in scheler's view finds expression in kant's rejection of anything other than the self-governing autonomous rational will as inclination and as such leaning towards an ethics of success. This however as scheler argues does not seem to present the total picture of every non-formal ethics.

Scheler's intricate analysis of those dimensions of actions that receive a heteronymous classification from kant, as we saw above, no doubt allows us insight into the moral credibility those layers and elements possess. We value our feelings towards what we observe in our environment. Our feelings and the values that immediately connect us with things direct our actions in a manner that allows us some breathing space in the already rigorous task of being a moral person. With scheler we feel our personhood in a mode more familiar to our common experience than the seeming tight

options the categorical imperative, good as it is, limits us to. Success no doubt has a place in our moral milieu, but this is insofar as it does not trump other more fundamental determining basis for action.

Thus, our investigation of non-formal ethics of values shows that scheler's painstaking account of the moral tenor with its components of willing, and value-contents on which intentions for actions are posited, while not losing sight of the place of success in a moral action, nonetheless demonstrates that non-formal ethics of values is indeed *not necessarily only an ethics of success*.

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